
**SEMINAR IN THE PHILOSOPHY OF LAW:
JUSTICE AND EQUALITY**
SYLLABUS FOR LAW 7296 AND PHIL 8820

[last revised: August 13, 2009]

Prof. Edmundson
Spring 2010
Fridays 4:15-6:45 (2-3 credit hours)
Room TBA

Discussion list e-mail: law7296wae.201001@gsulaw2.gsu.edu

Justice and equality are values we profess to hold dear. They are twin bulwarks of the legitimacy of our system of laws and government. Even so, little more than a moment's reflection is needed to reveal the likelihood of fundamental conflict between these two ideals, and also between them and other comparably significant values, such as prosperity, democracy, community, and liberty. John Rawls's *A Theory of Justice* (1971) was a monumental effort to put these values into rational order; and it has dominated late 20th century debates, especially in an English-speaking world that has dismissed Marxian socialism as, at best, a failed and now quaint ideology.

This seminar will be a close reading of the late G.A. Cohen's recent book, *Rescuing Justice and Equality*. "Jerry" Cohen was emeritus Chichele Professor of Social and Political Theory and Fellow of All Souls College, University of Oxford, and Quain Chair of Jurisprudence at University College London, until his untimely death in August 2009. The book, which appeared in 2008, is a meticulous analytical Marxist --or perhaps "ex-Marxist"-- critique of Rawls and other post-WWII defenders of market-dominated liberal democracies. Our aim will be to deepen our understanding of how our common stock of diverse, vital, but mutually antagonistic political values best fit together, and how these political values bear upon values by which we lead our personal lives.

Open to J.D. and M.A. candidates **only by permission of the instructor**; contact wedmundson@gsu.edu. There are no formal prerequisites; but a prior familiarity with the work of Rawls is mandatory. You may satisfy this requirement by successfully completing a short quiz, which will be based on Rawls's short prospectus of his theory, *Justice as Fairness: A Restatement*. E-mail the instructor if you have questions.

Required

Cohen, G.A. 2008. *Rescuing Justice and Equality*. Cambridge, Mass.: Harvard University Press

Recommended

Cohen, G.A. 1978. *Karl Marx's Theory of History: A Defence*. Oxford: Oxford University Press

Cohen, G.A. 1995. *Self-Ownership, Freedom, and Equality*. Cambridge: Cambridge University Press

Cohen, G.A. 2009. *Why Not Socialism?* Princeton: Princeton University Press

Elster, Jon. 1985. *Making Sense of Marx*. Cambridge: Cambridge University Press

Nozick, Robert. 1974. *Anarchy, State, and Utopia*. New York: Basic Books

Rawls, John. 1999. *A Theory of Justice*, revised ed. Cambridge, Mass: Harvard University Press

Rawls, John. 2001. *Justice as Fairness: A Restatement*. Erin Kelly, ed. Cambridge, Mass.: Harvard University Press

The Grading System Explained

There will not be a final examination. Your grade will be based on a final paper of 12-15 (typed, double-spaced) pages. Your class participation will also be a factor. I encourage you to begin thinking right away about your paper topic. A first draft of your paper will be due on or before the last class meeting prior to Spring Break; and the final paper will be due by 5pm of the last day of the examination period. *All drafts including the final draft must be in .doc, .pdf, or .rtf format and submitted by e-mail to wedmundson@gsu.edu*. Those wishing to satisfy the upper level writing requirement for the J.D. should read and comply with the *additional* conditions set out in the following section.

Upper Level Writing Requirement

If you want your paper to satisfy the upper level writing requirement for the J.D. degree, you should be aware of this, from the COL website (http://law.gsu.edu/academics/legal_writing_requirement.php):

The following guidelines reflect general norms for papers that satisfy the upper level writing requirement....

1. The minimum page length should be 25 pages, double-spaced, excluding footnotes or endnotes. A longer minimum may be required in the discretion of the instructor.
2. At least one draft should be submitted to the instructor prior to the submission of the final paper.
3. An acceptable paper should reflect thorough research of primary and secondary materials. All sources used in writing the paper must be cited appropriately.
4. An acceptable paper should include original analysis by the student.
5. An acceptable paper should be well-organized and written in conformity with accepted rules of grammar, punctuation, and spelling.

Let me add this: to avoid misunderstanding and possible disappointment, those who wish to satisfy the upper level writing requirement in conjunction with this course *must* declare their intention of doing so on the cover page of their first draft (due no later than the last class meeting before Spring Break) and turn in a final paper complying with the above guidelines. Those who do not so intend may turn in a final paper of 12-15 pages that emphasizes analysis rather than research, or vice versa. Those who seek to satisfy the upper level writing requirement will be expected to exhibit proficiency in both dimensions: research and analysis. Organization, clarity, and appropriate and consistent citation -- it should go without saying -- are expected of all papers.

Attendance policy

Roll will be taken at each class meeting. Two or more unexcused absences will be grounds for the assignment of a failing grade. Please also note that class nonparticipation may influence your final grade. Because absences due to illness or conflicting family, legal, military or business duties are routinely excused, you are encouraged **NOT** to telephone or e-mail me to ask that such an absence be excused.

Office hours

I will normally be in my office from 1:30 to 2:30 on Wednesdays; but I recommend that you call or e-mail for an appointment. My office is 458 ULB. My office telephone number is 404 413 9167.

Schedule

<u>Date</u>	<u>Topic and reading</u>
	<i>***Spring Break***</i>

Check this schedule frequently: it is subject to change without notice.