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 12 and Friday, March 4. In addition, any student may elect
to submit a third paper, due on Friday, April 1. If you submit all three
papers, the two papers that receive the best grades will be used to compute your
final grade. All students must also submit a final paper of 2000 - 2500 words
on Wednesday, May 4. All papers must be submitted on the day on which they are
due by 12 noon. 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’ 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:

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 19)

**I Theoretical Perspectives on Justice**

A. Goal-based (“consequentialist”) Theories

J.S. Mill, *Utilitarianism* (71 pp.)

(Jan. 21)

B. Rights-based (“deontological”) Theories

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.)

(Jan. 26)

**II Crime and Punishment**

A. Criminalization

1. Theory

J.S. Mill, *On Liberty*, chs. 1, 4 (32 pp.)
Robert P. George, *Making Men Moral*, chs. 1, 2 (64 pp.)

(Jan. 28 - Feb. 2)

2. Hate Speech

Charles R. Lawrence III, “Cross-Burning and the Sound of Silence” (8 pp.)
Lee C. Bollinger, “Rethinking Group Libel” (9 pp.)

(Feb. 4)

3. Abortion

Judith Jarvis Thomson, “A Defense of Abortion” (20 pp.)
Marquis, “Why Abortion is Immoral” (20 pp.)

(Feb. 9)

B. Punishment

Jeffrey H. Reiman, “Justice, Civilization, and the Death Penalty” (33 pp.)

(Feb. 11)

**First Paper Due**

(Friday, Feb. 12)
C. Criminal Justice and Equality (Feb. 16)
Kenneth C. Davis, “The Practice of Selective Enforcement...” (26 pp.)

III Contracts and Compensation

A. Contracts (Feb. 18-23)
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. 25)
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 4)

IV Distributive Justice

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

B. Global Distributive Justice (March 10)
Peter Singer, ”Famine, Affluence, and Morality” (15 pp.)
Brian Barry, ”Humanity and Justice in Global Perspective” (32 pp.)

Spring Recess March 14-18

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 24)
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, April 1)

VI War and Peace
Just War Theory  (March 31 - April 5)
Michael Walzer, *Just and Unjust Wars*, chs. 1-4 (70 pp.)
Neta C. Crawford, “Just War Theory and the U.S. Counterterror War” (17 pp.)

B. Transitional Justice  (April 7-12)
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 14-19)
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 21-26)

Conclusion  (April 28)

Final Paper Due  (Wednesday, May 4)

Final Examination  TBA