

Phil 4932 Rawls' Theory of Justice
Itamar Rosensweig
TR 4:30-5:45
The Straus Center for Torah and Western Thought

Phil 4932: Seminar: Rawls' Theory of Justice

This course is an in-depth seminar on John Rawls' *A Theory of Justice*. We'll begin with a survey of the social contract tradition leading up to Rawls, including Hobbes and Locke, as well as Hume's criticism of the tradition. Then we'll read Rawls' *A Theory of Justice* and analyze the core components of his theory: the original position, the veil of ignorance, the two principles of justice, the difference principle, and Rawls' conception of distributive justice. We'll also consider Rawls' criticism of utilitarianism and Rawls' Kantianism. In addition to *A Theory of Justice*, we'll read selections from Rawls' *Political Liberalism* and *Justice as Fairness: A Restatement*.

Throughout the course, we'll inquire into parallel questions in Jewish political thought: what makes a government just; when is political power legitimate; to what extent does political authority reside in the people; does the majority have a right to rule; what role do rights play in Jewish law; what distribution of resources is considered fair; what do we owe the poor; is the distribution of wealth and natural endowments considered to be arbitrary in Jewish thought?

I can be reached at meir.rosensweig@yu.edu.

Requirements:

In class participation (25%)
Weekly discussion board posts on canvas (25%)
Final Paper (50%), 12-14 pages

Books

All articles will be made available on canvas. You will need access to Rawls' *A Theory of Justice* (Harvard, 1999). It is suggested that you have access to Rawls' *Political Liberalism* and his *Justice as Fairness: A Restatement*.

Unit 1 : Introduction to Rawls and the Social Contract Tradition
Samuel Freeman, *Justice and the Social Contract* (Routledge, 2007), Chapter 1.

Some background and supplementary reading: *Justice and the Social Contract* by Samuel Freeman

Michael Broyde, [“Informing on Others”](#)

Unit 9: Rights and Duties in Jewish Law

Robert Cover, “A Jewish Jurisprudence of the Social Order”
“Human rights” and “Human Dignity and Freedom” in

Unit 10: The Institutions of Justice
Part IV

RQ

Chapter 6

Unit 11: The Stability of Justice as Fairness

, Part V

Unit 12: Kantian Constructivism

Rawls, “Kantian Constructivism in Moral Theory,” (1980)

Samuel Freeman, “Kantian Constructivism and the Transition to Political Liberalism,” in
Freeman, .

Rawls,

Chapter 6