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

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  

Apr. 03  Democracy and Social Equality  

Apr. 10  Priority of Political Justice  

Apr. 17  Dethroning Democracy  

Apr. 24  Sharing Our Mistakes  
- Jonathan Quong, “Sharing Our Mistakes”