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The philosophy of John Rawls

Hauptseminar, Konstanz, Summer semester 2009/10

Dienstag, 10-12am, Raum G305

Introduction. The course aims to discuss the main themes of John Rawls' philosophical thought. Although Rawls is mostly known for his two principles of justice, he has left behind a comprehensive body of philosophical work that ranges from political theory to meta-ethics (and, arguably, even beyond). For this reason, this course, instead of focusing on the reading of one particular work by Rawls, intends to give an overview of the defining elements of his thinking. This means that we will read not only the customary works by Rawls, such as his *A Theory of Justice*, but will also discuss some of his lesser known but equally important writings both before and after *Theory*. Thus we will read some of his articles that led to the birth of *Theory* (from his *Collected Papers*) such as his classic article on the two concepts of rules, as well as some of the works that are illustrative of the change that has occurred in his thinking after the publication of *Theory*. In particular, we will deal with the basic ideas of his *Political Liberalism*. The most time, however, we will devote to the ideas of *Theory*: to Rawls' theory of justification (the construction of the original position), to his rejection of utilitarianism, to his two principles of justice (especially the difference principle), to his theory of rationality and goodness (including its relation to rightness), and to his idea of a moral division of labour (the role of institutions in a theory of justice). The course will be a reading course, which means that we will read works by Rawls only; secondary literature will be provided for the help of the students as recommended literature but will not be discussed. The language of instruction will be English.

Hausarbeit möglich. The course will be completed by a 10-15 page long paper (Times New Roman, 12, 1.5) written by the student on topics that are related to the course. Topics must be discussed with the course instructor and must have his permission. During the course student presentations will also be possible (they will be compulsory if the number of students will not be higher than the number of occasions).

Background and overview reading. Those who are interested and want to have a good overview of Rawls' philosophy before the course are advised to read the entry on Rawls in the *Stanford Encyclopedia of Philosophy* (accessible for free on the internet). Other places where one can get a good introduction to Rawls' philosophy are the following:

Adam Swift, *Political Philosophy: A Beginners' Guide for Students and Politicians*, 2nd edition, Oxford: Blackwell, 2006, Part I, esp. 21-9.

Will Kymlicka, *Contemporary Political Philosophy: An Introduction*, 2nd edition, Oxford: Oxford University Press, 2002, Chapter 3, esp. 53-74.

Jonathan Wolff. *An Introduction to Political Philosophy*, Oxford: Oxford University Press, 1997, Chapter 5, esp. 168-195.

Paul Graham, *Rawls*, Oxford: Oneworld, 2007.

Key texts by John Rawls. We will use several books by Rawls. They are all available in the University library. However, some of them, in particular *Theory* and *Political Liberalism* might be worth purchasing. Here is the list:

TJ *A Theory of Justice*, Cambridge, MA: Harvard University Press, 1st edition 1971, revised edition 1999.

PL *Political Liberalism*, New York: Columbia University Press, 1993, paperback edition 1996.

CP Collected Papers, Cambridge, MA: Harvard University Press, 1999, ed. by Samuel Freeman.

Other books of interest by Rawls. By today the Rawls scholarship can said to be complete. There are several other books by Rawls that we are not going to use, the list can be found below.

Justice as Fairness: A Restatement, Cambridge, MA: Harvard University Press, 2001, ed. by Erin Kelly. This book contains Rawls' last views on his theory of justice.

Lectures on the History of Moral Philosophy, Cambridge, MA: Harvard University Press, 2000, ed. by Barbara Herman. Rawls' Harvard moral philosophy course that he held for more than 20 years. The book contains lectures on Hume, Leibniz, Kant and Hegel.

Lectures on the History of Political Philosophy, Cambridge, MA: Harvard University Press, 2007, ed. by Samuel Freeman. Harvard course lectures on political philosophy. The book contains lectures on Hobbes, Locke, Butler, Rousseau, Mill, Kant, and Marx.

A Brief Inquiry into the Meaning of Sin and Faith, Cambridge, MA: Harvard University Press, 2009, ed. by Thomas Nagel. The book contains Rawls' bachelor thesis on religion as well as his late essay on religion.

The Law of Peoples, Cambridge, MA: Harvard University Press, 1999. This is Rawls' final and most detailed statement of the justice of international relations. An earlier, much shorter piece can be found in *CP*.

Secondary literature on Rawls. There is a huge literature on Rawls' views. Below I provide those that I take to be the best texts or collections of texts:

Reading Rawls, ed. Norman Daniels, Stanford: Stanford University Press, 1989.

Cambridge Companion to Rawls, ed. Samuel Freeman, Cambridge: Cambridge University Press, 2002.

Philosophy of Rawls, 5 volumes, eds. Henry Richardson and Paul Weithman, London: Routledge, 1999.

John Rawls: Critical Assessment of Leading Philosophers, ed. Chandran Kukathas, London: Routledge, 2002.

Thomas Pogge, *John Rawls: His Life and His Theory of Justice*, Oxford: Oxford University Press, 2007.

Samuel Freeman, *Rawls*, London: Routledge, 2007.

Percy B. Lehning, *John Rawls: An Introduction*, Cambridge: Cambridge University Press, 2009.

Course schedule. What follows is the schedule of the course with topic and literature for each occasion. I do not here provide secondary literature; if a student is interested in the given topic – wants to write his/her paper on it, for instance – I am happy to provide further bibliographic information.

Seminar 1 (April 27). Introduction and general matters of interest (practical issues: examination, grading, student presentations etc.). The path to *Theory*. Rawls' influential discussion of rules and utilitarianism.

'Two Concepts of Rules', *CP*, 2.

Seminar 2 (May 4). Discussing *Theory*. The basics of Rawls' approach.

Chapter I, *TJ*. Note: §§4, 9 will be discussed later.

Seminars 3 and 4 (May 11 and 18) . Discussing *Theory*. The two principles of justice.

Chapter II, §§10-17, *TJ*.

Seminar 5 (May 25). Discussing *Theory*. Rawls's view of political obligation and the social contract.

Chapter II, §§18-19, *TJ*.

Chapter VI, §§ 51-2, *TJ*.

Background reading, particularly for presenters: 'Legal Obligation and the Duty of Fair Play', *CP*, 6.

Seminars 6 and 7 (June 1 and 8). Discussing *Theory*. The derivation of the two principles.

Chapter III, *TJ*.

Seminars 8 and 9 (June 15 and 22). Discussing *Theory*. The priority of liberty.

Chapter IV, §§31-9, *TJ*.

Chapter VI, §54, *TJ*.

Chapter IX, §82, *TJ*.

Seminar 10 (June 29). Discussing *Theory*. The method of reflective equilibrium. The good and the right.

Chapter I, §§ 4, 9

Chapter VII, §§60, 68, *TJ*.

Chapter VIII, §77, *TJ*.

Chapter IX, §87, *TJ*.

Background reading, particularly for presenters: 'Outline of a Decision Procedure for Ethics', *CP*, 1.

Seminar 11 (July 6). The path to *Political Liberalism*. Rawls' constructivist project.

'Kantian Constructivism in Moral Theory', *CP*, 16.

Background reading, particularly for presenters: 'Justice as Fairness: Political not Metaphysical', *CP*, 18.

!!! Note: I will not be in Konstanz for seminar 6 (June 1) and the course has already missed one occasion (not counting the originally first seminar which was meant to deal only with practical matters). Therefore, unless we can make up for the lost seminars (i.e. find time to add extra seminars), the course will end at this point. If we can hold extra occasions, we will proceed with the schedule below.

Seminar 12 (July 13). Discussing *Political Liberalism*. Fundamental ideas. Recasting the framework of *Theory*.

'Introduction to the Paperback Edition', *PL*, esp. pp. 1-4.

Lecture I, *PL*.

Seminar 13. Discussing *Political Liberalism*. The notion of the reasonable, the burdens of

judgments, moral psychology, publicity.

Lecture II, *PL*.

Seminar 14. Discussing *Political Liberalism*. The idea of an overlapping consensus.

Lecture IV, *PL*.