

Right or Wrong? Politics and Ethics

Lecture • Astrid VON BUSEKIST
Tutorial • Benjamin BOUDOU

Fridays • 12:30-2:30 | 2:45-4:45 • A 21

Evaluation

- Debate (30%):** Two students prepare an informed debate on a given topic, presenting pro and con arguments. You need to problematize the topic, have a structured presentation, and give relevant examples. After about 25 minutes, you open the debate to the rest of the class and lead the discussion. Please prepare a powerpoint presentation for the rest of the class.
- Take-home essay (30%):** About 2,500 words. The topic will be given one week ahead. You will send the Word document to the following e-mail address: benjamin.boudou.scpo@analyse.urkund.com.
- Written text presentation (20%):** Two students prepare a text presentation of one or two texts. It has to be a critical and problematized analysis of the general problem, the key concepts and arguments of the text(s) in a clear and non-paraphrasing way. A good presentation may require the use of outside sources (other texts of the same author, texts of other political theorists, etc.). When there are two texts do not split the analysis, think about the differences and similarities between them. About 2,000 words. You will send the Word document to the following e-mail address: benjamin.boudou.scpo@analyse.urkund.com. The presentations will be available for the rest of the class.
- Quizzes (10%):** No more than 10 minutes each, consisting in a few questions on the mandatory reading(s).
- Class participation (10%):** Discussion of the weekly readings, participation to the debates, class attendance (attendance is mandatory, more than two absences in the semester would lead to fail the class).

No laptop policy.

Calendar

*"I suppose our city – if, that is, it has been correctly founded – is perfectly good...
 Plainly, then, it's wise, courageous, moderate and just."
 PLATO, Republic, IV, 427e*

1	Sept. 13	Where do ethics and politics come from? General presentation
Part I • Wisdom		
2	Sept. 20	Do "good" and "evil" mean the same thing in theory and in practice? The realm of political action
3	Sept. 27	Is it enough to have good intentions? Following the rule
4	Oct. 4	Is it wrong to sacrifice the few to save the many? Caring for consequences
5	Oct. 11	Can one be free to be a slave? Dilemmas of consent
6	Oct. 18	What if we disagree on the meaning of life? Dealing with death
Part II • Justice		
7	Oct. 25	How to articulate liberty and equality? The idea of justice
8	Nov. 15	Shall we drop the veil of ignorance? From redistribution to recognition
9	Nov. 22	What if God disagrees with Caesar? Religion between public and private
10	Nov. 29	Can liberal democracies be ruled like private clubs? Ethics and politics at the borders
Part III • Courage and moderation		
11	Dec. 3	Can ethics and politics survive wars? The challenge of violence
12	Dec. 6	Are non-humans part of our ethical world? The moral considerability of others

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SEPT.
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Session 1

Where do ethics and politics come from? General presentation

Part I • Wisdom

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Session 2

Do “good” and “evil” mean the same in theory and in practice? The realm of political action

- Politics/Ethics – Dirty hands – Responsibility – Legitimacy/Legality •

DEBATE	Is a good politician necessary a bad man?
READING	ARENDDT, Hannah, <i>Eichmann in Jerusalem: A Report on the Banality of Evil</i> [1963], Harmondsworth, Penguin Books, 2006, chapters 3, 8, and 15

Text presentation: WALZER, Michael, “The Problem of Dirty Hands”, *Philosophy and Public Affairs*, vol.2, n°2, 1973

- * DEWEY, John, “Philosophy and Democracy” [1919] and “The Ethics of Democracy” [1888] in *The Political Writings*, ed. D. Morris, I. Shapiro, Indianapolis, Hackett, 1993
- * MACHIAVELLI, *The Prince* [1513], ed. Q. Skinner, Cambridge, Cambridge University Press, 1988
- * WALZER, Michael, “Philosophy and Democracy”, *Political Theory*, Vol.9, No.3, 1981, p.379-399
- * WEBER, Max, “The Profession and Vocation of Politics” [1919], in *Political Writings*, Cambridge, Cambridge University Press, 1994, excerpt: p.352-369
- * STRAUSS, Leo, *What is Political Philosophy? And Other Studies*, Chicago, University of Chicago Press, 1959, chap.1: “What is Political Philosophy?”

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Session 3

Is it enough to have good intentions? Following the rule

- Deontology – Categorical imperative – Obedience – Responsibility/Conviction – Autonomy •

DEBATE	Can citizens disobey if they believe they have to?
READINGS	KANT, Immanuel, <i>The Philosophy of Law</i> [1796], Edinburgh, Clark, 1887 (selection)
	WEBER, Max, “The Profession and Vocation of Politics” [1919], in <i>Political Writings</i> , Cambridge, Cambridge University Press, 1994, excerpt: p.352-369

Text presentation: KANT, Immanuel, *An Answer to the Question: “What is Enlightenment?”*, in *Political Writings*, ed. H. Reiss, transl. H.B. Nisbet, Cambridge, Cambridge University Press, 2nd ed., 1991 / *On the common saying: “It may be true in theory, but it does not apply in practice”* [1793], chap.2, excerpt: p.73-81

- * BENTON, Robert, “Political Expediency and Lying : Kant vs Benjamin Constant”, *Journal of the History of Ideas*, Vol.43, No.1, 1982, p.135-144
- * FOUCAULT, Michel, “What is Enlightenment?” [1984], in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow, transl. R. Hurley and others, 2001
- * Kant, Immanuel, “On a supposed right to lie because of philanthropic concerns” [1799], Indianapolis/Cambridge, Hackett, 1981
- * RAZ, Joseph, *Ethics in the Public Domain: Essays in the Morality of Law and Politics*, Oxford, Clarendon Press, chap.14: “The Obligation to Obey: Revision and Tradition”
- * THOREAU, Henry David, “Resistance to Civil Government”, *Æsthetic Papers*, 1849, p.189-211

OCT.
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Session 4

Is it wrong to sacrifice the few to save the many? Caring for consequences

• Utilitarianism – Interests – Pleasure/pain – Sacrifice – Utility •

DEBATE	Is it wrong to sacrifice a few citizens for the well-being of the community?
READINGS	BENTHAM, Jeremy, <i>An Introduction to the Principles of Morals and Legislation</i> [1789], Blackwell, 2003, ch. 1, 5
	MILL, John Stuart, <i>Utilitarianism</i> [1861], Blackwell, 2003, ch. 1, 2

Text presentation: SINGER, Peter, "Famine, Affluence, and Morality", *Philosophy and Public Affairs*, vol.1, n°3, 1972, p.229-243

- * HARRIS, John, "The Survival Lottery", *Philosophy*, vol.50, 1975, p.81-87
- * HIRSCHMAN, Albert, *The Passions and the Interests*, Princeton, Princeton University Press, new ed., 1997
- * SEN, Amartya, WILLIAMS, Bernard (eds.), *Utilitarianism and Beyond*, Cambridge, Cambridge University Press, 1982
- * SINGER, Peter, *Practical Ethics*, Cambridge, Cambridge University Press, 3rd ed., 2011
- * SLOTE, Michael, "Utilitarianism, Moral Dilemmas and Moral Cost" in *Selected Essays*, New York, Oxford University Press, 2010

OCT.
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Session 5

Can one be free to be a slave? Practical dilemmas of consent

• Libertarianism – Autonomy – Self-ownership – Consent – Harm principle – S/M in law and politics •

DEBATE	What does the "right to one's body" mean?
READING	Case of Laskey and Others v. The United Kingdom, ECHR, 19/02/1997

Text presentation: FOUCAULT, Michel, "Sexual Choice, Sexual Act" [1982-83] / "Sex, Power, and the Politics of Identity", in *Ethics: Subjectivity and Truth*, ed. Paul Rabinow, transl. R. Hurley and others, 2001

- * ARCHARD, David, *Sexual Consent*, Westview Press, 1998
- * DIDI, Herman, "Law and morality re-visited: the politics of regulating sado-masochistic porn/practice", *Studies in Law, Politics & Society*, Vol.15, 1995, p.147-165
- * FEINBERG, Joel, *The Moral Limits of the Criminal Law, Vol.3: Harm to Self*, New York, Oxford University Press, 1989, chap.19: "Personal Sovereignty and its Boundaries"
- * LOCKE, John, *Two Treatises of Civil Government*, Book II, chap.5
- * MILL, John Stuart, *On Liberty*, London, Hackett, 1978
- * NOZICK, Robert, *Anarchy, State and Utopia*, New York, Basic Books, 1974
- * PHILIPS, Anne, *Our Bodies, Whose Properties?*, Princeton, Princeton University Press, 2013
- * WHITEHEAD, Jeff, "The Harvest: Human Organs and Human Security", *Human Security Journal*, vol.6, 2008

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Session 6

What if we disagree on the meaning of life? Dealing with death

- Abortion – Euthanasia – Death penalty – Lethal harm – Killing/Letting die •

DEBATE	Does the state have a right to kill?
READINGS	THOMSON, Judith Jarvis, "A defense of abortion", <i>Philosophy & Public Affairs</i> , vol.1, n°1, 1971, p.47-66
	HARRIS, John, "The Survival Lottery", <i>Philosophy</i> , vol.50, 1975, p.81-87

Text presentation: FOOT, Philippa, "The problem of abortion and the doctrine of the double effect", in *Virtues and Vices and Other Essays in Moral Philosophy*, Berkeley/Los Angeles, University of California Press, 1978 / THOMSON, Judith Jarvis, "The Trolley Problem", *Yale Law Journal*, vol.94, n°6, 1985, p.1395-1415

- * ANNAS, Georges, "Limits of Law at the Limits of Life: Lessons from Cannibalism, Euthanasia, Abortion, and the Court-Ordered Killing of One Conjoined Twin to Save the Other" in *Conn. Law. Review*, 33, 2001, p.1275-1296
- * DWORKIN, Ronald, *Life's Dominion: An Argument about Abortion, Euthanasia, and Individual Freedom*, New York, Knopf, 1993
- * NATHANSON, Stephen, *An Eye for an Eye: The Immorality of Punishing By Death*, Lanham, Rowman&Littlefield, 2002
- * SARAT, Austin (ed.), *The Killing State*, New York, Oxford University Press, 1999

Part II • Justice

OCT.
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Session 7

How to articulate liberty and equality? Taking the social contract seriously

- Justice – Liberalism – Veil of ignorance – Moral arbitrariness – Affirmative action – Overlapping consensus – Universalism/relativism •

DEBATE	Is affirmative action a problem or a solution?
READING	RAWLS, John, <i>A Theory of Justice</i> , Cambridge, Harvard University Press, Rev.ed., 2003 (selection)
	SEN, Amartya, <i>The Idea of Justice</i> , London, Penguin Books, 2010 (selection)

Text presentation: RORTY, Richard, "Justice as Larger Loyalty", in *Philosophy as cultural politics. Philosophical papers Vol. 4*, Cambridge, Cambridge University Press, 2007 / "The Priority of Democracy to Philosophy", in *Objectivity, relativism, and truth: Philosophical papers, vol.I*, Cambridge, Cambridge University Press, 1991

- * CAHN, Steve, *The Affirmative Action Debate*, New York, Routledge, 1995
- * LENOIR, Noëlle, "The Representation of Women in Politics: From Quotas to Parity in Elections", *The International and Comparative Law Quarterly*, Vol. 50, No. 2 (Apr., 2001)
- * NAGEL, Thomas, "John Rawls and affirmative action", *The Journal of Blacks in Higher Education*, n° 39, spring 2003.
- * SANDEL, Michael, "The Procedural Republic and the Unencumbered Self", *Political Theory*, vol.12, n°1, 1984, p.81-96
- * RAWLS, John, *Political Liberalism*, Columbia University Press, exp.ed., 2005

NO CLASS ON NOV. 1 and NOV. 8

NOV.
15

Session 8

Shall we drop the veil of ignorance? From redistribution to recognition

• Equality – Recognition – Multiculturalism – Discrimination – Sexual orientation •

ESSAY DUE	
DEBATE	Is same-sex marriage a matter of justice?
READING	SONG, Sarah, <i>Justice, Gender, and the Politics of Multiculturalism</i> , Cambridge, Cambridge University Press, 2007

Text presentation: KYMLICKA, Will, *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship*, Oxford, Oxford University Press, 2001, Part I

- * FINNIS, John, "Law, Morality, and "Sexual Orientation"", in Corvino, John (ed.), *Same Sex: Debating the Ethics, Science, and Culture of Homosexuality*, New York, Rowman&Littlefield, 1997, p.31-43
- * FRASER, Nancy, "From Redistribution to Recognition? Dilemmas of Justice in a 'Post-Socialist' Age", *New Left Review*, n°212, p.68-93
- * NUSSBAUM, Martha, "Platonic Love and Colorado Law: The Relevance of Ancient Greek Norms to Modern Sexual Controversies", in *Sex and Social Justice*, New York, Oxford University Press, 1999
- * RORTY, Richard, "Is "Cultural Recognition" a Useful Concept for Leftist Politics?", *Critical Horizons*, vol.1, n°1, February 2000, p.7-20
- * YOUNG, Iris, *Justice and the Politics of Difference*, Princeton, Princeton University Press, 1990
- * ZIZEK, Slavoj, "Multiculturalism, Or, the Cultural Logic of Multinational Capitalism", *New Left Review*, 09/10, 1997

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Session 9

What if God disagrees with Caesar? Religion between public and private

• Public/private sphere – Religious arguments – Emancipation – Secularization/Laïcité •

DEBATE	Should religion be a private matter?
READING	HABERMAS, Jürgen, "Religion in the Public Sphere", <i>European Journal of Philosophy</i> , vol.14, n°1, 2006

Text presentation: MARX Karl, [1844], *On the Jewish Question*
(<http://www.marxists.org/archive/marx/works/1844/jewish-question/>)

- * BAUBÉROT, Jean, "Laïcité and the challenge of 'Republicanism'", *Modern & Contemporary France*, vol.17, n°2, 2009
- * CASANOVA, Jose, *Public religion in the modern world*, Chicago, University of Chicago Press, 1994
- * MENDIETA, Eduardo, VANANTWERPEN, Jonathan (eds.), *The Power of Religion in the Public Sphere. Essays by BUTLER, HABERMAS, TAYLOR, and WEST*, New York, Columbia University Press, 2011
- * PERRY, Michael, « Neutral Politics? », *The Review of Politics*, vol.51, n°4, 1989
- * RAWLS, John, "The idea of public reason revisited", *Chicago Law Review*, vol.64, n°3, 1997

Session 10

Can liberal democracies be ruled like private clubs? Ethics and politics at the borders

• Immigration – Cosmopolitanism – Membership – Loyalty – Patriotism – Global original position •

DEBATE	Should borders be opened?
READING	CARENS, Joseph, "Aliens and Citizens: The Case for Open Borders", <i>The Review of Politics</i> , vol.49, n°2, Spring 1987, p. 251-273

Text presentation: MACINTYRE, Alasdair, "Is Patriotism a Virtue", in BEINER, Ronald (ed.), *Theorizing Citizenship*, Albany: State University of New York Press, 1995 / WALZER, Michael, *Spheres of Justice: A Defense of Pluralism and Equality*, New York, Basic Books, 1983, chap. 2

- * ABIZADEH, Arash, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders", *Political Theory*, Vol.36, No.1, February, 2008, p.37-65
- * BARRY, Brian, GOODIN, Robert (eds.), *Free Movement: Ethical Issues in the Transnational Migration of People and Money*, Hemel Hempstead, Harvester Wheatsheaf, 1992
- * BENHABIB, Seyla, *The Rights of Others: Aliens, Residents, and Citizens*, Cambridge, Cambridge University Press, 2004
- * CARENS, Joseph, "Who Should Get in? The Ethics of Immigration Admissions", *Ethics & International Affairs*, Vol.17, No.1, 2003, p.95-110
- * MILLER, David, *National Responsibility and Global Justice*, Oxford, Oxford University Press, 2007, chap.2 and 8

Part III • Courage and moderation

Session 11

Can ethics and politics survive wars? The challenge of violence

• War – Torture – Violence – Just war – Emergency ethics – Dirty hands – Terrorism •

DEBATE	Can a liberal democracy at war remain liberal and democratic?
READING	LUBAN, David, "Liberalism, Torture, and the Ticking Bomb", <i>Virginia Law Review</i> , Vol.91, p.1425-1461, 2005

Text presentation: GROS, Frédéric, *States of Violence: An Essay on the End of War*, transl. K. Fijalkowski, M. Richardson, London: Seagull, 2010, Part 3 and Conclusion

- * IGNATIEFF, Michael, *The Lesser Evil: Political Ethics in an Age of Terror*, Edinburgh University Press, 2005
- * LUKE, Steve, "Liberal Democratic Torture", *British Journal of Political Science*, vol.36, 2006, p.1-16
- * NATHANSON, Michael, *Terrorism and the Ethics of War*, Cambridge, Cambridge University Press, 2010
- * REJALI, Darius, *Torture and Democracy*, Princeton, Princeton University Press, 2007
- * SCHMITT, Carl, *The Concept of the Political* [1927], transl. G. Schwab, Chicago, Chicago University Press, 1996
- * WALZER, Michael, *Arguing About Wars*, New Haven/London, Yale University Press, 2004

Session 12

Are non-humans part of our ethical world? The moral considerability of others

- Moral considerability – Animal/Robot/E.T. rights – Environmental ethics – Nature/Culture – Nonhumans •

DEBATE	Should animals have a right to a good life?
READING	HACHE, Emilie, LATOUR, Bruno, "Morality or Moralism? An Exercise in Sensitization", <i>Common Knowledge</i> , Vol.16, No.2, 2010, p.311-330

Text presentation: COECKELBERGH, Mark, "Robot Rights? Towards a Social-Relational Justification of Moral Consideration", *Ethics and Information Technology*, vol.12, p. 209-221 / CALLICOT, John, "Moral Considerability and Extraterrestrial Life", in *In Defense of Land Ethics: Essays in Environmental Philosophy*, Albany, State University of New York Press, 1989

- * CALLICOTT, John, "Elements of an Environmental Ethic: Moral Considerability and the Biotic Community", *Environmental Ethics*, I, 1979, p.71-81
- * FRANCIONE, Gary, *Animals as Persons: Essays on the Abolition of Animal Exploitation*, Columbia University Press, 2008
- * LATOUR, Bruno, *Politics of Nature: How to Bring the Sciences into Democracy*, Harvard University Press, 2004
- * NUSSBAUM, Martha, *Frontiers of Justice: Disability, Nationality, Species Membership*, Cambridge/London, The Belknap Press of Harvard University Press, 2007
- * SINGER, Peter, *Animal Liberation*, New York, Avon Books, New ed., 1990
- * SINGER, Peter, "Utilitarianism and vegetarianism", *Philosophy and Public Affairs*, vol.9, n°4, p.325-337