

## **G 4626 Global Justice and Democracy**

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Office Hours: Monday 4-5 and Wednesday by appt.

Fall 2008  
Monday 2:10-4

Traditionally theories of justice and democracy have assumed the sovereign state as the relevant context and referent. Today many issues and claims of injustice and democracy transcend the sovereign state as do the regulatory responses to them. What is the appropriate context of justice today and how can claims to sovereignty, political autonomy, and self determination mesh with human rights claims, demands for global justice and political freedom? Is it meaningful to speak of global democracy? How does the globalisation of law and politics affect domestic democracy? Does the emergence of global governance institutions create novel legitimation problems? This course will consider the relevant literature on these questions.

### **Introduction**

Session 1 - Sep 8

### **Liberal Internationalism Revised: Rawls**

Session 2 - Sep 15

#### **REQUIRED**

\*John Rawls, *The Law of Peoples*, Cambridge, Mass. 1999, entire.

#### **RECOMMENDED**

\*Charles Beitz, "Rawls's Law of Peoples," *Ethics* 110 (2000): 669-696.

Session 3 – Sep 22

#### **REQUIRED**

\*Charles R. Beitz, "Human Rights and the "Law of Peoples", in Deen Chatterjee (ed.), *Ethics of Assistance: Morality and the Distant Needy*, Cambridge 2004, 193-216.

\*Allen Buchanan, "Rawls's Law of Peoples: Rules for a Vanished Westphalian World," *Ethics* 110 (2000): 697-721.

\*Andrew Kuper, "Rawlsian Global Justice; Beyond the Law of Peoples to a Cosmopolitan Law of Persons", *Political Theory* 28 (2000): 640-674.

### **The Globalization of Justice**

Session 4 – Sep 29

#### **REQUIRED**

\*Thomas Pogge, "Priorities of Global Justice", in Pogge (ed.), *Global Justice*, Oxford 2001, 6-23.

\*Thomas Pogge, "Cosmopolitanism", in Robert Goodin, Philip Pettit and Thomas Pogge (eds.), *A Companion to Contemporary Political Philosophy*, Oxford 2007.

\*Rainer Forst, "Two Pictures of Justice", manuscript.

#### **RECOMMENDED**

\*Thomas Pogge, *World Poverty and Human Rights*, Cambridge 2008, Chs. 5 and 7.

## Session 5 – Oct 6

### REQUIRED

- \*Thomas Nagel, "The Problem of Global Justice", *Philosophy and Public Affairs* 33 (2005): 113-147.
- \*Joshua Cohen and Charles Sabel, "Extra Rempublicam Nulla Justitia?" *Philosophy and Public Affairs* 34 (2006): 147-175.

## **The Sovereignty Argument**

## Session 6 – Oct 13

### REQUIRED

- \*David Miller, *On Nationality*, Oxford 1995, ch. 3.
- \*Michael Walzer, "The Moral Standing of States", *Philosophy and Public Affairs* 9 (1980): 209-229.

## **Human Rights, Democracy and Suspending the Sovereignty Argument**

## Session 7 – Oct 20

### REQUIRED

- \*Joshua Cohen, "Is there a Human Right to Democracy?", in Christine Synowich (ed.), *The Egalitarian Conscience*, Oxford 2006, 226-250.
- \*Joseph Raz, "Human Rights Without Foundations", manuscript.
- \*Jean Cohen, "Rethinking Human Rights, Democracy and Sovereignty in the Age of Globalisation", *Political Theory* (forthcoming).

## **Global Governance Institutions and Domestic Democracy**

## Session 8 – Oct 27

### REQUIRED

- \*Robert O. Keohane, Stephen Macedo and Andy Moravcsik, "Democracy-enhancing Multilateralism", manuscript.
- \*Philip Pettit, "Democracy, National and International", *The Monist* 89 (2006), 301-324.
- \*Kim Scheppelle, "The Migration of Anti-Constitutional Ideas: The Post-9/11 Globalization of Public Law and the International State of Emergency." in Sujit Choudhry (ed.), *The Migration of Constitutional Ideas*, Oxford 2006, 347-373.

### RECOMMENDED

- \*Matthias Kumm, "The Legitimacy of International Law: A Constitutionalist Framework for Analysis." *European Journal of International Law* 15 (2004), 907-931.
- \*Matthias Kumm, "Democratic Constitutionalism Encounters International Law: Terms of Engagement" in Sujit Choudhry (ed.), *The Migration of Constitutional Ideas*, Oxford 2006, 256-293.

## **Democratic Global Governance Institutions?**

## Session 9 – Nov 10

### REQUIRED

- \*Joshua Cohen and Charles Sabel, "Global Democracy?", *NYU Journal of International Law and Politics* 37 (2005): 763-797.
- \*Robert Dahl, "Can International Organizations be Democratic? A Skeptic's View" in Ian Shapiro and Casiano Hacker-Cordon (eds.), *Democracy's Edges*, Cambridge 1999, 19-36.

\*Daniele Archibugi, "Cosmopolitan Democracy and Its Critics", *European Journal of International Relations* 10 (2004), 437-473.

\* Robert Goodin, "Enfranchising All Affected Interests, and Its Alternatives", *Philosophy and Public Affairs*, 35 (2007).

#### RECOMMENDED

\*Richard Falk and Andrew Strauss, "Toward Global Parliament", *Foreign Affairs* 80 (2001): 212-220.

### **The Legitimacy of Global Governance Institutions**

#### Session 10 – Nov 17

##### REQUIRED

\*Allen Buchanan and Robert O. Keohane, "The Legitimacy of Global Governance Institutions", *Ethics and International Affairs* 20 (2006): 405-437.

\*Thomas Christiano, "Democratic Legitimacy and International Institutions", in Samantha Besson and John Tasioulas (eds.), *Oxford Handbook of the Philosophy of International Law*, Oxford (forthcoming).

\*Philip Pettit, "Legitimate International Institutions: A Neo-Republican Perspective", in Samantha Besson and John Tasioulas (eds.), *Oxford Handbook of the Philosophy of International Law*, Oxford (forthcoming).

### **Global Governance Institutions and Constitutionalism**

#### Session 11 – Nov 24

##### REQUIRED

\*Jürgen Habermas, "Does the Constitutionalisation of International Law Still Have a Chance?" in Habermas, *The Divided West*, Cambridge 2006, 115-193.

\*Jürgen Habermas, "A Political Constitution for the Pluralist World Society?", *Constellations* (forthcoming).

#### Session 12 – Dec 1

##### REQUIRED

Replies to Habermas

\*Scheuerman "All Power to the (Stateless?) General Assembly!", *Constellations* (forthcoming).

\*Christina Lafont, "Alternative Visions of a New Global Order: What Should Cosmopolitans hope for?", *Constellations* (forthcoming).

\*Hauke Brunkhorst, "Reply to Scheuerman", *Constellations* (forthcoming)

#### Session 13 – Dec 8

##### REQUIRED

\*Jean Cohen, "Whose Sovereignty: Empire vs International Law", *Ethics and International Affairs* 18 (2004): 1-24.

##### RECOMMENDED

Jean Cohen, "A Global State of Emergency of the Further Constitutionalisation of International Law: a Constitutional Pluralist Approach", *Constellations* (forthcoming).