

Introduction to 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

You are expected to attend all the lectures offered 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 me in advance if possible or, if that is not possible, explain the reason for your absence afterward. Note also that no laptops, pads, phones or other electronic devices may be used in the classroom without written permission from the instructor.

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, June 5 and Friday, June 12. In addition, any student may elect to submit a third paper, due on Friday, June 19. 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 1500-2000 words on Friday, June 26. All papers must be submitted on the day on which they are due by 12 noon to the Courseworks dropbox for the student's section of the course. Papers will be penalized if they are submitted late. You must submit all the required work for this course to receive a passing grade.

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 the instructor's judgment of your command of the subject matter of this course and of the skills you are able to demonstrate by the end of the semester.

Academic Honesty and Integrity

Academic honesty is the backbone of the Columbia community. As a community of teachers and students, our work depends on mutual trust and the integrity of our work. Therefore, 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. Refer to the guidelines for papers above, see the faculty [statement on academic integrity](#).

Class 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.

7/7: Introduction, Theoretical Perspectives on Justice

Goal-based (consequentialist) theories: J.S. Mill, Utilitarianism (71 pp)

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)

7/9: Theory of Criminalization (Theory)

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

7/14: Criminalization Applications I

Hate Speech: Charles Lawrence III, "Cross-Burning and the Sound of the Silence," (8 pp); Lee Bollinger, "Rethinking Group Libel," (9 pp).

Abortion: Judith Jarvis Thomson, "A Defense of Abortion," (20 pp); Marquis, "Why Abortion is Immoral," (20 pp).

Punishment: Jeffrey Reiman, "Justice, Civilization, and the Death Penalty," (33 pp); Michael Radelet and Marian J Borg, "The Changing Nature of the Death Penalty Debate," (15 pp).

7/16: Criminalization Applications II

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

First Paper Due (July 17)

7/21: Contracts & Compensation

Contracts: 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.)

Compensation: 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.).

7/23: Domestic Distributive Justice

Theory: Robert Nozick, "Equality versus Entitlement" (14 pp.); John Rawls, "Justice and Equality" (22 pp.)

Gender: Susan Okin, "Vulnerability by Marriage," from *Justice, Gender and the Family*, ch. 7 (pp. 135-69, 34 pp)

Race: Ta-Nehisi Coates, "The Case for Reparations," from *We Were Eight Years in Power*, ch. 6 (pp. 163-208, 45 pp.)

Second Paper Due (July 24)

7/28: Global Distributive Justice

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

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

7/30: Political Justice

Justice in Decision Making: Bernard Manin, "The Verdict of the People," from *Principles of Representative Government* (32 pp.); Cass R. Sunstein, "Political Equality and Unintended Consequences" (25 pp.); Avia Pasternak, "Political Rioting: A Moral Assessment" (35 pp.)

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

Third Paper Due (July 31)

8/4: Justice in War and after War

Just War Theory: 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.)

Transitional Justice: 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.)

8/6: The Birth, Death, and Borders of States

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.)

Final Paper Due (August 7)

8/11: Just Reconsidered

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

8/13: Final Examination