

LS 190.3

Kutz

Topics in Justice
2007

LS 190: *Topics in Justice*
Spring 2007

Wednesdays, 4:10-6pm
123 Dwinelle

Course website through B-Space: <https://bspace.berkeley.edu/portal/site/5bda2013-d2a1-4b04-003a-be6d2d4daf15>

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Office hours: Mon. 11-12pm
Wed. 2-3pm, or by appointment

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Books to purchase (already at the ASUC Bookstore):

Herman Melville, *Billy Budd* (Pocket): ISBN: 1416523723
Plato, *Trial and Death of Socrates* (Dover): ISBN: 0486270661
John Locke, *Second Treatise on Government* (Dover): ISBN: 0486424642
Jean-Jacques Rousseau, *On the Social Contract* (Penguin): ISBN: 0140442014
John Rawls, *A Theory of Justice* (Belknap): ISBN: 0674000781
Susan Okin, *Justice, Gender and the Family* (Basic): ISBN: 0465037038

New Book to purchase:

Carl Schmitt, *The Concept of the Political* (Univ. Chicago): ISBN: 0226738868

Reader:

There will also be a reader, for purchase from Rod Watanabe, at 2240 Piedmont Ave., available after the beginning of the semester.

Assignments:

This is a seminar in which we will read together some important works of political and legal philosophy. We will work across a range of topics in different areas of justice: the relation between justice and mercy; the foundations of property; obligations to obey the law; the correction of past injustice; justice and war; and the internal and external scope of justice. The course works through, and only through, group discussion, so be prepared to listen and talk to one another.

During the class sessions you will be asked to do three things:

(1) For each class, you should come prepared with at least one excellent question about the current readings, or topic you would like to pursue further.

(2) Write 4 short, ungraded (1-2pp) responses to the readings, in which you pick what you take as the most interesting point made in that week's reading and offer some sort of critical reaction to it. You can choose the weeks for this assignment.

(3) Depending on numbers, you may be asked to make a brief class presentation regarding your final paper assignment.

You have also two graded writing assignments:

(1) A 5-7pp paper that offers a critique of one of the views presented in the course reading, **due Mar. 21st**.

(2) A 10-14 pp. original argumentative or research paper, on a topic approved by me, relating to the topics covered during the seminar, **due May 9th**.

Note: It should go without saying that plagiarism in any form (including self-plagiarism) will not be tolerated. Discovery of plagiarized work will result at least in a failing grade for the course, and possible referral to the Office of Student Judicial Affairs.

Tentative plan (we may extend discussion and/or change assignments depending on collective expressions of interest):

- Week 1 (Jan. 17): Introductory session
- Week 2 (Jan. 22). Justice and Mercy: The case of *Billy Budd*
 Read *Billy Budd* in entirety
- Week 3 (Jan. 31). Justice and Mercy II: *R. v. Dudley & Stephens* (**handout**);
 Martha Nussbaum, "Equity and Mercy" (**via email/website**)
- Week 4 (Feb 7). Justice, Right and Property: John Locke, *Second Treatise* Chs. 1-5, 7-9;
 David Hume, *Enquiries concerning Human Understanding*
 (selections) (**handout**)
- Week 5 (Feb. 14). Justice, Right, and Property II: Immanuel Kant, *Metaphysics of Morals*
 (**Reader**); Karl Marx, "On the Jewish Question," (**Reader**).
- Week 6 (Feb. 21). Commodification: Organ Sales and Dignity: Michael Sandel, "What
 Money Can't Buy"; Michael Gill and Robert Sade, "Paying for Kidneys:
 The Case against Prohibition" (both in **Reader**).
- Week 7 (Feb. 28): Justice and Repair: Watson Branch, "Reparations for Slavery: A Dream
 Deferred)" (**Reader**); Jeremy Waldron, "Superseding Historical
 Injustice" (**Reader**).
- Week 8 (Mar. 7): Justice, Right and Freedom: Jean-Jacques Rousseau, *On the Social*
 Contract: Bks. 1, 2 & 4.
- Week 9 (Mar. 14): Freedom and Necessity: Carl Schmitt, *The Concept of the Political*

- Week 10 (Mar. 21): Justice and the Scope of Politics: John Rawls, *Theory of Justice*: Secs. 1-4, 11, 15, 17, 20-26.
- Week 11 (Mar. 28): **Spring Break!**
- Week 12 (Apr. 4): Global Justice: Thomas Nagel, “The Problem of Global Justice” (**Reader**).
- Week 13 (Apr. 11): Joshua Cohen, Tanner Lecture on Global Justice (attend lecture, possible handout).
- Week 14 (Apr. 18): Justice and the Family: Susan Okin, *Justice, Gender and the Family* (selections)
- Week 15 (Apr. 25): Justice and Obligation: Plato, *Apology*, *Crito*;
Martin Luther King, Jr., “Letter from a Birmingham Jail Cell,”
(**Reader**)
- Week 16 (May 2): Justice and Obligation II: Rawls, *TJ*: Secs. 53-58;
Tommie Shelby, *Dark Ghetto* (**Reader**)