

**AMINTAPHIL: AMERICAN SECTION OF THE INTERNATIONAL  
ASSOCIATION FOR PHILOSOPHY OF LAW AND SOCIAL PHILOSOPHY**

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**NEWSLETTER #1, 2005 - 06**

**September 30, 2005**

**From the Executive Director**

This is the first newsletter I have sent out since taking over from Ken Kipnis late this summer. On behalf of all our members, I wish to thank Ken for his dedicated and conscientious service which has kept AMINTAPHIL flourishing. I personally appreciate the help he has given me in getting up to speed in this position. I look forward to serving you all as Executive Director and building on Ken's good work.

**St. Louis Meeting**

Our next meeting will be in St. Louis, Missouri, from November 2 through 5, 2006. The topic is **Coercion, Justice and Democracy**. Our meeting is sponsored by Washington University, St. Louis and Southeast Missouri State University. Local arrangements are in the capable hands of Larry May and Hamner Hill.

The Program Committee, headed by David Reidy, has come up with an outline of sub-topics to help guide those writing papers and comments. Please find the list on p. 5 - 6 of this newsletter. Thanks to David Reidy and the other members of the Committee—Deirdre

Golash, Kok-Chor Tan, Bill Nelson—for putting the outline together.

**Web Page**

We will soon have a public AMINTAPHIL web page. It will contain information about AMINTAPHIL with links to information about the IVR, AMINTAPHIL's history, AMINTAPHIL publications, a new membership application form, up-coming and past meetings, and news of all sorts. It is in process of being put together and I am hopeful it will be ready soon. It does not have a URL yet but it will have a URL linked to the web page of the Department of Philosophy at the University of Utah. You can check to see if the page is up by going to [www.philosophy.utah.edu/phil\\_welcome.html](http://www.philosophy.utah.edu/phil_welcome.html).

The public web page will be linked to a pass-warded page on which conference papers can be posted.

**MEMBERSHIP--IMPORTANT**

It always important for a group like ours to attract new members, especially younger members, who can keep alive the tradition of our highly informal and participative meetings. AMINTAPHIL is unique among scholarly groups in the

way we run our meetings so that all participate, in the respect our members feel for each other, in the productive friendships generated, and in the allegiance of our members to the organization.

We need, however, to add new and younger members. It was evident to those attending the Fall, 2004 meeting in Palo Alto that we are aging (and we also had fewer women attendees than usual). The Executive Committee and I would like to ask every existing member to talk to their younger colleagues (and female colleagues) about AMINTAPHIL, explain to them its virtues, and encourage them to join. It is obvious that there are good young scholars in political and legal philosophy, political theory, jurisprudence and political science who would benefit from being members of AMINTAPHIL. We encourage everyone to do their part in promoting the merits of AMINTAPHIL.

The web page with its information and downloadable application form should be a help in this.

### **Student Memberships**

One source of new members are graduate students. There is concern that if we open our membership to any graduate student, we could end up with a great many such members in a way that would change the character of our meetings. The Executive Committee has considered this and voted to open membership to "Advanced" graduate students. This should be construed to mean graduate students who are working on their dissertations and/or already have an advanced degree (e.g. someone with a law degree pursuing a Philosophy

Ph.D.). Please feel free to encourage people who fit this category to become members.

### **Publications**

Tim Sellers, Chair of the Publications Committee, has negotiated a contract with Springer Science + Business Media B. V. to publish the volume which will come out of the 2004 meeting in Palo Alto plus our next four meetings. AMINTAPHIL has agreed to buy 150 volumes at \$30 per volume to be distributed at no charge to our members. We are currently negotiating with Springer to raise that number so that copies will be available to all our 250+ members.

We are grateful to Tim and Ken Kipnis for negotiating this agreement.

### **Dues**

The publication agreement has necessitated a raise in our dues. The Executive Committee has approved a change in our dues from \$15 per year to \$30 per year. The additional \$15 collected each year will enable us to pay for the AMINTAPHIL volumes.

Dues for those who are members of the Canadian section have been \$10 per year. The Executive Committee has voted to raise those dues to \$25, which includes the AMINTAPHIL volumes. Retired members currently pay no dues unless they wish to vote. The Executive Committee is currently debating how dues for retired members should change in light of the book contract.

Dues notices for 2005 – 06 will be mailed soon.

## **Application Form**

A revised application form for membership in AMINTAPHIL can be found at the end of this newsletter. Please download it and use it to sign up new members. Page 1 of the form gives a brief description of AMINTAPHIL and the procedures we follow at our meetings. New members should fill out page 2 and send it to me along with their dues.

## **IVR**

A large number of AMINTAPHIL members attended the recent IVR congress in Granada, Spain in May, 2005. The topic of the meeting was Law and Justice in a Global Society. There were 926 registrants at the Congress, the largest number in IVR's history.

The next meeting will be in Krakow, Poland from August 1 – 7, 2007. The topic is Law and Legal Cultures in the Twenty First Century. It will be held at Jagiellonian University which numbers Copernicus and Karol Wojtyla (Pope John Paul II) among its graduates.

## **IVR Diversity Fund**

There are very few representatives of third world and developing countries at IVR congresses. AMINTAPHIL president Larry May has suggested a fund to enhance representation from such countries and proposed this at the Congress in Granada. Here is a description from him of his activities and his proposal:

“At the 2005 IVR meetings in Granada, I represented AMINTAPHIL at the meeting of the Presidents of the Sections. I was asked by several of our members to raise the question of why there were so few non-Westerners at the meetings.

After extensive discussion, it became clear that there were two problems. First, scholars from non-Western countries normally couldn't afford to travel to our meetings. Second, we have very few sections in non-Western countries since it typically takes funds to set up and maintain a section and these funds are lacking. I asked why the IVR simply didn't designate funds for these two purposes and was told that IVR does not have much of a budget. I then proposed that a diversity fund be established to help increase non-Western, especially African, attendance at IVR meetings. I spoke to the Presidents of the sections from Canada, the UK, and Australia at the Granada meetings, and they were all enthusiastic about the proposal. The Canadian Section has already met and decided to contribute to the fund. I propose that we set up a fund and request our members to contribute voluntarily to it.”

Larry's proposal has been enthusiastically approved by the Executive Committee and we have received pledges of contributions from those who have heard about this.

I would like to urge all our members to donate to this fund. You can do so by sending a check to me at the address listed in the letterhead, made out to AMINTAPHIL. The funds raised will be kept in an account separate from the regular AMINTAPHIL account. We will

keep the fund in AMINTAPHIL until the fund is healthy. We will communicate with the IVR and other sympathetic sections about a process for distributing the funds effectively. If the IVR is willing to take the initiative and has a good plan for doing so, then we will transfer the funds to the IVR. If not, we will try to initiate a process ourselves and/or in conjunction with other sections.

I hope you will give generously to this.

### **New Publication**

The volume resulting from the AMINTAPHIL meeting on Human Rights at American University in 2002 has now been published. The title is *Universal Human Rights: Moral Order in a Divided World*. The editors are David Reidy and Tim Sellers; it is published by Rowman and Littlefield, 2005. Contributors include Larry May, Kenneth Henley, Alistair McLeod, Rex Martin, David Duquette, Lucinda Peach, Helen Stacy, William Nelson, Steve Lee, Stephen Nathanson, and Jonathan Schonscheck.

### **AMINTAPHIL OFFICERS 2005 –2007**

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### **AMINTAPHIL COMMITTEES**

**Executive Committee:** Larry May, Philosophy, Washington University, President; Carol Gould, Philosophy, George Mason University, Vice President; Robert Moffat, Law, University of Florida, Past President; Bruce Landesman, Philosophy, University of Utah, Executive Secretary; David Reidy, Philosophy, University of Tennessee, Program Committee Chair; Richard Nunan, Philosophy, College of Charleston, Nominations Committee Chair; Mortimer Sellers, Law, University of Baltimore, Publications Committee Chair; Burton Leiser, Philosophy, Pace University, IVR Representative; Leslie Francis, Philosophy, University of Utah, Nominated IVR Representative; Helen Stacy, Law, Stanford University, Member at Large; Joan McGregor, Philosophy, Arizona State University, Member at Large

**Program Committee:** David Reidy, University of Tennessee, Chair; Deirdre Golash, American University; Kok-Chor Tan, University of Pennsylvania; Bill Nelson., University of Houston

**Publications Committee:** Mortimer (Tim) Sellers, University of Baltimore School of Law; Leslie Francis, University of Utah; Carol Gould, George Mason University; Steven Lee, Hobart and William Smith Colleges; Rex Martin, University of Kansas; Larry May, Washington University; Christine Sistare, Muhlenberg College

**Nominations Committee:** Richard Nunan, Philosophy, College of Charleston, Chair; Sally Scholz, Villanova University; Anja Matwijkiw, Indiana University Northwest; Hamner Hill, Southeast Missouri State University; Christine Sistare, Muhlenberg College

**Program Outline, AMINTAPHIL, St. Louis, Oct. 26 – 29, 2006.**  
**Coercion, Justice and Democracy**

- I. General Conceptual Issues.
- II. Evaluative Conceptual Issues.
- III. Normative Issues - Theoretical.
- IV. Normative Issues - Applied.

**I. General Conceptual Issues.**

- A. What is Coercion? Moralized vs. Nonmoralized Accounts.
- B. Coercion by the State.
- C. Coercion by Groups (corporations, cultural or religious groups, advocacy and nongovernmental organizations, etc.).
- D. Coercion by Individuals.
- E. Coercion and Context: Domestic vs. International.

**II. Evaluative Conceptual Issues.**

- A. Conceptualizing/Mapping the Moral Issue(s).
  - 1. Coercion: The Right and The Good.
  - 2. Coercion: Substantive Values and Procedural Values.
- B. Particular Evaluative Concepts Relevant to the Moral Assessment of Coercion: Justice, Democracy, Common Good, Freedom, Equality, Fraternity, Reciprocity, Respect, Rights, Constitutionalism, Tolerance, Paternalism, Virtue, Republicanism, Legitimacy, Consent, Rule of Law, Neutrality, Self-Determination, Obligation.

**III. Normative Issues - Theoretical.**

- A. The Domestic Context.
  - 1. When and Why is Coercive State Action vis a vis Citizens Morally Permissible?
    - a. Democratic States;
    - b. Nondemocratic States;
    - c. Civil Disobedience, Resistance and Rebellion
  - 2. When and Why is Coercive Action by Nonstate Actors Morally Permissible?
    - a. Groups as Actors;
    - b. Individuals as Actors;
    - c. Disobedience, Resistance, etc.
- B. The International Context.
  - 1. When and Why is Coercive State Action vis a vis Other States Morally Permissible?
    - a. International Organizations as Actors and Other Multilateral Actions;
    - b. Unilateral State Action;
    - c. Disobedience, Resistance, etc.
  - 2. When and Why is Coercive Action Against States by Nonstate Actors Morally Permissible?
    - a. Nongovernmental Organizations and Advocacy Groups as Actors;
    - b. Commercial Corporations as actors;

- c. Other Groups (Militias, Organized Populations, etc.) as Actors;
- d. Disobedience, Resistance, etc.

C. Theoretical Frameworks: Past and Present.

- 1. What can we learn from the theoretical treatment of these issues by:  
Augustine, Aquinas, Grotius, Pufendorf, Hobbes, Wolff, Locke, Vattel,  
Rousseau, Kant, Hegel, Marx, Mill, Dewey, Rawls, Walzer, Nozick,  
Dworkin, Simmons, Sandel, Buchanan, Edmundson, Young, Richardson,  
et al.

**IV. Normative Issues – Applied.**

A. The Domestic Case: Democratic and Nondemocratic Contexts.

1. Coercive State Action.

- a. Criminal Law and Punishment
- b. Military Conscription
- c. Taxation, Public Goods and Redistribution
- d. Property Rights, Regulation and Eminent Domain
- e. Compulsory Education
- f. Vaccinations, Quarantine and Public Health
- g. Police, Security and Law Enforcement
- h. Adjudication and Judicial Review
- i. Other: Marriage law, Contract law, etc.

2. Coercion by Nonstate Actors.

- a. Spouses, Parents and Family
- b. Churches and Clergy
- c. Private Schools and Teachers
- d. Property Owners and Commercial Corporations
- e. Other groups: unions, political parties, advocacy groups,  
hospitals, etc.
- f. Other individuals: employers, physicians, pharmacists, males,  
etc.

B. The International Case

1. Coercion by States through International Organizations and Multilateral Action

- a. UN Security Council and United Nations Generally
- b. World Bank and IMF
- c. WTO
- d. NAFTA, CAFTA, EC and other trade associations
- e. EU, ASEAN and other multifaceted regional federations and  
associations
- f. NATO and other military alliances
- g. Coalitions of the Willing

2. Unilateral Coercion by States

- a. War, Sanctions and Other Interventions
- b. Borders, Deportation and Immigration Control
- c. Hegemony and Imperialism

3. Coercion and Nonstate Actors

- a. Corporations and the Global Economy
- b. Nonstate Militias and Terrorism
- c. Nongovernmental Organizations and Advocacy Groups –

Amnesty, Human Rights Watch, EarthFirst, GreenPeace, PETA,  
antiglobalization

## AMINTAPHIL

### Organizational Information and New Member Application Form

AMINTAPHIL is the American Section of the International Association for Philosophy of Law and Social Philosophy (IVR). We are an interdisciplinary membership organization and our annual dues includes membership in the IVR.

Our purpose is to promote scholarly work in philosophy of law and political and social philosophy. Our primary activity is holding scholarly discussion meetings every two years, each on a specific topic. Recent topics have included: Liberalism vs. Communitarianism; The Family; Radical Critiques of Law; Groups, Justice and Democratic Institutions; Civility and Civil Culture; Justice and the Global Economy; Human Rights; and Just War Theory: Contemporary Challenges.

All attending our meetings make written contributions: either principal papers or commentaries on the principal papers. Authors distribute their contributions to participants in advance of the meeting. The meetings are devoted entirely to discussion of the papers. Except for a "Presidential Address" at an evening banquet, there are no formal presentations.

Any person interested in promoting philosophy of law or political and social philosophy, who has been or is engaged in a relevant discipline (law, philosophy, and social science are the most common), is eligible for membership in AMINTAPHIL. Membership requires approval by the Executive Director and payment of dues of \$30 per year. Members are entitled to receive a copy of the volume that originates from AMINTAPHIL conferences at no extra charge.

Please make checks payable to "AMINTAPHIL" and send them to:

Bruce Landesman  
Executive Director, AMINTAPHIL  
Philosophy, University of Utah  
260 Central Campus Dr Rm 341  
Salt Lake City, UT 84112-9156

The IVR publishes the *Archives for Philosophy of Law and Social Philosophy* (ARSP). Members of AMINTAPHIL are entitled to a 30 percent discount on subscriptions. Kluwer offers members a 50 percent discount on subscriptions to its journal, *Law and Philosophy*.

To apply for membership, please complete the following form and send it along with a check for \$30 dues to the Executive Director at the above address.

# AMINTAPHIL New Member Application Form

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_  
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ZIP: \_\_\_\_\_

Email: \_\_\_\_\_

Current  
Position: \_\_\_\_\_

Degrees: \_\_\_\_\_  
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List of relevant publications or statement of interest in philosophy of law and social philosophy:

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