

Sociology 259
The Sociology of International Justice
Spring 2007
Professor Thomas Cushman
Pendleton East 334
Office hours: Monday, 1-3, Thursday, 11-12 and by appt.

This course is an overview of some key historical, philosophical, and sociological dimensions of international justice. We examine the idea of justice in human societies in different times and places, the origins of international justice in the Enlightenment, and contemporary utopian discourses on justice in the twentieth century. We then focus on the structure of international justice in the twentieth century, with particular emphasis on the formal modes of justice in post-conflict situations: war crimes trials, reparations and truth and reconciliation commissions as structured responses to collective violence. In the last part of the class, we present a sociological overview of the debate about "universal jurisdiction" and the International Criminal Court. Each semester in this class, we choose a different case study to analyze throughout the semester, and this semester, we will focus on the trial of Saddam Hussein. This will involve specific class assignments and guest speakers.

Required Books and Readings

Immanuel Kant, *Perpetual Peace and Other Essays*. Hackett Publishing
John Rawls, *The Law of Peoples*. Harvard University Press
Lawrence Douglas, *The Memory of Judgment: Making Law and History in Trials of the Holocaust*, Yale
John Torpey, *Making Whole What Has Been Smashed: On Reparations Politics*, Harvard University Press
Lyn Graybill, *Truth and Reconciliation in South Africa*, Lynne Rienner
Jeffrie Murphy, *Getting Even: Forgiveness and Its Limits*, Oxford
Council on Foreign Relations, *Toward an International Criminal Court*, Council on Foreign Relations Press

There are also a number of articles on electronic reserve, which you can access throughout the semester. Some reserve reading can be found on the Internet and I have indicated where this is the case.

Class Policies:

Attendance and class participation is required. Each week, there will be a short assignment based on the readings which will be collected and used as the basis for class discussions. These will count in the final grade. In addition, each student will write three 5-7 page papers and a take home final examination. It is your responsibility to do all of the class readings, whether we specifically discuss them or not; however, the course is designed for maximum examination of the reading material in lectures and class discussions. This class engages very often in the Socratic method of teaching, which involves dialectical engagement between

the teacher and student and remaining in the class is an indication that you are willing to engage in this method of teaching. No papers or short assignments should be emailed unless by previous arrangement.

Class Schedule and Topics

I. What is Justice?

January 29- February 1: Preliminary Exercise on Revenge
Read: Robert Solomon on Vengeance, to be distributed. There will be a short assignment due on Feb.1 and we will discuss this in class on Feb.3

February 5-15: An Overview of the Sociology of Justice and Examination of Classical Materials from a Sociological Standpoint.

Read:

Thucydides, " Melian dialogue, "

<http://www.mtholyoke.edu/acad/intrel/melian.htm>

Plato - In *The Republic*, Book I and Book II up to the line "I had always admired the genius of Glaucon and Adeimantus,"

<http://classics.mit.edu/Plato/republic.html>

Aristotle, *Nicomachean Ethics*, Chapter 5

<http://classics.mit.edu/Aristotle/nicomachaen.5.v.html>

Ralf Dahrendorf, "In Praise of Thrasymachus" (reserve)

II. Ideas of International Justice: Classical and Contemporary

February 22-26: A Sociological Reading of Immanuel Kant's Perpetual Peace

Read: Immanuel Kant, *Perpetual Peace* - in entirety, with the following exceptions: in the chapter, "Theory and Practice", read only section III and skip the chapter, "The End of All Things"
Allen Wood, "Kant's Project for Perpetual Peace," (as useful background to the above)

(Note: There is no class on February 19, President's Day. We will have class on Thursday, February 22

March 1-12, Modern Liberal Internationalism: John Rawls' Utopian Project

Read: John Rawls, *The Law of Peoples*, in entirety

John Kekes, "Dangerous Egalitarian Dreams," at:

http://www.city-journal.org/html/11_4_urbanities-dangerous.html

Ralf Dahrendorf, "On the Origins of Inequality Among Men"
(reserve)

J.L. Talmon, *Utopianism and Politics* (reserve)

Paper 1 due: March 12 in class

III. Modes of International Justice

War Crimes Trials

March 15 -29 (Spring Break is March 17-25)

Read: Laurence Douglas, *The Memory of Judgment* (specific chapters to be assigned, but we will read in entirety - there is a possibility that professor Douglas will join us for a guest lecture and this will be announced)

Film: We will be watching *The Specialist: Portrait of a Modern Criminal*, which is a documentary about the Eichmann trial. Details about the showing will be provided. Ideally, we will watch the film together in class, which may entail going over the allotted time limit, through the lunch period, so plan accordingly. We will also be watching a film on the war crimes trial of John Demanjuk, an accused Nazi war criminal.

Truth and Reconciliation: The Case of South Africa

April 6 -April 12

Read: Lyn Graybill, *Truth and Reconciliation in South Africa: Miracle or Model*, in entirety

Paper 2 due April 19 in class

Forgiveness and Its Discontents

April 17 -April 20 (note we are not having class on April 16 because of Patriot's Day, but Tuesday April 17 is a Monday schedule and so we will be meeting then

)Read: Jeffrie Murphy, *Getting Even: The Limits of Forgiveness*, in entirety

Jean Amery, "Resentments" from *At the Mind's Limits* (reserve)

Jacque Derrida, "On Forgiveness" (reserve)

The Sociology of Reparations

April 23-April 26 : Read John Torpey, *Making Whole What Has Been Smashed* (note there is a possibility that the author, John Torpey may be joining our class or giving a guest lecture, this will be announced and will be required).

IV. The Sociology of Global Justice: The Debate over International Jurisdiction and the International Criminal Court

April 30 - May 7 Read: *Toward an International Criminal Court*, in entirety

Paper 3 due Wednesday, May 9 (note: our last day of classes is May 7, but I am giving you the two extra days to turn in the paper)