

RAWLS THEORY OF JUSTICE: CONTEMPORARY DEBATES***Faculty Instructor:***

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Credits: 4

Credits Type:

Cross-registration: YES

Pre-requisites: No

COURSE DESCRIPTION (COURSE VISION):

The main objective of this course is to critically engage in the debates of contemporary political philosophy (CPP). The core idea of CPP develops in the conceptions of justice in constitutional liberal democracy. The idea of justice is interpreted through the concepts of Rights, Good, Recognition, freedom, equality and distributive justice. The hermeneutics of all these concepts are emerged from different vantage point, for instance liberal, communitarian, feminist, African American, Marxist, Gandhian, Ambedkarite and so on. These debates have generated philosophical and political discussion in CPP that offer different normative claims. These claims allows for a new interpretation.

In 1972, John Rawls's *A Theory of Justice* created a huge debate in CPP, this book germinated a debate around the conceptions of Right and Good in the hermeneutics of distributive justice. However, the foundation of liberal constitutional democracy upholds rights, liberty, and equality that contradicts with the idea of social good is embedded in the values of a community, tradition, and culture through which individuals and communities seek a conception of good life. The problem of good is complicated, it upholds the traditional and communitarian values that society explicitly or implicitly practice as a matter of social-cultural association with the past. This question was highly debated among liberals, feminists and communitarians, critical theorists, Marxists and African Americans. There are several stances, in some ways, there are convergence and differences that contributed to vibrant contemporary political philosophy.

Similarly, political discourse of modern India witnesses such debates figures like Gandhi, Tagore, Ambedkar and others became so prominent. This is continued to be seen in the post-independence academic discourse in interpreting text and tradition of Indian political and philosophical discourse. The constituent assembly debates (CAD) for instance, were instrumental in understanding Ideas of India. The new constitution of India adopts liberal constitutional democracy constituting public right and good in the imagination of justice as a normative. The question of rights and good in thinking about India was inevitable in modern times. A liberal conceptions of justice is articulated through secularism in India where

communities and religious right and good are protected. The communitarian good such a nation and nationalism through identities create a nationalist common good without adhering constitutional values. There is also democrat whose hermeneutics of justice through rights and good is more radical to liberal and conservative political philosophy. The articulation of radical democrat rights and good are inseparable in thinking about emancipatory transformative justice. The reconciliation and convergence were to happen among the liberal and radical theory, despite their differences. Although, nationalist uncompromisingly upholds the conservative nationalist idea of India.

TEACHING METHODOLOGY:

The course is primarily depending on textual interpretation of primary texts. Also follow the commentaries and critique by others the idea of the author. Teaching method not only engaging primary reading and interpretation, but also discussion based. Lectures are not one way deliberation, allows different kinds of interpretation based on the reading materials.

INTENDED LEARNING OUTCOMES:

The aim of this course is to develop a comprehensive political philosophy by reading contemporary Western and Indian theorists/philosophers. The course is divided into two parts; first part delineates to demonstrate robust debate among Western theorists on the conception of rights and good in the imagination of justice. The second part of the course is to discuss Indian political theorists in the same framework. There would be some comparison to distinguish both traditions; also, one could find similarities in terms of concepts. What is the outcome of this course? This course would help students to develop an interest in political philosophy in general; for a student of law, it might be instrumental in the area of jurisprudence, posing a moral question and for a student of public policy, it provides an idea of justice in thinking about policy formation, for a student of liberal arts, it is instrumental in getting a wholistic perspective about Indian and Western political philosophy. Likewise, this course has an interdisciplinary outlook particularly in the area of political philosophy.

READING LIST (upto 10 select readings):

1. Rawls, John *A Theory of Justice*, Harvard University Press: New York 1971.
2. _____ “The Priority of Rights and the Ideas of the Good”, *Philosophy and the Public Affairs* Vol. 17 No. 4, 1988, pp. 251-276.
3. Shklar, Judith. 1990. *The Faces of Injustice*. Yale University Press.
4. Patman, Carole. 2018. *The Sexual Contract*. Sandford University Press.

5. Sandel, Michael, *Liberalism and Limits of Justice* 1983, New York: Cambridge University Press.
6. Gutmann, Amy, “Communitarian Critics of Liberalism”, *Philosophy and Public Affairs* Vol. 14, No. 3 (1985), pp. 308-322.
7. Sen, Amartya. 2009. *The Idea of Justice*. Penguin
8. Taylor, Charles, “Cross-Purposes: The Liberal- Communitarian Debate”, *Philosophical Arguments*, USA: Harvard University Press 1997.
- 9.
10. Rochana, Bajpai, *Debating Difference: Group Rights and Liberal Democracy in India*, New Delhi: Oxford University Press, 2011.
11. Bilgrami, Akeel, *Secularism, Identity and Enchantment*, Cambridge MA: Harvard University Press, 2014.
12. R. Bhargava, A. K. Bagchi, and R. Sudarshan (eds), *Multiculturalism, Liberalism and Democracy*, New Delhi: Oxford University Press, 1998.
13. Sharma, Jyotirmaya. *Hindutva: Exploring the Idea of Hindu Nationalism*. New Delhi: HarperCollins
14. Walzer, Michael, 1983, “Complex Equality”, *Sphere of Justice: Defence of Pluralism and Equality*, USA: Basic Book.
15. Charles Mills, *Racial Contract*, Cornell University Press: London 1997.
16. Guru, Gopal, “Inception of injustice is in the conception of justice” in *Spheres of Injustice* (eds) Albeena Shakil and Gopal Guru, New Delhi: Routledge 2023.
17. Valerian Rodrigues, “Justice as the Lens: Interrogating Rawls through Sen and Ambedkar” *Indian Journal of Human Development*, Volume 5, No. 1, 2011.
18. Axel Honneth, “The Limits of Liberalism: On the Political-Ethical Discussion concerning Communitarianism”
<https://www.marxists.org/reference/subject/philosophy/works/ge/honneth1.htm>

WEEKLY READING PLAN (WEEKLY OUTLINE):

A weekly plan is provided below:

MODULES	WEEK(S)
MODULE 1: TITLE • Module Description	-
INTRODUCTION OF POLITICAL PHILOSOPHY AND RAWLS AND DWORIN	1, 2 and 3
COMMUNITARIAN CRITIQUE OF RAWLS	4 and 5
CHARLES MILL, JUDITH SHAKLAR, PATMAN	6 and 7
DEBATES IN CONTEMPORARY PHILOSOPHY, SECULARISM, LIBERALISM, SOCIAL JUSTICE THROUGH THE WRITINGS OF GURU, RODRIGUES, BHARGAVA, PAREKH, CHANDOKE AND OTHERS.	8, 9, 10, 11, 12, 13, 14

REVISION WEEK	Week 15
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