



PHIL 530 Spring 2024
Wednesdays 2pm – 4:20pm
MHP 102
Jonathan Quong

Overview

Can unjust laws be legitimate? That is, do governments and their officials ever have protected claim rights to enforce substantively unjust laws, and do those officials act permissibly when they do so? We will look at different approaches to this question. In doing so we will look at recent work on political legitimacy, democratic authority, Kant's political philosophy, violent disobedience, instrumental accounts of authority, and theories of distributive fairness.

Assessment and Required Work

Students registered for the class must choose one of the following writing assessment options:

(a) a term paper (5,000-6,000 words approx.)

or

(b) three short critical response papers (2,000 words each approx.).

Students can choose to write their short papers in response to any of the weekly readings. Short papers must be submitted **prior** to the relevant seminar.

Plans for term papers must be discussed with me at least one month prior to the due date, which is **Friday May 3rd**.

Students will also be assessed on the basis of their participation in seminar discussions.

Writing Component	70% of grade
Seminar participation	30% of grade

Provisional Schedule

- Jan. 10 Introduction + Justification and Legitimacy
- A. John Simmons, "Justification and Legitimacy" *Ethics* (1999)
 - Arthur Applebaum, "Legitimacy Without the Duty to Obey," *Philosophy & Public Affairs* (2010)
- Jan. 17 No Class due to Eastern APA
- Jan. 24 Rejecting the Claims of Law
- Tommie Shelby, *Dark Ghettos*, Introduction + chapters 7, 8
- Jan. 31 When All Else Fails
- Jason Brennan, *When All Else Fails*, chapters 1, 3, 4
- Feb. 07 In Defense of Violent Protest
- Avia Pasternak, *No Justice, No Peace: In Defense of Violent Protest*, chapters 1, 3, 4
- Feb. 14 A Kantian View
- Arthur Ripstein, "Authority and Coercion," *Philosophy & Public Affairs* 32 (2004)
 - Japa Pallikkathayil, "Deriving Morality from Politics: Rethinking the Formula of Humanity," *Ethics* (2010)
- Feb. 21 More on the Kantian View
- Niko Kolodny, "Being Under the Power of Others" (2019)
 - Thomas Sinclair, "The Power of Public Positions," *Oxford Studies in Political Philosophy: Volume 4* (2018)
- Feb. 28 The Service Conception of Authority
- Joseph Raz, *The Morality of Freedom*, chapter 3
 - Jonathan Parry, "Authority and Harm," *Oxford Studies in Political Philosophy: Volume 3* (2017)
- Mar. 06 Another Service Conception
- Daniel Viehoff, "Legitimate Injustice and Acting for Others" *Philosophy & Public Affairs* (2022)
- Mar. 13 Spring Break

- Mar. 20 Democracy and Epistemic Proceduralism
- David Estlund, *Democratic Authority*, chapters 1, 6
- Mar. 27 Democracy and Public Equality
- Thomas Christiano, *The Constitution of Equality*, chapters 3, 6
- Apr. 03 Democracy and Social Equality
- Niko Kolodny, "Rule Over None II: Social Equality and the Justification of Democracy," *Philosophy & Public Affairs* 42 (2014)
 - Daniel Viehoff, "Power and Equality," *Oxford Studies in Political Philosophy: Volume 5* (2019)
- Apr. 10 Priority of Political Justice
- Laura Valentini, "Justice, Disagreement, and Democracy," *British Journal of Political Science* 43 (2013)
 - Philip Pettit, "Justice: Social and Political," *Oxford Studies in Political Philosophy: Volume 1* (2015).
- Apr. 17 Dethroning Democracy
- Christian Barry and Gerhard Overland, "Do Democratic Societies Have a Right to Do Wrong?" *Journal of Social Philosophy* (2011)
 - Zofia Stemplowska and Adam Swift, "Dethroning Democratic Legitimacy," *Oxford Studies in Political Philosophy: Volume 4* (2018)
- Apr. 24 Sharing Our Mistakes
- Jonathan Quong, "Sharing Our Mistakes"