

Political Science UN3100
Spring 2017
Mondays and Wednesdays, 2:40 - 3:55

Prof. David Johnston
720 IAB
O.H. Mondays 4-5

JUSTICE

Course Description

An inquiry into the nature and implications of justice in areas ranging from criminal justice to distributive justice to the circumstances of war and peace. We will consider issues such as abortion, the criminalization of behavior, the death penalty, surrogate motherhood, global poverty, civil disobedience, and international conflict. We will also discuss the justice or injustice of legal and political systems in their entirety and a range of responses to systemic injustice.

Course Requirements

The writing requirements for this course include at least two short papers, one longer paper, and one final exam. Three short papers (1000 - 1200 words each) will be assigned. All students must submit the **first two** of these papers, due on **Friday, February 10** and **Friday, March 3**. In addition, any student may elect to submit a third paper, due on **Friday, March 31**. If you submit all three papers, the two papers that receive the best grades will be used to calculate your final grade. All students must also submit a final paper of 2000 - 2500 words on **Wednesday, May 3**. All papers must be submitted on the day on which they are due by **12 noon** and will be penalized if they are submitted late. You must submit all the required work for this course to receive a passing grade.

Please note that you are expected to attend all the lectures and discussion sections in this class. You are also responsible for being familiar with all instructions given, including instructions delivered verbally during the lecture sessions. If you must miss a session, please inform your TA in advance if possible or, if that is not possible, explain the reason for your absence afterward.

You are responsible for the honesty and integrity of all the written work you submit for this class in accordance with Columbia University's policies on academic honesty and the **Guidelines for Papers** issued for this course. **Please read the sections of these Guidelines on Citations and Academic Honesty carefully.**

Grading

Each of the two short papers will account for about 15% of the final grade. The long paper will account for about 30% of the final grade. The final exam will account for about 35% of the final grade, and 5% of the final grade will be based on students' attendance and participation in class (attendance is a significant factor in participation). Please note that these percentages are approximations; your final grade will be based ultimately on our judgments about your command of the subject matter of this course and of the skills you are able to demonstrate by the end of the semester.

Readings

Most of the required readings are available in library reserves for this course either online or in hard copies (or both). Additional required readings will be drawn from the following books, which are available for purchase at Book Culture:

David Johnston, A Brief History of Justice (Wiley-Blackwell)
John Stuart Mill, On Liberty and Other Essays (Oxford)
Michael Walzer, Just and Unjust Wars (Basic Books)

Course Outline and Schedule

The course outline below indicates the schedule of topics we will discuss, required readings for each topic, and a tentative schedule of dates on which discussions will occur. All required readings should be completed in advance of the class session in which they will be discussed.

Introduction (January 18)

I Theoretical Perspectives on Justice

A. Goal-based ("consequentialist") Theories (Jan. 23)
J.S. Mill, Utilitarianism (71 pp.)

B. Rights-based ("deontological") Theories (Jan. 25)
Ronald Dworkin, "Taking Rights Seriously" (22 pp.)
Immanuel Kant, "Theory and Practice" (to the end of Part I, "On the Relationship of Theory to Practice in Morality in General") (12 pp.)

II Crime and Punishment

A. Criminalization

1. Theory (Jan. 30 - Feb. 1)
J.S. Mill, On Liberty, chs. 1, 4 (32 pp.)
Robert P. George, Making Men Moral, chs. 1, 2 (64 pp.)

2. Hate Speech (Feb. 6)
Charles R. Lawrence III, "Cross-Burning and the Sound of Silence" (8 pp.)
Lee C. Bollinger, "Rethinking Group Libel" (9 pp.)

3. Abortion (Feb. 8)
Judith Jarvis Thomson, "A Defense of Abortion" (20 pp.)
Marquis, "Why Abortion is Immoral" (20 pp.)

First Paper Due (Friday, Feb. 10)

B. Punishment (Feb. 13)
Jeffrey H. Reiman, "Justice, Civilization, and the Death Penalty" (33 pp.)
Michael L. Radelet and Marian J. Borg, "The Changing Nature of the Death Penalty Debate" (15 pp.)

C. Criminal Justice and Equality (Feb. 15)
David Cole, No Equal Justice: Race and Class in the American Criminal Justice System, Introduction and ch. 1 (62 pp.)
Kenneth C. Davis, "The Practice of Selective Enforcement..." (26 pp.)

III Contracts and Compensation

A. Contracts (Feb. 20-22)
T. H. Green, "Liberal Legislation and Freedom of Contract" (22 pp.)
Surrogate Parenting Agreement, February 6, 1985 (5 pp.)
In Re Baby "M" (1987)(8 pp.)
In the Matter of Baby "M" (1988), 109 N.J. 396 (3 pp.)
Elizabeth Anderson, "Is Women's Labor a Commodity?" (22 pp.)

B. Compensation (Feb. 27)
Robert L. Rabin, "A Sociolegal History of the Tobacco Tort Litigation" (26 pp.)
Peter Pringle, "The Chronicles of Tobacco" (9 pp.)
Robert E. Goodin, "Compensation and Redistribution" (24 pp.)

Second Paper Due

(Friday, March 3)

IV Distributive Justice

A. Domestic Distributive Justice (March 1-8)
John Rawls, "Justice and Equality" (22 pp.)
Robert Nozick, "Equality versus Entitlement" (14 pp.)

Spring Recess March 13-17

B. Global Distributive Justice (March 20)
Peter Singer, "Famine, Affluence, and Morality" (15 pp.)
Brian Barry, "Humanity and Justice in Global Perspective" (32 pp.)

C. Climate Change Justice (March 22)
Simon Caney, "Cosmopolitan Justice, Responsibility, and Global Climate Change" (29 pp.)

V Political Justice, Reform, Resistance, and Revolution

A. Justice in Political Decision-Making (March 27)
Bernard Manin, "The Verdict of the People," from Principles of Representative Government (32 pp.)
Cass R. Sunstein, "Political Equality and Unintended Consequences" (25 pp.)

B. Responses to Systemic Injustice (March 29)
Martin Luther King, Jr., "Letter from a Birmingham Jail" (15 pp.)
Adam Michnik, "On Resistance" (22 pp.)

Third Paper Due

(Friday, March 31)

VI War and Peace

A. Just War Theory (April 3-5)

Michael Walzer, Just and Unjust Wars, chs. 1-4 (70 pp.)

Neta C. Crawford, "Just War Theory and the U.S. Counterterrorism War" (17 pp.)

B. Transitional Justice (April 10-12)

Carlos Niño, "Legal Problems of Trials for Human Rights Violators" (37 pp.)

Paul van Zyl, "Dilemmas of Transitional Justice: the Case of South Africa's Truth and Reconciliation" (21 pp.)

C. The Birth, Death, and Boundaries of States (April 17-19)

Michael Walzer, "The Moral Standing of States" (21 pp.)

Allen Buchanan, "The Making and Unmaking of Boundaries: What Liberalism Has to Say" (27 pp.)

Dennis Ross, "Why Israelis, Arabs, and Palestinians See the World the Way They Do" (31 pp.)

VII Justice Reconsidered

David Johnston, A Brief History of Justice, Introduction, Prologue, Chapters 1, 7, 8, Epilogue (125 pp.) (April 24-26)

Conclusion (May 1)

Final Paper Due (Wednesday, May 3)

Final Examination TBA