

« Textes philosophiques en anglais », History of Philosophy Master's Program, Spring 2018
Friday, 15:30-16:00, Salle D 690 (en Sorbonne)
Instructor : S. Webb (samuel.webb@paris-sorbonne.fr)

JOHN RAWLS, A THEORY OF JUSTICE

PRESENTATION

This course will consist in the reading, translation and commentary of a select passages of John Rawls' landmark work *A Theory of Justice*, as well as some related texts. We will pay particular attention to the argument from the "Original Position". Rawls claims that this argument allows us to establish a conception of social justice that is both ideally fair and realizable in our non-ideal world. We will examine this claim and the difficulties that it raises. We will also explore the differential reception of this text in the Anglophone world and in France. You should come to each session having done the readings for the week and thought about the questions on the syllabus for that section. You should also translate a brief passage of your choice into French. During each session, we will translate a passage from the week's readings together, compare our translations, and discuss difficulties of interpretation of key passages.

Language: In class, I will primarily speak English, but you may speak English or French. Do not hesitate to ask questions if there is something you do not understand. I will reiterate certain key points in French where necessary.

LEARNING OBJECTIVES

- Reading in English. Acquiring in depth knowledge of J. Rawls' *A Theory of Justice*, its theses, arguments, reception, and applications.
- Practice communication and philosophical discussion in English
- Develop argumentation skills
- Learn the art of translating philosophical concepts and terms from English to French
- Master the methodology of philosophical textual commentary
- Compare Anglophone political philosophy to the French tradition and context

TEXT

J. Rawls, A Theory of Justice, Cambridge, MA: Harvard University Press, Revised edition, 1999. [Non l'édition originale de 1971]; traduction fr. de Catherine AUDARD, *Théorie de la justice*, Paris, Seuil, 1987. (I will sometimes refer to the original edition to point out the sources of some misunderstandings).

EVALUATION

Your grade is composed of the **average of two grades** : 1) an oral or written exposé in English on the readings for the week et 2) an in-class exam (DSI). **The exam will take place on the 23rd of March** will consist in the commentary and translation into French of a passage from the text.

Instructions for the exposé or presentation

During each session, one student will present in English an aspect of the readings for the week that they have chosen to focus on. Those who do not present in class are to hand in a written presentation **no later than May 4th** (the earlier the better!). The exposé should last between **15-20 minutes** and be conceived on the model of a seminar presentation or a brief academic "talk". In written form, it should be about **4 pages** (1.5 spaced).

The point of the presentation is to stimulate discussion. You may use the study questions to guide you, but you should choose an aspect of the readings that interests you personally. The presentation should accomplish three things :

1. **Identify a problem raised by the text and a thesis it defends.** In your own words, what is the text talking about and what does it aim to show?
2. **Identify and explain an argument.** How does Rawls attempt to convince us of his position on the point you have chosen? What is the opposing view? What reasons does he give us to accept his position?
3. **Respond to the argument.** Tell us whether you think the argument is convincing and why. In your critical analysis of the argument, point out an aspect that seems interesting or debatable to you. This could be an unexamined presupposition or premise, a possible objection or the way this argument responds to an objection, an ambiguity, a connection to another thinker, an application or extension, or a question that seems relevant but unresolved. In brief, tell us what more needs to be said in your view.

The presentation is a *communication* exercise. You should not simply read a text that you have written, but try to speak directly to the class and make yourself understood. Think about the physical and visual aspect of the presentation. You may prepare a handout or a Powerpoint to outline the argument and the points you want to raise and the specific passages you want to focus on. Do not hesitate to come see me for advice about your particular presentation.

CALENDAR OF READINGS

For each session, you should both read the passages in question and be prepared to answer the questions in class.

I. JUSTICE AS FAIRNESS

02/02 – Presentation of the course, introduction to Rawls and to *TJ*

09/02 – §§1-3 The role, the subject, and the main idea of the theory of justice

What is a theory of social justice about? To what problem does it respond? What is the relationship between the concept of justice and a conception of justice?

16/02 – §4 The Original Position and Justification

What is the original position and what kind of argument does Rawls make with it? What is its role in justifying principles of justice in the face of real disagreement?

23/02 – §5 Classical Utilitarianism; §7 Intuitionism; §9 Some Remarks about Moral Theory

What are the alternative positions Rawls considers and intends to argue against? What are Rawls' presuppositions about the nature of moral theory, and normative claims in general?

02/03 – VACATION

II. THE ORIGINAL POSITION AND ITS PROBLEMS

09/03 – § 11 The Two Principles of Justice; §12 The Second Principle; p. 72 on the Difference Principle

What are the two principles of justice that Rawls argues would be chosen in Original Position? What is their relationship to each other? Do these principles seem reasonable? Why or why not? How would society be different if they were realized?

16/03 – §14 Fair Equality of Opportunity and Pure Procedural Justice

What is fair equality of opportunity and why does Rawls think it is necessary to achieve justice? How does pure procedural justice work (how does it differ from other forms of justice)?

23/03 – Exam (**Devoir sur table**) Textual commentary and translation in French.

30/03 – §17 The Tendency to Equality

In what sense is Rawls' theory (justice as fairness) egalitarian? What is Rawls' critique of meritocracy and is it convincing?

06/04 – Ch. III The Original Position §§20-24

What is the nature of arguments for conceptions of justice according to Rawls? What are the arguments he provides for the different conditions on principles in the Original Position? Do these conditions seem universally acceptable? What is the nature of Rawls' argument for the claim that "to each according to his threat advantage is not a conception of justice"? Who might want to defend such a conception and why?

13/04 – Ch. III The Original Position §§25-30 [mainly 25, 26, and 29]

According to Rawls, why would the two principles of justice, and only those principles, be chosen in the Original Position? What form of collective rationality is assumed by the parties and how is it supposed to lead to a fair outcome? Does this argument make the principles seem applicable in real life?

20/04 et 27/04 – VACANCES

III. IDEAL AND NONIDEAL THEORY: TOWARDS A REALISTIC UTOPIA?

04/05 – §39 Priority of Liberty Defined; §40 Kantian Interpretation of Justice as Fairness

In what does the distinction between ideal and non-ideal theory consist? Why does Rawls propose it? In what sense does the theory of justice as fairness embody Kantian ideals like autonomy and reciprocity? Does it depend on Kantian presuppositions?

11/05 – §47 Precepts of Justice (distribution); §48 Legitimate Expectations and Moral Desert; §59 The Role of Civil Disobedience

What is Rawls' approach to distributive justice and why does he consider common sense principles and the utilitarian criterion insufficient? What is the distinction between entitlements to legitimate expectations and moral desert and why does it matter? What role does Rawls envision for Civil Disobedience? Do the conditions Rawls place on its legitimate use seem justified? Is the context of injustice sufficiently addressed?

18/05 – §67 Self-Respect, Excellences, and Shame; §76 Problem of relative stability; §86 The Good of the Sense of Justice; §87 Remarks on Justification

What is the good of self-respect and why does Rawls consider it so important? Is a "society of mutual respect" realistically attainable?

What is Rawls' argument that a society regulated by the principles of justice as fairness would be relatively more stable than the other conceptions he considers? What assumptions does Rawls make about "the problem stability"? How might people develop the sense of justice that Rawls envisions? Rawls claims his theory is "realistically utopian". What does that mean and do you agree with his assessment?