

# JUSTICE

## Political Studies 111

Professor Steven V. Mazie  
Department of Social Sciences  
Bard High School Early College  
Fall 2006

Email: [smazie@bhsec.bard.edu](mailto:smazie@bhsec.bard.edu)

Office: Room 408

Monday, Tuesday & Friday  
6<sup>th</sup> period (1:55 - 2:45)

## Course Description

Should women be allowed to sell space in their wombs as surrogate mothers? Is the government justified in executing criminals? Should women have a right to end their pregnancies? Should the father of the fetus have a say in that decision? Should marriage be opened to same-sex couples? Should the state have the power to redistribute wealth among its citizens? Do we deserve our in-born talents, or does the community have a claim to their use? Do surfers have a right to a government-provided income? This course critically explores these and other contemporary debates of political morality in light of a variety of theories of justice that have been developed over the millennia. Through study of a range of moral and political philosophers as well as contemporary commentators, students will scrutinize, debate and refine their views on some of the most salient and contentious issues of our time. Readings include selections from the works of Plato, Aristotle, Bentham, Mill, Kant, Hayek, Rawls and Nozick, among others, and several U.S. Supreme Court decisions.

## Structure

This course invites you to propose, discuss and refine your thinking on a number of issues, and to do so using sophisticated tools. **JUSTICE** is not a course for those seeking to sit back and relax. The reading is often dense and difficult, and there is quite a lot of it; you will be expected to take an active role in class discussions, debates and activities; and you will be asked to write clear, analytically rigorous essays.

Class sessions will vary in format. On most days, the class will be conducted seminar-style. On some days, I will give a mini-lecture on a new topic or reading selection. We will explore the issues through frequent in-class writing, discussion and in-class debates. We may watch films from time to time, and I hope to bring in a guest speaker or two.

## Books

You may not make any marks in the two course texts provided by BHSEC. If you would like your own copies (which I would recommend), the books are cheap and readily available. If you do choose to buy books, please buy *these editions* (note the publisher) so we'll all be on the same page.

- Immanuel Kant, *Groundwork for the Metaphysics of Morals*, ed. Allen Wood (Yale University Press, 2002)
- Jeremy Bentham and J.S. Mill, *Utilitarianism and Other Essays* (Penguin, 1987)

## Additional Readings

After the first few weeks of class, most readings will be drawn from a two-volume Justice coursepack, the first volume of which I'll distribute before the February break. These anthologies are yours to keep (so mark them up to your hearts' content!), but safeguard your copy: you'll get only one. I will pass out additional photocopied readings from time to time.

## Requirements

*Preparation for class:* Everyone must come to each class ready to participate. Prior to each class each student must (1) complete the reading assignment listed on the syllabus for that day; (2) circle or make a note of words or ideas that puzzle you in the reading; and (3) select at least one short passage from the readings that sparked particular interest or bewilderment to share.

*Reading Journal:* You must dedicate a notebook to in-class and out-of-class writing on the controversies we will be exploring. For each issue, I will ask you to complete a number of focused free writes concerning your initial position on a question; your reactions to the arguments of the authors we will read; your attempt to synthesize and discuss the disparate views; and your examination of the ways in which your views evolved over the unit and what led you to change/refine/solidify your views (a kind of process piece). Your formal, typed essays (see below) will emerge from these writing assignments. *You should make journal entries for every reading on the syllabus.* I will examine and evaluate your response journal several times during the semester.

*Exams:* There will be no Midterm. A Final Exam will be administered in June.

*Writing Assignments:* In addition to less formal in-class and out-of-class writing, each student will write two polished argumentative essays of 3-4 pages each (800 words). Everyone will write on the death penalty. After that, you have a choice of four topics for your final essay.

*Final Project:* In groups of three, each student will identify, research and teach a portion of a class on a contemporary political debate not otherwise covered in the course. Our class meetings in January will be devoted to presentation of these issues. A written component of the project will be due at the time of the presentation. Further details forthcoming in late October.

## Grading

Attendance and Participation (*see next page*)	20%
Response Journal	20%
Two 800-word Essays (each 10%)	20%
Final Project (1000 words of writing + presentation)	20%
Final Exam	20%

(\* ) Attendance includes punctuality, attendance and overall contributions to class discussions and debates. Note that participation does not mean simply talking in class. It means being well prepared, contributing

thoughtfully to discussions, listening carefully to others and engaging fellow students' concerns and questions. Latenesses and absences *will* adversely affect your participation grade.

**A very important note: Be sure to provide appropriate citations in all of your work! (1) Any phrases, sentences or paragraphs appearing in your essays that are directly taken from another source must appear within quotation marks AND be followed by a citation (footnote or parenthetical reference). (2) Any ideas that are taken from another source must be identified with a citation. (3) All listed citations must be to sources you have researched (i.e., seen with your own eyes). Never list sources in your bibliography that you have not found yourself. (4) All work submitted must be your own, and must not be work submitted for another class. Consequences for academic dishonesty include automatic failure and additional sanctions. When in doubt if you are citing correctly, ask.**

## Calendar and Reading Assignments

### Part I: Introduction and Theoretical Set-up

<b>Week 1</b>	<b>Thinking About Justice - Introduction to the Course</b>
Mon. 9/11	Thrasymachus's Challenge (Plato, <i>Republic</i> selection)
Tues. 9/12	The Lifeboat Case: The Queen v. Dudley and Stephens
Fri. 9/15	The Idea of Reflective Equilibrium (Rawls, <i>Justice as Fairness</i> selection)
<b>Week 2</b>	<b>Political Justice I: Utilitarianism</b>
Mon. 9/18	Bentham, <i>An Introduction to the Principles of Morals and Legislation</i> , chs. 1-5 [pp. 65-96]
Tues. 9/19	Mill, <i>Utilitarianism</i> , chs. 1-2 [pp. 272-298]
Fri. 9/22	Mill, <i>Utilitarianism</i> , chs. 3-5 [pp. 298-338]
<b>Week 3</b>	<b>Political Justice II: Kantianism</b>
Mon. 9/25	Kant, <i>Groundwork for the Metaphysics of Morals</i> , preface and ch. 1
Tues. 9/26	Kant, <i>Groundwork for the Metaphysics of Morals</i> , chs. 2-3
Fri. 9/29	Kant discussion

**\*\* Yom Kippur: Mon., 10/2 - No school \*\***

### Part II: Criminal Justice

<b>Week 4</b>	<b>Justifications for Punishment</b>
Tues. 10/3	Consequentialism: Bentham, <i>An Introduction to the Principles of Morals and Legislation</i> , chs. 13-14 [pp. 97-112]
Fri. 10/6	Retribution: Kant, "On Punishment," from <i>Metaphysical Elements of Justice</i> ; Nozick, "Retribution and Revenge"

**\*\* Columbus Day: Mon., 10/9 - No school \*\***



**Week 13**                      **Surrogate Motherhood, continued**  
Mon. 12/4                      Richard Arneson, "Commodification and Commercial Surrogacy"  
Tues. 12/5                      Alan Wertheimer, "Two Questions About Surrogacy and Exploitation"  
Fri. 12/8                        Guest speaker or film

**Part IV: Social Justice**

**Week 14**                      **Liberalism**  
Mon. 12/11                      John Rawls, *Justice as Fairness*, pp. 38-61  
Tues. 12/12                      Rawls, *Justice as Fairness*, pp. 61-79  
Fri. 12/15                        Discussion

**Week 15**                      **Libertarianism**  
Mon. 12/18                      F. A. Hayek, *The Mirage of Social Justice* (selections),  
Tues. 12/19                      Robert Nozick, "Entitlements and Patterns"  
Fri. 12/22                        Counterpoint: Van Parijs, "Why Surfers Should be Fed"

**\*\* Winter Break: Sat. 12/23 - Mon. 1/1/2007\*\***

**Week 16**                      **Student Project Presentations**  
Tues. 1/2  
Fri. 1/5

**Week 17**                      **Student Project Presentations**  
Mon. 1/8  
Tues. 1/9  
Fri. 1/12

**\*\* Martin Luther King, Jr. Day - Mon. 1/15 - No School \*\***

**Week 18**                      **Student Project Presentations**  
Tues. 1/16

**Jan. 18-30**                      **Final exams**