



# PHL 357

## Theories of Justice

S1 Day 2019

*Dept of Philosophy*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

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Credit points

3

Prerequisites

(39cp at 100 level or above) or admission to GDipArts

Corequisites

Co-badged status

Unit description

What is justice? What is fair? This unit explores these important questions by examining several leading contemporary philosophical theories of justice, including John Rawls's influential theory of justice, and assessing the capacity of these theories to respond to pressing social issues. To do this we look at issues of inequality and diversity in society by asking: what degree of inequality, if any, can be justified? We explore the different answers to this question proposed by liberals, libertarians, and Marxists. We shall also examine broader questions around social and retributive justice, such as: How can we justify punishing those who violate justice? Should we focus more on the well-being of communities and less on the rights of individuals? Is justice biased against women? Should minorities receive special rights? What are the obligations of democratic citizenship? And what do we owe the poor in other countries?

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

A good general knowledge of some of the major theories and current debates in contemporary political philosophy

An ability to understand and analyse arguments in the relevant literatures.

An ability to evaluate these theories and arguments critically

The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.

Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## General Assessment Information

All assessment is to be submitted on-line through iLearn.

### Late Submission Policy

“Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.”

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Participation</a>	10%	No	On-going
<a href="#">Research Presentation</a>	15%	No	On-going
<a href="#">Comparative Analysis</a>	20%	No	10AM on 29/04/2019
<a href="#">Essay Plan and Essay</a>	35%	No	11:59PM on 6/06/2019
<a href="#">Quizzes</a>	20%	No	11:59PM on 7/06/2019

### Participation

Due: **On-going**

Weighting: **10%**

Internal students must attend at least 7 tutorials to be eligible for the participation mark. If you do not attend at least 7 tutorials you will receive 0 marks for participation. External/online students must participate in at least 7 different weekly tutorial discussion forums within 14 days of the relevant lecture (i.e. you should contribute something to the discussion forum on Rawls within 14 days of the lecture on Rawls). External students should post at least one original forum post and one post in response to another student's forum post each week.

If you meet the relevant minimum requirement, then your mark will be awarded on the basis of the quality of your participation in the tutorials/forums.

Participation assessment criteria and rubric handed out: Monday March 4

On successful completion you will be able to:

- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## Research Presentation

Due: **On-going**

Weighting: **15%**

Students will present a critical analysis of a further piece of relevant research in tutorials. Students will be expected to complete the assessment in pairs or small groups, depending on tutorial numbers (exceptions can be made to this rule, especially for external students). Students will have 5 minutes in tutorials in which to make their presentations. As well as giving an oral presentation, students will also need to upload the slides they use for their presentation (or submit a 500 word summary of their presentation if no slides are used) on the same day that they give their presentation. External/online students should record and upload to iLearn an equivalent 5 minute video (preferred) or audio file of their presentation as well as upload slides or a 500 word summary; these must be uploaded on the same day as the equivalent internal tutorial. Groups and dates will be assigned in tutorials or via email/iLearn for external students.

Research Presentation assessment criteria and rubric handed out: Monday March 4

On successful completion you will be able to:

- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## Comparative Analysis

Due: **10AM on 29/04/2019**

Weighting: **20%**

The aim of the comparative analysis (800 words) is to consolidate your understanding of the theories and issues discussed in the first half of the unit. You are required to critically analyse in comparative terms the central points of difference between two of the theories we discuss.

Comparative Analysis assessment criteria and rubric handed out: Monday March 11. Due 10AM Monday 29 April. NOTE that this assessment item is due by 10AM (i.e. BEFORE the lecture on Monday 29 April).

On successful completion you will be able to:

- An ability to understand and analyse arguments in the relevant literatures.
- An ability to evaluate these theories and arguments critically
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## Essay Plan and Essay

Due: **11:59PM on 6/06/2019**

Weighting: **35%**

First, an essay plan must be presented which outlines the argumentative structure of your essay.

Second, the essay plan must form the basis for an essay (1800 words). The essay is designed to extend your understanding of a specific topic and to test your ability to engage with that topic in depth. Essay writing tests your ability to synthesise material from a range of readings and to express, analyse and structure key ideas and arguments clearly, logically and systematically. It also tests your ability to develop your own view, and to argue for that view in a cogent and sustained way. You will be expected to read and incorporate into your essay extra secondary sources beyond the required readings.

Essay plan and essay assessment criteria and rubric handed out: 30 April. Due by 11:59PM on Thursday June 6.

On successful completion you will be able to:

- An ability to understand and analyse arguments in the relevant literatures.
- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## Quizzes

Due: **11:59PM on 7/06/2019**

Weighting: **20%**

There will be 10 weekly on-line quizzes worth a total of 20% (or a maximum of 2% for each of the 10 quizzes). Quizzes start in Week 3 (Rawls) and run until Week 12 (Global justice). Quizzes open after the relevant lecture. All quizzes close on Friday June 7.

On successful completion you will be able to:

- A good general knowledge of some of the major theories and current debates in contemporary political philosophy

## Delivery and Resources

### Required Readings

**Textbook:** Will Kymlicka, Contemporary Political Philosophy: An Introduction. (2nd edition)  
Oxford: Oxford University Press. 2002.

**Other Required readings:** Other required readings are listed in the unit guide and available for download from library eReserve or from iLearn. There is no printed unit reader.

**You must read the required readings BEFORE the lecture and tutorial.**

**Additional readings:** As well as the required reading, recommended additional readings for each topic are listed on iLearn. Kymlicka also provides suggestions for further reading at the end of each chapter and offers useful comments about what each text contains. You do NOT need to read these each week.

## Unit Schedule

### Section 1: Equality and Inequality

#### Week 1 (25 February)

Lecture 1: Introduction: Equality and Diversity

No tutorial

No required reading

#### Week 2 (4 March)

Lecture 2: Utilitarianism

Tutorial 1: Utilitarianism

Required Reading:

1. Kymlicka, CPP, Ch. 2, pp. 10-37; 45-52. [OPTIONAL: Section 5, pp.37-45].

**Participation rubric handed out:** March 4

**Research Presentation handed out:** March 4

#### Week 3 (11 March)

Lecture 3: Rawls

Tutorial 2: Rawls

Required Reading:

1. John Rawls, A Theory of Justice (Harvard University Press, 1971), Ch. 1, Sections 1-6 (pp. 3-33), Ch. 2, Sections 11-12 (pp. 60-78), Ch. 3, Sections 24-26 (pp. 136-161).

2. Kymlicka, CPP, Ch. 3, Sections 1-3 ONLY (pp.53-75). Do NOT read past p.75, we will cover that next week.

**Comparative Analysis handed out:** March 11

**Quizzes start this week and continue until end of semester**

### **Week 4 (March 18)**

Lecture 4: Dworkin

Tutorial 3: Dworkin

Required Reading:

1. Ronald Dworkin, 'What is Equality? Part 2: Equality of Resources', *Philosophy & Public Affairs*, 10:4, 1981, Section I-IV & VII ONLY (pp.283-314; pp. 335-345). [OPTIONAL: Sections V & VI (pp. 314-334).
2. Kymlicka, CPP, Ch. 3, Sections 4-5.

### **Week 5 (March 25)**

Lecture 5: Nozick

Tutorial 4: Nozick

Required Reading:

1. Robert Nozick, 'Distributive Justice' Ch. 7 (Section 1, pp. 149-182 & from 'Natural Assets' until end of chapter, pp. 213-231) of *Anarchy, State and Utopia*, (New York: Basic Books, 1974).
2. Kymlicka, CPP, Ch. 4, Section 2 (pp. 107-127), Section 4 (pp. 138-153), & Section 5 (pp.154-159) ONLY [OPTIONAL: Section 1 and Section 3 on Chapter 4].

### **Week 6 (1 April)**

Lecture 6: Analytical Marxism

Tutorial 5: Analytical Marxism

Required Reading:

1. Kymlicka, CPP, Ch. 5

### **Week 7 (8 April)**

Lecture 7: Capabilities Approach, Communitarianism and Perfectionism Required

Required Reading:

1. Martha Nussbaum, *Women and Human Development: The Capabilities Approach*, (Cambridge: Cambridge University Press, 2000), Chapter. 1, Sections IV-V (pp. 70-96) ONLY.
2. Kymlicka, CPP, Ch 6, Sections 1-8 (pp. 208-261), Section 11 (pp. 270-273). [OPTIONAL: Section 9-10 (pp. 261-270)]

**No Tutorials this week – Writing week**

**RECESS**

**Section 2: Diversity, Citizenship and Justice**

### **Week 8 (29 April)**

#### **Comparative Analysis assessment due: Monday April 29 at 10AM**

Lecture 8: Retributive Justice, Criminality and Punishment

Tutorial 6: Retributive Justice, Criminality and Punishment

Required Reading:

1. Rawls, A Theory of Justice, Section: The Rule of Law, section 38, pp. 235-243.
2. Walen, Alec, "Retributive Justice", The Stanford Encyclopedia of Philosophy (Winter 2016 Edition), Edward N. Zalta (ed.), URL = <<http://plato.stanford.edu/archives/win2016/entries/justice-retributive/>>.

#### **Essay Plan and Essay assessment handed out: 29 April**

### **Week 9 (6 May)**

Lecture 9: Feminism

Tutorial 7: Feminism

Required Reading:

1. Susan Moller Okin, 'Justice as Fairness: For Whom?' Ch. 5 of Justice, Gender and the Family (pp. 88-109), (New York: Basic Books, 1989)
2. Eva Feder Kittay, 'Human Dependency and Rawlsian Equality' (pp. 219-266), in Diana Meyers (ed.) Feminists Rethink the Self (Boulder: Westview Press, 1997)

### **Week 10 (13 May)**

Lecture 10: Citizenship

Tutorial 8: Citizenship

Required reading:

1. Joshua Cohen, 'Deliberation and Democratic Legitimacy' (pp. 67-91) in James Bohman & William Rehg (eds) Deliberative Democracy: Essays on Reason and Politics, (MIT Press, 1997)
2. Anne Phillips, 'Dealing with Difference: A Politics of Ideas or a Politics of Presence?' (pp. 174-184) in Goodin & Pettit (eds) Contemporary Political Philosophy

### **Week 11 (20 May)**

Lecture 11: Multiculturalism

Tutorial 9: Multiculturalism

Required reading

1. Kymlicka, CPP, Ch. 8

### **Week 12 (27 May)**

Lecture 12: Global Justice



## Tutorial 10: Global Justice

### Required Reading:

1. Brian Barry, 'Humanity and Justice in Global Perspective' (pp. 525-539) in Goodin and Pettit (eds.), Contemporary Political Philosophy: An Anthology
2. John Rawls, The Law of Peoples (Harvard, 1999), Part III, Sections 15 & 16 (pp. 105-120).

### Week 13 (3 June)

**No Lectures or Tutorials this week - Writing Week**

**Essay Plan and Essay due Thursday June 6 at 11:59PM**

**Quizzes close Friday June 7 at 11:59PM**

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway \(https://students.mq.edu.au/support/study/student-policy-gateway\)](https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central).

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: <https://students.mq.edu.au/study/getting-started/student-conduct>

## Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the

University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](#) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](#)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto:globalmba.support@mq.edu.au)

## IT Help

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources Policy](#). The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### Learning outcomes

- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis

of the views and arguments presented in the unit.

## Assessment tasks

- Participation
- Research Presentation
- Comparative Analysis
- Essay Plan and Essay

## Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

### Learning outcome

- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.

## Assessment tasks

- Participation
- Essay Plan and Essay

## Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

### Learning outcomes

- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.

## Assessment tasks

- Participation
- Research Presentation

- Comparative Analysis
- Essay Plan and Essay

## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

### Learning outcomes

- A good general knowledge of some of the major theories and current debates in contemporary political philosophy
- An ability to understand and analyse arguments in the relevant literatures.
- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

### Assessment tasks

- Participation
- Research Presentation
- Comparative Analysis
- Essay Plan and Essay
- Quizzes

## Critical, Analytical and Integrative Thinking

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

### Learning outcomes

- An ability to understand and analyse arguments in the relevant literatures.
- An ability to evaluate these theories and arguments critically

- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.

## **Assessment tasks**

- Participation
- Research Presentation
- Comparative Analysis
- Essay Plan and Essay

## **Problem Solving and Research Capability**

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

### **Learning outcomes**

- An ability to understand and analyse arguments in the relevant literatures.
- An ability to evaluate these theories and arguments critically
- The ability to develop your own view or perspective through consideration and analysis of the views and arguments presented in the unit.

## **Assessment tasks**

- Participation
- Research Presentation
- Comparative Analysis
- Essay Plan and Essay

## **Effective Communication**

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

### **Learning outcomes**

- An ability to evaluate these theories and arguments critically
- Clarity of thought; clarity of verbal expression; clarity of written expression and exposition

## Assessment tasks

- Participation
- Research Presentation
- Comparative Analysis
- Essay Plan and Essay

## Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

### Learning outcome

- A good general knowledge of some of the major theories and current debates in contemporary political philosophy

### Assessment task

- Quizzes

## Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

### Learning outcome

- A good general knowledge of some of the major theories and current debates in contemporary political philosophy

### Assessment task

- Quizzes