

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

Professor Jean Cohen  
Department of Political Science  
Office Hours: Monday 2-3 and Wednesday by appt.

Fall 2009  
Monday 4:10-6

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.

### Requirements

Graduate Students: A Term Paper, Attendance for all Sessions and Perhaps a Class Presentation

Undergraduate Students: Midterm Exam, Final Exam, Presence at all Session, it is Imperative to do all the readings

### Materials:

Most materials are PDG files.

Books: ordered at Book Culture

Rawls Law of Peoples

Thomas Pogge, World Poverty and Human Rights

## **Introduction**

### Session 1 - Sep 14

No text for first class

## **Liberal Internationalism Revised: Rawls**

### Session 2 - Sep 21

#### REQUIRED

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

\*Samuel Freeman, "Introduction", *The Cambridge Companion to Rawls*

#### RECOMMENDED

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

### Session 3 – Sep 28 ((Axel Lectures))

#### REQUIRED

\*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.

\*Samuel Freeman, *Rawls*, Chapter 10 "The Law of Peoples"

## **The Globalization of Justice**

### Session 4 – Oct 5

#### REQUIRED

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

\*Thomas Pogge, *World Poverty and Human Rights*, Cambridge 2008, Chs. 4, 5, 8: "Moral Universalism and Global Economic Justice", "The Bounds of Nationalism", "A Global Resource Dividend"

### Sessions 5— Oct 12

#### 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.

### Session 6 – Oct 19

#### REQUIRED

\* Thomas Pogge, "Cosmopolitanism and Sovereignty" 177-195 in *World Poverty and Human Rights*

\*Michael Walzer, "The Moral Standing of States", *Philosophy and Public Affairs* 9 (1980): 209-229.

\* Jean Cohen, "Whose Sovereignty? Empire vs International Law" in *Ethics and International Affairs*

\* Neil Walker, "Late Sovereignty" in Walker, ed., *Sovereignty in Transition*

#### Recommended

Symposium on Walzer and the Moral Standing of States: Beitz, Doyle, Kymlickain *Ethics@ International Affairs* (23/4) Winter 2009, 319-388

## **Human Rights, Democracy and Suspending the Sovereignty Argument 2 sessions**

### Sessions 7-8 Oct 26, Nov 9 (((Axel Lectures)))

#### A. REQUIRED

\*John Rawls, The Law of Peoples: review sections on Human Rights

\*Thomas Pogge, "Human Rights and Human Responsibilities" in De Greiff and Cronin, eds, , *Global Justice and Transnational Politics*"

\*Patrick Macklem "Humanitarian Intervention and the Distribution of Sovereignty" in *International Law* 22(4) *Ethics & International Affairs* 365 (2008)

#### RECOMMENDED

\* Samuel Freeman, *The Law of Peoples, Social cooperation, Human Rights and Distributive Justice in Social Philosophy and Policy* (2006), **23:1:29-68** Cambridge University Press

#### B. REQUIRED

\*Joshua Cohen, "Is there a Human Right to Democracy?", in Christine Synopwich (ed.), *The Egalitarian Conscience*, Oxford 2006, 226-250.

\*Joseph Raz, "Human Rights Without Foundations", manuscript.

\*Kenneth Baynes, "Discourse Ethics and the Political Conception of Human Rights" in *Ethics and Global Politics*" 2/1 2009 1-22

\*Jean Cohen, "Rethinking Human Rights, Democracy and Sovereignty in the Age of Globalisation", *Political Theory* Vol. 36, n. 4 2008 578-607  
"Rainer Forst" "The Justification of Human Rights and the Basic Right to Justification: A Reflexive Approach"

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

Session 9 – Nov 16 (((Axel Lectures)))

#### **REQUIRED**

\*Kim Scheppele, "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.

\*James Tully, "On Law, Democracy and Imperialism" and "The Imperial Role of Modern Constitutional Democracy", in Tully, Public Philosophy in a New Key (volume 2)

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

Session 10 – Nov 23

#### **REQUIRED**

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

\*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.

\*James Bohmann "From Demos to Demoi" AXEL GET CITE

### **Democratic Global Governance Institutions?**

Session 11 – Nov 30

#### **REQUIRED**

\*Joshua Cohen and Charles Sabel, "Global Democracy?" *NYU Journal of International Law and Politics* 37 (2005): 763-797.

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

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

\*James Tully Democracy and Globalisation: a Defeasible Sketch" in *Public Philosophy in a New Key*, 43-72

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

Session 12 – Dec 7 (((Axel lectures)))

#### **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* .

Session 13 – Dec 14

#### **REQUIRED**

\*Matthias Kumm, “The Legitimacy of International Law: A Constitutionalist Framework of Analysis”  
\*Christina Lafont, “Alternative Visions of a New Global Order: What Should Cosmopolitans hope for?”, *Constellations* (forthcoming).