

P0497R: Justice and Global Governance Winter 2017

Instructor: Loren King, PhD

Sessions: M 11:30am - 2:20pm

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Overview

- **Subject Areas:** questions of justice beyond the sovereign territorial state, with special attention to issues of governance and regulation across borders and within and among multilateral institutions.
- **Background Assumed:** basic familiarity with (i) Western moral and political thought; (ii) core legal and political institutions (i.e. constitutions, legislatures, executive agencies) of liberal democracies; and (iii) the purposes and functions of prominent multilateral institutions. Some familiarity with (iv) core economic concepts and theories will also be helpful.
- **Learning Objectives:** understand and apply core concepts and arguments in contemporary (mostly Western) political thought about justice and legitimacy; grasp the relevance of these debates to problems beyond the sovereign territorial state; hone abilities to follow and contribute to sustained verbal expositions and arguments; further hone existing skills of concise written exposition and analysis of political ideas and arguments, through application to global problems and concerns.
- **Class Structure:** traditional seminar format, with emphasis on cumulative project development.
- **Assignment Structure:** a short report; a seminar exercise; a presentation; a final essay.
- **Special Notes:** no phone use in class, and the use of laptops is ***strongly discouraged***.¹

¹ Why? There is mounting evidence that students who take notes on laptops learn less, think less critically, and are more easily distracted than students who take notes by hand. That said, you are all adults who can make your own informed choices, and there may well be a variety of effective learning styles. I'm simply telling you what the data seems to say to date: most students do not benefit from using laptops rather than note-taking by hand. Perhaps you are indeed the exception. Or perhaps the evidence is rubbish. Both are distinct possibilities. The choice is yours.

Course Description

This is a course about debates in (largely Western) political thought about justice and legitimacy, applied to problems that transcend existing borders of sovereign Westphalian states, and some of which challenge the very ideas of sovereignty and statehood. We will be particularly concerned with issues of governance and regulation, across borders and within and between multilateral institutions. The hope is that this seminar will be a useful examination of the space between conceptual and normative theoretical efforts (which now abound) and pressing real-world concerns about governance beyond the Westphalian imaginary.

This course will genuinely be in a seminar format and, frankly, you will be doing most of the work! The seminar will be divided roughly into two parts, separated by the spring break in February.

We will begin with several weeks of reading and discussion of largely theoretical matters, although empirical concerns will never be far in the background. After the break, the structure of our readings and discussions for the second half of the semester will largely be dictated by your interests and specifically your search for, and development of, a project topic.

The aim of this seminar is, then, not only to grasp sophisticated debates at the intersection of theory and practice in the study of politics, but also to produce a serious, sustained research essay based on these efforts. Thus your final written effort will be the bulk (50%) of your course grade, with the remaining points earned as follows: a short report on one of the theoretical debates from the first half of the semester, due before the February break (15%); leading a seminar discussion on specific readings based on your research interest, during one of the three weeks after the break (5%); a seminar presentation of your work, at some point during the final three weeks of the semester (15%); and providing written commentary (15%) and seminar discussion of a fellow student's project during those three weeks.

To be clear: I am not much concerned with your specific grades at each of these stages of the seminar. To be honest, I find this practice of contrived metrics and incremental grades, allegedly tracking “student progress” and “successful mastery of learning outcomes” to be tedious at best, and more often an outright impediment to serious learning at the university level. I am, however, *very*

concerned that you take these exercises seriously *as efforts to improve your own work, and to help your fellow students do the same.*

You will be aiming to write a paper between 4000 and 6000 words—about the length of a concise academic journal article. If your paper ends up being more theoretical and conceptual than empirical in focus, then you may want to aim at a more modest length (say, 3000-4000 words). In either case, word counts are far less important than clarity and persuasiveness, and frankly I don't much care about the exact length: I want to read a good paper that you are proud of having written, and that reflects what you've learned over the course of the semester in collaboration with me and your peers.

The substance of the seminar session that you'll lead will center around two articles that you will ask us to read in preparation for your session: one theoretical, the other more applied and empirical. Your fellow participants will be responsible for reading those articles, and other materials you post the week prior to your session. I then expect all of us then to offer constructive comments posted for discussion, online and at our meeting.

Since there will typically be several students leading discussions for any given week after the break, in our first meetings early in January we will try to determine likely areas of interest, and then over the next few weeks group ourselves together according to rough areas of interest, so that reading assignments for each of the three weeks following the break are both manageable and (hopefully) cohere thematically. I have suggested some obvious candidate themes in the reading lists below.

The final three weeks of the seminar will be devoted to formal presentations and discussions of the penultimate drafts of your papers, in a conference format. During these final weeks of the semester, each of you will be responsible not only for a short presentation, but also for reading and commenting – in writing and in seminar – on a fellow student's paper. If you are working with other faculty members on related topics (although this applies most obviously to the graduate students), then they are welcome – indeed, encouraged – to attend your presentation. Once we have a sense of how the seminar topics will play out in February and March, I will try to get some of our faculty members, and perhaps practitioners in particular fields relevant to your interests to attend, during the week most relevant to their research interests and your topics. This will obviously depend on their availability and whatever topics we eventually settle upon.

Here is our schedule for the term, followed by selected readings:

Session Topics

Week 1 (January 6 nd)	No meeting
Week 2 (January 9 th)	Introduction: Justice, scope and scale
Week 3 (January 16 th)	Global Justice: Conceptual Issues
Week 4 (January 23 rd)	Global Justice: Empirical Questions
Week 5 (January 30 th)	Global Governance: Conceptual Issues
Week 6 (February 6 th)	Global Governance: Empirical Questions
Week 7 (February 13 th)	Implications of institutional design within/across borders
Week 8 (February 20 th)	Reading Week
Week 9 (February 27 th)	\
Week 10 (March 6 th)	> Topical Readings: student-led discussion sessions
Week 11 (March 13 th)	/
Week 12 (March 24 th)	\
Week 13 (March 27 th)	> Student Seminars: Presentations and commentaries
Week 14 (April 3 rd)	/

Session Readings

Use this list as a guide to weekly discussions and for further exploration on each week's topic. Our initial encounters with debates about principles and institutions will drawn from the "Theory" categories below, but the list is very far from exhaustive, and you can use these readings to direct you to other books and articles, that you may want us to read later in the term. The list of substantive topics is also meant to be illustrative, not authoritative: if you have a particular topic of interest, we will draw upon readings not included (or even hinted at) here. I'll be adding to these lists over the course of the semester, and so will you!

Global Justice: Theory

John Rawls, *The Law of Peoples* (Harvard 1999)

Onora O'Neill, "Justice, Gender and International Boundaries," *BJPS* 20, 4 (1990): 439-59.

Kok-Chor Tan, *Justice without Borders* (Cambridge 2004)

Chandran Kukathas, "The Mirage of Global Justice," *Social Philosophy & Policy* 23, 1 (2006): 1-28

Thomas Nagel, "The Problem of Global Justice," *Philosophy & Public Affairs* 33, 2 (2005)

Cohen & Sabel, "Extra Rempublicam Nulla Justitia?" *Philosophy & Public Affairs* 34, 2 (2006)

Andrea Smith, "Indigeneity, Settler Colonialism, White Supremacy," *Global Dialogue* 12, 2 (Summer 2010): 1-13.

Helena de Bres, "The Many, not the Few," *Journal of Political Philosophy* 20, 3 (2012): 314-340.

Michael Blake, "Global Distributive Justice," *Annual Review of Political Science* 15 (2012):

121-136.

Mathias Risse, *On Global Justice* (Princeton, 2012)

Andrea Cornwall and Althea-Maria Rivas, "From 'gender equality' and 'women's empowerment' to global justice: reclaiming a transformative agenda for gender and development," *Third World Quarterly* 26, 2 (2015): 396-415.

Global Justice: Institutions

Allen Buchanan and Robert O. Keohane, "The Legitimacy of Global Governance Institutions" *Ethics & International Affairs* 20, 4 (December 2006): 405-437

Daniel Weinstock, "The Real World of (Global) Democracy," *J Social Philosophy* 37, 1 (2006)

Simon Caney, "Cosmopolitan Justice and Institutional Design: an Egalitarian Liberal Conception of Global Governance," *Social Theory & Practice* 32, 4 (2006): 725-756

Luis Cabrera, "The Inconveniences of Transnational Democracy," *Ethics & International Affairs* 21, 2 (Summer 2007): 219-238.

Gillian Brock, "Reforming our Taxation Arrangements to Promote Global Gender Justice," *Philosophical Topics* 37, 2 (2010): 141-160.

Andrew Hurrell, "Power transitions, Global Justice, and the Virtues of Pluralism," *Ethics & International Affairs* 27, 2 (Summer, 2013): 189-206.

Possible Topic Areas (with selected readings)

Climate Change and Duties to Future Generations

Stephen Gardiner, Simon Caney, Dale Jamieson, Henry Shue, eds. *Climate Ethics: Essential Readings* (Oxford, 2010) – available in an ebook edition for \$20.

Julie Nelson, "Economists, value judgments, and climate change: A view from feminist economics," *Ecological Economics* 65, 3 (April 2008): 441-447.

Simon Caney, "Just Emissions," *Philosophy & Public Affairs* 40, 4 (2012): 255-300.

Migration and Coercion at Borders

Joseph Carens, Aliens and Citizens: the Case for Open Borders, *Review of Politics* 49, 2 (Spring): 251-273

Leah Ypi, "Justice in Migration: a Closed Borders Utopia?" *Journal of Political Philosophy* 16, 4 (2008): 391-418.

Arash Abizadeh, "Democratic Theory and Border Coercion: No Right to Unilaterally Control Your Own Borders," *Political Theory* 36, 1 (February 2008): 37-65 (see also: subsequent exchange in *PT* with David Miller).

Rainer Bauböck, "Global Justice, Freedom of Movement and Democratic Citizenship," *European Journal of Sociology* 50, 1 (April 2009): 1-31.

Laura Valentini, "Coercion and (Global) Justice," *APSR* 105, 1 (February 2011): 205-220.

Michael Blake, "Immigration, Association, and Antidiscrimination," *Ethics* 122, 4 (July):748-762
(see also: Kitt Wellman's earlier *Ethics* paper that Blake is replying to).

Global Civil Society? Labour, Technology, Protest, and Regime Change

Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Cornell 1998)

Robert O'Brien et al, eds. *Contesting Global Governance: Multilateral Economic Institutions and Global Social Movements* (Cambridge 2000)

Iris Marion Young, "Responsibility and Global Labor Justice," *Journal of Political Philosophy* 12, 4 (December 2004): 365-388.

Manuel Castells, "The New Public Sphere: Global Civil Society, Communication Networks, and Global Governance," *Annals of the American Academy of Political and Social Science* 616, 1 (March 2008): 78-93.

Herbert Reid and Betsy Taylor, *Recovering the Commons: Democracy, Place, and Global Justice* (University of Illinois Press 2010)

Catherine Eschle, Bice Manguerra, *Making Feminist Sense of the Global Justice Movement* (Rowman & Littlefield 2010)

Valentine M. Moghadam, *Globalization and Social Movements: Islamism, Feminism, and the Global Justice Movement* (Rowman & Littlefield 2012).

Foreign Aid and Duties to Distant Others

Henry Shue, *Basic Rights: Subsistence, Affluence, and U.S. Foreign Policy* (Princeton, 2nd ed. 1996).

Leif Wenar, "What we Owe to Distant Others," *Politics, Philosophy & Economics* 2, 3 (October 2003): 283-304.

Singer and others in Chatterjee, ed. *The Ethics of Assistance: Morality and the Distant Needy* (Cambridge 2004).

Virginia Held, "Care and Justice in the Global Context," *Ratio Juris* 17, 2 (June 2004): 141-55.

Ingrid Robeyns, "The Capability Approach: a Theoretical Survey," *Journal of Human Development* 6, 1 (2005): 93-117.

Luis Cabrera, "An Archaeology of Borders: Qualitative Political Theory as a Tool in Addressing Moral Distance," *Journal of Global Ethics* 5, 2 (2009): 109-123.

Carmen Pavel, "Cosmopolitanism, Nationalism and Moral Opportunity Costs," *Polity* 41 (October 2009): 489-513.

Kerri Woods, "Whither Sentiment? Compassion, Solidarity, and Disgust in Cosmopolitan Thought," *Journal of Social Philosophy* 43, 1 (Spring 2012): 33-49.

Foreign Intervention: Wars on Terror, Humanitarian Hopes, the ICJ?

Michael Walzer, *Just and Unjust Wars* (Basic 1977).

Henry Shue, "Torture," *Philosophy & Public Affairs* 7, 2 (Winter 1978): 124-143.

Thomas Pogge, "An Institutional Approach to Humanitarian Intervention," *Public Affairs Quarterly* 6, 1 (January 1992): 89-103.

Andrew Valls, ed. *Ethics in International Affairs: Theories and Cases* (Rowman & Littlefield 2000)

Michael Doyle, "The New Interventionism," *Metaphilosophy* 32, 1-2 (January 2001)

Stephen Macedo, ed. *Universal Jurisdiction* (Upenn Press 2004)

Anthony Burke, "Just War or Ethical Peace? Moral Discourses of Strategic Violence After 9/11," *International Affairs* 80, 2 (March 2004): 329-353.

Jude Howell, "The Global War on Terror, Development and Civil Society," *Journal of International Development* 18, 1 (January 2006): 121-135.

Cecile Fabre, "Cosmopolitanism, Just War Theory and Legitimate Authority," *International Affairs* 84, 5 (September 2008): 963-976.

Place, Boundaries, Territorial Rights, Resources, Trade

David Smith, "Geography and Moral Philosophy: Some Common Ground," *Philosophy & Geography* 1, 1 (1998): 7-33.

Cara Nine, "A Lockean Theory of Territory," *Political Studies* 56, 1 (March 2008): 148-165.

Leif Wenar, "Property Rights and the Resource Curse," *Philosophy & Public Affairs* 36, 1 (Winter 2008): 2-32.

Margaret Moore, "Natural Resources, Territorial Right, and Global Distributive Justice," *Political Theory* 40, 1 (February 2012): 84-107.

Avery Kolers, "Justice, Territory, and Natural Resources," *Political Studies* 60, 2 (June 2012)

It goes without saying (but I'll say it anyway) that this course is *reading-intensive*. The reading assignments demand sustained attention: you cannot grapple with a complex philosophical arguments by casual skimming of the texts.

By fourth year you shouldn't need basic coaching on your analytic and expository writing skills, but here are a few suggestions nonetheless:

- *state a thesis* clearly in the opening sentences of your paper. This may be a proposition you mean to defend ("I will argue that ..."), or a theme that guides your interpretive, expository, or explanatory efforts ("While these works may seem very different, I mean to show ..."). The point is to make sure that your reader knows, early on, what you mean to accomplish. What is your key point? Why am I reading this? Your reader should have a clear sense of the answers very early on in the paper.
- think through *the logic of the argument*: what is being claimed? What assumptions are being made? What must be true of the world for these assumptions to be plausible? compelling? How

does the thesis depend on the assumptions made? Do assertions build upon one another in a consistent manner? What evidence is relevant to assessing the accuracy of any causal claims being made?

- *avoid vague and sweeping claims* (an example: “For thousands of years, humans have fought oppression and yearned for justice ...”).
- *avoid truisms*, i.e. statements so obviously true that they require no mention. If you find yourself making an assertion that seems painfully obvious, think carefully about whether it really needs to be said, and whether it adds anything of substance to your argument or analysis.
- *be clear and succinct*: occasional tangents and clever phrasings have their place in a well-written essay or research paper, but brevity and clarity are worthy aims for any writing exercise.
- you will often need to *describe and explain*, very briefly, another person's claims, or a complex body of evidence, in your own words. Limit these summaries to material that is directly relevant to your purposes.
- and perhaps most importantly, *avoid plagiarism*: provide adequate citation when you use words and ideas that are not your own (this is far more important in your essays than in your response paper, but even there try to be as clear as possible about when you are discussing someone else's ideas and when you are offering your own thoughts). Even when the source of our ideas and quotations is obvious, accurate citation is a habit worth acquiring. Citation in essays is similar to reporting our methods in experimental sciences: careful citation allows other researchers to examine our sources themselves, confirming or challenging our claims. Another analogy: careful citation is like civility in conversation. We acknowledge the contributions of others in conversation; the same is true of scholarly writing. ***I will fail plagiarized assignments and report them to the Faculty of Arts.***

Grading Criteria for Essays

Here is a common refrain I've heard from students over the years:

“oh, the professor didn't like my essay – I got a B” (or worse).

I want to be clear on this point: your grades on written assignments are *not* the result of a mere difference in opinion or taste (“oh, he likes red, I like purple”). I want you to write clearly and argue well. I want you to show evidence that you have done the readings carefully, and that you are grappling with the evidence and arguments you encounter. I desperately want you to avoid both beginning *and ending* your research with a casual Google or Wikipedia search.

Work hard and think carefully, and I guarantee you will get a good grade in this seminar. If instead you hand in muddled verbiage and murky argument, then you will not be happy with your grade—I don't care if “that's just how” you write, or that your other professors have praised your creativity and enthusiasm. I want you to think and write clearly, and that's hard work demanding sustained effort.

Another refrain I've heard on occasion is this:

“I didn't tell the professor what he wanted to hear”

or

“next time I'll write a paper that agrees with Marxism” (or conservatism, some other agenda)

Toeing a particular ideological line may indeed be a concern in some courses (although it never *should* be in a university), but not here. Your grade in this seminar has nothing to do with having the “correct” opinion on some moral or political issue. I've given A grades to essays that in my view were utterly wrongheaded and completely mistaken in their philosophical commitments and political implications, but that were beautifully written and plausibly argued in light of reasonable interpretations of concepts and evidence. I have also given C's and D's to essays that pushed a political position I happen to agree with, but that lacked a clear thesis, coherent argument, or that clearly were the product of a sleepless (and quite possibly drunken) night of bullshitting, rather than actual engagement with the arguments covered in the course. To be clear: Sleepless bull sessions are fine; indeed, some would say they are an integral part of college life. *Just don't drink and write.*

I should also note that I routinely fail papers that show no sign of serious effort.

All of that said, I am not a believer in impartiality for its own sake; nor do I think that all theories and opinions are somehow equally worthy of our consideration. Some opinions are dumb, and there really are moral, political, and philosophical positions that are pretty much impossible to defend convincingly. There are better and worse arguments out there in the universe—trust me, I've seen them. And so will you.

Here, then, are the criteria I will use when grading essays:

- *The A paper.* The A paper makes a powerful argument in support of an interesting thesis. The argument has few if any ambiguities, and it is obvious that the author has a sound grasp of the ideas, evidence, and arguments being examined. The A paper is clearly, sometimes beautifully written. There are no significant grammatical flaws in an A paper: the author says what she wants to say, and does so with clarity and precision; sometimes with style, grace, and originality; and always with careful attention to logic and evidence.
- *The B paper.* The B paper is a well-argued essay: the argument may suffer from some minor (and occasionally not so minor) ambiguities, a few unsupported interpretations, minor errors of fact, and occasionally confusing grammatical formulations; but in general the author of the B paper accomplishes what she sets out to do. Although the B paper may not always be clear or precisely argued, it is, in general, grammatically sound and the argument is coherent. The reader of a B paper gets the clear sense that the author has a solid grasp of the arguments and evidence under examination.
- *The C paper.* This paper meets the minimal requirements of the exercise, but no more. The C paper suggests some grasp of the concepts and arguments at hand, but advances no clear and plausible thesis. If a thesis is evident, it is often vague and insufficiently supported by argument and evidence. There are typically minor but significant logical errors in C papers, and they often read as if the author has based the essay mainly on lecture notes and casual impressions, rather than a careful evaluation of relevant concepts, arguments, and evidence. Although the C paper often has serious grammatical flaws, even a grammatically sound essay is a C paper if it lacks a clear thesis, coherent argument, or informed analysis.
- *The D paper.* The author of the D paper demonstrates little familiarity with the concepts and problems in question. The D paper may hint at a tenuous grasp of the general themes of the topic in question, but the paper itself typically advances no clear thesis, and contains serious errors of substance and presentation. A D-range paper often advances inconsistent claims. In general, the D paper shows an utter lack of effort, to the extent that the boundary between a D and a F paper is very difficult to draw, relying on desperately hopeful interpretive gymnastics by the reader, hoping to find the slightest of hints that the author has indeed learned enough to justify a marginal passing grade. That said, in my judgement a D paper is unacceptable and, although technically a passing grade, I personally view such papers as substantive failures. I may return D papers to the authors for revision.

On behalf of WLUSU (wlusu.com)

Foot Patrol Walk Home Service:

1.519.886.FOOT x3668

Foot Patrol is a volunteer operated walk-home service, available daily during evening hours. Male-female, radio-dispatched teams trained in Emergency First Aid are available on request to escort students to and from campus as well as to off-campus destinations, either by foot or by van.

Counselling Services and Peer Help Line:

1.886.281.PEER x7337

Counselling Services are available to help students deal with emotional, psychological and social challenges of university. Counselling, consultation or referrals are available at the Student Wellness Centre. Peer Help Line, a confidential listening, referral, information and support line, is available during evening hours to provide support.

Student Food bank

All Laurier students are eligible to use the Student Food Bank. Anonymous requests can be made online at wlusu.com under the Services tab. All dietary restrictions are accommodated, and food hampers typically last up to a week.