

Social Justice and Human Rights

Course Outline LAWS 2105

Summer Semester (One) 2016

Instructor: Dr. Melanie Adrian
Course Meeting Time: Tuesdays, Thursdays 9.30-12.30
Location: Discovery Center, Fourth Floor of the Library
Email: melanie.adrian@carleton.ca
Office: Loeb C 465
Office Phone: 613.520.2600 x.2085
Office Hours: Tuesdays 2-4 or by appointment. All students are encouraged to meet with Dr. Adrian at least once during the semester.

Teaching Assistant:
E-mail:
Office Hours: By appointment. Please e-mail.

Course Description:

This course is designed for students who are asking what the parameters, if any, of social justice might be? How are social justice and human rights linked? What role does international law play in securing human rights and justice?

This course is intended primarily for students who are eager to make the connection between the theory and practice of justice and human rights in our contemporary world. Through the active engagement of several "Justice Makers" (people who have made a difference to social justice or human rights, or both), students are asked to contemplate their role as principled, engaged, global citizens. We are asking questions such as: What does it mean to live a deliberative life in a world marked by rampant consumerism and inequality? What tools do we have to critically assess these issues? What, if any, stand does one take and how?

Method:

The class will meet from 8.30-11.30 every Tuesday and Thursday. In class, students will engage in the reading and video materials they have prepared for that day. The class will focus on critically examining the theories and taking a stance *vis-à-vis* some of the main ideas.

The last hour of the class will be dedicated to researching a Justice Maker, working on the documentary or interviewing the Justice Maker.

What is a Justice Maker? Justice Makers are senators and activists, politicians and ethicists who have been deeply involved in social justice issues. Students will be asked to research one Justice Maker and subsequently interview this person, typically during the 10.30-11.30 class timeslot (this may vary depending on the schedule of the Justice Maker).

Students will interview these guests about their life choices, their stand on rights, their understanding of social justice, and the effects of these choices on the wider world. Students will marry these ideas with the theoretical materials covered in the class and produce a short documentary that highlights some of the issues arising from the interviews. Students will be asked to present their documentary and underlying ideas to the class at the end of the semester during a film festival.

Grading and Requirements:

Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department of Law and Legal Studies and the Dean of Public Affairs. Students MUST complete all requirements of the course in order to pass the course.

- 1) Six Quizzes (25%): best 5/6**
- 2) Interview Skills Meeting (5%): scheduled as per group availability**
- 3) Paper Edit for Final Project (15%): due two classes after interview**
- 4) Presentation of Final Project (10%): June 14**
- 5) Final Project (20%): due June 14**
- 6) Group and Individual Participation (10%)**
- 7) Exam Period Mini-Essay (15%): due June 20th, 1pm, Law Office Drop Box**

1) Quizzes (25%): there will be six unannounced quizzes based on the reading for that day. The quizzes will broadly test the main ideas communicated by the text and/or authors. Questions will consist, but not be limited to, short answer and multiple choice. Best five out of six. No medical notes accepted.

2) Interview Skills Meeting (5%): Each group will be meeting with Julie Lavigne, Research Librarian for Law, **before their interview** of the Justice Maker. This will be an opportunity to get feedback on the proposed questions the group would like to ask the Justice Maker. Please contact Ms. Lavigne well in advance of your interview to set up your appointment: Julie.Lavigne@carleton.ca.

3) Paper Edit for Final Project (15%): This is a document that is due at the start of class, three classes (or before) following the interview with the Justice Maker. The document outlines the main themes of your final project. See guidelines for more information and grading expectations.

4) Presentation of Final Project (10%): Groups will present their documentary to the class in the final meeting of the semester (**June 14**). Please see “Project Presentation – Tips and Grading” for more information. Videos must be uploaded to the course site by midnight on June 13th:
<https://socialjusticeandhumanrights.wordpress.com>

5) Final Project (20%): The final project will consist of a 4-6 minute visual documentary that students will complete in their groups. The documentary will examine the life of a “Justice Maker” and their perspectives on justice and human rights. They may also examine an issue or perspective on justice that the Justice Maker has taken on. Projects should not be entirely narrative in nature – that is, this project is not about creating a visual biography. Instead, groups should engage a theoretical approach and use the Justice Maker’s ideas to highlight different aspects thereof. Ideally, consumers of the documentary will walk away from the video having had a revelation (an ‘*aha*’ moment!) about the Justice Maker and their approach to issues of justice and human rights. Projects will be presented on **June 14th** to the class and wider Carleton Community.

6) Group and Individual Participation (10%): It is vital that all students actively contribute to the research, interview, writing, and editing of the video. In order to ensure fairness, 5% of the grade will be determined through peer evaluation and 5% will be at the instructor’s discretion. The instructor values promptness and attendance.

7) Mini-Essay (25%): each student will be responsible for writing one mini-essay during the exam period of the semester. The mini-essay should respond to ONE question that will be made available on the last meeting of the course. The essay should rigorously argue a position vis-a-vis that question. The essay should be a maximum of 4 pages and properly formatted (double spaced, 1,000 words, 12 point font, 1 inch margins). Please use Chicago-style citations. A separate bibliography is not needed, but FULL citations should be contained in footnotes. (We encourage students to print on both sides of the paper – save the trees!) E-mail submissions must be accompanied by a doctor’s note. **The mini essay is due on June 20 at**

1pm. Please drop them off in the drop box in the law office where they will be time and date stamped.

Policy for Late Assignments:

Late submissions (any paper submitted past the due date) will be deducted one letter grade per 24 hours (including weekends). Thus, a paper with a value of B+ would be given a B on Friday and C+ on Monday.

In accordance with the Carleton University Undergraduate Calendar (p. 45), the letter grades assigned in this course will have the following percentage equivalents:

A+ = 90-100	B+ = 77-79	C+ = 67-69	D+ = 56-59
A = 85-89	B = 73-76	C = 63-66	D = 53-56
A - = 80-84	B - = 70-72	C - = 60-62	D - = 50-52
F = Below 50	WDN = Withdrawn from the course		

ABS = Student absent from final exam

DEF = Deferred (See above)

FND = (Failed, no Deferred) = Student could not pass the course even with 100% on final exam

Book to Purchase:

Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.

The most inexpensive way to purchase this book is online. I have also placed the book on reserve for you at the library and made the articles available through our class website on CUlearn.

Important Information YOU NEED to read:

Please, read this outline: Students are responsible for knowing the information contained in this outline and for following instructions on assignments. If you have any questions, please contact your teaching assistant or the course instructor.

Cell phone Policy: Please turn your cell phones off while in class. Texting or playing with your phone gives others the impression that you have better and more important things to do with your time. Plus, it's just plain rude. If your cell phone rings while in class, you will be asked to stand up and sing a verse from your favorite song or recite a stanza from your favorite poem.

Reading and Participation: This class will succeed or fail based on your commitment. You should be coming to class having done the reading and prepared

to contribute to a discussion. The texts are important, but you, the students, are the greatest resource. You all bring different perspectives and distinctive ways of thinking to the class. Speak up. Be heard.

Please note: we will be discussing sensitive and controversial issues in this class. No doubt there will be differing ideas on right and good. Everyone must do their best to be respectful at all times. Racist, misogynist, and otherwise inappropriate comments will not be tolerated.

Academic Accommodations, Plagiarism, and Policies:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://carleton.ca/pmc/students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to

the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at: <http://carleton.ca/studentaffairs/academic-integrity/>

Department of Law and Legal Studies Policies

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations. See <http://carleton.ca/law/current-students/>

Carleton University Resources for Success

Carleton University has wonderful resources to help students succeed. Please take advantage of them:

Student Academic Success Centre (SASC): www.carleton.ca/sasc

Writing Tutorial Services: www.carleton.ca/wts

Class Schedule

May 3

Class 1: Introductory Class

Questions for Reflection:

1. What is social justice?
2. What are human rights?
3. What does it mean to be on a learning adventure?

May 5

Class 2: What is justice? Is there a “right” thing to do?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 1: “Doing the Right Thing”. Pgs. 3-30
2. Abella, Rosalie. 2012. Foreword by Rosalie Abella. *Canadian Journal of Human Rights* 1 (1): 1-12.

Questions for Reflection:

1. What is social justice?
2. How are social justice and human rights related?
3. How does Justice Abella connect social justice and human rights?

Please Watch: <http://www.justiceharvard.org/2011/03/episode-01/#watch>

May 10

Class 3: What’s right for most, is right for all?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 2: “The Greatest Happiness Principle: Utilitarianism”. Pgs. 31-57.
2. Singer, Peter. 1972. Famine, Affluence, and Morality. *Philosophy and Public Affairs* 1 (3):229-243.

Please Watch: <http://www.justiceharvard.org/2011/02/episode-two/#watch>

Questions for Reflection:

1. How are justice and human rights connected in Bentham's utilitarianism?
2. How does Mill re-cast utilitarianism? Is this convincing?
3. What does Singer argue in his article? What are the bases for his argumentation?
4. Is Singer a utilitarian?

May 12

Class 4: What's the state got to do with it?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 3: "Do we own ourselves?: Libertarianism". Pgs. 58-74.
2. Charter of the United Nations
 - a. Particularly chapters 1-7

Please Watch: <http://www.justiceharvard.org/2011/02/episode-three/#watch>

Questions for Reflection:

1. Who is responsible for making justice?
2. What is the responsibility of the individual in making justice?
3. What are the relationships between state, individual, groups and human rights?

May 17

Class 5: How "free" are we?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 4: "Hired Help: Markets and Morals". Pgs. 75-102.
2. Sen, Amartya. 2001. *Development as Freedom*. New York: Alfred A. Knopf.
 - a. Introduction: "Development as Freedom" Pgs.3-11. Chapter 2: "The Ends and Means of Development" Pgs.35-53.

Please Watch: <http://www.justiceharvard.org/2011/02/episode-04/#watch>

Questions for Reflection:

1. How, according to Sandel, are we influenced by the market?
2. In your opinion, are market forces a legitimate constraint for action?
3. How does Sen conceptualize freedom?

May 19

Class 6: The case for dignity and human rights

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 5: "What matters is the motive: Immanuel Kant". Pgs. 103-139.
2. Sandel, Michael J. 2007. *Justice: A Reader*. New York: Oxford University Press.
 - a. Immanuel Kant's "On A Supposed Right to Lie because of Philanthropic Concerns" Pgs.199-201

Please Watch: <http://www.justiceharvard.org/2011/02/episode-06/#watch>

Questions for Reflection:

1. On what basis does Kant argue for human rights? How does this differ from previous theorists we have studied?
2. What does Kant propose in regards to telling a lie? How is 'lie' defined?
3. How would you define a 'right' lie?

May 24

Class 7: Behind the veil there lies justice?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 6: "The Case for Equality: John Rawls". Pgs. 140-166.
2. Kao, Grace. 2011. *Grounding Human Rights in a Pluralist World*. Washington, D.C.: Georgetown University Press.
 - a. Chapter 3: "An Enforcement-Centered Approach to Human Rights, with Special Reference to John Rawls". Pgs. 57-76.

Please Watch: <http://www.justiceharvard.org/2011/02/episode-08/#watch>

Questions for Reflection:

1. How does Rawls envision justice? How does he theorize the key ingredients of a just world?
2. How are human rights conceptualized in Rawls' political theory?
3. What argument does Prof. Kao make in relation to Rawls? Does she agree that his theory is important in grounding human rights?

May 26

Class 8: Singling out race – justice or discrimination?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 7: "Arguing Affirmative Action". Pgs. 167-183.
2. Sacks, David O., and Peter A. Thiel. 1995. *The Diversity Myth: "Multiculturalism" and the Politics of Intolerance at Stanford*. Oakland: The Independent Institute
 - a. Introduction Pgs. xvii-xxi
 - b. Chapter 1: "The West Rejected" Pgs.1-23.

Please Watch: <http://www.justiceharvard.org/2011/02/episode-09/#watch>

Questions for Reflection:

1. Is affirmative action just? If so, why? If not, why not?
2. How is affirmative action related to human rights?
3. What is "political correctness"?
4. Is being "politically correct" damaging? If not, why not? If yes, why?

May 31

Class 9: The importance of telos, or purpose.

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 8: "Who deserves what?: Aristotle". Pgs. 184-207.
2. Asad, Talal. 2003. *Formations of the Secular: Christianity, Islam, Modernity*. Stanford, Calif.: Stanford University Press.
 - a. Pages 130-155

Please Watch: <http://www.justiceharvard.org/2011/02/episode-10/#watch>

Questions for Reflection:

1. Aristotle argues that humans realize their nature through political associations. Do you agree with this fundamental premise?
2. Is Aristotle correct in holding that arguments about justice and rights are arguments about the purpose of social institutions?
3. How does Asad describe the connection between human rights, social justice, and the rule of law?
4. Why are these interconnections important? What point is he trying to make?

June 2

Class 10: Are we responsible for each other?

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 9: "What do we owe one another?: Dilemmas of Loyalty". Pgs. 208-143.
2. Brooks, Thom. 2008. *The Global Justice Reader*. Malden: Blackwell Publishing Ltd.
 - a. Chapter 33: Susan Moller Okin "Is multiculturalism bad for women?" Pgs.587-597.

Questions for Reflection:

1. To what extent are individuals responsible for each other?
2. What form of political association may best ensure this responsibility?
3. What are Okin's arguments against multiculturalism? Do you agree?

June 7

Class 11: The myth of liberal neutrality.

Please read:

1. Sandel, Michael J. 2009. *Justice: What's the Right Thing To Do?* New York: Farrar, Straus and Giroux.
 - a. Chapter 10: "Justice and the common good". Pgs. 244-269.
2. Nussbaum, Martha. 2012. *The New Religious Intolerance: Overcoming the Politics of Fear in an Anxious Age*. Cambridge: Harvard University Press.
 - a. Chapter 3: "First Principles: Equal Respect for Conscience" Pgs. 59-97.

Please Watch: <http://www.justiceharvard.org/2011/02/episode-11/#watch>

Questions for Reflection:

1. Is liberalism neutral?
2. According to Nussbaum, what is the difference between Locke's and Williams' approach to accommodation?
3. What danger is high enough to abridge freedom?

June 9

Class 12: Time to work on digital projects

June 14

Class 13: Presentation of Projects