

Phil 403: Political Philosophy

Distributive Justice in Theory and Practice

DAMIEN STOREY | SPRING 2019 | VERSION 0.1

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COURSE PARTICULARS

When & where: TBD

My office: SOS 162

Office hours: Thur 13.00–15.00 (or email to arrange a meeting)

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COURSE DESCRIPTION

Some people in society, through no fault of their own, have far less than others, often in ways that leave them with considerable hardships. What, if anything, should we do about this? If society otherwise meets reasonable standards of fairness, perhaps we should simply accept that a free market creates wide inequalities? Or does justice require us to limit the resources of the more fortunate, to lighten the burdens of the less fortunate? And if the latter, should our aim be equality or, more modestly, to ensure some minimum standard of living?

These and similar questions about distributive justice are as important—and as divisive—in political philosophy as they are in the everyday politics of modern democracies. But theory and practice do not always communicate well. In philosophical debates, in the Anglo-American tradition, the main opposition has been between liberal egalitarian theories and libertarian theories. But in practice, outside of universities, and especially among people in business and politics, a third view is common: that whether or not it is desirable in theory, ambitious redistributive aims are impossible in practice, since they are at odds with a normally functioning free market and require unworkable policies and inefficient institutions.

The aim of this course is to introduce contemporary philosophical theories of distributive justice in a way that assesses their ability to address such practical political questions. For example: Do the goals of economic efficiency and justice always pull in opposite directions? What do theories of distributive justice tell us about the primary instrument of redistribution: tax? Is the most plausible theory of private property compatible with the way private property is treated in modern democracies? And are egalitarian theories best implemented by welfare-state capitalism or some alternative political system?

STUDENT RESPONSIBILITIES

I keep the weekly reading reasonably light and in exchange I expect students to do *all* the required reading, and do it *carefully* (which might mean reading the material multiple times). In addition, students are expected to complete all assessments, attend all lectures, and take an active role in class: listening carefully, asking questions, and engaging in discussion with each other and me. If you find it difficult to engage in class, you can be active on the class forum (on Blackboard).

ASSESSMENT METHODS

The course is assessed by:

1. (33%) *Tasks* [Short writing tasks or in-class exams—details to be decided]
2. (33%) *Essay*. Between 1500–2000 words, on a topic you choose after discussion with me. (*Grading*. Letter grade, F to A+.)
3. (33%) End-of-semester written exam. This will involve questions of various types—from multiple choice to written responses—that could be about any aspect of the course. (*Grading*. Letter grade, F to A+.)

Your grades will always be given to you as one of the following letter grades. (Percentages are used solely for calculating your average grade.)

A+	—	Exceptional	96–100
A	4.00	Superior	90–95 [93]
A–	3.70	Above Average	87–89 [88]
B+	3.30	Above Average	83–86 [85]
B	3.00	Average	80–82 [81]
B–	2.70	Average	77–79 [78]
C+	2.30	Below Average	73–76 [75]
C	2.00	Below Average	70–72 [71]
C–	1.70	Borderline	67–69 [68]
D+	1.30	Deficient	64–66 [65]
D	1.00	Deficient	60–63 [62]
F	0.00	Failing	00–59

COURSE POLICIES

Course material. All required reading will be on Blackboard at least a week prior to the relevant lecture. Optional reading will not usually be on Blackboard, but the library exists. Except in exceptional circumstances, slides and handouts will not be on Blackboard.

Late work. Late essays will lose marks at the rate of one full letter grade per week (e.g. a B–essay that is one week late will get a C–). Lecture prep tasks will be marked as failed if they are later than the lecture for which they are due and/or are not handed to me in person.

Extensions and exemptions. Extensions and exemptions are possible only for official medical reasons and only if the student makes me aware *before* the due date. No other exceptions are made, no matter what the grounds for the request.

Referencing and plagiarism. Plagiarism is the presentation of someone else’s work without acknowledgement—whether deliberate or accidental—such that someone might reasonably mistake it for your own work. The university’s guidelines are [here](#). Plagiarism is a *very* serious offence even if it is just a couple of lines and even if it is accidental: it is entirely *your* responsibility to learn what plagiarism is. If you’re in any way unsure about plagiarism, please ask me.

I use the following strategy for dealing with plagiarism:

Plagiarism amnesty. Throughout the semester, I compile a list of students who have plagiarised (so far, about 10% of students), but I return their work marked as if it were not

plagiarised. In other words, no student will know they are on the list. After the final assessment is submitted, I hold an amnesty week in which students have the opportunity to confess; if a plagiarising student confesses, they are removed from the list and will only fail the relevant component. At the end of the week, I report all those remaining on the list to Academic Affairs and recommend that they receive the harshest possible penalty—expulsion from the university if possible.

LECTURE OUTLINE

PART I: INTRODUCTION

‘While the bottom half of adults collectively owns less than 1% of total wealth, the richest decile (top 10% of adults) owns 85% of global wealth, and the top percentile alone accounts for almost half of all household wealth (47%).’

—Credit Suisse, *Global Wealth Report 2018*, 9

1. Introduction

Week 1: Lecture 1

2. How much inequality is there?

Week 1: Lecture 2

- TASK: Use [Credit Suisse Global Wealth Report](#) to create a pie chart that illustrates wealth distribution for any one country you choose.
- Read the following [summary](#) of Oxfam’s ‘Reward Work, Not Wealth’ and browse the full report.

3. Liberty versus equality

Week 2: Lecture 3 & 4

- Jonathon Woolf, *An Introduction to Political Philosophy*, third edition (Oxford: OUP, 2015), chapter 5

PART 2: TAX

‘Anyone who advocates a tax policy that is, simply, ‘best for economic growth’ or ‘most efficient’ must provide not only an explanation of why the favoured policy has those virtues, but also an argument of political morality that justifies the pursuit of growth or efficiency regardless of other social values’

—Murphy & Nagel, *The Myth of Ownership*, 12

1. Traditional theories of tax equity

Week 3: Lecture 5 & 6

- Liam Murphy and Thomas Nagel, *The Myth of Ownership*, (Oxford: OUP, 2002), chapters 1 and 2

2. Public goods, redistribution, and efficiency

Week 4: Lecture 7 & 8

- Murphy and Nagel, *The Myth of Ownership*, chapter 4 [you might also read chapter 3, which is an excellent recap of the topics we covered in part 1]

3. Which tax policies?

Week 5: Lecture 9 & 10

- Murphy and Nagel, *The Myth of Ownership*, chapters 5 and 6

4. Intergenerational wealth and inheritance tax

Week 6: Lecture 11 & 12

- Murphy and Nagel, *The Myth of Ownership*, chapter 7

PART 3: PROPERTY RIGHTS AND LIBERTARIANISM

‘Individuals have rights, and there are things no person or group may do them without violating these rights. So strong and far-reaching are these rights that they raise the question of what, if anything, the state and its officials may do. How much room do individual rights leave for the state?’

—Robert Nozick, *Anarchy, State, & Utopia*, ix

1. Nozick and Lockean view of property

Week 7: Lecture 13 & 14

- John Locke, *Two Treatise of Government*, essay 2, chapter 5
- Robert Nozick *Anarchy, State and Utopia* (Oxford: Blackwell, 1971), chapter 7 [and try to read 3, 4, and 8]

2. Left libertarianism

Week 8: Lecture 15 & 16

- Michael Otsuka, *Libertarianism Without Inequalities* (Oxford: Clarendon Press, 2003), chapters 1 and 2.

3. Other views of property

Week 9: Lecture 17 & 18

- Jeremy Waldron ‘To Bestow Stability upon Possession’ in James Penner and Henry Smith (eds) *Philosophical Foundations of Property Law* (Oxford: OUP, 2013)
- Jeremy Waldron [Property and Ownership](#) in *The Stanford Encyclopedia of Philosophy*

PART 4: RAWLS AND DISTRIBUTIVE JUSTICE

‘Justice is the first virtue of social institutions, as truth is of systems of thought. A theory however elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed or abolished if they are unjust.’

—John Rawls, *A Theory of Justice*, §1

1. Rawls's project

Week 10: Lecture 19 & 20

- Samuel Freeman 'Introduction: John Rawls—An Overview' in Samuel Freeman (ed.), 2003, *The Cambridge Companion to Rawls* (CUP: Cambridge, 2003)

2. The Original Position argument

Week 11: Lecture 21 & 22

- John Rawls, *Justice as Fairness: A Restatement*, E. Kelly (ed.), (Harvard University Press: Cambridge, MA, 2001), part III

3. Further questions for liberal egalitarianism

Week 12: Lecture 23 & 24

- Susan Moller Okin "'Forty acres and a mule" for women: Rawls and feminism' *Politics, Philosophy & Economics* 4, 2 (2005) 233–248
- Amartya Sen 'Equality of What?' *Tanner Lectures on Human Value*, 1979

PART 5: FROM THEORY TO PRACTICE

'[W]elfare-state capitalism permits a small class to have a near monopoly of the means of production. Property-owning democracy avoids this, not by the redistribution of income to those with less at the end of each period, so to speak, but rather by ensuring the widespread ownership of productive assets and human capital (that is, education and trained skills) at the beginning of each period, all this against a background of fair equality of opportunity. The intent is not simply to assist those who lose out through accident or misfortune (although that must be done), but rather to put all citizens in a position to manage their own affairs on a footing of a suitable degree of social and economic equality.'

—John Rawls, *Justice as Fairness: A Restatement*, 139

1. The welfare state and its alternatives

Week 13: Lecture 25 & 26

- Ben Jackson 'Property-Owning Democracy: A Short History' in Martin O'Neill and Thad Williamson (eds.) *Property-Owning Democracy: Rawls and Beyond* (Wiley-Blackwell: Oxford, 2012)
- John Rawls, *Justice as Fairness: A Restatement*, E. Kelly (ed.), (Harvard University Press: Cambridge, MA, 2001), part IV

2. Universal Basic Income

Week 14: Lecture 27

- Philippe Van Parijs 'Why Surfers Should be Fed: The Liberal Case for an Unconditional Basic Income' *Philosophy & Public Affairs* Vol. 20, No. 2 (Spring, 1991), pp. 101–131.

In-class exam

Week 14: Lecture 28

SOME ESSAY & WRITING ADVICE

WRITING PHILOSOPHY

Please pay close attention to the following advice, especially 1 and 2. They try to cater for the most common and most easily solved problems I find in students' writing. Please take them seriously.

1. *Explain.* In short: explain *everything*. It should be possible for an intelligent peer who hasn't studied philosophy to fully understand your essay without needing to read the authors you're writing about. So, for example: if you use a technical term or mention a concept that has particular significance for an author, make sure you clearly define and/or explain it. Similarly, for any argument or position you discuss, you must clearly explain it to your reader. This is partly because good academic writing should be explicit and easily understood, but it is not the only reason. Another reason is that your ability to explain the ideas you're discussing—clearly, precisely, and succinctly—is one of the principal things you're being assessed on. You might well know, say, what a categorical imperative is, but you need to *show* that you know it and how precisely you know it. Explaining even small, simple ideas well is a lot harder than you might think; don't underestimate how important it is, and how much work it takes.
2. *Justify.* Assume that for every claim you make, the reader is asking 'why should I believe that?' In a philosophy essay, there should always be an excellent answer to this question. You should consider this to be, above all else, your aim when writing an essay. The worst thing you can do is to make bold assertions without defending them, and the second worst is to make bold assertions and defend them weakly. Note that this includes interpretive claims: if you write 'Plato believes that p', you need to show your reader, perhaps by giving a supporting quote, that this is indeed something Plato believes.
A bad essay: 'p.'
A good essay: 'For reasons x, y, and z, it seems that p.'
An excellent essay: 'Reasons x, y, and z give us good grounds for thinking that p, although someone might offer an objection along the following lines ... However, I think there is a promising response to this objection ...'
3. *Use headings.* Before you start writing, sketch a structure for your essay. When writing, use headings that reflect this structure. A typical essay might have 2–4 headings.
4. *First understand, then assess.* Be careful not to rush into criticisms of what you read before you've fully understood it. Approach everything you read with charity. That is, assume (since it's likely) that the author has thought intelligently and carefully about what they've written, so is unlikely to have made obvious mistakes. For example, if you notice a *prima facie* objection to something you're reading, read it again carefully to see if there's a way to understand it that avoids the objection or try to think of a plausible implicit assumption the author might have made that caters for the objection.

5. *Be sufficiently detailed.* The topics we'll look at are broad. One could reasonably spend years writing hundreds of pages about them—you have at most a few pages and a few weeks. This presents a challenge: on the one hand, you want to cover the whole topic, showing that you're familiar with all the major issues that arise; on the other hand, you want to do more than simply scratch the surface, never looking at anything in detail. This can be a difficult balance to achieve, but in general it is much better to *err on the side of detail*. A good approach might be to devote about the first third or half of your essay to a more general discussion and then use the last half or two-thirds to examine one or two smaller points in much greater detail—you might, for example, focus on one argument, premise, or objection that you think is especially important or interesting.
6. *Ensure your conclusions reflect your arguments.* You might have been taught that strong, persuasive prose requires confident assertions, rather than hesitant, qualified ones. This is not the case in philosophy: your assertions should reflect the actual degree of confidence that is warranted by the evidence you've provided. Decisive arguments are rare—even rarer are decisive arguments in just a few lines of a student's essay. So be very careful not to mistake considerations that give us a good reason for believing that p for an argument that shows conclusively that p. A good essay is likely to have a large range of (appropriate) qualifying phrases: 'this shows decisively that p'; 'this is a strong reason to believe that p'; 'this suggests that p'; 'this makes it less implausible that p'; and so forth. Be especially careful with strong 'success' verbs like refute or prove.
7. *Show 'independence of thought' rather than 'originality'.* You might think that philosophy encourages you to express your unique opinions, an opinion differing from those of the authors you'll read. But by itself, originality—the simply fact that an idea is new—has little value and it should not be your aim. After all, an idea can be both original and obviously false. What *has* value is independence of thought. If you agree with the conclusions of a certain author because you fully understand them, have thought critically about their arguments, and carefully assessed alternative possibilities, then you believe nothing original, but you are showing admirable independence of thought.
8. *Use quotes.* Especially in historical subjects, including quotes from relevant primary texts can be an excellent way to illustrate, justify, and give some focus to your discussion. One way (of many ways) to use a quote would be the following: make a claim; present a quote that you think backs up the claim; and then explain and interpret the text of the quote in order to show that and why it backs up your claim. Two cautions: first, quotes from secondary sources are rarely useful; second, never use a quote as a way of *saying* something—rather, a quote should be presented as evidence *about which* you have something to say.

For more guides to essay writing, see Jim Pryor, [Guidelines on Writing a Philosophy Essay](#), and James Lenman, [How to Write A Crap Philosophy Essay](#).

SOME BASICS OF TYPOGRAPHY

The following are a few typographic conventions worth learning.

1. *Indent paragraphs.* But do not indent the opening paragraph of the document or the first paragraph after a section heading. You may instead—not in addition—separate paragraphs with a blank line, although this is better suited to list-like texts, such as legal documents, than continuous prose.
2. *Use single line spacing.* It's easier to read. Double spacing is only necessary when a printed copy of your work will be annotated.
3. *A footnote mark is always placed after punctuation.*¹ It is almost always best to place a footnote at the end of the sentence, *after* the sentence-ending full stop, even if you are referring to something earlier in the sentence. Avoid consecutive footnotes; instead, place all information in one footnote if possible.
4. *Indicate quotes with either quotation marks or by using a block quote.* Extra flourishes, such as italicising, are unnecessary. And never place a block quote within quotation marks.
5. *Learn the difference between a hyphen (-), en-dash (–), and em-dash (—).* Use an en-dash like 'to' in ranges of dates or numbers (e.g. 87–142) and to express certain relationships between words: for example, an 'on–off switch' or 'Irish–American relations'. Either an en- or em-dash can be used to indicate a parenthetical phrase. If you use an en-dash, add a space either side – like so – but em-dashes are always unspaced—like so.
6. *Make ellipses with three full stops separated by spaces.* Like this . . . , with a space either side. You will most commonly use an ellipsis to indicate portions of text that you've omitted from quotes. Don't omit any sentence-ending full stops that precede an ellipsis (i.e. together they make four stops). For example:

[P]articular care needs to be exercised when eliding text to ensure that the sense of the original is not lost . . . A deletion must not result in a statement alien to the original material. . . . Accuracy of sense and emphasis must accompany accuracy of transcription. (CMS, 16th, 13.49)

7. *Use a single space after full-stops.* A double space, once common, is now rightly recognised as unnecessary.

REFERENCING

In your essays you should reference both quotes and claims or arguments that originate from one of the authors you've been reading. You should also have a bibliography of all the works you've referred to in the text.

You can use whatever bibliographical style you choose, so long as it's consistent. The following is an example of a typical author–year referencing style, starting with what the bibliography will look like:

Book: Author (Year) *Title*, Place: Publisher.

Fine, G. (1993) *On Ideas*, Oxford: Oxford University Press.

Freeman, S. (ed.) (2003) *The Cambridge Companion to Rawls*, Cambridge: Cambridge University Press.

1. This includes full stops, commas, colons, semi-colons, and quotations marks.

Article: Author (Year) 'Title,' *Journal*, Volume, pp. Pages.

Irwin, T.H. (1977) 'Plato's Heracleiteanism,' *The Philosophical Quarterly*, 27, pp. 1–13.

Article in book: Author (Year) 'Article Title' in Editor(s) (ed(s).) *Book Title*, Place: Publisher.

Scanlon, T.M. (2003) 'Rawls on Justification' in S. Freeman (ed.) *The Cambridge Companion to Rawls*, Cambridge: Cambridge University Press

In-text citation: (Author, Year, Page(s))

It has been argued that the charge of conservatism laid against Rawls' idea of reflective equilibrium is unsound (Scanlon, 2003, pp. 150–151).

Scanlon argues that the charge of conservatism laid against Rawls' reflective equilibrium is unsound (2003, pp. 150–151).