GOVT 3635

Human Rights and Global Justice: Political Theory Perspectives

Spring, 2013

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Office hours: Thursdays, 3-4:30

Lectures: Tuesdays/Thursday 1:25-2:40

What are the major dilemmas in human rights, both within the United States, and on a transnational/global scale? What value judgments come to the fore in those dilemmas? What are some of the most powerful ways of approaching those judgments, and what are their strengths and weaknesses? What is international human rights law, and what is its relationship to U.S. law? Does the enforcement of human rights depend upon the political will expressed by established institutions, such as the U.S. government and the United Nations, or does it also come about as a result of the pressures exerted by domestic and transnational social movements? In this course, we will study five major normative frameworks for the scholarly discussion of human rights and we will explore contemporary moral/legal controversies, including the legal vulnerability of the homeless and unauthorized immigrant children, and our moral duties towards them; the moral and legal status of enhanced interrogation techniques, including torture; the normative debates on multiculturalism, women’s rights, and cosmopolitanism; and the moral obligations of citizens in the developed world with respect to the least advantaged in the developing countries. Throughout, we will be sustaining a political theory approach to these subjects and questions. We will emphasize the following normative traditions: Kantian liberalism; utilitarianism; Burkean conservative thought; libertarianism; and cosmopolitanism.

Required Texts:


Blackboard: various chapters, articles, and legal texts.

Recommended:


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**Course Requirements**

Short paper, five-six pages, due February 12, 15%

Mid-term in-class exam, March 12, 20%

Essay, eight-ten pages, due April 18, 25%

Section, 15%

Final, 25%

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**Class Meetings, Assigned Readings and Due Dates/Exam Dates**


PART A. Justice, the Modern State, and the Normative Paradigms.


(JAF) Rawls, 1-12.

Recommended:


[Section sign-up. Sections begin meeting during week two.]


Recommended:


Frederick Rauscher, “Kant’s Social and Political Philosophy,” Stanford Encyclopedia of Philosophy, BB site.

Recommended:


Frederick Rauscher, “Kant’s Social and Political Philosophy,” sections on International Relations and Cosmopolitanism, Stanford Encyclopedia of Philosophy.

[Short paper: question circulated/posted.]

5. Feb. 5. Normative Paradigm II: Utilitarianism

Justice in the Modern State I: Bentham’s Utilitarianism, and John Stuart Mill’s Liberal Pluralist Critique of Bentham


(S) John Stuart Mill, Utilitarianism, 14-47.


(BB) Edmund Burke, Reflections on the Revolution in France.


(S) Robert Nozick, Anarchy, State, and Utopia, 60-72.

[Short paper due.]


Part B. Civil Rights.


(JAF) Rawls, 14-24; 39-50; 80-89; 104-106; 111-114.


United States Constitution, "Bill of Rights": First-Eighth Amendments.


Recommended:

Memo on the Convention on the Rights of the Child. (BB)
13. March 5. Civil Rights. Marginal Conditions: Foreign Detainees and the War on Terror. (a)

Human Rights Watch, “The Legal Prohibition Against Torture.”
March 11, 2003; last updated: June 1, 2004.

http://www.hrw.org/legacy/english/docs/2004/05/24/usint8614.htm

14. March 7. Civil Rights. Marginal Conditions: Foreign Detainees and the War on Terror. (b)

Human Rights Watch, “The Road to Abu Ghraib.”
June 8, 2004.

Human Rights Watch, “Counterterrorism and Human Rights.”

15. March 12. Mid-term, covering material from class meetings 1-14.

Part C. Political Rights.

(JAF) Rawls, 50-61; 130-32; 148-50.

Recommended:


[Essay Questions Released.]
[Spring Break.]


(G & P) Joshua Cohen, “Deliberation and Democratic Legitimacy,” 159-70.

(G & P) Jurgen Habermas, “The Public Sphere,” 103-106.


[March 28 – Class cancelled: WPSA.]


(G & P) Iris Marion Young, “Polity and Group Difference,” 248-64.


(G & P) David Held, “Democracy: From City-states to a Cosmopolitan Order?” 674-98.

Recommended:


Part D. Social Rights.


(JAF) Rawls, 61-66; 72-80; 122-6; 158-62; 168-76.


Recommended:


(G & P) Richard Arneson, “Egalitarianism and the Undeserving Poor.”

(G & P) Derek Parfit, “Equality and Priority.”

[Essay due.]


Recommended:

25. April 25. The Meaning of Work and Deservingness in the United States’ History: Race, Gender, and Class.


27. April 30. International Development and Global Aid Dilemmas

(G & P) Henry Shue, Basic Rights, 302-16.


Recommended:


28. May 2 Social Rights: Threshold Rights, Autonomy, and the Socio-cultural Right to Exit

(G & P) Susan Moller Okin, “‘Mistresses of Their Own Destiny’: Group Rights, Gender, and Realistic Rights of Exit,” 575-90.

Recommended:


Final exam during exam period.