

# Justice

API-606 Spring 2005

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Class: Tuesday & Thursday, 10:10-11.30, Taubman 301  
Office Hours: TBA

## Course Description:

### Prerequisites:

None, though undergraduate courses in moral and political philosophy, history, or international relations and prior exposure to any of the Kennedy School's ethics classes will be very useful. A fair number of the readings are drawn from philosophical research journals, and a willingness to engage with such contemporary philosophical literature is essential for this class.

### Course Requirements:

*Class Participation* You are expected to come to each session prepared to discuss the day's assignment questions, readings and cases, and to make thoughtful contributions to the learning of your classmates. Class participation will count for 20% of your course grade.

*Oral Presentation:* For each class, a maximum of two students should prepare 5-minute presentations summarizing one article or chapter assigned for the day and raising some questions for discussion. Each student is required to do one such presentation. The presentation counts for 10% of your grade. Students with the appropriate background or interests are also encouraged to make suggestions for longer (10-15 min) presentations on policy applications of the material discussed in this class. Such an additional presentation *would substitute for one of the three written assignments.*

*Short Written Assignments:* For each class meeting, a written exercise will be posted on the course web-page, and if you choose to complete this assignment,

you must submit it within a week of its posting. You are required to satisfactorily complete **three** such assignments. They should not exceed 750 words. These assignments count for 40% of your course grade. There must be at least two weeks between submission of any two assignments, to assure a reasonable distribution across topics.

*Long Written Assignment:* Students with the required background and appropriate interests may write one 20-page paper substituting for both the short papers and the take-home exam. Permission of instructor is required for this option!!

*Final Take-home Examination:* The final exercise, which counts for 30% of your course grade, will consist of essay questions that are to be answered in no more than 2,000 words in total. Examinations will be available on May 9, 2003, and are due in Mathias Risse's office on May 24. Examinations may be returned by mail or courier, but emailed or faxed submissions are not acceptable. Late examinations will not be accepted.

#### Grading:

The KSG Academic Council has issued recommendations on grading policy, which include the following curve: A (10-15%), A- (20-25%), B+ (30-40%), B (20-25%), B- (5-10%).

#### Reading and Assignments:

Required readings: course packet, available through the course-materials office. Note that readings available on-line are marked as such in the syllabus. In addition, the following books are also required and available at the Coop:

Will Kymlicka, *Contemporary Political Philosophy* (second edition), Oxford University Press

John Rawls, *The Law of Peoples*, Harvard University Press

Michael Walzer, *Just and Unjust Wars* (third edition), Basic Books.

Note that many of the readings are merely recommended, but not required. In class we will not presuppose that these recommended texts have been read.

## Class Schedule and Assignments

### **Thursday, Feb. 3: Libertarianism**

*Required:*

Kymlicka, chapter 4

*Recommended:*

James P. Sterba, "Recent Work on Alternative Conceptions of Justice",  
*American Philosophical Quarterly*, 23(1), Malden: Blackwell Publishers, ©  
1986, pp. 1-22

### **Tuesday, Feb. 8: Exploring Libertarianism -- Taxation**

*Required:*

Liam Murphy and Thomas Nagel, *The Myth of Ownership*, chapters 1 and 7, 3-  
11, 142-161

*Recommended:*

Robert Nozick, *Anarchy, State, and Utopia*, 149-182

### **Thursday, Feb. 10: Utilitarianism**

*Required:*

Kymlicka, chapters 1 and 2

*Recommended:*

Peter Singer, "Famine, Affluence, and Morality", *Philosophy & Public Affairs*  
1:3 (1972), pp. 229-243

## **Tuesday, Feb. 15: Exploring Utilitarianism -- Punishment/Death Penalty**

### *Required:*

Jeffrie Murphy and Jules Coleman, *Philosophy of Law*, chapter 3, 109-142

Ernest van den Haag, "The Ultimate Punishment: A Defense", *Harvard Law Review*, May, (Cambridge: Harvard Law Review Association, © 1986), pp. 1662 - 1669

### *Recommended:*

Jeffrey Reiman, "Justice, Civilization, and the Death Penalty," excerpts reprinted in Shaw (ed.), *Social and Personal Ethics*, 416-427

## **Thursday, Feb. 17: Liberal Egalitarianism**

### *Required:*

Kymlicka, chapter 3

### *Recommended:*

Kymlicka, chapter 6

## **Tuesday, Feb. 22: Exploring Liberal Egalitarianism: Universal Health Care**

### *Required:*

Bernard Williams, "The Idea of Equality," excerpts reprinted in Pojman and Westmoreland (eds.), *Equality: Selected Readings*, 91-102

Ronald Dworkin, "Justice in the Distribution of Health Care," in Clayton and Williams (eds.), *The Ideal of Equality*, 203-222

## **Thursday, Feb. 24: Ideals of Equality -- Equality of Opportunity vs. Equality of Outcomes**

### *Required:*

Anne Phillips, *Which Equalities Matter?*, chapter 1 ("Democracy and

Equality”), 1-19

John Schaar, “Equality of Opportunity, and Beyond,” excerpts reprinted in Pojman and Westmoreland (eds.), *Equality: Selected Readings*, 137-147

*Recommended:*

Christopher Jencks, “Whom Must We Treat Equally for Educational Opportunity to be Equal?”, in *Ethics* 98 (1988): pp 518-533

### **Tuesday, March 1: Exploring Ideals of Equality -- Affirmative Action**

*Required:*

Patricia Conley, “The Allocation of College Admissions,” in Elster (ed.), *Local Justice in America*, 25-79

Ronald Dworkin, “Bakke’s Case: Are Quotas Unfair?”, in *A Matter of Principle*, 293-303

### **Thursday, March 3: The Moral Limits of the Market - Exploitation**

*Required:*

Chapter 3 of Allen Buchanan, *Ethics, Efficiency, and the Market*, 47-103

Chapter 1 of Ruth Sample, *Exploitation*, 1-26

### **Tuesday, March 8: The Moral Limits of the Market – Commodification**

*Required:*

Chapter 4 of Michael Walzer, *Spheres of Justice*, 95-128

Elizabeth S. Anderson, "Is Women's Labor a Commodity?" *Philosophy & Public Affairs*, 19(1), Princeton: Princeton University Press, © 1990, pp. 71-92

### **Thursday, March 10: The Moral Limits of the Market – Alienation**

*Required:*

Chapter 3 of Richard Schacht, *Alienation*, 65-114

Jonathan Wolff, *Why Read Marx Today?*, 28-40

### **Tuesday, March 15: Multiculturalism**

*Required:*

Kymlicka, chapter 8

*Recommended:*

Susan Moller Okin, "Is Multiculturalism Bad for Women?" in Cohen, Howard, and Nussbaum, *Is Multiculturalism Bad for Women?*, pp 7-24

### **Thursday, March 17: Exploring Multiculturalism -- Immigration**

*Required:*

Michael Dummett, "Grounds of Refusal", chapter 4 of his *On Immigration and Refugees*, 58-78

Robert Goodin, "Free Movement: If People were Money", in LaFollette, *Ethics in Practice*, 574-584

### **Tuesday, March 22: Exploring Race -- Reparations for Past Injustice**

*Required:*

Bernard Boxill, "The Morality of Reparation," *Social Theory and Practice*, 2(1), (Tallahassee: Social Theory and Practice, © 1972), pp. 113-123

Bernard Boxill, "The Morality of Reparations II" in Lott and Pittman (eds.), *A Companion to African-American Philosophy: Blackwell Companions to Philosophy*, 134-147

*Recommended:*

George Sher's "Ancient Wrongs and Modern Rights," *Philosophy and Public*

*Affairs* 10 (1981), 3-17 (Use hyperlink on course page. Go to Online Materials.)

### **Thursday, March 24: Exploring Race -- Racial Profiling**

*Required:*

Mathias Risse and Richard Zeckhauser, "Racial Profiling", in *Philosophy and Public Affairs* 2004, 131-170

Fred Schauer, chapter 7 of *Profiles, Probabilities, and Stereotypes*, 175-198

### **Tuesday, April 5 Just War Theory -- Moral Reality of War**

*Required:*

Walzer, Chs. 1-3

*Recommended:*

Jonathan Barnes, "The Just War", in Kretzman, Kenny, Pinborg, *The Cambridge History of Later Medieval Philosophy*

Michael Howard, "Temperamenta Belli: Can War be Controlled?", in Howard (ed.), *Restraints on War*, p 1-15

### **Thursday, April 7 A Theory of Aggression**

*Required:*

Walzer, Chs. 4-7

*Recommended:*

Thomas Nagel, "War and Massacre", in his *Mortal Questions*, 3-24

### **Tuesday, April 12 The War Convention**

*Required:*

Walzer, Chs. 8-11

*Recommended:*

Douglas Lackey, "A Modern Theory of Just War," *Ethics* 92/3 (1982): 533-546  
(Use hyperlink on course page. Go to Online Materials.)

Robert Holmes, "Can War Be Morally Justified? The Just War Theory," in  
Holmes, *On War and Morality*, 146-82

### **Thursday, April 14 Dilemmas of War**

*Required:*

Walzer, Chs. 14-16

*Recommended:*

Walzer, chapter 17

### **Tuesday, April 19: Terrorism**

*Required:*

Walzer, chapters 12-13

Simon Keller, "On What is the War on Terror?" *Human Rights Review*  
(Volume 5, No. 2, January 2004) pp. 48-60 (Use hyperlink on course page. Go  
to Online Materials.)

*Recommended:*

Jan Narveson, "Terrorism and Morality," in Frey, et al., (ed.), *Violence,  
Terrorism, and Justice*, 116-169

### **Thursday, April 21: Global Justice**

*Required:*

John Rawls, *The Law of Peoples*

## **Tuesday, April 26: Cosmopolitanism and Sovereignty**

### *Required:*

Thomas Pogge, "Cosmopolitanism and Sovereignty", in *Ethics* 103/1 (1992): 48-75 (Use hyperlink on course page. Go to Online Materials.)

### *Recommended:*

Brian Barry, "Humanity and Justice in Global Perspective," in Pennock and Chapman (eds.), *Ethics, Economics, and the Law*, 219-252

## **Thursday, April 28: What We Owe to the Global Poor**

### *Required:*

Mathias Risse, "What We Owe to the Global Poor", forthcoming in the *Journal of Ethics* (Use hyperlink on course page. Go to Online Materials.)

Thomas Pogge, "Eradicating Systemic Poverty: Brief for a Global Resource Dividend," in his *World Poverty and Human Rights*, 196-215

## **Tuesday, May 3: Fairness in trade**

### *Required:*

Mathias Risse, "Fairness in Trade", to be distributed

## **Thursday, May 5: Global Warming**

### Required:

Yet to be determined