

Theory of Politics 2023/24

Paul Billingham
Magdalen College, Oxford
paul.billingham@magd.ox.ac.uk

A. Course Information

Tutorials

In this course we will explore some of the key debates and issues in contemporary political theory. We will have **eight tutorials**, and so cover eight topics, the first five of which I have already allocated. There is a choice of topics for the following three 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 **2pm 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.

In Section B below you will find reading lists and essay questions for the first five topics. There is a choice of essay questions each week, and you are free to choose whichever question you prefer.

The readings lists are divided into three sections:

- Useful overview(s), which are a good place to start. These really are useful, and you should read (at least) one of them each week. (Note that these are not neutral sources – the writers are still seeking to convince you of their own position on the issue.)
- Essential readings, which you should read all of. I have tried to give these in a logical order, such that they will make most sense if you read through them in this order.
- Further readings, which you should dip into for things relevant to your chosen essay question, and come back to during your exam revision. (If you want to know which readings are particularly relevant to the essay question you've chosen then feel free to ask.)

These 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.

Section C below lists sample questions for the optional topics. We will discuss in due course which of these topics to cover in the final three tutorials. If there are any other topics on the

department's reading list which you are interested in studying but for which I have not given listed below then feel free to ask about those.

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 general sense of the debates in contemporary political theory. I would encourage you to attend them, even when their topic is not directly relevant to any of our tutorial topics.

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. Reading lists

I. Introductions and anthologies

The books below provide useful introductions to political theory. I would recommend that you read one or two of them over the vacation before the term in which we are meeting, as preparation for the course.

- Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2nd ed., 2002).
- Adam Swift, *Political Philosophy: A Beginner's Guide for Students and Politicians* (Cambridge: Polity, 3rd ed., 2014).
- David Miller, *Political Philosophy: A Very Short Introduction* (Oxford: Oxford University Press, 2003).

Other useful resources:

- *Stanford Encyclopaedia of Philosophy*: <http://plato.stanford.edu/>.
 - This contains excellent overviews of every topic we will cover.
- Gerald Gaus and Fred D'Agostino (eds.), *The Routledge Companion to Social and Political Philosophy* (London: Routledge, 2013).
- David Estlund (ed.), *The Oxford Handbook of Political Philosophy* (Oxford: Oxford University Press, 2012).
 - These two books contain helpful surveys of the contemporary debates within political philosophy on a plethora of issues, including those we will cover.

II. Weekly reading lists

1. Liberty

Liberty is a central political value. But what does it mean for someone to be free or unfree? In this topic we explore competing conceptions of freedom and their implications for political life. At least since Berlin, theorists have distinguished and debates negative and positive conceptions of liberty. Most of the essential readings and the first set of further readings focus on that debate. The final essential reading and the second set of further readings consider a third family of conceptions of liberty – republicanism.

You may well already be familiar with many of the essential readings for this week, from Prelims. If so, please ensure that you read some of the further readings too. You are also of course welcome to draw on other readings that you did for Prelims in your essay.

Useful overviews:

- Adam Swift, *Political Philosophy: A Beginner's Guide for Students and Politicians* (Cambridge: Polity, 3rd ed., 2014), part 2.
- David Miller (ed.), *The Liberty Reader* (London: Paradigm Publishers, 2006), Introduction.

Essential:

The first five of these readings are contained in Miller (ed.), *The Liberty Reader*.

- Isaiah Berlin, 'Two Concepts of Liberty'.
- Charles Taylor, 'What's Wrong with Negative Liberty'.
- Gerald MacCallum Jr., 'Negative and Positive Liberty'.
- Gerald Cohen, 'Capitalism, Freedom and the Proletariat'.
- David Miller, 'Constraints on Freedom', *Ethics*, 94(1) (1983), or in *The Liberty Reader*.
- Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon, 1997), ch. 2.

Further readings on negative and positive liberty:

- Jeremy Waldron, 'Homelessness and the Issue of Freedom', *U.C.L.A. Law Review*, 39(1) (1991). Also in Jeremy Waldron, *Liberal Rights: Collected Papers 1981-1991* (Cambridge: Cambridge University Press, 1993) and in Robert Goodin and Philip Pettit (eds.) *Contemporary Political Philosophy: An Anthology* (Oxford: Blackwell, 2nd ed., 2006).
- Nancy J. Hirschmann, *The Subject of Liberty: Toward a Feminist Theory of Freedom* (Princeton, NJ: Princeton University Press, 2003), especially ch. 1.
- Barnor Hesse, 'Escaping Liberty: Western Hegemony, Black Fugitivity', *Political Theory*, 42(3) (2014).
- Ian Carter, *A Measure of Freedom* (Oxford: Oxford University Press, 1999), especially chs. 1-3.
- John Christman, 'Saving Positive Freedom', *Political Theory*, 33(1) (2005).
- Ralf M. Bader, 'Moralizing Liberty', in David Sobel, Peter Vallentyne, and Steven Wall (eds.), *Oxford Studies in Political Philosophy: Volume 4* (Oxford: Oxford University Press, 2018).
- Hillel Steiner, 'Individual Liberty', in Miller (ed.), *The Liberty Reader*.

- Matthew Kramer, *The Quality of Freedom* (Oxford: Oxford University Press, 2003).

Further readings on republican liberty:

- M. Victoria Costa, 'Is Neo-Republicanism Bad for Women?', *Hypatia*, 28(4) (2013).
- Quentin Skinner, 'A Third Concept of Liberty', in Miller (ed.), *The Liberty Reader*.
- Christian List and Laura Valentini, 'Freedom as Independence', *Ethics*, 126(4) (2016).
- Thomas W. Simpson, 'The Impossibility of Republican Freedom', *Philosophy & Public Affairs*, 45(1) (2017).
- Cécile Laborde and John Maynor (eds.), *Republicanism and Political Theory* (Oxford: Blackwell Publishing, 2008), chs. by Kramer, Carter, Skinner, and Pettit.

Essay questions:

- Under what conditions can we plausibly say that someone is unfree?
- Does poverty constitute a constraint on freedom?

Past exam questions:

- Is it possible for citizens living under an authoritarian political regime still to be 'free'? (2005)
- 'A person is free to the extent that he is himself the source of the decisions that are embodied in his actions; unfree to the extent that these can be traced back to another agency.' Discuss. (2005)
- Can state coercion increase the freedom of the individual? (2006)
- Is political democracy necessary to individual liberty? (2007)
- 'A person is free to the extent that she or he is not subject to power.' Discuss. (2008)
- What makes a society a free society? (2009)
- Is liberty a value? (2010)
- Is freedom a value, or just a set of conditions for avoiding certain harms and achieving certain goods? (2011)
- "Poverty restricts freedom; disability does not." Do you agree? (2012)
- 'An individual is free when others do not interfere with what she has a right to do.' Discuss. (2013)
- How (if at all) should we distinguish lack of freedom and lack of ability? (2014)
- If freedom cannot be quantified or measured, can it still play a meaningful role in a political theory? (2015)
- Would a state make its citizens more or less free if it outlawed monasteries? (2016)
- Can there be liberty outside the rule of law? (2017)
- 'The state can only enhance individuals' freedom by expanding their opportunities.' Discuss. (2018)
- Do liberal and republican accounts of freedom take sufficient account of obstacles internal to the individual's self? (2019)
- Does freedom as non-interference adequately capture the value of freedom? (2019)
- Does taxation reduce citizens' freedom? (2020)
- In what sense, if at all, does freedom require meaningful self-governance? (2021)
- 'Individuals will always be vulnerable to arbitrary interference, and so freedom as non-domination is an unattainable ideal.' Discuss. (2022)
- 'I am free to the extent that I do not depend on another's will.' Do you agree? (2023)

2. Rawls on justice

Justice is perhaps the most prominent topic within contemporary political theory, in large part due to the influence of John Rawls. This week we consider Rawls's theory, which was first developed in his 1971 book *a Theory of Justice*, and restated in his final work in 2001, which is the version we will read. The essential readings focus on getting to grips with Rawls's theory itself. The further readings consider three kinds of critique: libertarian, egalitarian, and communitarian.

Useful overview:

- Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 2nd ed., 2002), ch. 3.

Essential:

- John Rawls, *Justice as Fairness: A Restatement* (ed. Erin Kelly; Cambridge, Mass.: Belknap Press, 2001), Parts I-III.
- Ronald Dworkin, 'The Original Position', in Daniels, Norman (ed.), *Reading Rawls* (Stanford: Stanford University Press, 1975).

Further readings on Nozick's libertarian critique of Rawls:

- Robert Nozick, *Anarchy, State and Utopia* (Oxford: Blackwell 1974), ch. 7.
- Rawls, *Justice as Fairness*, pp. 50-57. (Rawls's reply to Nozick.)

Further readings on Cohen's egalitarian critique of Rawls:

- Gerald Cohen, 'Where the Action Is: On the Site of Distributive Justice', *Philosophy & Public Affairs*, 26(1) (1997), or his *If You're an Egalitarian, How Come You're So Rich?* (Cambridge, MA: Harvard University Press, 2000), chs. 8 & 9.
- Andrew Williams, 'Incentives, Inequality, and Publicity', *Philosophy & Public Affairs*, 27(3) (1998). (A Rawlsian reply to Cohen.)
- Gerald Cohen, *Rescuing Justice and Equality* (Cambridge, Mass.: Harvard University Press, 2008), ch. 8. (Cohen's reply to Williams.)
- Samuel Scheffler, 'Is the Basic Structure Basic?', in his *Equality and Tradition: Questions of Value in Moral and Political Theory* (Oxford: Oxford University Press, 2010).

Further readings on communitarian critics of Rawls:

- Michael Sandel, 'The Procedural Republic and the Unencumbered Self', *Political Theory*, 12(1) (1984).
- Stephen Mulhall and Adam Swift, 'Rawls and Communitarianism', in Samuel Freeman (ed.), *The Cambridge Companion to Rawls* (Cambridge: Cambridge University Press, 2003).

Essay questions:

- 'Principles of justice are justified because they are chosen in the original position.' Discuss.
- "Theories of justice concern the public rules of political institutions rather than personal choices of individuals." Discuss.
 - You will need to read the Cohen and Williams further readings in order to answer this question.

Past exam questions:

- 'It may be thought ... that the principles of justice do not apply to the family and hence those principles do not secure justice for women and their children. This is a misconception.' (RAWLS) Is it? (2005)
- Does a hypothetical social contract provide a satisfactory way to identify principles of social justice? (2006)
- What role, if any, should the notion of entitlement OR incentives play in our thinking about distributive justice? (2007)
- To what extent (if at all) is justice a matter of distributing goods and bads according to desert? (2008)
- What, if any, are the distributive implications of the principle that the state should treat its citizens with equal concern and respect? (2009)
- Is it sufficient for a just society that its coercive institutions are just? (2009)
- Does justice ever require some individuals to work for the benefit of others? (2010)
- Do the industrious owe anything to the lazy or the reckless? (2012)
- Should principles of justice guide individuals' choices as well as the design of basic social institutions? (2013)
- Do we have persuasive reasons to regard the distribution of income and wealth produced by market forces as just? (2017)
- What, if anything, follows from the claim that the distribution of natural talent is arbitrary from a moral point of view? (2018)
- 'Tax avoidance is not illegal and therefore never unjust.' Discuss. (2018)
- Does justice place any demands on individual citizens' conduct beyond the requirement to support just institutions? (2019)
- Is it a mistake to apply the notion of justice to the distributions generated by markets? (2019)
- Does Rawls's theory of justice adequately realise the value of equality? (2022)
- Is distributive justice primarily a matter of reciprocity between equals? (2023)

3. Equality

It is widely accepted that all persons are morally equal, and that states should treat all citizens equally. But what implications does this have for the social, political, and economic organization of society? What things, if any, should be distributed equally, and what does it mean for them to be so distributed? The essential readings introduce four approaches to these questions: luck egalitarianism (Cohen, Stemplowska), relational (or democratic) egalitarianism (Anderson), prioritarianism (Parfit), and sufficientarianism (Frankfurt). The first set of further readings are focused on the debate concerning what 'stuff' should be equalized. The second set debate luck egalitarianism, while the third debate prioritarianism and sufficientarianism. The final set focus on the disagreement between distributive and relational egalitarians.

Useful overviews:

- Matthew Clayton and Andrew Williams, 'Some Questions for Egalitarians', in their (eds.), *The Ideal of Equality* (Basingstoke: Palgrave, 2002).
- Adam Swift, *Political Philosophy: A Beginner's Guide for Students and Politicians* (Cambridge: Polity, 3rd ed., 2014), part 3.

Essential:

- Gerald Cohen, 'On the Currency of Egalitarian Justice', *Ethics*, 99(4) (1989).
- Elizabeth Anderson, 'What is the Point of Equality?', *Ethics*, 109(2) (1999).
- Zofia Stemplowska, 'Luck Egalitarianism', in Gerald Gaus and Fred D'Agostino (eds.), *The Routledge Companion to Social and Political Philosophy* (London: Routledge, 2013).
- Derek Parfit, 'Equality and Priority' in *Ratio* (new series), 10(3) (1997), or in Clayton and Williams (eds.), *The Ideal of Equality*, or Goodin and Pettit (eds.), *Contemporary Political Philosophy: An Anthology*.
- Harry Frankfurt, 'Equality as a Moral Ideal', *Ethics*, 98(1) (1987), and in his *The Importance of What We Care About* (Cambridge: Cambridge University Press, 1988), ch. 11.

Further readings on 'equality of what?':

- Ronald Dworkin, 'What is Equality?', Parts 1 and 2, *Philosophy & Public Affairs* 10(3) and 10(4) (1981). Reprinted as chapters 1 and 2 of Ronald Dworkin, *Sovereign Virtue* (Cambridge, Mass.: Harvard University Press, 2002).
- Amartya Sen, 'Equality of What?' in S.M. McMurrin (ed.), *The Tanner Lectures on Human Values 1* (Cambridge: Cambridge University Press, 1980), pp. 195-220, or in Goodin and Pettit (eds.), *Contemporary Political Philosophy: An Anthology*.
- Bernard Williams, 'The Idea of Equality', in Peter Laslett and W.G. Runciman (eds.), *Philosophy, Politics and Society. Second Series* (Oxford: Blackwell, 1962), or in Goodin and Pettit (eds.), *Contemporary Political Philosophy: An Anthology*.

Further readings attacking / defending luck egalitarianism:

- Samuel Scheffler, 'What is Egalitarianism?', *Philosophy & Public Affairs*, 31(1) (2003).
- Richard Arneson, 'Luck Egalitarianism and Prioritarianism', *Ethics*, 100(2) (2000).
- Serena Olsaretti, 'Responsibility and the Consequences of Choice', *Proceedings of the Aristotelian Society*, 109(1pt2) (2009).

- Zofia Stemplowska, 'Making Justice Sensitive to Responsibility', *Political Studies*, 57(2) (2009).
- Shlomi Segall, *Health, Luck, and Justice* (Princeton, NJ.: Princeton University Press, 2010), ch. 1.

Further readings on prioritarianism and sufficiencyarianism:

- Larry Temkin, 'Equality, Priority, and the Levelling Down Objection', in Clayton and Williams (eds.), *The Ideal of Equality*.
- Paula Casal, 'Why Sufficiency Is Not Enough', *Ethics*, 117(2) (2007).

Further readings on distributive vs. relational egalitarianism:

- Gideon Elford, 'Survey Article: Relational Equality and Distribution', *The Journal of Political Philosophy*, 25(4) (2017).
- Christian Schemmel, 'Why Relational Egalitarians Should Care About Distributions', *Social Theory and Practice*, 37(3) (2011).
- Anca Gheaus, 'Hikers in Flip-Flops: Luck Egalitarianism, Democratic Equality and the *Distribuenda* of Justice', *Journal of Applied Philosophy*, 35(1) (2016).
- Kasper Lippert-Rasmussen, *Relational Egalitarianism: Living as Equals* (Cambridge: Cambridge University Press, 2018).

Essay questions:

- What kind of equality, if any, is a justified goal of social and political organisation?
- Is the fundamental point of equality to compensate people for bad luck?

Past exam questions:

- Egalitarianism's 'purpose is to eliminate *involuntary disadvantage*, by which I ... mean disadvantage for which the sufferer cannot be held responsible, since it does not appropriately reflect choices that he has made or would make.' (COHEN) Should this be egalitarianism's purpose? (2005)
- 'The correct focus of egalitarian concern is not the distribution of anything, but the quality of social relations.' Discuss. (2006)
- 'It is important to reduce some inequalities in society, but not because equality itself is of value.' Discuss. (2007)
- Is equality of opportunity an ethically preferable objective to equality of welfare? (2008)
- 'What, if any, are the distributive implications of the principle that the state should treat its citizens with equal concern and respect?' (2009)
- Can one be an anarchist and an egalitarian? (2010)
- Is equality of opportunity an intelligible objective? (2011)
- Do the industrious owe anything to the lazy or the reckless? (2012)
- What should egalitarians believe? (2012)
- Do inequalities of income and wealth only matter insofar as they contribute to inequalities of power or status or both? (2013)
- Why should the state treat citizens with equal respect if they act in ways that make them unequally deserving? (2014)
- 'The poor, as well as the rich, have a duty to act in such a way as to reduce the level of distributive inequality in society'. Discuss. (2015)

- If their states will not do so, should (relatively) wealthy egalitarians compensate the victims of bad luck? (2016)
- 'The equality that matters fundamentally is our equality as citizens.' Discuss. (2017)
- Is there more to the value of equality than achieving equality of opportunity? (2019)
- Can relational and distributive ideals of equality be reconciled? (2019)
- Should egalitarians pay more attention to individuals' suffering and disadvantage that are the effects of bad luck, or to suffering and disadvantage that are the effects of power? (2020)
- If egalitarians ought to be concerned with valuable social relationships, should they be committed to distributing them equally? (2021)
- Should we hold people responsible for disadvantages resulting from their beliefs or identities? (2023)
- 'Egalitarians should care more about the relationships within which goods are distributed than about the distributions themselves.' Discuss. (2023)

4. Injustice

This week we explore various kinds of injustice: structural, racial, and recognitional. The essential readings introduce these injustices and consider what kind of theories and policies can capture and respond to them. In doing so, they ask whether existing theories of justice are adequate to this task. The first three sets of further readings delve deeper into these three kinds of injustice. The final set introduces a fourth kind of injustice that we lacked space for in the essential readings: epistemic injustice.

Useful overview:

- Tommie Shelby, 'Race', in David Estlund (ed.), *The Oxford Handbook of Political Philosophy* (Oxford: Oxford University Press, 2012).
- Andrew Valls, 'Racial Justice', *Philosophy Compass*, 16(2) (2021).

Essential:

- Iris Marion Young, *Responsibility for Justice* (New York: Oxford University Press, 2011), chs. 2 & 4.
- Carole Pateman and Charles W. Mills, *Contract and Domination* (Cambridge: Polity Press, 2007), ch. 4.
- Tommie Shelby, 'Race and Social Justice: Rawlsian Considerations', *Fordham Law Review*, 72(5) (2004).
- Kimberlé Crenshaw, 'Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color', *Stanford Law Review*, 43(6) (1991).
- Nancy Fraser, 'From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age', *New Left Review*, 212(1) (1995).

Further reading on race and racism:

- Charles Mills, 'Rawls on Race / Race in Rawls', *The Southern Journal of Philosophy*, 47(1) (2009).
- Charles Mills, 'Retrieving Rawls for Racial Justice? A Critique of Tommie Shelby', *Critical Philosophy of Race*, 1(1) (2013).
- Tommie Shelby, 'Racial Realities and Corrective Justice: A Reply to Charles Mills', *Critical Philosophy of Race*, 1(2) (2013).
- Tommie Shelby, *Dark Ghettos: Injustice, Dissent, and Reform* (Cambridge, Mass.: Belknap Press, 2016), especially Introduction & ch. 1.
- Pateman and Mills, *Contract and Domination*, chs. 3 & 8.
- Christopher Lebron, *The Color of Our Shame: Race and Justice in our Time* (New York: Oxford University Press, 2013).
- Howard McGary, 'Liberalism and the Problem of Racism', *The Southern Journal of Philosophy*, 47(1) (2009).
- Bernard R. Boxill (ed.), *Race and Racism* (New York: Oxford University Press, 2001).
- Charles Mills, *Black Rights/White Wrongs: The Critique of Racial Liberalism* (New York: Oxford University Press, 2017).
- Derrick Darby, 'Charles Mills's Liberal Redemption Song' *Ethics*, 129(2) (2019).
- Howard Winant, 'Charles Mills for and against Liberalism', *Ethnic and Racial Studies*, 41(3) (2018).

Further reading on structural injustice:

- Martha Nussbaum, 'Foreword', in Young, *Responsibility for Justice*.
- Jeffrey Reiman, 'The Structure of Structural Injustice: Thoughts on Iris Marion Young's "Responsibility for Justice"', *Social Theory and Practice*, 38(4) (2012).
- Young, *Responsibility for Justice*, chs. 1 & 5.
- Iris Marion Young, 'Structural Injustice and the Politics of Difference', in Gary Craig, Tania Burchardt, and David Gordon, *Social Justice and Public Policy: Seeking Fairness in Diverse Societies* (Bristol: Policy Press, 2008).
- Catherine Lu, 'Colonialism as Structural Injustice: Historical Responsibility and Contemporary Redress', *Journal of Political Philosophy*, 19(3) (2011).

Further reading on recognition:

- Ingrid Robeyns, 'Is Nancy Fraser's Critique of Theories of Distributive Justice Justified?', *Constellations*, 10(4) (2003).
- Nancy Fraser and Axel Honneth, *Redistribution or Recognition?: A Political-Philosophical Exchange* (London: Verso, 2003).

Further reading on epistemic injustice:

- Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing* (New York: Oxford University Press, 2007), chs. 1, 2 & 7.
- Luvell Anderson, 'Epistemic Injustice and the Philosophy of Race', in Ian James Kidd, José Medina, and Gaile Pohlhaus Jr., *The Routledge Handbook of Epistemic Injustice* (New York: Routledge, 2017).

Essay questions:

- 'Taking racial injustice seriously requires the radical reconstruction of liberal theories of justice.' Discuss.
- Is recognition or redistribution a better response to real world injustice?
- 'Liberal theories of justice lack the capacity to address serious structural injustice.' Discuss.

Past exam questions:

- 'Liberal theories of justice lack the capacity to address serious structural injustice.' Discuss with reference to gender AND/OR race. (2019)
- What, if anything, makes 'structural injustice' distinct from plain 'injustice' from the point of view of political theory? (2020)
- Does the pursuit of racial justice require political action beyond the reform of the basic structure of society? (2021)
- Are 'colour-blind' policies the ultimate aim of racial justice? (2022)
- 'Ideal theory necessarily overlooks matters of rectification and is therefore of little use for addressing injustice.' Discuss with reference EITHER to race OR to global justice. (2023)

5. Political obligation (and civil disobedience)

Do citizens have an obligation to obey the law, such that they act wrongly if they break the law? If so, then why? The essential readings consider various approaches to this question, focused on consent, fair play, and natural duties. The first set of further readings delves deeper into this debate. This includes several readings (Dworkin, Gilbert, Horton) that introduce another approach that we lacked space for in the core readings: associative theory.

Civil disobedience – the question of when, why, and how it might be permissible to disobey unjust laws – is a sub-topic in this area, which some exam questions focus on. The second set of further readings focus on this, so you should delve into that if you are interested in that topic. You will need to do so if you want to answer the third essay question below.

Useful overviews:

- A. John Simmons, *Political Philosophy* (New York: Oxford University Press, 2008), chs. 2-3.
- John Horton, *Political Obligation* (Basingstoke: Macmillan, 1992), chs. 2 & 4.

Essential:

- A. John Simmons, 'Justification and Legitimacy', *Ethics*, 109(4) (1999).
- Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Blackwell, 1974), pp. 90-95.
- George Klosko, *The Principle of Fairness and Political Obligation* (Oxford: Rowman & Littlefield, new edition, 2004), chs. 2 & 4.
- Jeremy Waldron, 'Special Ties and Natural Duties', *Philosophy & Public Affairs*, 22(1) (1993).
- Christopher H. Wellman, 'Toward a Liberal Theory of Political Obligation', *Ethics*, 111(4) (2001).

Further readings on political obligation:

- A. John Simmons, *Moral Principles and Political Obligations* (Princeton: Princeton University Press, 1979), chs. 3 (on consent), 4 (on tacit consent), 5 (on fair play theory), and 6 (on natural duty).
- Hanna Pitkin, 'Obligation and Consent', in W.G. Runciman, Peter Laslett, and Quentin Skinner (eds.), *Philosophy, Politics and Society: Fourth Series* (Oxford: Basil Blackwell, 1972).
- Daniel McDermott, 'Fair-Play Obligations', *Political Studies*, 52(2) (2004).
- Ronald Dworkin, *Law's Empire* (Cambridge, Mass.: Belknap Press, 1986), ch. 6.
- Margaret Gilbert, *A Theory of Political Obligation: Membership, Commitment, and the Bonds of Society* (New York: Oxford University Press, 2006).
- John Horton, 'In Defence of Associative Political Obligations: Part One', *Political Studies*, 54(3) (2006), and 'In Defence of Associative Political Obligations: Part Two', *Political Studies*, 55(1) (2007).
- Robert Paul Wolff, *In Defense of Anarchism* (New York: Harper & Row, 1970), especially ch. 1.
- Fabian Wendt, 'Against Philosophical Anarchism', *Law & Philosophy*, 39(5) (2020).
- George Klosko, 'Fair Play, Reciprocity, and Natural Duties of Justice', *Ratio Juris*, 33(4) (2020).
- Candice Delmas, 'Samaritansim and Political Legitimacy', *Analysis*, 74(2) (2014).

- George Klosko, 'Multiple Principles of Political Obligation', *Political Theory*, 32(6) (2004).

Readings on civil disobedience:

- John Rawls, 'Definition and Justification of Civil Disobedience,' in Hugo Adam Bedau (ed.), *Civil Disobedience in Focus* (New York: Routledge, 1991).
- Kimberley Brownlee, 'Features of a Paradigm Case of Civil Disobedience,' *Res Publica* 10(4) (2004).
- Hugo Adam Bedau, 'Civil Disobedience and Personal Responsibility for Injustice', in Bedau (ed.), *Civil Disobedience in Focus*.
- Martin Luther King, 'Letter From Birmingham Jail' (1963), in Bedau (ed.), *Civil Disobedience in Focus*.
- Erin Pineda, *Seeing Like an Activist* (2021), Introduction & chs. 1-2.
- Malcolm X, 'The Ballot or the Bullet' (1964). Available at http://www.edchange.org/multicultural/speeches/malcolm_x_ballot.html
- Tommie Shelby and Brandon M. Terry (eds.), *To Shape a New World: Essays on the Political Philosophy of Martin Luther King* (2018).
- David Lefkowitz, 'On a Moral Right to Civil Disobedience', *Ethics*, 117(2) (2007).

Essay questions:

- What is the problem of political obligation? Can it be solved?
- 'If everyone else obeys the law it is only fair that you do too.' Could this be a good argument?
- 'Civil disobedience violates political obligation.' Discuss.

Past exam questions

- If citizens in a liberal democracy have a duty to obey just laws, do they also have a duty to disobey unjust laws? (2005)
- Is there any persuasive argument for the legitimacy of political authority? (2006)
- How would you distinguish between justified and unjustified cases of civil disobedience? (2006)
- Does legitimate political authority depend on consent? (2007)
- Is civil disobedience justified only in response to laws which have been made undemocratically? (2007)
- Is the state a necessary evil? (2007)
- Since there is a duty to resist injustice, in what sense (if any) is there an obligation to obey the state? (2008)
- Do you agree that civil disobedience is possible only within a liberal state? (2009)
- 'If everyone else obeys the law it is only fair that you do too.' Could this be a good argument? (2009)
- Why should citizens obey the law? (2010)
- When, if ever, should citizens disobey the law? (2011)
- "Citizens have political obligations, but the obligation to obey the law is not one of them." Do you agree? (2012)
- 'If there are no general political obligations, then states cannot merit out support.' Discuss. (2013)

- What, if anything, is wrong with 'philosophical anarchism'? (2013)
- 'A problem still in search of a solution.' Explain whether this is a fair assessment of the debate over political obligation. (2014)
- 'Citizens generally do not consent to the authority of their states; nor do children generally consent to the authority of their parents. In neither case do these facts undermine their obligations of obedience'. Discuss. (2015)
- Can a state be just even though it is illegitimate? Can a state be legitimate even though it is unjust? (2016)
- Could a state legitimacy deny its citizens the right to emigrate? (2016)
- If the state did not exist, would we have a moral obligation to invent it? (2017)
- 'Whether or not free-riding is morally wrong, considerations of fairness alone cannot justify the right for the state to coerce.' Discuss. (2018)
- Is the search for a single solution to the problem of political obligation doomed to failure? (2019)
- Does the 'problem of political obligation' show that liberals over-emphasize individual autonomy? (2019)
- Should civil disobedience be non-violent? (2019)
- Are you obligated to any greater degree to the state(s) of which you are a citizen than you are to a state in which you live? (2020)
- 'The state's superiority to even the most favoured form of anarchy is necessary but not sufficient for its legitimacy.' Discuss. (2021)
- To what extent, if at all, does one's personal evaluation of a law affect one's obligation to obey it? (2022)
- "'Civility" as a requirement for justified disobedience does not apply to oppressed members of society.' Discuss. (2023)

III. Optional Topics – Sample Questions

1. Democracy

- To what extent does the ideal of democracy require that collective decision-making strives for consensus? (2013)
- 'Democracy is justified because it is the uniquely fair way to handle political disagreement'. Discuss. (2014)
- Is the best argument for democracy an egalitarian one? (2019)
- What role, if any, should 'epistemic' benefits play in efforts to justify democracy? (2021)

2. Feminism

- Is feminism best understood as a doctrine of equal rights? (2013)
- Should feminists accept inequalities produced by other women's choices? (2016)
- Should feminists aim to eradicate or to transform the category of gender? (2019)
- Should feminism retain a distinction between public and private? (2022)

3. Global justice

- 'Thanks to globalisation, our duties to foreigners are now as strong as those to our fellow citizens.' Discuss. (2009)
- Does justice recognise borders? (2010)
- Is the nation-state an unjust institution? (2013)
- 'There are principles of distributive justice that apply globally, but these are different from the principles that apply within the state.' Discuss. (2021)

4. Multiculturalism

- Is 'culture' of more significance than 'life-style choices'? (2011)
- Do minority groups have a human right to the protection of their culture? (2014)
- Should a liberal state be secular? (2020)
- Are cultural and religious exemptions compatible with equality? (2021)

5. Neutrality and perfectionism

- Should the state try to be neutral with respect to citizens' views about how they should live their lives? (2012)
- Do perfectionist policies disrespect citizens who reject the favoured conception of the good? (2019)
- 'We have to be perfectionists if we are to be able to adjudicate between alternative public policies.' Discuss. (2020)
- 'Since citizens disagree as much about justice as about the good, political liberalism either is incoherent or leads to anarchism.' Discuss. (2022)

6. Nozick's libertarianism

- Does justice ever require some individuals to work for the benefit of others? (2010)
- Is taxation 'on a par with forced labour'?
- Does anything of value in Nozick's entitlement theory survive the claim that all property holdings are ultimately rooted in bloody injustice? (2015)

- Do we have persuasive reasons to regard the distribution of income and wealth produced by market forces as just? (2017)
7. Rights/human rights
- Must claims to human rights rest on an interest-based account of rights? (2009)
 - On what basis should we distinguish human rights from other kinds of rights? (2013)
 - What distinguishes a 'right' from some value or claim that is important but not a 'right'? (2017)
 - Can one adequately conceptualise human rights without paying attention to current human rights practice? (2019)
8. Ideal theory and realism
- Is utopianism necessarily undesirable in a political theory? (2017)
 - Must ideals in political theory be feasible if they are to have any worth? (2018)
 - In what sense, if any, should political theory be realistic? (2019)
 - Can a political theory be both normative and realistic? (2022)