

Advanced Paper in Theories of Justice 2019/20

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A. Course Information

Tutorials

This course explores some of the most important debates in contemporary political theory, by examining questions that arise when we broaden the focus of justice beyond the confines of adults who are contemporaries, lack any disabilities, and live in a single society with no history of injustice.

We will have **eight tutorials**, and so cover eight topics, the first 6 of which I have already allocated. There is a choice of topics for the final 2 weeks.

You are expected to write **six essays** on six topics of your choice among those we cover. In the weeks that you are not writing an essay, you should still do the reading, and must submit a brief essay plan instead of an essay.

Essays should be around **2,000 words** (2,500 words maximum) and must be emailed to me by **6pm on the day before the tutorial**. They should include a bibliography of everything that you've read, and footnoted references where appropriate. Essays should also be emailed to your tutorial partner, so that they can read through them before the tutorial.

In each tutorial, one of you will give a **five minute presentation** of your essay. I would suggest that you read out your introduction, summarise the argument of each paragraph, and then read out your conclusion. The student who does not present will respond to the argument, raise questions etc., and we will then have a discussion based on the issues that are raised. In advance of the tutorial, please think about what you would say if you gave the presentation. Checking that you are able to summarise the key arguments you make in an essay is a good way to ensure that it is cogent and coherent.

Essay questions and reading suggestions

Essay questions for the first 6 weeks of the course are given below. There is a choice of essay questions each week, and you are free to choose whichever question you prefer.

We will be using the department's reading list for this paper. I give guidance below on which readings to particularly focus on each week. Sometimes this guidance is for specific questions. I have listed those readings in the order that I suggest that you read them in.

To be clear, it is rarely *sufficient* to do the reading that I suggest below; I make these suggestions only to help guide you in your choice of readings. You should still look at the department's list yourself and pick out further readings that look interesting and relevant.

The final page of this reading list notes your options for weeks 7 & 8.

Essay tips

Essays should be focused on the specific question asked and provide a clear answer to that question.

The aim is not to write everything you possibly can about a topic, but to give a focused and coherent answer to the specific essay question. This requires you to present and defend a thesis: it is important that you make an argument, rather than just presenting several sides of a case. For some questions, in order to remain focused, you may need to narrow down the question to one of several possible interpretations.

Your essays should begin with a clear introduction, in which you briefly state your answer to the essay question and summarise how your explanation and defence of that answer will develop through the course of the essay.

Please include a bibliography that lists everything you read for that week's essay – even if you do not directly reference all of those pieces within the essay itself.

I have sent you a writing guide to political theory papers, which I recommend that you read carefully.

Lectures

The department runs a lecture series throughout Michaelmas and Hilary terms. These lectures give an excellent overview of the topics covered in the course. I would encourage you to attend them.

Contacting me

If you have any problems or questions then please email me. If you are struggling with the workload at any point then please get in touch in advance of that week's tutorial. Please also get in touch if there is an item on the reading list that you are struggling to locate.

B. Essay questions

1. Justice and migration

Core readings this week: Wellman & Cole 2011; Miller 2016; Carens 2013; Fine 2010.

- Note: Fine is a response to Wellman, so it is strongly recommended that you read Wellman before reading Fine.

Essay questions:

- On what grounds, if any, may states permissibly restrict immigration?
- How should we strike a balance between the rights of political communities to be self-determining and the rights of individuals to freedom of movement?
 - Recommend reading: Oberman 2016.

Past exam questions:

- 'The citizens of a country have a right to choose with whom to associate and thus have a right to limit all immigration into their country if they so wish'. Discuss. (Sample paper)
- How should we strike a balance between the rights of political communities to be self-determining and the rights of individuals to freedom of movement? (2017)
- Is there a human right to free movement across state borders? (2018)
- Can states justifiably refuse entry to migrants seeking to escape poverty? (2019)

2. Future generations

Essay questions:

- What role, if any, can the duty not to harm others play in an account of people's responsibilities to future generations?
 - Key core readings: Parfit 1984; Harman 2004; Reiman 2007; Meyer & Roser chapter in Gosseries & Meyer 2009.
- 'Justice requires that each generation leave future generations with a standard of living that is at least as high as their own'. Discuss.
 - Key core readings: English 1977; all the Rawls readings; Barry 1991; various chapters in Gosseries & Meyer 2009.

Past exam questions:

- Do members of one generation have different responsibilities to those who will be born in the next couple of generations than they do to remote generations? (Sample paper)
- What implications, if any, does the Non-Identity Problem have for the nature of our responsibilities to future generations? (Sample paper)
- Evaluate the claim that members of one generation have met their responsibilities to future generations if and only if they leave future generations able to attain a decent minimum standard of living. (Sample paper)
- What role, if any, can the duty not to harm others play in an account of people's responsibilities to future generations? (2017)
- 'Justice requires that each generation leave future generations with a standard of living that is at least as high as their own'. Discuss. (2017)
- Do we owe less to future generations than we owe our contemporaries? (2017)
- What role, if any, should the Non-Identity Problem play in consideration of our duties to future generations? (2018)
- Can the idea of the social contract be meaningfully extended across multiple generations? (2018)
- Is there a duty to share our resources with future generations? (2019)

3. Historic injustice 1: Rights of descendants

Core readings this week: Waldron 1992; Simmons 1995; Thompson 2001; Sher 2005; Butt 2009, ch. 4, secs. 4.1-4.3 & ch. 5.

Essay questions:

- Can those alive today inherit rights to compensation because of past injustices?
- In what circumstances, if any, can past injustices be superseded?

Past exam questions:

- Do the citizens of states that are former colonial powers have duties to disgorge the wealth that can be attributed to their colonial histories? (Sample paper)
- Can those alive today inherit rights to compensation because of past injustices? (Sample paper)
- Does the passage of time make the mitigation of past injustice less important? (Sample paper)
- In what circumstances, if any, can past injustices be superseded? (2017)
- 'Given that it is unfair to require some to pay for the wrongdoing of others it is unfair to make those alive today pay for the wrongdoing of their nation before they were born'. Discuss. (2017)
- 'Corrective justice has value only insofar as it coincides with forward-looking concerns of distributive justice.' Discuss. (2018)
- Can the involuntary receipt of benefits give rise to reparative duties to others? (2018)
- 'The scale of historic wrongdoing renders reparative justice impractical.' Discuss. (2019)
- Is it wrong to benefit from the wrongdoing of others? (2019)

4. Historic Injustice 2: Duties of Descendants

Core readings this week: Butt 2009, sec. 4.4 & ch. 6; Goodin 2013; Lu 2011.

Essay questions:

- 'Given that it is unfair to require some to pay for the wrongdoing of others it is unfair to make those alive today pay for the wrongdoing of their nation before they were born'. Discuss.
 - Recommended reading: David Miller (2007) *National Responsibility and Global Justice* (Oxford: Oxford University Press), chs. 5 & 6; Stilz 2011.
- Can the involuntary receipt of benefits give rise to reparative duties to others?
 - Recommended reading: Butt 2014; Huseby 2015; Barry & Kirby 2017.

Past exam questions: see week 3 list, above.

5. Justice and disability

Essay questions:

- Can social contract theories of justice give an adequate account of the claims of those with disabilities?
 - Key core readings: Nussbaum 2006; Brighouse 2001; Richardson 2006; Stark 2007.
- Is disability best understood in terms of biological or social causation, for the purposes of theorizing about justice?
 - Key core readings: Wolff 2013; Nussbaum 2006; Barnes 2016.

Past exam questions:

- Are all disabilities necessarily harms? (Sample paper)
- Can mainstream theories of distributive justice provide plausible accounts of justice to those with disabilities? (Sample paper)
- 'The social model of disability is inaccurate and harmful.' Discuss. (2017)
- Can contractarian theories of justice give an adequate account of the claims of those with disabilities? (2017)
- Is disability best understood in terms of biological or social causation? (2018)
- 'The philosophical literature on disability raises important issues which have not been adequately recognized in mainstream theories of distributive justice.' Discuss. (2018)
- 'Both the medical model and the social model are necessary to understand the full range of forms of disability.' Discuss. (2019)
- Is it ever right to seek to compensate rather than accommodate people with disabilities? (2019)

6. Justice and children

Essay questions:

- To what extent do concerns regarding the autonomy of children limit parents' rights to seek to influence their children into adopting their conception of the good?
 - Key core readings: Feinberg 1992; Mills 2003; Brighouse & Swift 2006; several of the chapters in Archard & Macleod 2002 (section II).
 - Essential further reading: Clayton 2006, ch. 3.
 - For a response to Clayton, see Christina Cameron, 'Debate: Clayton on Comprehensive Enrolment', *Journal of Political Philosophy* 20(3) (2012): 341-352.
- Who should bear the costs of bringing up children?
 - Key core readings: Casal & Williams 2004; Olsaretti 2013; Tomlin 2015; several of the chapters in Archard & Macleod 2002 (section III).

Past exam questions:

- 'Since children are a public good, society should bear the costs of bringing them up.' Discuss (Sample paper)
- Do children have a right to an open future? (Sample paper)
- Evaluate the claim that the costs of bringing up a child should be borne by that child's parents. (2017)
- What moral rights, if any, do infants possess? (2017)
- How do the moral duties to the children in their care differ between teachers and parents? (2018)
- Is it legitimate to deny anyone the right to vote on account of their age? (2018)
- Is it permissible for parents to try to pass their moral values on to their children? Is it obligatory? (2019)
- Should adults without children be expected to help pay for the costs of educating the young? (2019)

C. Options for weeks 7 & 8

There are two topics on the reading list that we have not covered at all, and are thus options for weeks 7 & 8:

- Environmental justice
- Justice and trade

The other option is to do another week on a topic that we have studied previously, but for you to write on a different aspect of the topic. Any of the topics above, save for historic injustice, contain scope for further study. If you choose to do this, I will set a choice of essay questions, as usual.