

Introduction to the Theory of Politics 2019/20

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A. Course Information

Tutorials

We will have 5 tutorials.¹ You will be required to write an essay for each tutorial. We will have two tutorials looking at texts in the history of political thought (Rousseau's *The Social Contract* and Mill's *On Liberty*), two tutorials on related concepts within political theory (democracy and liberty), and one tutorial on an applied issue (free speech).

Essays should be **1,500-2,000 words**, and must be emailed to me by **2pm on the day before the tutorial**. Please also email essays to your tutorial partner(s), so they can read them before the tutorial.

In each tutorial one of you will give a **5 minute presentation** of their essay. I would suggest that you read out your introduction, summarise the argument of each paragraph, and then read out your conclusion. The student(s) who do not present will respond to the argument, raise questions etc., and we will then have a discussion based on the issues that are raised.

Reading lists are below. The readings are in alphabetical order, rather than priority order. For the weeks on Rousseau and Mill, please ensure that you carefully read the set texts, and as much of the rest of the reading list as you can. The most important readings in the topical weeks are starred – but this does not mean that it would be sufficient *only* to do those readings. Indeed, it would not be.

The readings are based on the department's reading list, which you may want to consult if you wish to do any further reading for a topic.

If you have trouble finding any of the readings then please let me know in advance of the tutorial.

There is a choice of essay questions each week. Please write your essay on one of the two questions listed under 'essay questions' in the reading lists below. It is fine for tutorial partners to write essays on different questions.

Study questions are also given; these are worth thinking about after you've done the readings.

I have also included a list of past exam questions for each topic. These will be useful to look through during your revision. I note whether they were set in an exam for PPE or History & Politics (HPOL) students. However, there is no difference in the syllabus, so all of these questions could have been set for students on either course.

Essay tips

Essays should include a bibliography of everything you've read, and references where appropriate.

¹ History & Politics students will have a 6th tutorial. This will be arranged, and the reading list set, in due course.

Essays should be focused on the question asked. They should begin with a clear introduction in which you briefly state your conclusion and explain how your argument will develop through the course of the essay.

The aim is not to write everything that you possibly can about the 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 or summarising the readings.

For some questions, in order to remain focused you may need to narrow down the question to one of several possible interpretations.

I have sent you a separate writing guide for political theory papers, which I strongly encourage you to read before writing your first essay.

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.

B. Reading lists

1. Rousseau (*The Social Contract*)

Readings:

- Rousseau, Jean-Jacques, *The Social Contract*, 1762 (Various editions of this are available)
- Bertram, Christopher, *Rousseau and the Social Contract (Routledge Philosophy Guidebook)* (London: Routledge, 2003)
- Cohen, Joshua, *Rousseau: A Free Community of Equals* (Oxford: Oxford University Press, 2010)
- Rawls, John *Lectures on the History of Political Philosophy* (Cambridge, Mass.: Harvard University Press, 2007), 1st lecture on Rousseau
- Waldron, Jeremy, 'Rights and majorities: Rousseau revisited', in Waldron, Jeremy, *Liberal Rights: Collected Papers 1981-1991* (Cambridge: Cambridge University Press, 1993)
- Wokler, Robert (ed.), *Rousseau and Liberty* (Manchester: Manchester University Press, 1995), chapters by Mason, Cranston, Crocker, and Hampshire-Monk
- Wolff, Jonathan, *An Introduction to Political Philosophy*, 2nd edition (Oxford: Oxford University Press, 2006), chapter 3

Essay questions:

- In what senses are individual citizens in Rousseau's state 'free'?
- "Therefore when the opinion contrary to my own prevails, it proves nothing more than that I made a mistake and that what I took to be the general will was not." (*The Social Contract*) Why does Rousseau say this, and is he right to do so?

Study questions:

- What problem is Rousseau seeking to solve in *The Social Contract*?
- What's the state of nature for Rousseau, and why do we leave it?
- What does Rousseau mean by the 'General Will'?
- How can one distinguish the General Will from the will of all?
- Is it necessary that there is consensus among citizens if the 'General Will' is to prevail?
- Define the following terms in Rousseau: Sovereign, Government, Law, Civil Society, Community, and Common Good.
- What is Rousseau's distinction between natural, civil, and moral liberty?
- What role do laws play in determining the character of the people in a given state?
- What is the relationship between liberty and equality?
- Is it fair to say that while Rousseau aims for freedom in *The Social Contract*, the state he envisages would be highly oppressive?

Past exam questions:

- Is the law-giver consistent with Rousseau's idea of popular sovereignty? (PPE, 2013)
- Man is born free, can be forced to be free, and is free when he lives under a law he prescribes for himself. Can Rousseau reconcile these claims? (HPOL, 2013)
- Is Rousseau's social contract consistent with constitutional democracy? (PPE, 2014)

- Can the citizens of Rousseau's Social Contract meaningfully be described as free? (HPOL, 2014)
- 'The impulse of mere appetite is slavery, while obedience to the law one has prescribed to oneself is freedom.' Discuss with reference to Rousseau's *The Social Contract*. (PPE, 2015)
- 'The society described by Rousseau in *The Social Contract* is an unrealisable utopia.' Discuss. (HPOL, 2015)
- What role does the idea of equality play in Rousseau's *The Social Contract*? (2015 long vac)
- Does Rousseau offer a convincing account of how those in the minority prescribe the laws they have to obey? (PPE, 2016)
- Do Rousseau's remarks concerning a civil religion count against seeing him as a democrat? (HPOL, 2016)
- Does Rousseau succeed in reconciling individual autonomy with collective political power? (2016 long vac)
- What does Rousseau mean when he says a citizen 'must be forced to be free'? Is it as sinister as it sounds? (PPE, 2017)
- Explain the distinction between sovereignty and government for Rousseau. Why is it important? (HPOL, 2017)
- Why does Rousseau reject partial associations, and is he right to? (2017 long vac)
- Is Rousseau's understanding of the general will inconsistent with diversity among citizens? (PPE, 2018)
- Does the place of the censor in Rousseau's theory make his view anti-democratic? (HPOL, 2018)
- Is the state proposed in Rousseau's Social Contract too dependent on citizens being committed to the common good? (PPE, 2019)
- 'The problem with Rousseau's theory of the state, as set out in the *Social Contract*, is that it places no limits on the authority of the government.' Discuss. (HPOL, 2019)
- Notice *government* rather than sovereign. These are different in Rousseau's theory.
- Is Rousseau's theory of the state in the *Social Contract* too dependent on citizens achieving unanimous agreement on what to do? (2019 long vac)

2. Democracy

Readings:

- Barry, Brian, 'Is Democracy Special?', in his *Essays in Political Theory 1: Democracy and Power* (Oxford: Clarendon Press, 1991), or in *Philosophy, Politics and Society: Fifth Series*, eds. Peter Laslett and James Fishkin (Oxford: Blackwell, 1979)
- *Christiano, Thomas, 'Democracy as Equality', in *Democracy*, ed. David Estlund (Oxford: Blackwell, 2002)
- *Cohen, Joshua, 'Deliberation and Democratic Legitimacy', in *Democracy*, ed. Estlund; also in *The Good Polity: Normative Analysis of the State*, eds. Alan Hamlin and Philip Pettit (Oxford: Basil Blackwell, 1989)
- Dahl, Robert, *On Democracy* (London: Yale University Press, 1998), parts 1-3
- Estlund, David, 'Political Quality', in *Democracy*, ed. Estlund
- Fishkin, James S., *Democracy and Deliberation: New Directions for Democratic Reform* (London: Yale University Press, 1991), chapters 1-6, 8
- Jones, Peter, 'Political Equality and Majority Rule', in Miller, David, and Larry Siedentop (eds.), *The Nature of Political Theory* (Oxford: Clarendon Press, 1983)
- *Miller, David, 'Deliberative Democracy and Social Choice', in *Democracy*, ed. Estlund
- *Schumpeter, Joseph, *Capitalism, Socialism and Democracy* (London: George Allen & Unwin, 1943), chapters 21-22
- Swift, Adam, *Political Philosophy: A Beginners' Guide for Students and Politicians*, 2nd or 3rd edition (Cambridge: Polity, 2006 or 2013), part 5
- Waldron, Jeremy, 'The Constitutional Conception of Democracy', in *Democracy*, ed. Estlund

Essay questions:

- When, if ever, can it be democratic to place constraints on majority rule?
- "Democracy cannot exist, let alone flourish, without deliberation amongst citizens." Discuss.

Study questions:

- Is democracy necessary for liberty?
- Is democracy simply about majority rule? Can majorities govern undemocratically?
- What is the role of representation in a democracy? What kinds of representation are important?
- Can representative democracy be preferable to direct democracy?
- Should democracy be a matter of aggregating preferences or of reconciling judgments?
- To what extent is democracy compatible with a role for elites?
- To what extent does true democracy require high levels of deliberation and of popular participation?
- Is democracy justified by its intrinsic fairness or by its consequences?

Past exam questions:

- 'Deliberative democracy is a nice idea in principle, but infeasible in practice'. Discuss (PPE, 2013)
- Are the benefits of democratic decision-making entirely consequentialist? (HPOL, 2013)

- Can representation improve democratic decision-making? (HPOL, 2013)
- Is democracy a uniquely fair way of reaching political decisions? (PPE, 2014)
- Does true democracy require high levels of popular participation? (HPOL, 2014)
- Does democracy require that there is widespread deliberation relating to public policy? (PPE, 2015)
- Is there any role for direct democracy within modern political systems? (HPOL, 2015)
- Does the value of democracy lie in the facility it offers citizens to remove corrupt rulers? (PPE, 2016)
- Is representative democracy a compromise away from a more ideal direct democracy? (HPOL, 2016)
- 'In a fair political procedure those with most at stake should have more of a say in a decision.' Discuss. (2016 long vac)
- 'Democracy is about deliberation, not majority-rule.' Discuss. (PPE, 2017)
- Is democracy the only legitimate form of government? Why or why not? (HPOL, 2017)
- 'Democracy is fundamentally about inputs, not outputs.' Discuss. (2017 long vac)
- Is majority rule the best decision-making procedure for democracies? (PPE, 2018)
- Is democracy morally justified as a system of government? (HPOL, 2018)
- How can a democrat answer the proposition that, if a good despot could be ensured, despotic monarchy would be the best form of government? (PPE, 2019)
- Is the best argument for democratic government that 'each must count for one and none for more than one'? (HPOL, 2019)
- 'Since having power to rule over others should be a privilege reserved for those who respect others, 'one person one vote' is not a good principle.' Discuss. (2019 long vac)

3. Mill (*On Liberty*)

Readings:

- Mill, John Stuart, *On Liberty*, 1859 (Various editions available)
- Berlin, Isaiah, 'John Stuart Mill and the Ends of Life', in *Mill: Texts and Commentaries*, ed. Alan Ryan (London: Norton, 1997); also in Berlin, *Four Essays on Liberty* (London: Oxford University Press, 1969)
- Gray, John, *Mill on Liberty: A Defence*, 2nd edition (New York: Routledge, 1996), chapters 1, 3
- Levine, Andrew, *Engaging Political Philosophy: From Hobbes to Rawls* (Malden, Mass.: Blackwell, 2002), chapter 4
- Rees, John C., 'The Principle of Liberty', in *Mill*, ed. Ryan; also published as 'A Re-Reading of Mill on Liberty', *Political Studies* 8:2 (1960)
- Ryan, Alan, *The Philosophy of John Stuart Mill*, 2nd edition (Basingstoke: Macmillan Press, 1998), chapter 13
- Waldron, Jeremy, 'Mill and the Value of Moral Distress', in *Mill*, ed. Ryan; also in *Political Studies*, 35:3 (1987); also in Waldron, *Liberal Rights: Collected Papers, 1981-1991* (Cambridge: Cambridge University Press, 1993)
- Wolff, Jonathan, *An Introduction to Political Philosophy*, 2nd edition (Oxford: Oxford University Press, 2006), chapter 4

Essay questions:

- Is Mill's Harm Principle clear enough to serve as an adequate basis for the task of regulating freedom in the modern state?
- Is liberty, in Mill's *On Liberty*, an end or a means to an end?

Study questions:

- What is the role of freedom of thought and expression in Mill's theory of freedom?
- How persuasive is Mill's defence of freedom of expression?
- What place does 'rationality' have in Mill's theory of liberty?
- Does Mill make a compelling case against state paternalism?
- Does Mill's celebration of individuality subvert the needs of citizenship?
- 'The principle of freedom cannot require that he should be free not to be free.' (Mill, *On Liberty*). Why not?
- What did Mill value more, individuality or the freedom that is a condition for it?
- Does Mill make a compelling case against state paternalism?

Past exam questions:

- Is Mill's defence of individual liberty compatible with his utilitarian beliefs? (PPE, 2013)
- How illuminating is it to describe Mill's justification of freedom of expression as utilitarian in character? (HPOL, 2013)
- Do Mill's views on voluntary slavery undermine his case for the Harm Principle? (PPE, 2014)
- Does Mill's argument in *On Liberty* rest upon a negative or a positive view of freedom? (HPOL, 2014)

- To what extent does Mill's argument in *On Liberty* succeed in differentiating harm and offence? (PPE, 2015)
- Is Mill right to argue against state paternalism? (HPOL, 2015)
- Can Mill's harm principle be reconciled with his remarks in *On Liberty* concerning 'offences against decency'? (PPE, 2016)
- Is Mill right to believe that the moral coercion of public opinion can limit individual liberty? (HPOL, 2016)
- 'A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury.' (Mill) If so, does this render the Harm Principle hopelessly broad? (2016 long vac)
- Is Mill a theorist of negative liberty? (PPE, 2017)
- 'The major problem with *On Liberty* is that Mill does not acknowledge that all actions are 'other regarding'.' Discuss. (HPOL, 2017)
- 'Mill's commitment to individual rights is undermined by his utilitarianism.' Discuss. (2017 long vac)
- On what grounds, if any, can Mill oppose voluntary slavery agreements while also holding the harm principle? (PPE, 2018)
- Is Mill's harm principle compatible with his utilitarianism? (HPOL, 2018)
- 'Mill says that *On Liberty* presents 'one very simple principle' for guiding collective interference with individual liberty, but the principle is in fact very hard to grasp.' Discuss. (PPE, 2019)
- Is Mill right to think that the harm principle defended in *On Liberty* can protect individuals from the 'tyranny of the majority'? (HPOL, 2019)
- Is Mill's rejection of paternalism too uncompromising? (2019 long vac)

4. Liberty

Readings:

NB: Many of these readings are (also) in David Miller's anthology *The Liberty Reader* (Edinburgh: Edinburgh University Press, 2006). Readings with no location reference are only in Miller.

- *Berlin, Isaiah, 'Two Concepts of Liberty' in his *Four Essays on Liberty* (London: Oxford University Press, 1969); also in *Contemporary Political Philosophy: An Anthology*, eds. Robert Goodin and Philip Pettit
- Cohen, Gerald, 'Freedom and Money', in his *On the Currency of Egalitarian Justice, and Other Essays in Political Philosophy*, ed. Michael Otsuka (Princeton: Princeton University Press, 2011) (available online via SOLO)
- *MacCallum Jr., Gerald, 'Negative and Positive Liberty', *Philosophical Review*, 76:2 (1967); also in *Concepts in Social and Political Philosophy*, ed. Richard Flathman (New York: Macmillan, 1973)
- Miller, David, 'Introduction'
- Pettit, Philip, 'Republican Freedom and Contestatory Democracy', in *Democracy's Value*, eds. Ian Shapiro and Casiano Hacker-Cordón (Cambridge: Cambridge University Press, 1999)
- Skinner, Quentin, *Liberty Before Liberalism* (Cambridge: Cambridge University Press, 1998), chapter 2
- Steiner, Hillel, 'Individual Liberty'
- *Swift, Adam, *Political Philosophy: A Beginner's Guide for Students and Politicians*, part 2
- *Taylor, Charles, 'What's Wrong with Negative Liberty', in his *Philosophy and the Human Sciences* (Cambridge: Cambridge University Press, 1985); also in *The Idea of Freedom*, ed. Alan Ryan (Oxford: Oxford University Press, 1979)
- Waldron, Jeremy, 'Homelessness and the Issue of Freedom', *U.C.L.A. Law Review* 39 (1991); also in his *Liberal Rights: Collected Paper, 1981-1991* (Cambridge: Cambridge University Press, 1993)

Essay questions:

- How (if at all) do economic circumstances affect an individual's liberty?
 - The Cohen and Waldron readings are especially useful for this essay
- Must one participate in political decision-making in order to be free?
 - The Pettit and Skinner readings are especially useful for this essay

Study questions

- How many concepts of liberty are there, and why should the answer to this question matter?
- Is liberty primarily about the absence of law or the authorship of law?
- Is there a single concept of liberty underpinning the many ways in which the term is used by political thinkers?
- What is the difference (if any) between inability and unfreedom?
- Is the distinction between positive and negative liberty useful?
- How (if at all) do economic circumstances affect an individual's liberty?

Past exam questions:

- If I am so poor that I cannot afford to travel, is my freedom to travel of any value to me? (PPE, 2013)
- 'Freedom has only instrumental value: freedoms that do not promote autonomy have no normative value.' Discuss (HPOL, 2013)
- Are positive and negative understandings of freedom answers to two different questions? (PPE, 2014)
- Do threats limit an individual's freedom? (HPOL, 2014)
- What does it mean to speak of a people as being free? (PPE, 2015)
- 'Individuals cannot be said to be truly free unless they play an active role in making the laws which bind them.' Discuss. (HPOL, 2015)
- 'An individual is less free to the extent that they are subject to a greater number of constraints.' Is this true? (PPE, 2016)
- Do laws permit liberty? (HPOL, 2016)
- To what extent, and in what ways, does the freedom of the individual depend on democratic participation? (2016 long vac)
- Is 'autonomy' a good synonym for 'liberty'? Why or why not? (PPE, 2017)
- Can one be forced to be free? Why or why not? (HPOL, 2017)
- Can one only be free in a free state? Why or why not? (2017 long vac)
- Could a totalitarian state protect and promote its citizens' liberty? (PPE, 2018)
- Does a lack of money make you unfree? (HPOL, 2018)
- For a person to be free, must they be free from internal constraints and compulsions as well as external? (PPE, 2019)
- 'Just because I cannot do a thing, that does not mean that I am not free to do that thing.' Discuss. (HPOL, 2019)
- When, if ever, is a lack of means to do something also a lack of freedom to do that thing? (2019 long vac)

5. Free Speech

Readings:

- Altman, Andrew, 'Liberalism and Campus Hate Speech: A Philosophical Examination', *Ethics*, 103:2 (1993): 302-317
- Dworkin, Ronald, 'Is there a right to pornography?', *Oxford Journal of Legal Studies*, 1(2) (1981): 177-212
- *Feinberg, Joel, 'Harmless Wrongdoing and Offensive Nuisances', in his *Rights, Justice, and the Bounds of Liberty: Essays in Social Philosophy* (Princeton, Princeton University Press, 1980)
- Fiss, Owen M., *The Irony of Free Speech* (Cambridge, Mass.: Harvard University Press, 1996), chapter 1
- Langton, Rae, 'Speech Acts and Unspeakable Acts', *Philosophy and Public Affairs*, 22(4) (1993): 293-330
- MacKinnon, Catharine A., *Feminism Unmodified: Discourses on Life and Law* (Cambridge, Mass.: Harvard University Press, 1987), pp. 127-213
- *Matsuda, Mari, 'Public Response to Racist Speech: Considering the Victim's Story', *Michigan Law Review*, 87:8 (1989): 2320-2381
- *Parekh, Bhikhu, 'Is there a case for banning hate speech?', in *The Content and Context of Hate Speech*, eds. Michael Herz and Peter Molnar (Cambridge: Cambridge University Press, 2012) (available online via SOLO)
- Scanlon, Tim, 'A Theory of Freedom of Expression', *Philosophy and Public Affairs*, 1(2) (1972): 204-226
- *Waldron, Jeremy, 'Rushdie and Religion', in his *Liberal Rights: Collected Papers, 1981-1991* (Cambridge: Cambridge University Press, 1993)
- Waldron, Jeremy, *The Harm in Hate Speech* (Cambridge, Mass: Harvard University Press, 2012) (available online via SOLO)

Essay questions:

- Can restrictions on the speech of some ever promote the value of free speech overall?
- "Speech which spreads hate should never be tolerated." Discuss.

Study questions:

- Why (if at all) should we value free speech?
- Should the state restrict offensive speech? Does it make a difference who is offended?
- Can speech harm? If so, should it be restricted?
- Is there ever good reason to restrict political speech?
- Should hate speech be prohibited? If so, then on what grounds?
- Should pornography be prohibited? Can it be defended on grounds of free speech?

Past exam questions:

- 'The real threat to freedom of expression comes not from the state but from the tyranny of prevailing opinion.' Discuss (PPE, 2014)
- Does freedom of speech mean that there should be no limits on political advertising? (HPOL, 2014)

- Can the state ever be justified in silencing the voices of some in order that the voices of others might be heard? (PPE, 2016)
- Where is the harm in hate speech? (HPOL, 2016)
- In what ways, if at all, is freedom of expression a special kind of freedom? (2016 long vac)
- 'The best test of truth is the power of the thought to get itself accepted in the competition of the market' (Oliver Wendell Holmes). Is this a good defence of a right to free speech? (PPE, 2017)
- Should 'assaultive' hate speech be censored? Why or why not? (HPOL, 2017)
- 'Free speech must be defended on democratic grounds.' Discuss. (2017 long vac)
- Can restrictions on the speech of some ever promote the value of free speech overall? (PPE, 2018)
- Should the state ever restrict speech on the grounds of its offensiveness? (HPOL, 2018)
- Given that freedom of speech guarantees the right to say stupid or wrong things, what has the value of truth got to do with the justification of free speech? (PPE, 2019)
- Do you agree that the strongest argument in favour of free speech is that in a democracy opposition to government, to established public policy, and to prevailing public norms, must be permissible? (HPOL, 2019)
- Should freedom of speech protect the expression of all views? (2019 long vac)