

**Theories of Justice**  
**PHIL 353-001**  
**Spring 2024 Syllabus**

**Instructor:** Dr. Shannon Fyfe  
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**Class Meetings:** TR 3:00 pm – 4:15 pm  
Planetary Hall 126

**Office Hours:** Thursdays 11:30 am – 1 pm (in person, Horizon Hall 6253)  
By appointment (via Zoom)

**Course Description:**

This course explores critical analysis of classical and contemporary theories of justice, especially with discussion of present-day applications. Students will develop and understanding of how philosophers approach questions related to justice, how they reach conclusions about justice within and outside of formal institutions, and how they argue for them. Most of the discussion will center on various questions about justice as a basic virtue of legal, political, and social institutions. The course invites students to critically examine their own views on controversies related to the distribution of economic resources, oppression, criminal justice reform, freedom, conflict, equality, democracy, and rights.

You will be evaluated based on your ability to articulate and critique arguments from the readings, through discussion, critical response papers, quizzes, and one analytic paper.

**Learning Outcomes:**

- Identify and analyze theories of justice
- Analyze the consequences of adopting differing conceptions of justice
- Employ philosophical tools to answer questions about justice
- Situate the arguments of philosophical figures within the broad field of justice
- Improve critical thinking abilities by analyzing complex problems, evaluating/critiquing arguments, and constructing modest positive arguments
- Improve reading, writing, and oral communication skills

**Texts:**

- All readings will be posted on Blackboard.
- Handouts will also be posted on Blackboard.

**Grades:**

Participation:	10%
Response Papers (3, 5% each):	15%
Quizzes (5, 10% each)	50%
Final Paper Introduction	5%
Final Paper (6-8 pages):	20%

**Grading Scale:**

A = 93-100	B- = 80-82	D+ = 67-69
A- = 90-92	C+ = 77-79	D = 63-66
B+ = 87-89	C = 73-76	D- = 60-62
B = 83-86	C- = 70-72	F = 0-59

**School in the Time of a Pandemic:**

I am here to help you be successful in this course and I am optimistic that despite various uncertainties, the class will be fun and engaging and thought-provoking.

But given our global and individual circumstances, I want to encourage everyone to:

1. Be patient and kind with yourself and with each other. This includes respecting all policies that will ensure you and your classmates avoid feeling unnecessary anxiety and/or getting sick.
2. Communicate openly and clearly about expectations, concerns, and goals. Tell me what you need, as soon as you can, and I'll tell you how I can help.
3. Be flexible, as circumstances may change over the course of the semester.

**Communication:**

As noted throughout the rest of the syllabus, please *communicate* with me (via email – do not send me messages via Blackboard) if you are experiencing circumstances that are preventing you from meeting any of the course requirements. I do not need to know details about your life, but I cannot accommodate you if I don't know that you need accommodations.

Advice for this class (and your future careers):

1. Please check the syllabus and Blackboard to make sure that your question hasn't already been answered before you send an email.
2. Emails are not text messages. Please do not send emails that do not contain your name.

**Attendance:**

Attendance is mandatory and necessary for performing well in this course. Here are some reasons why:

1. Your participation grade (10% of your final grade) will be negatively impacted by excessive unexcused absences, or failure to participate in in-class discussions, assignments, and activities.
2. If you miss class, you will not benefit from the ideas of your colleagues or your instructor.

**Quizzes:**

If you read the assignments, attend class, and study your notes, you will be prepared to take each quiz. Quizzes will consist of short answer questions and short essay questions. Each quiz is designed to allow you to demonstrate your grasp of the material we have covered during each section. Plan to provide *precise* definitions and explanations. Why? Because you can only do philosophy well through clear thinking, and you can only demonstrate clear thinking through clear writing. I will not try to surprise you or trick you. You should ask questions in class, on the discussion board, or during office hours if anything is unclear.

Quizzes will be given on Mondays (you may take them any time, on Blackboard) on the dates noted on the syllabus, testing material from the previous three weeks. The final quiz will be on Friday after our last day of class and will test the previous two weeks of material. The quizzes will be open book, but **you may not copy/paste anything from handouts or texts, and you may not access the internet during the quiz.** If you have a conflict with a quiz, please let me know as soon as possible so that I can work with you. In the interest of impartiality, I do not give make-up quizzes without prior approval except in extenuating circumstances.

### **Response Papers:**

The response papers each contribute 5% to your final grade. You may choose any reading assigned on or prior to the deadlines and write a two-page critique of the argument (one page of exegesis/explanation and one page of criticism). The response paper must be turned in on Blackboard by the start of class on the day for which the reading has been assigned. So: if you decide to do a response paper on a reading assigned for February 20, it is due at 3:00 PM on February 20. Please only respond to ONE reading per response paper. The goal of these response papers is to prepare for the critical aspect of your final papers. I will provide a handout with instructions on how to write a good response paper and I will provide feedback as well. Please keep track of the deadlines.

### **Final Paper:**

- The final paper (6-8 pages) contributes 15% to your final grade (20% total, including the introduction). Details regarding the format and substance of the final paper will be distributed later in the semester.
- You must submit the introduction to your paper, noting the essay/text you intend to critique and your general plan for how you will critique it, by 10 PM on April 11. This should be submitted via Blackboard and contributes 5% to your final grade.
- I strongly suggest that you submit a rough draft of your final paper. All drafts emailed to me by 10 PM on April 28 will be returned promptly with comments and suggestions. Please submit drafts to me in Word format, so I can provide comments in track changes.
- In the interest of impartiality, I only accept late papers due to extenuating circumstances.
  - a. Plan ahead. Save and back up your work.
  - b. Such circumstances *require* communicating with me.
- All final papers must be submitted by 10 PM on the day that they are due (May 6). They should be submitted:
  - a. On Blackboard via the link under “Assignments” and
  - b. Via email to me in Word document format (in case of Blackboard issues).
- Philosophical writing may be very different from other writing you have done or read. I will provide handouts and in-class assignments to help familiarize you with my expectations. Please talk with me outside of class if you have questions about philosophical writing or about comments you receive on your papers.

### **Agreement for Articles:**

Selections of certain works will be supplied to each student via Blackboard, but students remain subject to all the rights and restrictions of the publisher, and students are to honor those. Each student's copy of these works is to be used solely for purposes of this class; they are not to be distributed, sold, or employed for any other commercial purpose. Each student's participation in the class will indicate his or her explicit agreement to be bound by these limitations.

## **Commitment to Diversity:**

The Philosophy Department seeks to create a learning environment that fosters respect for people across differences. We welcome and value individuals and their differences, including gender expression and identity, race, economic status, sex, sexuality, ethnicity, national origin, first language, religion, age and ability. We encourage all members of the learning environment to engage with the material personally, but to also be open to exploring and learning from experiences different than their own.

This does not mean not being critical: respecting others' views means taking them seriously, and taking them seriously means thinking about their strengths and weaknesses, asking questions, and offering constructive criticisms or alternative viewpoints where appropriate. It also means thinking about where the views of others challenge our own, and being open to what they have to teach us. Valuing diversity is not just an attitude – it is a matter of developing an active practice. Amongst other things, this practice involves:

- learning to listen to other perspectives;
- being open to criticism of one's own views;
- being willing to evaluate different positions while being unsure where one stands;
- having good reasons for one's views, but being willing to change one's mind;
- not rushing to judgment;
- basing critical comments or questions on as good an understanding of another person (or text or theory) as one can manage;
- *and* being willing to accept that there will always be things one cannot see or understand;
- learning to express criticisms and differences of opinion in ways that are not personal or hurtful and that leave space for other voices.

Never be afraid to ask a question or to risk saying something that might be wrong – that is how we learn. But equally, never be afraid to listen to the questions and answers of others, and to let their views challenge and change how you think.

## **Academic Honesty:**

George Mason University has an Honor Code, which requires all members of this community to maintain the highest standards of academic honesty and integrity. Cheating, plagiarism, lying, and stealing are all prohibited. All violations of the Honor Code will be reported to the Honor Committee. See [honorcode.gmu.edu](http://honorcode.gmu.edu) for more detailed information.

Any attempt to pass AI-generated text as your own work in the submission of any assignments will be considered a violation of academic integrity and the Honor Code.

## **Student Support:**

**Counselling and Psychological Services (CAPS):** (703) 993-2380; <http://caps.gmu.edu/>

**Office of Disability Services:** If you are a student with a disability and you need academic accommodations, please see me within the first 2 weeks of the semester and contact the Office of Disability Services (ODS) to ensure you receive the required support: 703-993-2472. All academic accommodations must be arranged through ODS: <http://ods.gmu.edu/>

**University Libraries:** <http://library.gmu.edu/>

**Writing Center:** <http://writingcenter.gmu.edu/>

### **Sexual Misconduct and Interpersonal Violence:**

George Mason University is committed to providing a learning, living and working environment that is free from discrimination, and we are committed to a campus that is free of sexual misconduct and other acts of interpersonal violence in order to promote community well-being and student success. We encourage students who believe that they have been sexually harassed, assaulted or subjected to sexual misconduct to seek assistance and support. [University Policy 1202 Sexual Harassment and Misconduct](http://universitypolicy.gmu.edu/policies/sexual-harassment-policy/) (<http://universitypolicy.gmu.edu/policies/sexual-harassment-policy/>) speaks to the specifics of our process, our resources, and the options available to you.

Confidential student resources are available on campus at the Student Support and Advocacy Center (<http://ssac.gmu.edu/>), Counseling and Psychological Services (<http://caps.gmu.edu/>), and Student Health Services (<http://shs.gmu.edu/>).

All other members of the University community (including faculty, except those noted above) are **not** considered confidential resources and are **required** to report incidents of sexual misconduct to the University Title IX Coordinator. For a full list of resources, support opportunities, and reporting options, contact Dr. Jennifer Hammat, Title IX Coordinator, at <http://diversity.gmu.edu/title-ix>, at 703-993-8730, or in the Compliance, Diversity, and Ethics office in the Aquia Building, Suite 373.

### **ASSIGNMENTS** **(subject to change)**

You should do the assigned reading before class. Everything will be posted on Blackboard. Readings with a \*\* should not be used as the basis for a response paper.

Date	UNIT ONE: MORALITY AND INJUSTICE
<b>WEEK 1/</b> <b>January 16</b>	Syllabus; Introduction; Arguments
<b>January 18</b>	<b>NO CLASS TODAY</b> Moral Dilemmas <b>Reading (we will discuss this in the following class):</b> Fuller, "The Case of the Speluncean Explorers"**
<b>WEEK 2/</b> <b>January 23</b>	Moral Dilemmas <b>Reading:</b> Davis, "Moral Dilemmas"
<b>January 25</b>	Oppression <b>Reading:</b> Cudd, <i>Analyzing Oppression</i> (excerpts)
<b>WEEK 3/</b> <b>January 30</b>	Oppression <b>Reading:</b> Corlett, <i>Heirs of Oppression: Racism and Reparations</i> (excerpts)

February 1	Epistemic Injustice <b>Reading:</b> Fricker, “Epistemic Justice as a Condition of Political Freedom?” <b>* First Response Paper Due *</b>
WEEK 4/ February 5	<b>Quiz #1</b> (Material from Weeks 1 + 2 + 3)
February 6	Epistemic Injustice <b>Reading:</b> Vasanthakumar, “Recent Debates on Victims’ Duties to Resist Their Oppression”**; Carel and Kidd, “Epistemic Injustice in Medicine and Healthcare”
	<b>UNIT TWO: DISTRIBUTIVE JUSTICE</b>
February 8	Justice and the Social Contract <b>Reading:</b> Hobbes, “War, Peace, and Sovereignty”; Locke, “Natural Rights and Civil Society”
WEEK 5/ February 13	Justice and the Social Contract <b>Reading:</b> finish Locke; Rousseau, “The Social Contract and the General Will”
February 15	Rawls <b>Reading:</b> Rawls, <i>A Theory of Justice</i> (excerpts)
WEEK 6/ February 20	Critics of Rawls <b>Reading:</b> Nozick, “Wilt Chamberlain and Distributive Justice” from <i>Anarchy, State, and Utopia</i> ; Sen, “Equality of What?” <b>* Second Response Paper Due *</b>
February 22	Critics of Rawls <b>Reading:</b> Anderson, “What is the Point of Equality?”
WEEK 7/ February 26	<b>Quiz #2</b> (Material from Weeks 4 + 5 + 6)
February 27	Critics of Rawls <b>Reading:</b> Okin, “Justice and Gender”
February 29	Critics of Rawls <b>Reading:</b> Mills, “Retrieving Rawls for Racial Justice?”
WEEK 8/ March 4-10	NO CLASS (Spring Break)

<b>WEEK 9/ March 12</b>	Health Care <b>Reading:</b> Aas and Wasserman, “Disability, Disease, and Health Sufficiency”; Schmidt, Roberts, and Eneanya, “Rationing, Racism and Justice: Advancing the Debate Around ‘Colourblind’ COVID-19 Ventilator Allocation”
	<b>UNIT THREE: CRIMINAL JUSTICE</b>
<b>March 14</b>	Punishment + Retribution <b>Reading:</b> Hart, “Prolegomenon to the Principles of Punishment”; Kant, “The Right to Punish” <b>* Third Response Paper Due *</b>
<b>WEEK 10/ March 19</b>	Retribution <b>Reading:</b> Burgh, “Do the Guilty Deserve Punishment?”; Duff, “Responsibility, Restoration, and Retribution”
<b>March 21</b>	Deterrence <b>Reading:</b> Bentham, <i>Introduction to the Principles of Morals and Legislation</i> (excerpts); Hoskins, “Deterrent Punishment and Respect for Persons”
<b>WEEK 11/ March 25</b>	<b>Quiz #3</b> (Material from Weeks 7 + 9 +10)
<b>March 26</b>	Criminal Law and Distributive Justice <b>Reading:</b> Nathanson, “Should We Execute Those Who Deserve to Die?”; Angela Davis, <i>Are Prisons Obsolete?</i> (excerpts)
<b>March 28</b>	Criminal Law and Distributive Justice <b>Reading:</b> finish Davis; Bell, “Criminalization of Blackness”
<b>WEEK 12/ April 2</b>	Political Authority and State Punishment <b>Readings:</b> Shelby, <i>Dark Ghettos: Injustice, Dissent, and Reform</i> (excerpt)
	<b>UNIT FOUR: WHAT WE OWE EACH OTHER</b>
<b>April 4</b>	Toleration <b>Reading:</b> Sardoč, “The Trouble with Toleration”; Bejan, <i>Mere Civility: Disagreement and the Limits of Toleration</i> (excerpts)
<b>WEEK 13/ April 9</b>	Toleration <b>Reading:</b> Königs, “Paradoxes of Toleration”; Hill, “Toleration of Moral Offense”

<b>April 11</b>	<p>Migration</p> <p><b>Reading:</b> Spieker, “The Obligations and Limits of Solidarity”; Parekh, “Justice Across Borders”</p> <p><b>*Final Paper Introduction Due 10 PM*</b></p>
<b>WEEK 14/ April 15</b>	<p><b>Quiz #4</b> (Material from Weeks 11 + 12 + 13)</p>
<b>April 16</b>	<p>Environmental Justice</p> <p><b>Reading:</b> McMahan, “Climate Change, War, and the Non-Identity Problem”; Meyer and Roser, “Climate Justice and Historical Emissions”</p>
<b>April 18</b>	<p>Environmental Justice</p> <p><b>Reading:</b> finish Meyer and Roser; Metz, “An African Theory of Moral Status: A Relational Alternative to Individualism and Holism”</p>
<b>WEEK 15/ April 23</b>	<p>Procreation</p> <p><b>Reading:</b> Rivera-Lopez, “Individual Procreative Responsibility and the Non-Identity Problem”</p>
<b>April 25</b>	<p>Procreation</p> <p><b>Reading:</b> Gheaus, “Could There Ever Be a Duty to Have Children?”; Marsh, “Procreative Ethics and the Problem of Evil”</p>
<b>April 26</b>	<p><b>Quiz #5</b> (Material from Weeks 14 + 15)</p>
<b>April 28</b>	<p><b>*Last Day to Submit a Rough Draft of Final Paper (optional)* 10 PM</b></p>
<b>May 6</b>	<p><b>*Final Papers Due* 10 PM</b></p>