

RYERSON UNIVERSITY
Department of Philosophy

Course No. PH8107: *Human Rights and Justice* Winter 2013
[Theme: *Philosophy and the Occupy Movement*]

Dr. Alex Wellington
Office: Room 428, Jorgenson Hall
Phone: 979-5000 ext. 4057
(E-mail address): awelling@philosophy.ryerson.ca
OR alex.wellington@sympatico.ca

Course Evaluation:

Requirements:

Assignment	Value	Date
Participation and Presentation	10%	During Course
3 Critical Reflective Commentaries	30%	3 X 10% each
*OPTIONAL: Reflective Paper on Jennifer Uleman's Talk	*10%	Talk Scheduled for March 26; Reflective Paper Due April 12
Term Paper	60%	May 3

*Optional: To replace one of the 3 Critical Reflective Commentaries

Participation and Presentation

The participation component is typically evaluated with the expectation of thoughtful and meaningful engagement in class discussions. Students are expected to attentively and diligently undertake the course readings prior to class, and to come prepared to discuss the materials. For any student for whom participation poses especial challenges, please come to see me as soon as feasible, so that we can talk about the possibility of alternate arrangements.

Each student will be expected to give a half hour presentation based on a selection of the readings for a week. The presentation is an opportunity for students to engage aloud with several crucial themes addressed in the readings, to highlight controversial or challenging passages, to articulate conjectures on the implications of the readings, and to stimulate class discussion. The main goal is to prompt thoughtful and meaningful interaction between and amongst the members of the class, and evaluation of the presentation will reflect the effectiveness of achieving that goal. It is hoped that students will make their best efforts to present without relying too heavily on reading their work.

Critical Reflective Commentaries on Readings

(Choice of 3 to be submitted on any of these due dates: January 21, January 28, February 4, February 11, February 25, March 4, March 11, March 18, April 1)

Each student will be required to produce 2 Critical, Reflective Commentaries on the weekly readings. The Critical Reflective Commentary papers should be about 4-6 pages (minimum 1000 words and maximum 1500 words). They will be due on the day of chosen class, to be submitted either electronically or in hard copy.

The purpose of the critical, reflective commentaries component is for you to engage critically with the course readings, and to be well situated for class discussion. Rather than summarizing or describing the author's arguments, the aim is to provide a critique of some key aspects of the reading that you find to be interesting, important, provocative, or contentious.

You may find yourself to be in agreement with the author, in which case you can consider how the author's ideas and arguments might be expanded, enhanced, or applied. If you are not in agreement, clarify the basis of your disagreement and consider whether and in which ways the author's work could be improved upon, or whether, in your view, the approach of the author is fundamentally misguided, and why.

Try to envisage your critical, reflective commentary as part of an ongoing discussion or conversation with the author. You can focus on only a portion of the text, but be sure that you appreciate the role that passage plays in the overall text.

You can submit up to 4 critical, reflective commentaries, but only one per class; the best 3 marks will be counted.

Further information about potential questions for the Critical, Reflective Commentaries will be provided during the course.

OPTIONAL - Reflective Commentary Paper on Talk by Special Guest Speaker:

Jennifer Uleman on the "Occupy Movement", March 26

*NOTE: This option would be instead of one of the 3 Critical Reflective Commentaries

Students will be expected to attend Jennifer Uleman's talk, scheduled for March 26, 2012, as part of the Ryerson University Philosophy Department's Speaker Series. That talk has been coordinated with the course, and the plan is for Jennifer Uleman to be in attendance for the class on Monday March 25, 2012.

There is an option to write a reflective commentary, discussing key ideas or issues or arguments that were made during Jennifer Uleman's talk. The reflective commentary paper should be about 4-6 pages (minimum 1000 words and maximum 1500 words), and it will be due on April 12, to be submitted either electronically or in hard copy.

Term Paper

The term paper should be comprised of a major analysis essay of approximately 12 to 16 pages (between 3000 words to maximum of 4000 words).

The objective of the assignment is to critically engage with, and reflect upon, course materials studied throughout the term in thoughtful and meaningful ways. Evaluation of the term papers can be expected to focus on aspects such as the following: (i) demonstrated capacity for philosophical awareness and analysis; (ii) demonstrated understanding of, and insights into, key course material; (iii) articulation of a persuasive and compelling thesis statement; (iv) development of a highly effective organizing structure, with particular attention to the sequencing and clustering of points being discussed in a cogent and coherent line of reasoning; (v) quality of argumentation and interpretive articulation; (vi) sensitivity to alternate viewpoints, and independent thinking; (vii) use of one's own words and thoughts to analyze the materials (not relying too heavily on quotation or paraphrase); (viii) quality of writing style (flow of expression, including niceties of grammar, spelling, punctuation, word choice, syntax, and so on).

You are not required to do additional research, although additional research will be fine, if it seems to be merited and would be efficacious and beneficial.

You are encouraged to make an appointment to come and discuss your papers, in draft, outline, or ideas stages.

Late Penalty Policy

Students requiring an extension for the Reflective Paper and the Term Paper should request it in advance of, or as close to as feasible, the due date.

Circumstances which fall under Ryerson policies include such reasons as family emergencies, medical reasons, conflicts with religious observance, and so on. Absent extenuating circumstances of those sorts, a late penalty of 3 percent a day for the Term Paper, for the first week, and 1 percent a day thereafter.

Course Schedule:

SCHEDULE

Mondays from 3:10 – 6:00 pm

Week One/ Monday January 14 : TOPIC - Antecedents and Provocation

Readings:

(1) John Locke, excerpts from *Second Treatise of Government*

(2) Robert Nozick, “Distributive Justice”, excerpt from *Anarchy, State and Utopia*

Week Two/ Monday January 21: TOPIC – Antecedents and Critique

Readings:

(3) Karl Marx, “Comments on James Mill”

(4) Aristotle, *The Politics* [Selections TBA]

Recommended:

Samuel Beer, “Introduction” to Karl Marx and Friedrich Engels, *The Communist Manifesto*

Week Three/ Monday January 28: TOPIC – Diagnosis of Global Injustice

Readings:

(5) Charles Taylor, “The Nature and Scope of Distributive Justice”

(6) Thomas Nagel, “The Problem of Global Justice” (selection)

Week Four/ Monday February 4: Globalization and Human Rights

Readings:

(7) Carol Gould, “Are Democracy and Human Rights Compatible in the Context of Globalization” [Focus of Presentation]

(8) Joshua Cohen, “Is There a Human Right to Democracy”

Week Five/ Monday February 11: TOPIC – Responses to Injustice: Protest and Speech and Democracy

Readings:

(9) Thomas Scanlon, “Freedom of Expression” [Focus of Presentation]

(10) John Stuart Mill, Chapter Two from *On Liberty*

Recommended:

John Stuart Mill, Chapter One from *On Liberty*

Week Six/ Monday February 18: Study Week; No Class

Week Seven/ Monday February 25: TOPIC – Responses to Injustice: Resistance and Civil Disobedience

Readings:

(11) John Rawls, “The Justification of Civil Disobedience” [Focus of Presentation]

(12) Plato, *The Crito*

Recommended: Martin Luther King, “Letter From Birmingham Jail”

Week Eight/ Monday March 4: TOPIC – The Ways Forward: Anarchism

Readings:

(13) Kathryn Pyne Addelson, “Anarchy and Morality” [Focus of Presentation]

(14) Immanuel Kant, “On the Proverb: That May Be True in Theory, But Is Of No Practical Use”

(15) Robert Paul Wolff, excerpts from *In Defense of Anarchism*

Recommended:

David Graeber, “The New Anarchists”

Kathryn Pyne Addelson, “Anarchism and Feminism”

Week Nine/ Monday March 11: TOPIC - The Ways Forward: Capabilities Theory

Readings:

(16) Martha Nussbaum, “Beyond the Social Contract: Capabilities and Social Justice” [Focus of Presentation]

(17) Amartya Sen, “Toward A Theory of Human Rights”

Recommended:

Martha Nussbaum, “Capabilities as Fundamental Entitlements: Sen and Social Justice”

Week Ten/ Monday March 18: TOPIC - The Ways Forward: Rawlsian Justice; G.A. Cohen’s Critique of Rawls and Left Libertarianism; Visiting Professor David Rondel

Readings:

(18) John Rawls, “Justice and Equality”

(19) John Rawls, “The Law of Peoples”

Recommended:

G.A. Cohen, “Where the Action Is: On the Site of Distributive Justice”

G.A. Cohen, “Incentives, Inequality, and Community”

Week Eleven/ Monday March 25: TOPIC – Philosophy and the Occupy Movement, Visiting Professor, Jennifer Uleman, Purchase College, State University of New York

Readings:

(20) Noam Chomsky, “Occupy” and “InterOccupy” from *Occupy*

(21) Slavoj Žižek, “Occupy Wall Street: What Is To Be Done Next?”

(22) Slavoj Žižek, “Slavoj Žižek Speaks at Occupy Wall Street: Transcript”

PLEASE NOTE: Jennifer Uleman will be delivering a talk on “Occupy Reality: Hegel, Frankfurt, and Ontology at (and Beyond) Zuccotti Park” for the Philosophy Research Talks on Tuesday March 26, at 3 pm

Additional Recommended Readings:

“Thinking Occupation: Philosophers Respond to Occupy Wall Street.” Panel, 108th Eastern Division American Philosophical Association Meeting, December 28, 2011 [<http://jennifer.uleman.blogs.purchase.edu/>]

Kautzer, Chad. 2011. "Outlaw Subjects: Challenges the Occupy Movement Presents to Political Liberalism". Available online:

<http://jennifer.uleman.blogs.purchase.edu/files/2012/01/Kautzer-OUTLAW-SUBJECTS.pdf>

Mills, Charles. 2011. "Occupy Liberalism! Or Ten Reasons Why Liberalism Cannot be Retrieved for Radicalism (And Why They're All Wrong)". Available online:

<http://jennifer.uleman.blogs.purchase.edu/files/2012/01/Mills-OCCUPY-LIBERALISM.pdf>

Moore, Darrell. 2011. "Spontaneity". Available online:

<http://jennifer.uleman.blogs.purchase.edu/files/2012/01/Moore-SPONTANEITY.pdf>

Thiem, Annika. 2011. "Occupy Academy". Available online:

<http://jennifer.uleman.blogs.purchase.edu/files/2012/01/Theim-OCCUPY-ACADEMY.pdf>

Uleman, Jennifer. 2011. "The Heart Wants What the Heart Wants: Thinking Occupy Wall Street". Available online:

<http://jennifer.uleman.blogs.purchase.edu/files/2012/01/Uleman-THE-HEART-WANTS.pdf>

Week Twelve/ Monday April 1: TOPIC – The Ways Forward: Deliberative Democracy

Readings:

(23) Iris Marion Young, "Communication and the Other: Beyond Deliberative Democracy" [Focus of Presentation]

(24) Joshua Cohen, "Deliberative Democracy and Democratic Legitimacy"

Recommended: Joshua Cohen, "Occupation As Fairness: What John Rawls Would Make of the Occupy Movement"

Iris Marion Young, "Five Faces of Oppression"

Week Thirteen/ Monday April 8: The Ways Forward: Feminist Theory

Readings:

(25) Alyssa Bernstein, "Nussbaum Versus Rawls: Should Feminist Human Rights Advocates Reject the Law of Peoples and Endorse the Capabilities Approach" [Focus of Presentation]

(26) Alison Jaggar, "*L'Imagination au Pouvoir*: Comparing John Rawls's Method of Ideal Theory with Iris Marion Young's Method of Critical Theory"

Recommended:

Kathryn Pyne Addelson, "Anarchism and Feminism"

Sources/ Citations for Course Readings and Other Recommended Resources:

ASSIGNED READINGS:

- (1) Locke, John. 1690. Excerpts from *The Second Treatise of Civil Government*. Chapter II, “Of the State of Nature”; Chapter V, “Of Property”; Chapter VII, “Of Political or Civil Society”; Chapter IX, “Of the Ends of Political Society and Government”; Chapter XI, “Of the Extent of the Legislative Power”. Available online: <http://www.constitution.org/jl/2ndtreat.htm>
- (2) Nozick, Robert. 1974. “Distributive Justice”. Excerpt from *Anarchy, State and Utopia*, pages 149-182. Basic Books. Available online: http://econ2.econ.iastate.edu/classes/econ362/hallam/Readings/Nozick_Justice.pdf
Book Available from Ryerson University Library. Call Number: [JC571 .N68](#)
- (3) Marx, Karl. 1844. “Comments on James Mill”. Published originally in Marx/Engels, *Gesamtausgabe*, Erste Abteilung, Band 3, Berlin, 1932. Available online: <http://www.marxists.org/archive/marx/works/1844/james-mill/>
- (4) Aristotle. *The Politics*. Selected Excerpts. Available online.
- (5) Taylor, Charles. 1985. “The Nature and Scope of Distributive Justice”. Chapter 11 from *Philosophy and the Human Sciences, Philosophical Papers 2*, pages 289-317. Cambridge University Press. Available from Ryerson University Library. Call Number: [B63 .T39 1985](#)
- (6) Nagel, Thomas. 2005. “The Problem of Global Justice”. *Philosophy and Public Affairs*, Volume 33 (2), pages 113-133 (full article runs to 147). Available electronically through Ryerson University Library.
- (7) Gould, Carol. 2004. “Are Democracy and Human Rights Compatible in the Context of Globalization”. Chapter 8 from *Globalizing Democracy and Human Rights*, pages 183-200. Cambridge University Press. Available from Ryerson University Library. Call Number: [JC423 .G69 2004](#)
- (8) Cohen, Joshua. 2006/ 2011. “Is There a Human Right to Democracy”. In Christine Sypnowich, editor, *The Egalitarian Conscience: Essays in Honour of G.A. Cohen*, pages 226-248. Oxford University Press. Republished as Chapter 10 from *The Arc of the Moral Universe and Other Essays*, pages 349-372. Harvard University Press. Available online: <http://habermas-rawls.blogspot.ca/2011/01/new-collection-of-essays-by-joshua.html>

- (9) Scanlon, Thomas. 1972. "A Theory of Freedom of Expression". *Philosophy and Public Affairs*, Volume 1(2), Winter 1972, pages 204-226. Available electronically through Ryerson University Library.
- (10) Mill, John Stuart. 1869. *On Liberty*, Chapter Two, "Of the Liberty of Thought and Discussion". Available online: <http://www.utilitarianism.com/ol/two.html>
- (11) Rawls, John. 1969/ 1999. "The Justification of Civil Disobedience". In Hugo Bedau, editor, *Civil Disobedience*, pages 240-255. Pegasus. 1969. Republished in Samuel Freeman, editor, *John Rawls Collected Papers*, Harvard University Press, 1999, pages 176-189. Available from Ryerson University Library. Call Number: [JC578 .R35 2001](#)
OR
- (11) Rawls, John. 1991. "Definition and Justification of Civil Disobedience". In Hugo Bedau, editor, *Civil Disobedience in Focus*, pages 103-121. Routledge. Available from Ryerson University Library as E Resource; Call Number: [K3269 .C58 1990eb](#)
- (12) Plato, *The Crito*. Available online: <http://classics.mit.edu/Plato/crito.html>
- (13) Addelson, Kathryn Pyne. 1976/ 1992. "Anarchy and Morality". Chapter 8 from *Impure Thoughts: Essays on Philosophy, Feminism and Ethics*, pages 149-158. Temple University Press.
- (14) Kant, Immanuel. 1793/ 1983. "On the Proverb: That May Be True in Theory, But Is Of No Practical Use". Chapter 4 From *Perpetual Peace and Other Essays*, translated by Ted Humphrey, pages 61-92. Hackett Publishing Company.
- (15) Wolff, Robert Paul. 1998. *In Defense of Anarchism*. University of California Press. Available from Ryerson University Library. Call Number: [JC571 .W86](#)
- (16) Rawls, John. 1971. Excerpts from *A Theory of Justice*. Harvard University Press. In Louis Pojman and Robert Westmoreland, editors, *Equality: Selected Readings*, pages 183-190. Oxford University Press, 1977.
- (17) Rawls, John. 1993. "The Law of Peoples". In Stephen Shute and Susan Hurley, editors, *On Human Rights: The Oxford Amnesty Lectures 1993*, Basic Books, pages 41-83. Available from Ryerson University Library. Call Number: [JC571 .O5 1993](#)
- (18) Nussbaum, Martha. 2004. "Beyond the Social Contract: Capabilities and Social Justice", *Oxford Development Studies*, Volume 32, Number 1, March 2004, pages 3-18. Available online: <http://philosophy.uchicago.edu/faculty/files/nussbaum/Beyond%20the%20Social%20Contract.pdf>
- (19) Sen, Amartya. 2004. "Elements of a Theory of Human Rights", *Philosophy and Public Affairs*, Volume 32, Issue 4, October 2004, pages 315-356. Available electronically through Ryerson University Library.

(20) Chomsky, Noam. 2012. "Interoccupy". From *Occupy*, pages 69-88. Occupy Media Pamphlet Series, Open Magazine Special Edition, Zuccotti Park Press. "Noam Chomsky: What Next for Occupy? Noam Chomsky interviewed by Mikal Kamil and Ian Escuela". Excerpted from *Occupy*, pages 69-83. The Guardian, April 30, 2012. Available online: <http://www.chomsky.info/interviews/20120530.htm>

(21) Žižek, Slavoj. 2012. "Occupy Wall Street: What Is To Be Done Next?" *The Guardian*, 24 April 2012. Available online: <http://www.guardian.co.uk/commentisfree/cifamerica/2012/apr/24/occupy-wall-street-what-is-to-be-done-next>

(22) Žižek, Slavoj. 2010. Transcript. "Slavoj Žižek Speaks at Occupy Wall Street: Transcript". *Impose Magazine*, October 2010. Available online: <http://www.imposemagazine.com/bytes/slavoj-zizek-at-occupy-wall-street-transcript>

(23) Cohen, Joshua. 1989/ 1997. "Deliberative Democracy and Democratic Legitimacy". In James Bohman, and William Rehg, editors, *Deliberative Democracy: Essays on Reason and Politics*, MIT Press, 1997, pages 67-91. Available electronically through Ryerson University Library. Call Number: [JC423 .D389 1997eb](#) Previously published in Alan Hamlin and Philip Pettit, editors, *The Good Polity: Normative Analysis of the State*, Basil Blackwell, 1989, pages 17-34.

(24) Young, Iris Marion. 1996. "Communication and the Other: Beyond Deliberative Democracy". In Seyla Benhabib, editor, *Democracy and Difference: Contesting the Boundaries of the Political*, pages 120-135.

(25) Bernstein, Alyssa. 2008. "Nussbaum Versus Rawls: Should Feminist Human Rights Advocates Reject the Law of Peoples and Endorse the Capabilities Approach". In Peggy Des Autels and Rebecca Whisnant, editors, *Global Feminist Ethics: Feminist Ethics and Social Theory* (Rowman and Littlefield), pages 117-138. Available for reading online: <http://www.philosophy.ohiou.edu/PDF/Nussbaum%20versus%20Rawls.pdf>

(26) Jaggar, Alison M. 2009. "L'Imagination au Pouvoir: Comparing John Rawls's Method of Ideal Theory with Iris Marion Young's Method of Critical Theory". In Lisa Tessman, editor, *Feminist Ethics and Social and Political Philosophy: Theorizing the Non-Ideal*, pages 59-66. Springer. Available electronically through Ryerson University Library as E-Resource. Call Number: [HQ1155 .F46 2009](#)