

**PHIL4443**  
**Seminar on Philosophical Issues 哲學問題研討**  
**(Scanlonian Contractualism & Moral Problems)**

**Course Outline**

**Time : H 1:30pm-4:15pm**

**Location : UCC110**

**Course overview (as shown on CUSIS)**

This is a seminar course devoted to examining selected issues in philosophy. The specific content of the course varies from semester to semester. Offerings with different subtitles can be taken up for credit, up to a maximum of two times.

Advisory to Majors (old curriculum): to be taken in year 2 or above.

Advisory to Majors (new curriculum): to be taken in year 3 or above.

**Learning outcomes (as shown on CUSIS)**

1. Gain competence in explaining and evaluating the key concepts and theories addressed in the course.
2. Demonstrate familiarity with the primary and secondary source texts in the syllabus.
3. Engage in in-depth discussion on the selected topics of the course.
4. Demonstrate ability to articulate and defend one's own philosophical theses with clarity.
5. Demonstrate consolidated skills in expository and argument writing.

**Topics**

This course will begin with an in-depth examination of the influential contractualist moral theory of T. M. Scanlon. Attention will be drawn to the comparison of Scanlonian contractualism and other theories, such as utilitarianism, Kant's ethical theory, and Rawls's contractualism. Much of the course will be devoted to seeing the normative implications this theory in resolving problems in practical ethics, such as aggregation, punishment, and bioethical issues (such as physician-assisted suicide, sale of human organs, genetic enhancement, abortion, and animal ethics).

**Learning activities**

1. Readings (weekly)
2. In-class Discussion
3. Presentations
4. Papers

**Assessment scheme**

<i>Task nature</i>	<i>Description</i>	<i>Weight</i>
In-class discussion	Students' participation in discussion will be encouraged.	10%
Presentations	At least one (possibly more) presentations	10%
Paper 1	A shorter paper	30%
Paper 2	A longer paper (probably in two drafts)	50%

### Remarks on Assessment Scheme (if any)

If the number of students permits, I would like to have a workshop in which students will comment on each other's Paper 2 (first draft). Their contribution will be graded.

The Assessment Scheme is only approximate and subject to change.

### Recommended learning resources

Buchanan, Allen and others. *From Chance to Choice*. Cambridge University Press, 2000.

Campbell, Alastair. *The Body in Bioethics*. Routledge-Cavendish, 2009.

Dworkin, Ronald and others. "Assisted Suicide: The Philosophers' Brief." In *New York Review of Books*, March 27 1997 issue.

Glover, Jonathan. *Choosing Children*. Oxford University Press, 2006.

Hooker, Brad. "Contractualism, Spare Wheel, Aggregation." In *Scanlon and Contractualism*, edited by Matt Matravers. London: Frank Cass Publishers, 2003.

Hirose, Iwao. *Moral Aggregation*. Oxford University Press, 2015.

Li, Hon-Lam. "Contractualism and Punishment," *Criminal Justice Ethics*, vol. 34, issue 2 (2015).

Parfit, Derek. "Justifiability to Each Person." *Ratio* 16, no. 4 (2003): 368-90.

Pettit, Philip. "A Consequentialist Perspective on Contractualism." *Theoria* 66, no. 3 (2000): 228-36.

Pettit, Philip. 1999. "Doing unto Others." *Times Literary Supplement*, June 25, 7-8.

Pettit, Philip. "Two Construals of Scanlon's Contractualism." *The Journal of Philosophy* 96, no. 3 (2000): 148-64.

Reibetanz, Sophia. "Contractualism and Aggregation." *Ethics* 108, no. 2 (1998): 296-311.

Sandel, Michael. *The Case against Perfection*. Harvard University Press, 2007.

Scanlon, T.M. "The Aims and Authority of Moral Theory." *Oxford Journal of Legal Studies* 12, no. 1 (1992): 1-23.

Scanlon, T.M. *Being Realistic about Reasons*. Oxford: Oxford University Press, 2014.

Scanlon, T.M. "Contractualism and Justification." Paper presented at the Workshop on Contractualism and Justification, Porto Alegre, Brazil, March 2014.

Scanlon, T.M. "Contractualism and Utilitarianism." Chap. 7 in *The Difficulty of Tolerance*. Cambridge: Cambridge University Press, 2003.

Scanlon, T.M. "Desert, Blame and Punishment." Paper presented at the International Conference on the Philosophy of Criminal Punishment, Hong Kong University, Hong Kong, June 2013.

Scanlon, T.M. "Giving Desert its Due." *Philosophical Explorations* 16, no. 2 (2013): 1-16.

Scanlon, T.M. *Moral Dimensions*. Cambridge, MA: Harvard University Press, 2008.

Scanlon, T.M. "Punishment and the Rule of Law." In *Deliberative Democracy and Human Rights*, edited by Harold Hongju Koh and Ronald Slye, 257-71. New Haven: Yale University Press, 1999.

Scanlon, T.M. "Rawls on Justification." In *The Cambridge Companion to Rawls*, edited by Samuel Freeman, 139-167. Cambridge: Cambridge University Press, 2003.

Scanlon, T.M. "Replies." *Social Theory and Practice* 28, no. 2 (2002): 337-58.

Scanlon, T.M. *What We Owe to Each Other*. Cambridge, MA: Harvard University Press, 1998.

Scanlon, T.M. "Wrongness and Reasons: A Re-examination." In *Oxford Studies in Metaethics*, volume 2, edited by Russ Shafer-Landau, 5-20. Oxford: Oxford University Press, 2007.

Singer, Peter. *Animal Liberation*. New York Review/Random House, New York, 1975

Southwood, Nicholas. *Contractualism and the Foundation of Morality*. Oxford: Oxford University Press, 2010.

Thomson, Judith Jarvis, "A Defense of Abortion." *Philosophy and Public Affairs*, (1971): 47-66.

Thomson, Judith Jarvis, "Self-Defense." *Philosophy and Public Affairs*, (1991): 283-310.

Thomson, Judith Jarvis. *The Realm of Rights*. Cambridge, MA: Harvard University Press, 1992.

### Course schedule

<b>Week</b>	<b>Topics</b>	<b>Required reading</b>	<b>Tutorials</b>	<b>Remarks</b>
1	Scanlon's moral theory	"Contractualism and Utilitarianism."		
2	Scanlonian contractualism	<i>What We Owe to Each Other</i> , chaps. 4		
3	Scanlonian contractualism	<i>What We Owe to Each Other</i> , chaps. 5		
4	Criticisms of Scanlon	Thomson. <i>The Realm of Rights</i> (extract). Pettit. "Doing unto Others." Southwood. <i>Contractualism and the Foundation of Morality</i> .		
5	Aggregation	Reibetanz, "Contractualism and Aggregation." Parfit, "Justifiability to Each Person."		
6	Aggregation	Hirose, <i>Moral Aggregation</i> .		
7	Punishment	Scanlon, "Giving Desert its Due."		
8	Punishment	Li, "Contractualism and Punishment."		
9	Physician-assisted Suicide	Dworkin, et al, "Assisted Suicide: The Philosophers' Brief."		
10	Sale of Human Organs	Campbell, <i>The Body in Bioethics</i> .		
11	Genetic Enhancement	Buchanan, et al, <i>From Chance to Choice</i> .		

		Glover, <i>Choosing Children</i> . Sandel, <i>The Case against Perfection</i> .		
12	Animal Ethics	Singer, <i>Animal Liberation</i> .		
13	Abortion	Thomson, "A Defense of Abortion." Thomson, "Self-Defense."		
14	Workshop			

#### Details of course website

Nil.

#### Contact details for teacher(s) or TA(s)

<b>Teacher</b>	
Name:	Li Hon-Lam
Office location:	Room 425, Fung King Hey Building
Telephone:	3943 7144
Email:	honlamli@hotmail.com

<b>TA</b>	
Name:	
Office location:	
Telephone:	
Email:	

#### Academic honesty and plagiarism

Attention is drawn to University policy and regulations on honesty in academic work, and to the disciplinary guidelines and procedures applicable to breaches of such policy and regulations. Details may be found at [http://www.cuhk.edu.hk/policy/academic\\_honesty/](http://www.cuhk.edu.hk/policy/academic_honesty/)

With each assignment, students will be required to submit a signed **declaration** that they are aware of these policies, regulations, guidelines and procedures. For group projects, all students of the same group should be asked to sign the declaration.

For assignments in the form of a computer-generated document that is principally text-based and submitted via VeriGuide, the statement, in the form of a receipt, will be issued by the system upon students' uploading of the soft copy of the assignment. Assignments without the receipt will not be graded by teachers. Only the final version of the assignment should be submitted via VeriGuide.

