PHILOSOPHY 339 – Theories of Justice

Class meets: Monday and Thursday 11:30 am- 12:50 pm
Instructor: Prof. Colin Macleod
Office: CLE B328
Phone: 721-7521
e-mail: cmacleod@uvic.ca
Course Web Page: Course Spaces
Office Hours: Monday 1:00 pm-3:00 pm and by appointment

Texts
Some readings will be placed on reserve at the library or will be available online (e.g., via J-STOR)

Course Outline/Course Objective
This course explores some of the most important and influential theories about the nature of justice that have been developed in the tradition of Western political philosophy. Our focus will be on contemporary theories and issues but we will discuss how these theories are related to the work of influential figures in the history of political philosophy such as Kant, Mill, Hobbes, Locke and Rousseau. We will place special emphasis on the nature and scope of distributive justice but we will also consider problems about the nature of (human) rights, culture, community, freedom and gender. Throughout our discussions we will consider the implications of different views for the assessment of contemporary social and political arrangements. All the topics we examine could easily be the subject of entire courses and we will barely scratch the surface of some issues. Nonetheless, the course should provide students with a good basic for more advanced study in political philosophy.

About Colin Macleod
Colin Macleod B.A. (Queens), M.A. (Dalhousie), Ph.D. (Cornell) is an Associate Professor of Philosophy and Law. He joined the Philosophy department at the University of Victoria in 1998. His research focuses on issues in contemporary moral, political and legal theory with a special focus on the following topics: (1) distributive justice and equality (2) children, families and justice and (3) democratic ethics. He is the author of Liberalism, Justice, and Markets: A Critique of Liberal Equality (OUP 1998); coeditor with David Archard of The Moral and Political Status of Children (OUP 2002) and co-editor with Alexander Bagattini of The Well-being of Children: Theory and Practice (Springer 2014). His articles have appeared in journals such as The Chicago-Kent Law Review, Theory and Research in Education, Politics and Society, The Canadian Journal of Philosophy, The Canadian Journal for Law and Jurisprudence, Law and Philosophy, and Dialogue. He is an associate editor of the Canadian Journal of Philosophy. When he is not engaged in philosophical discussion and argument, he enjoys playing hockey and tennis and strumming his guitar while
jamming with his musical friends.

**Formal Course Requirements**
Written work for the course consists of 1 term paper (approximately 3,000 words in length), 1 midterm exam, 1 final exam and (as many as) 10 quote and comment assignments. The term paper is worth 40% of the course grade, the midterm is worth 20% of the course grade, the final exam is worth 30% of the course grade and the quote and comment assignment is worth 10% of the course grade.

**Informal Course Expectations**
Although no grade is assigned for participation in class discussion or attendance, I expect students to attend class regularly and to participate actively in class discussion. You should feel free to pose questions and raise philosophical issues related to the material we are studying. I expect students to be attentive to and respectful of the perspectives of others in the class but this does not mean you should not voice disagreements with or raise criticisms about the philosophical views presented by members of the class. We can all learn a lot from lively exchanges of different points of view so I encourage you to voice your views in an open and thoughtful manner. You should expect to challenge the views of others and to have your views challenged by me and other members of the class. If there is material in the course that you find puzzling or difficult to understand please ask me about it at an appropriate juncture in class or discuss your questions with me during my office hours.

**Appropriate Academic Conduct**
Students are expected to understand and abide by the University regulations concerning academic misconduct - e.g., plagiarism, cheating etc. For further information about these matters students can consult the University Calendar. If you are unsure what constitutes plagiarism or academic misconduct, consult me before submitting an assignment.

**Late assignments/missed tests and Grace Period Policy**
Unless you provide me with a written note that provides a compelling reason (e.g. documented medical problem) for granting an extension or for missing an exam, I will not change the due date of assignments nor will I reschedule exams for you. I will accept, without grade penalty, essays (but no other assignments) that are submitted up to one week after the due date. However, essays that are submitted in this period will not receive any comments. After this grace period unexcused essays will not be accepted. For other information with regards to missing deadlines, etc. please see the UVic University Calendar. Information regarding Religious Observance can be located in the posted Departmental Policies.
Grading System

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Letter Grade</th>
<th>Grade Point</th>
<th>Grade Definition</th>
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<tbody>
<tr>
<td>90-100</td>
<td>A+</td>
<td>9</td>
<td>Exceptional, outstanding and excellent performance. Normally achieved by a minority of students. These grades indicate a student who is self-initiating, exceeds expectation and has an insightful grasp of the subject matter.</td>
</tr>
<tr>
<td>85-89</td>
<td>A</td>
<td>8</td>
<td>Very good, good and solid performance. Normally achieved by the largest number of students. These grades indicate a good grasp of the subject matter or excellent grasp in one area balanced with satisfactory grasp in the other area.</td>
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<tr>
<td>80-84</td>
<td>A-</td>
<td>7</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>77-79</td>
<td>B+</td>
<td>6</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>73-76</td>
<td>B</td>
<td>5</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>70-72</td>
<td>B-</td>
<td>4</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>65-69</td>
<td>C+</td>
<td>3</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>60-64</td>
<td>C</td>
<td>2</td>
<td>Satisfactory, or minimally satisfactory. These grades indicate a satisfactory performance and knowledge of the subject matter.</td>
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<tr>
<td>50-59</td>
<td>D</td>
<td>1</td>
<td>Unsatisfactory performance. Wrote final examination and completed course requirements; no supplemental.</td>
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<tr>
<td>0-49</td>
<td>F</td>
<td>0</td>
<td>Did not write examination or complete course requirements by the end of term or session; no supplemental.</td>
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<tr>
<td>0-49</td>
<td>N</td>
<td>0</td>
<td>Did not write examination or complete course requirements by the end of term or session; no supplemental.</td>
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For information regarding N grades and DEF stats, please consult the Uvic calendar.

Returning of graded work
If you do not wish to have your graded work returned during class or my office hours, you must sign a waiver form. The Protection of Privacy Act prevents me from placing your graded work in the departmental boxes, located outside the general office, unless you have signed this waiver.

Department of Philosophy Policies
Any matters not covered by the above will be handled in accordance with University
and Department policies. University policies are stated in the Calendar.

**Important Dates**
Term Paper: Due on or before April 2 (Grace period ends April 9)
Quote and Comment Assignments: Throughout the term (maximum 1 per week)
Midterm Exam: February 5
Final Exam: As Scheduled by the University

**Reading Schedule**
Note: This is a *provisional reading schedule*. Some revisions may be made during the course of the term. For most weeks I have identified some classic texts related to the material we are studying that week. The titles appear in square brackets.

**Week of January 5 – Values, Justice and Methodology**
Kymlicka Chapter 1

**Week of January 12 – Utilitarianism**
Kymlicka Chapter 2

**Week of January 19 – Liberal Equality**
Kymlicka Chapter 3

**Week of January 26 – Relational Egalitarianism and Cosmopolitanism**
Elizabeth Anderson ‘What is the Point of Equality?’
Gillian Brock ‘Contemporary Cosmopolitanism: Some Current Issues’

**Week of February 2 – Justice and the Family**
Colin Macleod, ‘Liberal Equality and the Affective Family’
[Susan Okin, *Justice, Gender and the Family*]

**FEBRUARY 5 -MIDTERM**

**Week of February 9 – READING WEEK**

**Week of February 16- Libertarianism and Hobbesian Contractarianism**
Kymlicka Chapter 4
Colin Macleod, ‘If You’re A Libertarian, How Come You’re So Rich?’

**Week of February 23 – Marxism**
Kymlicka Chapter 5
**Week of March 2 – Communitarianism**  
Kymlicka Chapter 6  
[Aristotle, *Politics*]

**Week of March 9 – Citizenship Theory**  
Kymlicka Chapter 7  

**Week of March 16 - Multiculturalism**  
Kymlicka Chapter 8  
[Kymlicka, *Multicultural Citizenship*]

**Week of March 23 – Feminism**  
Kymlicka Chapter Chapter 9  

**Week of March 30– Colonialism, Race and Justice**  
Tommie Shelby, 'Justice, Deviance, and the Dark Ghetto'  
[Fanon, *The Wretched of the Earth*]

**Quote and Comment Assignment Instructions**  
Over the course of the term, you may complete as many as 10 quote and comment assignments. However, you may only submit **ONE** quote and comment in any given week of term. Your task is to identify an interesting passage in the assigned readings for the week and offer a clear, concise and thoughtful comment on the passage. Make sure you clearly identify the author and source of the passage you quote. In your remarks, provide a brief explanation of the issue raised in the cited passage and then provide a brief response – e.g., a criticism or comment or constructive question – about cited passage. Your remarks **should never exceed** a single, double-spaced piece of paper. The date, your name, student number and the course number should be clearly indicated at the top left hand side of the page. Please also clearly indicate the number of the quote and comment – e.g., quote and comment #3. I will assign full marks to any assignment that reflects a good faith effort to engage the material in a thoughtful way. To receive credit for a quote and comment assignment you must submit your assignment in class.
Guide To Marginal Notations (used in marking papers)

? = the significance or relevance of a point is unclear or obscure

^ = missing word(s)

BX = be more explicit; develop the point you are making more fully

C = confusing passage;

CIT = incomplete or incorrect or missing citation

G = garbled; you have not effectively conveyed your point

I = incomplete analysis; you have not adequately explained your point

K = awkward or ungrammatical sentence construction

M = misleading

NA = needs argument; you have not developed your argument sufficiently

O = omit; you could have omitted this chunk of text

QL = quoted passage is unnecessarily long

RF = ambiguous or unclear referent

RS = run on sentence

SE = supporting evidence is needed to substantiate a claim

U = sentence or phrase does not clearly communicate your point

VA = vague

W = poor or incorrect choice of word