

Honours Seminar 2009.

**Sex and Equality in the Liberal
Democratic State: Hard Cases and
Controversies.**

Convenor: Professor Lisa Hill

Place and Time: Thursday 4-6 pm Stretton Room,
Napier Level 4

Honours Seminar 2009.

Sex and Equality in the Liberal Democratic State: Hard Cases and Controversies.

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In this course we will examine the nature, implicit assumptions and limits of the liberal democratic state in relation to controversial issues about sex and equality. First we will explore the nature, characteristics and moral assumptions that direct how the liberal-democratic state operates. Here we will explore concepts like rights, justice, equality, tolerance, autonomy, consent, freedom of the person and freedom of contract, as set out –mainly– in J.S. Mill’s classic treatment of these ideas. These conceptions will be considered with reference to such topics as: work, pornography, prostitution, sexual violence, reproductive technology and marriage and the family. We will also look at the claim that liberalism is inherently imperialising and explore whether multi-culturalism is bad for women, A major problem to be considered is whether or not the formal equality and liberty characteristic of liberalism work to the end of substantive equality between the sexes.

I. Objectives

The aim of this seminar is provide each Honours student with a solid understanding of the liberal conception of justice and the good society and its ability to handle cases where notions of justice, fairness, rights, harm, autonomy, consent and freedom are tested and problematised.

II. Structure

Each week, the seminar will address an important and hard case for liberal justice to deal with.

The two-hour weekly seminar will consist of:

- A presentation by the student[s] who has been allocated that topic.
- A general discussion of the topic with specific reference to the readings.
- There will also be time set aside to discuss essay and thesis topics.

III. Assessment

The seminar paper is expected to be 6, 000 words in length including references but excluding bibliography, with an upward limit of 7000. Papers that exceed this limit

will have marks deducted. It must be handed in by Friday June 12, 12.00 pm.
Honours deadlines are very strictly enforced: Extensions are granted only in exceptional circumstances and require the permission of the Honours Committee. Essays that are submitted late without permission will have marks deducted (at 5 percentage points per day including weekends and public holidays). Essays that are more than 5 days late without permission will not be accepted. .

We require two word processed copies of each seminar paper and an electronic version of the paper. Electronic copies are to be sent to Greta Larsen at greta.larsen@adelaide.edu.au

Seminar courses in the first semester commence in the week beginning 2 March 2009 (the first teaching week of the semester). Seminars run for ten weeks (not counting the two weeks of mid-semester break).

PREPARATION FOR AND ATTENDANCE AT ALL CLASSES IN EACH OF THE SEMINARS IS COMPULSORY. If you fail to attend classes without adequate explanation, you may be excluded from the course and your work not accepted for assessment.

What you will need: 3 books that would be good to own are:

J. S. Mill, *On Liberty and Other Essays*, Edited and with an Introduction by John Gray, Oxford: Oxford University Press, 1991

Will Kymlicka, *Contemporary Political Philosophy*, Oxford: Oxford University Press, 1990

J. Wolff, *An Introduction to Political Philosophy*, Oxford: Oxford University Press, 1996.

I will be posting the highlighted readings online because they may be a bit hard to get hold of.

Seminar Topics

Week One Thurs. 5th March.

Introduction to Course; allocation of seminar topics.

Week Two

Thurs. 12th March. Guest Speaker: Alan Goldstone.

Mill's philosophy applied: a 'candidate for advanced liberalism'.

Preliminary discussion: Utility and liberty in Mill's thought. Case studies: The Contagious Diseases Acts of 1865.

Group discussion: What kind of freedom from 'social compulsion or control' does Mill allow the individual? Is there a general tension in Mill's thought between the collective good (utility) and individual liberty? How, if at all, is this evident in Mill's evidence at the Contagious Diseases Acts commission?

Essential:

Mill, *On Liberty*, CW: XVIII.

Mill, 'The Contagious Diseases Acts', CW: XXI, 349-71.

Jeremy Waldron, 'Mill on Liberty and on the Contagious Diseases Acts' in Zakaras and Urbinati (eds.), *J.S. Mill's Political Thought: A Bicentennial Reassessment*, Cambridge: CUP, 2007. (Provided).

General:

Mill, *Utilitarianism*

Gertrude Himmelfarb, *On Liberty and Liberalism*, NY: Knopf, 1974.

Maurice Cowling, *Mill and Liberalism*, Cambridge: CUP, 1963.

John Skorupski, *John Stuart Mill*, Ch. 10, Ch. 9.

Week Three Thurs. 19th March

Why did Mill like liberty so much?

What, for Mill, distinguishes a private from a public act? Is there any such thing as a private act?

What does Mill say about the nature and value of the following values: equality, tolerance, autonomy and freedom of the person, freedom of contract, consent and citizenship?

What is the liberal conception of equality?

What is a 'person'?

What is a right? Are rights absolute? (i.e. are they inviolable?).

What is autonomy?

What is liberty? What did Isaiah Berlin famously have to say on this topic?

Why is consent important to liberals? How do we know when consent is given freely?

Reading

On Liberty, by J.S. Mill especially 'Of the Limits to the Authority of Society Over the Individual', and 'Applications' (both in Gray edition). But keep looking for reasons

for his love of liberty, attitude to tolerance, autonomy, freedom of the person etc.
Look at other, secondary material if you get stuck.

Jonathan Wolff, 'The Place of Liberty', in J. Wolff, *An Introduction to Political Philosophy*, Oxford: Oxford University Press, 1996.

'Liberal Equality', Chapter 3 of Will Kymlicka, *Contemporary Political Philosophy*, Oxford: Oxford University Press, 1990.

Alan Wertheimer, 'Victimless Crimes', *Ethics*, 87 (4), 1977, pp. 302-318.

Only if you are brave: Arthur Isak Applbaum, 'Are Violations of Rights Ever Right?' *Ethics*, Vol. 108, No. 2 (Jan., 1998), pp. 340-366.

Week Four. Thurs. 26th March

What is Pornography? Is it free speech? Should the liberal democratic state censor it? If so, to what degree? Should we distinguish between different kinds of pornography when answering this question? What does *Ashcroft v. Free Speech Coalition* 535 U.S. (2002) tell us about liberal law? **(if you haven't heard of this case, search the net. It is very strange, not to mention creepy, but still important to think about).**

West, Caroline. 'Pornography and Censorship' *Stanford Encyclopedia of Philosophy*, <http://plato.stanford.edu/entries/pornography-censorship/>, 2004.

Catherine Itzin, "Pornography and Civil Liberties: Freedom, Harm and Human Rights", in *Pornography: Women, Violence and Civil Liberties*, ed. Catherine Itzin (Oxford: Oxford University Press, 1992)

Susan Brisson, 'The Autonomy Defence of Free Speech', *Ethics*, 108 (2) 1998, 312-339

David Dyzenhaus, "John Stuart Mill and the Harm of Pornography", *Ethics*, cii, 3 (April 1992), pp. 534-551.

West, C., 2003, "The Free Speech Argument Against Pornography", *Canadian Journal of Philosophy*, 33(3): 391-422

Susan Gubar and Joan Hoff (eds) *For Adult Users Only: The Dilemma of Violent Pornography* (Bloomington: Indiana University Press, 1989)

Lynne Segal and Mary McIntosh, eds, *Sex Exposed: Sexuality and the Pornography Debate* (London: Virago, 1992)

Melinda Vadas, "A First Look at the Pornography/Civil Rights Ordinance: Could Pornography be the Subordination of Women?", *Journal of Philosophy*, lxxxiv, 9 (September 1987), pp. 487-511

Rae Langton, "Whose Rights? Ronald Dworkin, Women, and Pornographers", *Philosophy and Public Affairs*, xix, 4 (Fall 1990), pp. 311-359

Scoccia, D., 1996, "Can Liberals Support a Ban on Violent Pornography?", *Ethics*, 106: 776-799

Beverly Brown, "Feminism and Pornography – Is Law the Answer?", *Critical Quarterly*, xxxiv, 2 (Summer 1992), pp.72-82

Andrea Dworkin, "Against the Male Flood: Censorship, Pornography, and Equality", *Harvard Women's Law Journal*, viii (Spring 1985), pp. 1-29

Humanities in Society, vii, 1/2 (Winter/Spring 1984): Special Issue on Sexuality, Violence, and Pornography

Catharine A. MacKinnon, "Pornography: Not a Moral Issue", *Women's Studies International Forum*, ix, 1 (1986), pp. 63-78

Catharine A. MacKinnon, "Sexuality, Pornography, and Method: 'Pleasure under Patriarchy'", *Ethics*, xcix, 2 (January 1989), pp. 314-346

Week Five. Thurs. April 2

The relationship of feminism (and Liberalism) to Multi-culturalism. Is Multi-culturalism bad for women? Should the liberal state do more to accommodate cultural practices that affect women? Are the liberal values of autonomy, liberty, individualism and impartiality bad for women?

Reading:

Susan Moller-Okin, 'Is Multi-Culturalism Bad for Women?' at:
<http://www.bostonreview.net/BR22.5/okin.html>

Joshua Cohen and Matthew Howard, (eds) *Is Multiculturalism Bad for Women?* Princeton University Press, 1999. This is a collection of responses to Okin's article. She responds herself at the end.

J.S. Mill, 'On the Subjection of Women' in J. S. Mill, *On Liberty and Other Essays*, Edited and with an Introduction by John Gray, Oxford: Oxford University Press, 1991

Samantha Brennan, 'Recent Work in Feminist Ethics', *Ethics*, 109 (4) 1999, pp. 858-893.

Chandran Kukathas, "Are There any Cultural Rights?" *Political Theory* 20, 1 (1992): 105-39.

For those who want to look more closely at the alleged relationship between liberalism and imperialism (perhaps for their essay) see the following:

John Stuart Mill on Empire

What was Mill's position on empire? What does he mean when he says 'despotism is a legitimate mode of government'? How did he react to atrocities committed by colonial officials and how, if at all, did they influence his position? Was race significant to Mill? How did Mill reconcile his position on empire with his notion individual liberty?

Readings:

John Stuart Mill, "On Liberty", Ch. 2

John Stuart Mill, "A Few Words on Non-intervention", CW: XXI.

John Stuart Mill, "Civilisation" (first 10 pages), CW: XVIII.

Joseph Miller, 'Chairing the Jamaica Committee', in Schultz and Varouxakis (eds.), *Utilitarianism and Empire*, Lanham: Lexington, 2005. (Photocopy)

Jennifer Pitts, *A Turn to Empire*, Princeton, 2006, 123-162.

Uday Mehta, *Liberalism and Empire*, Chicago: Chicago University Press, 1999, pp. 97-114.

Georgios Varouxakis, "John Stuart Mill on Race." *Utilitas* 10, no. 1 (1998): 17-32.

John Stuart Mill, 'The Negro Question', CW: XXI, 85-95.

Week Six. Thurs. April 9.

Marriage and the Family. Should the family be considered part of the "private" sphere in liberal democracies? Is marriage best thought of as a contract? What is the status of domestic work?

Susan Moller Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989), chapter 8.

Susan Moller Okin, 'Political Liberalism, Justice and Gender', *Ethics*, vol. 105 (1), pp. 23-43.

John Stuart Mill and Harriet Taylor, "Early Essays on Marriage and Divorce", in *Essays on Sex Equality: John Stuart Mill and Harriet Taylor Mill*, ed. Alice S. Rossi (Chicago: University of Chicago Press, 1970)

Carole Pateman, *The Sexual Contract* (Oxford: Polity Press, 1988), chapter 6

Carole Pateman, "Feminist Critiques of the Public/Private Dichotomy", in *Public and Private in Social Life*, eds. S.I. Benn and G.F. Gaus (London: Croom Helm, 1983)

Will Kymlicka, "Rethinking the Family", *Philosophy and Public Affairs*, xx, 1 (Winter 1991), pp. 77-97.

Sara Ann Ketchum, "Liberalism and Marriage Law", in *Feminism and Philosophy*, eds. Mary Vetterling-Braggin et al. (Totowa NJ: Rowman & Littlefield, 1977)

Carol Smart, *The Ties that Bind: Law, Marriage and the Reproduction of Patriarchal Relations* (London: Routledge & Kegan Paul, 1984), especially chapters 1 and 10

Lynne Segal, *What is to be Done about the Family?* (Harmondsworth: Penguin, 1983)

Tove Stang Dahl and Annike Snare, "The Coercion of Privacy: A Feminist Perspective", in *Women, Sexuality and Social Control*, eds. Carol Smart and Barry Smart (London: Routledge & Kegan Paul, 1978)

MID-SEMESTER BREAK -- Monday April 13-Sunday April 26

Week Seven. Thurs. April 30

Abortion. Do women have a "right" to abortion? If so, on what grounds? Do the unborn have "rights"? If so, how far do they extend?

Judith Jarvis Thomson, "A Defense of Abortion", in *Today's Moral Problems*, ed. Richard A. Wasserstrom, 3rd ed. (New York: Macmillan, 1985)

R.J. Gerber, 'Abortion: Parameters for Decision', *Ethics*, vol. 82 (2) 1972, pp. 137-154.

Alison Jaggar, "Abortion and a Woman's Right to Decide", in *Philosophy and Sex*, eds. Robert Baker and Fred Elliston (New York: Prometheus Books, 1984)

Extracts from *Roe v Wade* in *Today's Moral Problems*, ed. Richard A. Wasserstrom, 3rd ed. (New York: Macmillan, 1985)

Susan Himmelweit, "More Than 'A Woman's Right to Choose'?", *Feminist Review*, xix (1988), pp. 38-56

Linda Clarke, "Abortion: A Rights Issue?" in *Birthrights, Law and Ethics at the Beginnings of Life*, ed Robert Lee and Derek Morgan (London: Routledge, 1989)

Marshall Cohen et al., eds., *The Rights and Wrongs of Abortion* (Princeton: Princeton University Press, 1974)

Joel Feinberg, ed., *The Problem of Abortion* (Belmont CA: Wadsworth, 1973)

Rosalind P. Petchesky, *Abortion and Woman's Choice: The State, Sexuality, and Reproductive Freedom* (Boston: Northeastern University Press, 1985)

Elizabeth Fee and Ruth Finkelstein, "Abortion: The Politics of Necessity and Choice", *Feminist Studies*, xii, 2 (Summer 1986), pp. 361-373

Week Eight. Thurs. May 7

Surrogacy. Consider this statement: 'Technological advances in reproductive technology and genetic engineering (IVF, surrogacy etc.) enhance the scope of women's right to choose'. Are there limits to what we should be allowed to buy and sell in the market? Is a surrogacy contract the same as any other contract?

Mary Lyndon Shanley, "'Surrogate Mothering' and Womens' Freedom: A Critique of Contracts for Human Reproduction", *Signs*, xviii, 3 (Spring 1993), pp.619-639

Elizabeth S. Anderson, "Is Women's Labor a Commodity?", *Philosophy and Public Affairs*, xix, 1 (Winter 1990), pp. 71-92

Alan Wertheimer, "Two Questions about Surrogacy and Exploitation", *Philosophy and Public Affairs*, xxi, 3 (Summer 1992), pp. 211-239

Richard J. Arneson, "Commodification and Commerical Surrogacy", *Philosophy and Public Affairs*, xxi, 2 (Spring 1992), pp. 132-164

Elizabeth S Anderson, "The Ethical Limitations of the Market", *Economics and Phiolsophy*, vi (1990), pp.179-205

Sarah Franklin and Maureen McNeil, "Reproductive Futures: Recent Literature and Current Feminist Debates on Reproductive Technologies", *Feminist Studies*, xiv, 3 (Fall 1988), pp. 545-560

Lynda Lange, "Reproduction in Democratic Theory", in *Contemporary Issues in Political Philosophy*, ed. William Shea and John King-Farlow (New York: Science History Publications, 1975)

Gena Corea, "How the New Reproductive Technologies Could Be Used to Apply the Brothel Model of Social Control over Women", *Women's Studies International Forum*, viii, 4 (1985), pp. 299-305

Hypatia, iv, 3 (Fall 1989): Ethics and Reproduction

Christine T. Sistare, "Reproductive Freedom and Women's Freedom: Surrogacy and Autonomy", *Philosophical Forum*, xix, 4 (1988), pp. 227-240

Alfonso J. Damico, "Surrogate Motherhood: Contract, Gender and Liberal Politics' in *Public Policy and the Public Good*, ed. Ethan Fishman (New York: Greenwood, 1991)

Janice Doane and Devon Hodges, "Risky Business: Familial Ideology and the Case of Baby M", *differences*, I, 1 (1988), pp. 67-82

Debra Satz "Markets in Womens Reporductive Labor", *Philosphy and Public Affairs*, xxi, 2 (Spring 1992), pp. 107-131

Carmel Shalev, *Birth Power: The Case for Surrogacy* (New Haven: Yale University Press, 1989)

Week Nine. Thurs. May 14.

Reverse Discrimination. Under what conditions, if any, can reverse discrimination or affirmative action policies be considered fair responses to inequality in the workplace?

'Individualism, Justice, Feminism', Chapter 6 in J. Wolff, *An Introduction to Political Philosophy*, Oxford: Oxford University Press, 1996.

'Feminism' Chapter 7 in Will Kymlicka, *Contemorary Political Philosophy*, Oxford: Oxford University Press, 1990 .

Judith Jarvis Thomson, "Preferential Hiring", in *Equality and Preferential Treatment*, eds. Marshall Cohen et al. (Princeton: Princeton University Press, 1977)

Marian Sawer, ed., *Program for Change: Affirmative Action in Australia* (Sydeny: Allen and Unwin, 1985).

Margaret Thornton, "Affirmative Action, Merit and the Liberal State", *Australian Journal of Law and Society*, ii, 2 (1985), pp.28-40.

Onora O'Neill, "How Do We Know When Opportunities are Equal?", in *Women and Philosophy: Toward a Theory of Liberation*, ed. Carol C. Gould and Marx W. Wartofsky (New York: G.P. Putnam's Sons, 1976)

Thomas Nagel, "Equal Treatment and Compensatory Discrimination", in *Equality and Preferential Treatment*, eds. Marshall Cohen et al. (Princeton: Princeton University Press, 1977)

Lisa H. Newton, "Reverse Discrimination as Unjustified", *Ethics*, lxxxiii, 4 (July 1973), pp. 303-312

Mary Anne Warren, "Secondary Sexism and Quota Hiring", *Philosophy and Public Affairs*, vi, 3 (Spring 1977), pp. 240-261

Articles by Michael Martin, Mary Vetterling, Marlene Gerber Fried and Irving Thalberg, in *Women and Philosophy: Toward a Theory of Liberation*, ed. Carol C. Gould and Marx W. Wartofsky (New York: G.P. Putnam's Sons, 1976)

Gertrude Ezorsky, "Hiring Women Faculty", *Philosophy and Public Affairs*, vii, 1 (Fall 1977), pp. 82-91

Feminist Studies, v, 2 (Summer 1979): Issue on Protective Discrimination

Week Ten. Thurs. May 21:

Prostitution. Does the liberal democratic state have any legitimate interest in prostitution, or is it a private matter? Is the relationship between prostitutes and their clients just another commercial contract?

Jeffrey H. Reiman, "Prostitution, Addiction and the Ideology of Liberalism", *Contemporary Crises*, iii (1979), pp. 53-68

Kay Daniels, ed., *So Much Hard Work: Women and Prostitution in Australian History* (Sydney: Fontana, 1984).

Christine Overall, "What's Wrong with Prostitution?: Evaluating Sex Work", *Signs*, xvii, 4 (Summer 1992), pp. 705-724

Barbara Sullivan, 'Prostitution law reform in Australia. A preliminary evaluation', *Social Alternatives*, Vol. 18, 1999. pp. 9 - 14.

Barbara Sullivan, *The Politics of Sex: Prostitution and Pornography in Australia Since 1945*, Melbourne: Cambridge University Press, 1999.

Carole Pateman, *The Sexual Contract* (Oxford: Polity Press, 1988), chapter 7

Laurie Shrage, "Should Feminists Oppose Prostitution?", *Ethics*, xcix, 2 (January 1989), pp. 347-361

Lars O. Ericsson, "Charges against Prostitution: An Attempt at a Philosophical Assessment", *Ethics*, no. 90 (April 1980), pp. 335-366

Sibyl Schwarzenback, "Contractarians and Feminists Debate Prostitution", *Review of Law and Social Change*, xviii, 1 (1990-1991), pp. 103-130

Laurie Bell, ed., *Good Girls/Bad Girls: Feminists and Sex Trade Workers Face to Face* (Seattle: Seal Press, 1987)

Gail Pheterson, ed., *A Vindication of the Rights of Whores* (Seattle: Seal Press, 1989)

Kay Daniels, ed., *So Much Hard Work: Women and Prostitution in Australian History* (Sydney: Fontana, 1984)

Alison Jaggar, "Prostitution", in *The Philosophy of Sex: Contemporary Readings*, ed. A. Soble (Totowa, NJ: Rowman and Littlefield, 1980)

Further reading by and about J.S. Mill:

J. S. Mill, *On Liberty and Other Essays*, Edited and with an Introduction by John Gray, Oxford: Oxford University Press, 1991. (This contains the basics that will assist you through the course).

John Stuart Mill and Jeremy Bentham, *Utilitarianism and Other Essays* /Ed. Alan Ryan Penguin: London, 2004.

All 33 volumes of The Collected Works of John Stuart Mill are held in the Barr Smith Library (1PM64c) and are available in PDF format online at:

http://oll.libertyfund.org/index.php?option=com_staticxt&staticfile=show.php%3Fperson=21&Itemid=28

Key texts by Mill, most of which are available in Penguin editions:

Utilitarianism, Collected Works: Volume X

Autobiography, CW: I

The Subjection of Women, CW: XXI

On Liberty, CW: XVIII

Bentham, CW: X

A Few Words on Non-intervention, CW: XXI

Considerations on Representative Government, CW: XIX

Civilisation, CW: XVIII

Chapters on Socialism, CW: V

Introductory and General

John Skorupski, *Why Read Mill Today?* (Routledge, 2006). One of the best and most accessible introductions to Mill's political and moral philosophies and to his epistemology generally.

Alan Ryan, *J.S. Mill* (Routledge). Commentary and introduction to selected major texts.

Wendy Donner, *The Liberal Self* (Cornell, 1991).

Stefan Collini, "Their Master's Voice: John Stuart Mill as a Public Moralists", *Public Moralists* (OUP, 1991).

Alan Ryan, "Introduction" in J.S. Mill and Jeremy Bentham, *Utilitarianism and Other Essays* (Penguin, 2002)

After reading one of the above, try: Alan Ryan, *The Philosophy of John Stuart Mill* (Humanities Press International, 1991) 2nd Ed.

Imperialism and Liberalism

That imperialism is inextricable from Mill's political thought:

Uday Mehta, *Liberalism and Empire* (University of Chicago Press: 1999)

Jennifer Pitts, *A Turn to Empire: The Rise of Imperial Liberalism in Britain and France* (Princeton University Press: New Jersey, 2005) pp. 123-162

Eileen Sullivan, "Liberalism and Imperialism: J.S. Mill's Defence of the British Empire", *Journal of the History of Ideas*, 44:4, pp. 599-617

Beate Jahn, "Kant, Mill and Illiberal Affairs in International Relations" *International Organization*, 59: Winter, 2005, pp. 177-207

In defence of Mill:

Prager, Carol, "Intervention and Empire: John Stuart Mill and International Relations" *Political Studies*, 54:3, 2005, pp. 621-640

Ryan, Alan, "Mill in a Liberal Landscape", *Cambridge Companion to Mill*, pp. 497-540

Mark Tunick, "Tolerant Imperialism: John Stuart Mill's Defense of British Rule in India", *The Review of Politics* 68 (2006)

Race and Racism

Varouxakis, Georgios. "John Stuart Mill on Race." *Utilitas* 10, no. 1 (1998): 17-32.

Schultz, Bart "Mill and Sidgwick, Imperialism and Racism", *Utilitas*, 19:1, March 2007, p. 112.

Bart Schultz and Georgios Varouxakis (Eds) *Utilitarianism and Empire*, (Lexington, 2005).

Character

From *A System of Logic* (CW: VIII):

"Of Liberty and Necessity" pp. 836-844

"On the Logic and Practice of Art; Including Morality and Policy" pp. 943-955.

"Of Ethology, or the Science of Character Formation" pp. 861-875.

Eldon Eisenach, *Mill and the Moral Character of Liberalism* (Pennsylvania State University Press, 1998)

Colin Heydt, "Mill, Bentham and 'Internal Culture'." *British Journal for the History of Philosophy* 14, no. 2 (2006): pp275-301

Equality and Feminism

Maria Morales, *Perfect Equality: John Stuart Mill on Well-Constituted Communities* (Rowman and Littlefield, 1996). Provided.

Mary Shanley, "The Subjection of Women" *Cambridge Companion to Mill* (CUP, 1998)

Liberty and Utility

Alan Ryan, *J.S. Mill Chapters 4 & 5*

John Gray, *Mill on Liberty: A Defence* (London: Routledge, 1983)

John Gray, "John Stuart Mill: Traditional and Revisionist Interpretations." *Literature of Liberty* ii, no. 2 (1979)

Gertrude Himmelfarb, *On Liberty and Liberalism* (Knopf, 1974)

John Skorupski, *John Stuart Mill* (Routledge, 1989)

Contextual and Biographical:

William Thomas, *The Philosophic Radicals* (OUP, 1979) pp. 147-205.

Nicholas Capaldi, *John Stuart Mill: A Biography* (CUP, 2004)

Fredrick Rosen, *Classical Utilitarianism from Hume to Mill* (Routledge, 2003)

Laura Snyder, *Reforming Philosophy*, Chicago: University of Chicago Press, 2006. pp. 95-196; pp. 226-242.

Essay Questions

What are the strengths and limitations of Mill's feminism? Why has he been criticised by some feminists?

In *On Liberty* and *A System of Logic* respectively, Mill unequivocally declares 'I regard utility as the ultimate appeal on all ethical questions' and that 'the general principle to which all rules of practice ought to conform, and the test by which they should be tried, is that of conduciveness to the happiness of mankind'. Are these statements reconcilable with his defences of individuality and individual liberty?

Mill restricts his harm principle and his defences of individual liberty and individuality to those 'capable of being improved by free and equal discussion'. In other circumstances, 'despotism is a legitimate mode of government.' Is Mill's political thought inherently imperialistic?

Is reproductive surrogacy wrong? If so, why? If not, why not?

Is abortion wrong? If so, why? If not, why not?

Is prostitution wrong? If so, why? If not, why not? If the question is too coarse, how should it be revised?

Can the family ever be a just institution? What would it take to make it just?

Is multi-culturalism bad for women?

Is liberalism inherently imperialistic?

Is pornography free speech? Should the liberal democratic state censor it? If so, to what degree?

Is affirmative action in the workplace a good idea? Is so, why; if not, why not?

If you'd like to propose and develop your own essay topic, see Lisa.

ASSESSMENT

The following descriptors provide guidelines for the assessment of Honours essays and theses.

<u>Percentage</u>	<u>Honours Category*</u>	<u>Criteria</u>
90+	I	Exceptional. Analytically sophisticated. Substantial intellectual originality.
80-89	I	Outstanding. Originality in discovery, use of material. Successful reinterpretation of a body of material. Successful interpretation of new material. Well-crafted argument.
70-79	IIA	Very competent. Critical, well-researched, well-informed argument, clearly presented. Will not show the same originality and/or ability as is required to achieve a First.
60-69	IIB	There are a range of IIB characteristics. These could include: inadequate research; a well researched but poorly argued piece; a good thesis project with a major research or analytical flaw; ineffective connection between argument and evidence; failure to locate argument in broader intellectual context; failure to address a range of alternative views and interpretations.
50-59	Third	Limited achievement. Basic flaw in the argument or very poor development of an argument. Poor research. Basic problems with connecting research to the argument.
0-49	Fail	Substantial weaknesses in content and/or understanding apparent; major irrelevancies.

* These categories assume in general adequate and proper referencing and/or quoting. Should a paper or thesis display significant scholarly deficiencies or contain significant plagiarised material, the Discipline has developed separate policies which should be applied. See below (Plagiarism Policy and Scholarly Deficiencies Policy).

Plagiarism Policy

Should a marker discover one and/or more of the following, they will take the matter to the Honours convenor:

- i) more than 200 words of plagiarized material
- ii) 3 separate instances of plagiarized material

- iii) a substantial unacknowledged intellectual debate.

The marking procedure would cease and University regulations will be applied.

Scholarly Deficiencies Policy

Scholarly deficiencies are described as: anything less than the parameters set for plagiarism in the lifting of material; careless and/or inadequate referencing or quoting; misrepresentation of sources of material (e.g. implying primary sources were used when the references were taken from secondary sources); important errors of fact. If the marker believes that the above are serious enough to undermine the integrity of the seminar paper or thesis, they will submit a separate 'Scholarly Deficiencies Report' (separate from the usual comments on argument, etc).

ISSUES ASSOCIATED WITH PLAGIARISM, COLLUSION AND CHEATING

For students, plagiarism, collusion and other forms of cheating are expressly forbidden under the University's Rules for Assessment [<http://www.adelaide.edu.au/policies?241>], which state that:

1. No student will submit for assessment any piece of work that is not entirely the student's own, except where either:
 - (a) the use of the words, designs, computer code, creative works or ideas of others is appropriate and duly acknowledged, or
 - (b) the assessor has given prior permission for joint or collaborative work to be submitted.
2. No student will submit as if they were genuine any data or results of laboratory, field or other work that are fabricated or falsified.
3. No student will assist any candidate in any piece of assessed individual work, and no student shall accept assistance in such a piece of assessed individual work, except in accordance with approved study and assessment schemes.
4. No student will submit the same piece of work for assessment in two different courses, except in accordance with approved study and assessment schemes.

Any form of cheating in examinations is expressly forbidden in Section 4.5 of the University's Examinations Policy : (<https://www.adelaide.edu.au/policies/?456>).

MECHANISMS FOR RESOLUTION OF COMPLAINTS, INCLUDING INFORMATION AND ADVOCACY SERVICES

A. Role of Honours Convenor

Any problems experienced between a student and their supervisor will be referred to the Honours Convenor in the first instance for resolution, as will any complaints or problems relating to the Honours programme.

B. Role of Honours Committee

Any student complaint or problem may also be referred to the Honours Committee of the Discipline. Applications for extensions are normally addressed to the Honours Convenor. Requests to transfer to part-time status should be raised in the first instance with the Honours Convenor but permission has to be sought from the Faculty Registrar. Difficult or marginal cases may be referred to the Honours Committee.

C. Marking Procedures

1. There will be two markers for each piece of work submitted. The primary marker will assign a mark and prepare a report. The second marker will act as a cross check on the first. A convenor of a seminar may act as an examiner of papers produced in her or his seminar, but a thesis supervisor will not mark the thesis which he or she supervised. Any discrepancies in marks will be resolved by the Honours convenor in consultation with the markers involved. If necessary a third marker will be appointed.
2. If either of the markers submits a Scholarly Deficiencies Report, the following procedures will apply. If there is a significant discrepancy, the other marker would be given the opportunity to alter their mark in the light of the Scholarly Deficiencies Report. Should a significant discrepancy remain, the Honours Convenor will mediate in consultation with the markers concerned.
3. The marks will be aggregated with a weighting of 50% being given to thesis work and 50% to coursework (25% for each seminar paper).
4. There will be a single meeting of the Honours Committee to consider the marks and determine the class of Honours to be awarded.

SCHOOL OF HISTORY AND POLITICS OCCUPATIONAL HEALTH & SAFETY ARRANGEMENTS

The School of History and Politics is committed to upholding the University's Policy on Occupational Health & Safety (OH&S). Also, all staff and students have a legal responsibility to act in the interests of themselves and others with respect to OH&S. To assist the School and to comply with your responsibilities you are asked to become informed about the following arrangements and personnel.

Emergency Evacuation Procedures – Fire or Bomb Threat

Napier Building Fire Wardens	Room	Phone
<i>Chief Warden:</i>		
Mr Robert Ewers	Faculty Office Napier Undercroft	35245
<i>Deputy Warden:</i>		
Martin Kusabs	Faculty Office Napier Undercroft	35179

Floor Wardens:

5th Floor: Tom Buchanan	Napier 518	34682
4th Floor: Julie McMahon	Napier 423	35032
3rd Floor: Christine McElhinney	Napier 422	

35610

Evacuation Areas

The evacuation assembly areas for the Napier Tower and Ligertwood Building are the Goodman Crescent lawns in front of Elder Hall. For lower ground Napier Building assemble in the Hughes Plaza which is outside Security and for the Education Building precinct it is North Terrace.

Evacuation Procedures

Staff and students must leave the building via the fire stairs once the notice to evacuate has been raised. The lifts should not be used. Those experiencing difficulties leaving need to notify the floor warden. Staff and students may return only after the Warden has granted permission.

Medical Emergencies & First Aid

In life threatening situations (only) ring 35444.

Contact a First Aid Officer (see below). A First Aid kit is kept in Napier Room 423. Please record any usage in the notebooks provided. Your nearest sick bay/rest room is to be found on 1st Floor Ligertwood Building, Room 103B.

Representatives and Officers

First Aid officers are trained to deal with first aid situations. The School Safety Officers represent the Head of School in OH&S matters. The elected OH&S Representative can represent staff and students in OH&S issues.

Name	Room	Phone
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OH&S Representative:

Tom Buchanan	Napier 518	34682
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First Aid Officers:

Gloria Sumner	Faculty Office, Napier Undercroft	35186
Vicki Johnson	Napier G09	35245

Departmental Safety Officer tba

Accident & Incident Reporting

OH&S legislation demands that all accidents and near-miss incidents be reported to the School Manager or Discipline Head. An Accident/Incident Report and Investigation Form must be completed (preferably within 48 hours) by the person involved and the supervisor and a copy given to the OH&S Safety Officer. Copies are available from the OH&S Representative or Safety Officer.

Emergency procedures

In Case of an Emergency

DO:

Listen to any messages on the Public Address system

Obey wardens or the Fire Brigade

Assist people with disabilities

Evacuate the Building and surrounding stairs. The evacuation assembly areas for the Napier Tower and Ligertwood Building are the Goodman Crescent lawns in front of Elder Hall. For lower ground Napier Building assemble in the Hughes Plaza outside Security and for the Education Building precinct it is North Terrace.

DO NOT:

Use the lifts

Enter the Napier Building

DO:

Know Your Wardens

TITLE

Chief Warden White helmet

Deputy Chief Warden White helmet

Warden Red helmet

Alert Tone

When you hear the Alert tone (a series of long beeps), collect your belongings, prepare to evacuate, and await further instructions.

Evacuation Tone

The evacuation tone follows the Alert tone. A message will be announced on the Public Address system. Leave by the nearest exit, as directed by the floor wardens.

After Hours

The system will immediately go into evacuation mode. Leave the building by the nearest exit. Do not use the lift.

Users with Disabilities

Users whose disability may make it difficult to use the emergency exits should notify the History Office of their presence in the building, and of their likely movements within the building. This will aid in your speedy evacuation in an emergency.

Reporting an Emergency

If you see or hear a potential hazard in the Napier Building please report the nature and location of the problem immediately to the History Office.

In Case of Minor Injury

First Aid Box in the History Office and First Aider available Security Staff.

Prepared by

Health and Safety Committee, School of History and Politics - Telephone: 8303 5032

Emergency Preparedness Guidelines For People With Disabilities

Follow the guidelines on the "Emergency Procedures" flip-chart.

Become familiar with alternate evacuation routes in buildings you use frequently.
Learn what may constitute a safe area in buildings you use frequently.

If you are unable to follow the "Emergency Procedure" guidelines, develop other strategies for your protection. For example, if you use a wheelchair and cannot duck and cover under a table in the event of an earthquake or similar emergency:

Protect your head as much as possible.

Move away from windows, filing cabinets, bookcases, light fixtures, and heavy objects that could shatter, fall, or tip over.

Engage the electronic brake or wheel locks on your wheelchair.

Consider various disaster scenarios and decide ahead of time what you would do in different emergencies. For example, people with power wheelchairs should consider the following:

In evacuations, it is standard practice to evacuate disabled people without their wheelchairs. Where should you be located while waiting for your wheelchair?

Are there certain medications or support systems that you need?

Do you have access to another wheelchair if yours cannot be evacuated?

Know your limitations and be aware of your needs in different emergencies.

If you need assistance, ask for it. People may not be aware of your circumstances or know how they can help.

Consider how people will give you emergency information and how you will communicate your needs if you have impaired speaking, hearing, or sight.

Consider arranging a buddy system with friends or colleagues so that someone will check with you, alert you as necessary, and see whether you need any assistance.

If you need to be evacuated, help yourself and rescuers by providing them with information about your needs and the best ways to assist you.