

Philosophy 290–1: Political Rule

Monday 12–2

234 Moses Hall

Niko Kolodny

Office hours and contact info: <http://sophos.berkeley.edu/kolodny/>

Description

The political philosophy of this and the past century has tended to focus on the question: What ends should the state pursue? The formal answer is: the appropriate production and distribution of goods, construed broadly to include not simply material goods, but also security, liberty, opportunity. More substantive answers come when we specify which goods and how they are to be distributed. This tendency is manifest in the most celebrated work of 20th century political philosophy, John Rawls's *A Theory of Justice*. That theory is, essentially, that the “basic structure” of society is just just when it distributes liberties equally and socioeconomic goods according to the “difference principle.” However, the roots of this tendency reach deeper into the utilitarian tradition, which answers the question, “What ends should the state pursue?” with “The greatest happiness for the greatest number.”

A different and earlier tradition, however, largely devoted itself to a different question. Whatever ends the state pursues, it pursues them by issuing commands to others that are in some sense “binding”: authoritative, or obligating, or enforceable, or coercive, or some such. Who, if anyone, has the “right” (the permission, or the normative power, or the exclusive claim) to issue such commands to whom? Who, if anyone, has the right to rule over whom? This is the central preoccupation of the debate between Sir Robert Filmer and John Locke, for example.

Now, perhaps this tradition is misguided. Perhaps, so long as the state is achieving the appropriate ends—which, recall, already includes an appropriate distribution of wealth, liberty, opportunity, and so forth among rulers and ruled—who rules whom, or whether anyone rules anyone, is a matter of indifference. Our question is whether this is the whole story. Supposing that otherwise the right ends are being achieved, is there any valid concern about the very fact that some rule over others? What, if anything, might the concern be, and what, if anything, might answer it?

We will approach these questions by asking two more familiar questions (albeit in reverse order): What, if anything, justifies the state? And what, if anything, justifies democracy, in particular?

The spine of the course, for better or worse, will be the instructor's work in progress. But we will also read work of greater and more lasting value, by John Rawls, Joseph Raz, Ronald Dworkin, T.M. Scanlon, and Philip Pettit, among others.

Readings

All the readings can be downloaded from the “Resources” section of the course’s bspace page: <http://bspace.berkeley.edu/>. Enrolled students should already have access. **Other students, guests, auditors should send their email address to Niko.**

Prerequisites

This is a graduate seminar. Enrollment is open only to (i) graduate students in Philosophy, and Logic and Methodology of Science, and (ii) advanced philosophy majors or graduate students in Jurisprudence and Social Policy *with the consent of the instructor*.

Requirements

1. Enrolled students are required, by the end of Saturday, to post, on bSpace, a question or comment about the reading for Monday. The length the aim for is a substantial paragraph. Regular participants are strongly encouraged to do this as well, unless this would tip the scales to make it too burdensome, given other commitments, to attend the seminar at all.
2. Enrolled students are required to meet with me to discuss a two-page outline of their term paper by April 25 at the very latest.
3. Enrolled students are required to submit a term paper of 15–20 pages by May 9.

Readings:

0. January 27: Introductory meeting

Democracy: Self-government, preference, expression?

1. February 3:
Rawls, *Theory of Justice* §§36–37
Kolodny, “Rule over None 1: What justifies democracy?”
2. February 10:
Estlund, *Democratic Authority*, pp. 1–42
Kolodny, “Rule over None 1: What justifies democracy?”

Democracy: Social equality

3. February 24:
Anderson, “What is the point of equality?”
Kolodny, “Rule over None 2: Social Equality and the Justification of Democracy”
4. March 3:
Dworkin, *Sovereign Virtue*, Ch. 4
Jones, “Political Equality and Majority Rule”
Kolodny, “Rule over None 3: The Institutional Implications of Social Equality”

March 10: Catch-up

Domination or social equality?

5. March 17:

Pettit, *On the People's Terms*, pp. 26–35, 56–69, 130–153, 157–174
Kolodny, “Being under the Power of Others”

Is there a “further objection” to the state?

6. March 31:

Rawls, *Political Liberalism*, IV: 1, VI: 4.4
Quong, *Liberalism Without Perfection*, pp. 1–2
Simmons, “Justice and Legitimacy”
Huemer, *The Problem of Political Authority*, pp. 3–22

Can the state be justified?

7. April 7:

Kolodny, “Justifying the state”

Do the state's threats wrong us?

8. April 14:

Raz, *The Morality of Freedom*, Ch. 6, Sect. 3-4, Ch. 14, Sect. 1.3, Ch. 15, but only skim Sect. 1, focusing on Sect. 2-5

9. April 21:

Scanlon, *Moral Dimensions*, pp. 74–88
Julius, “The Possibility of Exchange”
Shaw, “The Morality of Blackmail”

April 25: Deadline for meeting to discuss term paper outlines

10. April 28:

Kolodny, “What makes threats wrong?”

May 9: Term papers due