

PY5318 Political Philosophy

SASP, Autumn 2023

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Course Description

This first half of this module focuses on justice, and the second on legitimacy. We start by asking distinguishes justice from legitimacy - and indeed whether it is a genuine distinction. We then go on briefly to review the liberal egalitarian and libertarian theories of justice springing from the debate in the 1970s between Rawls and Nozick - theories that students are likely to have encountered in their undergraduate studies. In the remainder of the first half of the module, we focus on the injustice of colonialism and imperialism, and the questions these injustices create for theories of justice. We examine Marx's doubts about the very ideas of justice and rights, and Luxemburg's concerns that justice and rights are achievable in a domestic liberal setting only at the expense of exploitation abroad. We examine Stilz's and Wenar's recent liberal work on a people's right to their territory and its resources, and ask what this implies on liberalism's own terms about the injustices of colonialism. Using Flikschuh's and Lear's work on conceptual loss, we go on to ask what colonialism and imperialism imply about the limits of liberal political theory.

In the second half of the module, we begin by setting up a challenge for democratic legitimacy posed by political disagreement. Contemporary democratic societies are characterized by a plurality of conflicting views about how we should live and how things stand in the world. How, then, can democratic decisions be justified in the face of deep disagreement? One prominent response to this challenge is the Rawlsian idea of public reason. According to this view, political decisions can be justified to a diverse citizenry if they are based on reasons acceptable to all citizens. Public reason, however, puts a significant restriction on what considerations can justify a political decision. Public reason's interpretation of political justification effectively relegates pluralism and disagreement to the sphere of the private and creates 'a politics of omission'. Next, we turn to the idea of proceduralist deliberative democracy. On this view, democratic decisions can be justified to a diverse citizenry because they result from an inclusive process which allows maximal exchange of reasons and engages all citizens in rational debates. However, this rationale seems to lose its purchase when most, if not all legislative deliberation, is done in parliaments. We will explore institutional structures that allow meaningful political participation of all citizens in the form of council democracy. We then move on to a closely related idea of epistemic democracy, according to which democratic decisions can be justified to a diverse citizenry because the underlying deliberative process is able to reap the benefits of disagreement and tends to yield relatively good, rational results. Recent political events, however, cast doubts on the wisdom of the crowd. One might also worry that it opens a backdoor to epistocracy (the rule of the wise). Finally, when citizens perceive the democratic decisions imposed on them as deeply unjust and morally wrong, do they have a right to revolution? We end our journey by exploring the idea of revolution, from Kant to Marx.

Weeks 1-5 taught by Rowan Cruft

1. Justice and Legitimacy

Required reading:

- Wellman, C. H. (2023), 'The Space between Justice and Legitimacy', *Journal of Political Philosophy* 31 (1), 3-23.

Additional reading:

- Buchanan, A. (2004), *Justice, Legitimacy, and Self-Determination* (OUP), Ch. 5 'Political Legitimacy'.
- Peter, F. (2017), 'Political Legitimacy', *The Stanford Encyclopedia of Philosophy* online.

2. Liberal Theories of Justice

Required reading ***if you have not read them before:***

- Rawls, J. (1971), *A Theory of Justice* (Harvard University Press), §3-4, §11, §13 (Just 'The Difference Principle'), & §24.
- Nozick, R. (1974), *Anarchy, State, and Utopia* (Blackwell), Ch. 7 Section I 'Distributive Justice: the Entitlement Theory' (pp. 149-82).

It is likely that many of you will have read these before. If so, please look instead at:

- Kymlicka, W. (2002), *Contemporary Political Philosophy, 2nd Edition* (OUP), Chs. 3 ('Liberal Equality') and if possible 4 ('Libertarianism').
- Charles Mills (2017), 'Rawls on Race/Race in Rawls', in his *Black Rights/White Wrongs* (OUP)

Additional reading:

- Stanford Encyclopedia entries on John Rawls and on Libertarianism

3. Marxist Doubts about Justice and Rights

Required reading:

- Marx, K. 'On the Jewish Question' in D. McLellan (2000), *Karl Marx: Selected Writings*, Second Edition (OUP)
- Luxemburg, R. (1921) *The Accumulation of Capital – an Anti-Critique* (Franke: Leipzig), Ch. 1 'The Questions at Issue' – available online at rosaluxemburg.org or marxists.org
- Ypi, L. (2022), 'Rosa Luxemburg', *The Stanford Encyclopedia of Philosophy* online, Sections 3 ('Critique of Political Economy') and 4 ('Anti-imperialism and national self-determination')

Additional reading:

- Geras, N (1989), 'The Controversy about Marx on Justice', in *Marxist Theory*, Ed. A Callinicos (OUP).

4. Liberal Criticisms of Colonialism

Required reading:

- Stilz, A. (2019), *Territorial Sovereignty: A Philosophical Exploration* (OUP), Ch. 2 'Occupancy'

- Wenar, L. (2008), 'Property Rights and the Resource Curse', *Philosophy and Public Affairs* 36, 2-32.

Additional reading:

- Nine, C. (2013), 'Resource Rights', *Political Studies* 61, 232-49.
- Wenar, L. (2015), *Blood Oil*

5. Concerns about Liberal Globalism

Required reading:

- Flikschuh, K. (2017), *What is orientation in global thinking?* (CUP), Chs 1 ('Conceptual Loss in Global Political Thinking') and 4 ('Reorienting Global Normative Thinking')

Additional reading:

- Lear, J. (2006), *Radical Hope* (Harvard).
- Mutua, M. (2002), *Human Rights: A Political and Cultural Critique* (Penn State).

Weeks 6-10 taught by Xintong Wei

6. Disagreement and the Problem of Democratic Legitimacy

Required reading:

- Talisse, R. B. (2009). *Democracy and Moral Conflict*. Chapter 1.

Additional reading:

- Hannon. M. (2021). Disagreement or Badmouthing? The Role of Expressive Discourse. In *Politics Political Epistemology*, edited by Elizabeth Edenberg & Michael Hannon.
- Peter. F. (2008) *Democratic Legitimacy*. Chapter 1.
- Ridder. J. (2021). Deep Disagreements and Political Polarization. In *Political Epistemology*, edited by Elizabeth Edenberg & Michael Hannon.

7. Public Reason

Required reading:

- Rawls.J (2005). The Idea of Public Reason Revisited. In *Political Liberalism*.

Additional reading:

- Bohman and Richardson. 2009. "Liberalism, Deliberative Democracy and "Reasons that All Can Accept"". *The Journal of Political Philosophy*.
- Bohman 1998. "The Coming of Age of Deliberative Democracy". *The Journal of Political Philosophy*.
- Cohen. J. (1996). "Procedure and Substance in Deliberative Democracy" in Benhabib (ed.), *Democracy and Difference*.
- Talisse, R. B. (2009). *Democracy and Moral Conflict*. Chapter 2.

8. Deliberative Democracy

Required reading:

- Benhabib, Seyla. (1996). “Towards a Deliberative Model of Democratic Legitimacy” in Benhabib (ed.), *Democracy and Difference*.

Additional reading:

- Habermas, J. 1996. “Deliberative Politics: A Procedural Concept of Democracy” in *Between Facts and Norms*.
- Young, Iris Marion 2003. “Activist Challenges to Deliberative Democracy,” in *Debating Deliberative Democracy* James Fishkin and Peter Laslett (eds.), Oxford: Blackwell.
- Baber. B. 2003. *Strong Democracy -Participatory Politics For A New Age*. Chapter 7 & 10.
- Popp-Madsen, B. 2020. *Visions of Council Democracy: Castoriadis, Lefort, Arendt*. Chapter 1 & 2.

9. Epistemic Democracy

Required reading:

- Anderson, Elizabeth, 2006, “The Epistemology of Democracy”, *Episteme*, 3(1–2): 8–22.

Additional reading:

- Estlund 2008, *Democratic Authority: A Philosophical Framework*, Princeton: Princeton University Press. Chapter 1.
- Landemore, Hélène, 2013, *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many*, Princeton: Princeton University Press. Chapter 1.
- Waldron, Jeremy, 1995, “The Wisdom of the Multitude: Some Reflections on Book 3, Chapter 11 of Aristotle’s *Politics*”, *Political Theory*, 23(4): 563–584.

10. Revolution

Required reading:

- Kant, I., “Introduction to the Doctrine of Right” and “The Right of a State” in the *Metaphysics of Morals*.
- Marx, K., *The Communist Manifesto*.
- Locke, J. *Second Treatise*, §§ 149, 155, 168, 207-10, 220-31, 240-43

Additional reading:

- Buchanan, Allen, 2013, “The Ethics of Revolution and Its Implications for the Ethics of Intervention,” *Philosophy and Public Affairs*, 41 (4): 291–323.
- Finlay, Christopher J., 2006, “Violence and Revolutionary Subjectivity: Marx to Žižek”, *European Journal of Political Theory*, 5(4): 373–397.
- Finlay, Christopher J., 2015, *Terrorism and the Right to Resist: A Theory of Just Revolutionary War*, Cambridge: Cambridge University Press. Chapter 1.
- Flikschuh, Katrin, 2008, “Reason, Right, and Revolution: Kant and Locke”, *Philosophy & Public Affairs*, 36(4): 375–404.