

Loren E. Lomasky  
Kerchof 124  
(434) 924-6925 (Office phone)  
lel3f@virginia.edu

Phil 5560  
Rawls  
M 1800-2030, Cabell 44  
Fall 2015

## PHILOSOPHY OF JOHN RAWLS SYLLABUS

### I. TEXTS (in the order in which they will be studied)

“Two Concepts of Rules,” *Philosophical Review* 64 (1955), pp. 3-30.  
“Justice as Fairness,” *Philosophical Review* 67 (1958), pp. 164-191.  
*A Theory of Justice*, Harvard, 1971  
*Law of Peoples*, Harvard, 1999

Note: Rawls released a slightly revised version of *TJ* in 1999. I prefer to use the first edition but can accommodate the other. Indeed, we may find that on occasion the differences say a lot.

### II. SCOPE & PURPOSE OF PHILOSOPHY OF JOHN RAWLS

Those of a certain age remember that moral philosophy in general and political philosophy in particular was a rather dispiriting subdiscipline during the middle of the previous century. Although metaethical work of high quality was produced, normative theory lagged. Indeed, for those influenced by logical positivism, prescription had something of an unsavory whiff. The publication in 1971 of John Rawls’s epochal *A Theory of Justice* changed everything. (OK, maybe not *everything*, but I trust you’ll allow me a bit of dramatic license.) It would be hard to overestimate the excitement it generated both within and outside the rarified world of academic philosophy. (Compare to the furor surrounding the recent publication of Thomas Piketty’s *Capital in the Twenty-First Century*.) The book’s emergence had been eagerly anticipated for over a decade due to prior Rawls essays and word-of-mouth from Harvard students who had experienced the work as it gestated. Upon its publication a flood of reviews, discussions and critiques engulfed the literature. In almost half a century that flood has not abated.

It was not *TJ* by itself that transformed the field. The times were ripe. In that same year the journal *Philosophy & Public Affairs* released its first issue. Waves of protest on and off campus grounds rendered philosophers professionally more receptive to strong normative argument. Rawls’s peers, especially his Harvard colleague Robert Nozick, threw more fuel on the fire. Nonetheless, for both allies and opponents a firm grounding in Rawlsian philosophy, especially as developed in *TJ*, is the rock on which contemporary political philosophy is founded.

I'm not sure who it was who defined a classic as something so well known that no one has to read it anymore. For better or worse, *TJ* has largely migrated into the world of classics. Many political philosophers lend more attention to the Rawls literature than to Rawls himself. The first third of this large and imposing book is often assigned to students, but either from exhaustion or some other reason the remainder receives less attention than it merits. Moreover, many readers come to Rawls with preconceptions that may unduly color their reading.

In this course Rawls will be treated not as a classic but rather as a (near) contemporary to be fully engaged. We will not read everything he has written, nor even everything of major philosophical importance, but we will read a lot, including the entirety of *TJ*. We preface it with two classic Rawls essays and conclude with Rawls's intriguing and influential *Law of Peoples*. Our overall goal is to emerge with a very good working knowledge of this seminal philosopher.

### **III. COURSE REQUIREMENTS AND PROCEDURES**

1. Our seminar readings are all Rawls, all the time. Although secondary source material isn't officially part of the syllabus, that absence is not meant to communicate a message that I regard it as unimportant. (Though you won't be mistaken if you infer that I take it to be, quite literally, secondary.) Rather, - here's yet another assumption being brought to the seminar - I take it for granted that advanced undergraduates and, especially, graduate students will take it upon themselves to make use of the relevant surrounding literature in a manner tailored to their own personal requirements. That goes not only for the seminar paper (see below) but also with regard to preparing for regularly scheduled meetings during the semester.
2. PHIL 5560 is a seminar and will be conducted accordingly. Because for some of you this may be your first seminar experience, let me be explicit about what that means. First, students are expected to invest their very best effort in the texts, to read – yes, and reread – with care and energy sufficient to secure a working appreciation of where Rawls is heading and how he attempts to get there. Second, we shall approach the seminar as a genuinely *cooperative activity*. I expect each seminar member (including auditors: see III.7) to help advance discussion around the table. That involves being prepared to offer interpretations, objections, and questions. Just as importantly, it involves *listening* to what others have to say and not attempting to monopolize the discussion or steer it exclusively in one's own favored direction. Third, regular attendance is required. Even – or especially – if you don't need the insights of the other participants, they need yours. I realize that absence is sometimes unavoidable, but your presence (and that means both physical *and* mental presence) is as integral a component of the course as are doing the readings and writing assigned papers. If you *must* miss a class, please so inform me in advance. I urge those who are not fully prepared to meet these three conditions to register for a different course.

3. My general procedure will be to throw open for discussion what I take to be some of the salient philosophical issues raised by the day's readings and to give you opportunity to put on the table others that you find provocative, puzzling, etc. Although from time to time I may offer canned mini-lectures, I take the seminar format of the course seriously (see preceding). You are expected to bring to the table a reflective conception of what is going on and to be willing to present these ideas to the rest of us. To put it another way, doing philosophy is necessarily an active process, and I regard it as central to my job to ensure that all seminar participants occupy a significant role in that endeavor.
4. Keeping with the preceding, for each session two students will supply seminar discussion papers. That involves writing an essay in the 4-7 page range – no disquisitions here, please! – that focuses on some philosophically significant aspect of the reading under consideration for that meeting. The choice of both content and form is up to you, with the proviso that it be truly *philosophical*. That is, either by way of providing clarification or by increasing our mutual perplexity, you will help spotlight that which is of crucial significance in the arguments. In saying that the form of the paper is up to you, I mean that it need not be a shorter version of the sort of essay that philosophy journals publish. It can be mostly argumentative, mostly interpretive, mostly an exercise in mining conundrums, or some combination of these. However you choose to proceed, keep in mind the overriding aim of helping us steer our way profitably through the labyrinth that is Rawls. The one thing I do *not* want from you is a *Reader's Digest*-type summary of the text. Because we've all read it carefully (see III.2), that would do us no good at all. Rather, your goal is aiding us to understand it better.

Seminar discussion papers need not be finished, polished specimens, but I do expect them to display literate philosophical prose. Let me tell you now so that you have due warning: I become exceedingly irked when presented with papers that obviously have been hastily thrown together. That is out of place in any UVA course, especially one conducted at this level. It is a matter of simple respect for others not to burden them with items that you yourself don't consider worthy of your own time and full energy.

Discussion papers are to be made available sufficiently far in advance of the meeting to allow all of us to read and think about them prior to the class. What does that mean? So as to avoid confusion, let us stipulate that papers are to be transmitted no later than Sunday 11:59 p.m., although earlier is better. (Those of you who know me know that I *hate* late submissions!) The best way to distribute papers is as an email attachment sent to all seminar members or as an upload to Collab or both. Please note: We will *not* discuss the papers per se during seminar sessions but rather the arguments, objections, questions, etc. they raise. Sometimes we will focus quite directly on a particular piece but on other occasions the paper will be allowed mostly to hover in the background. That should not be taken as an implied appraisal of the paper's quality (I shall give my estimation of quality in written comments provided to the author) but rather as a function of how it happens to fit into the natural progression of the seminar discussion. It may

turn out that a contribution for one class will reemerge as a prime object for discussion in some later session.

These papers serve essentially two purposes. One, as noted above and as their name implies, is to spur discussion. The other is a function of your status as apprentice-philosophers. I don't believe that it's possible to develop as a philosopher without continuously *doing* philosophy. That involves both regular discussion and writing. Producing a paper every few weeks and receiving feedback on it from course participants contributes to that process.

5. The other writing requirement is to produce a term paper. I do not need an extended essay of journal article dimensions, although if you think you have some especially cogent reason to write such a piece I'm prepared to listen. (For those who are current or prospective philosophy PhD students it's a very good idea to adopt a policy of writing at least two or three articles intended for conference presentation and/or eventual publication prior to graduation.) What I have in mind is something on the order of 10-20 pages in which you bend your powers of philosophical analysis to some particular issue that has emerged from the course. This will be the one occasion on which you will be strongly encouraged to peruse and mine the relevant secondary literature. Writing the term paper isn't a one-shot deal. Rather, the process will involve various stages, including formulating a paper proposal and producing a working bibliography: further details to be provided anon. (Yes, I go to shameless lengths to use the word 'anon'.)
6. Your PHIL 5560 grade will be based on seminar performance (including but not restricted to discussion papers you write) and your term paper.
7. Auditors are welcome but second-class citizens are not. Anyone sitting in will be expected to participate on all fours with those officially enrolled – including regular preparation of discussion papers. Auditors are not, however, required to write a term paper. And in keeping with the no second-class citizens policy, there will be no differences in treatment of undergrad and grad students. I do recognize, though, that seminar participants differ in their depth of political philosophy background. Those who are fairly far along in their philosophical study will be encouraged to write more ambitious or sophisticated papers than those who are relatively junior.

#### **IV. READINGS**

Maybe we'll keep to this schedule, maybe we won't. If we need to spend more time in one place, then we shall have to spend less elsewhere. Philosophical inquiry, not the calendar rules.

#### **WEEK 1**

August 31

“Two Concepts of Rules”

<b>WEEK 2</b> Sept. 7	“Justice as Fairness”
<b>WEEK 3</b> Sept. 14	<i>TJ</i> , Chapter 1
<b>WEEK 4</b> Sept. 21	<i>TJ</i> , Chapter 2
<b>WEEK 5</b> Sept. 28	<i>TJ</i> , Chapter 3
<b>WEEK 6</b> Oct. 5	READING DAY - NO CLASS
<b>WEEK 7</b> Oct. 12	<i>TJ</i> , Chapter 4
<b>WEEK 8</b> Oct 19	<i>TJ</i> , Chapter 5
<b>WEEK 9</b> Oct 26	<i>TJ</i> , Chapter 6
<b>WEEK 10</b> Nov. 2	<i>TJ</i> , Chapter 7
<b>WEEK 11</b> Nov. 9	<i>TJ</i> , Chapter 8
<b>WEEK 12</b> Nov.16	<i>TJ</i> , Chapter 9
<b>WEEK 13</b> Nov 23	<i>Law of Peoples</i> , Intro, Pt. 1, pp. 3-58
<b>WEEK 14</b> Nov 30	“ Pt. 2, pp. 59-89
<b>WEEK 15</b> Dec 7	“ Pts. 3,4, pp. 89 - 128