

2013

## 406-01 The Future of Justice

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## The Future of Justice

### Fall 2013

In Plato's *Republic*, Socrates, in search of the nature of justice, wisely suggests to his interlocutor that by turning to an examination of justice in the city they might come to understand what justice is in the individual. Their purpose is to examine justice writ large so as to grasp what justice is in something imperceptible, the soul. In this course I want to take seriously Plato's approach to justice: does examining the city help us understand the nature of justice? By investigating both social and environmental problems as they plague the city, and in particular Cincinnati, my hope is that we will not simply apply theories of justice, but come to see how in examining social and environmental issues, we can further refine and clarify the nature of justice itself. That, as I understand it, was ultimately Plato's task when he reflected on the structure and function of the city in his *Republic*.

In this course we will examine the writings of late 20<sup>th</sup> and early 21<sup>st</sup> century philosophers and theorists. The course is divided into three parts (philosophy, city, and environment). In the first part, after a review of Utilitarianism as a theory of justice, we will examine its most promising alternatives. Beginning with John Rawls's critique of utilitarianism, we will examine theories of distributive justice, with a focus on Rawls's *Justice as Fairness*. After looking at libertarian (Nozick), Marxist (Marx and Allen Wood), and communitarian (Sandel and Taylor) criticisms of Rawls and liberalism, we will examine an alternative theory of social justice based on the concept of recognition (Nancy Fraser and Axel Honneth).

In the second part we will examine questions of social justice in the city. Of particular interest will be theories of justice that identify the concept of space as a central consideration of justice. The work of David Harvey and Edward Soja will be central. In the third part of the course we will look at issues of urban sustainability as they relate to the question of justice. Practical and theoretical questions related to sprawl, greenspaces, parks, concepts of sustainability, and environmental justice will be our focus. In the final section of the third part of the course we will examine a developing debate about climate change justice.

Philosophers have a lot to learn from other disciplines, just as these disciplines have much to gain by taking philosophy seriously. The organization of the course aims at being interdisciplinary: while there is a heavy emphasis on the works of philosophers, we will read the works of economists, political scientists, urban theorists and urban planners, geographers, legal theorists, and sociologists. Our discussions will cover a diversity of topics in addition to that of justice: ethical foundations, equality, welfare, justification, property, democracy, community, identity, multiculturalism, capitalism, socialism, liberalism, urban development, gentrification, sprawl, housing, sustainability, environmental problems, race, class, Los Angeles, New York, Cincinnati, and the future of justice at Xavier.

#### Assignments

- 1) 20% Short Writing Assignments (typically 1-3 pages)
- 2) 20% Rawls Paper (7 pages)
- 3) 20% Recognition Paper (7 pages)
- 4) 30% Research Paper (15 pages)
- 5) 10% Participation

## Required Texts

1. Will Kymlicka, *Contemporary Political Philosophy*, Oxford: Oxford University Press, 2001 [CPP].
2. John Rawls, *Justice as Fairness*, Cambridge: Harvard University Press, 2001 [JF].
3. Nancy Fraser and Axel Honneth, *Redistribution or Recognition: A Political Philosophical Exchange*, New York: Verso 2003 [RR].
4. Edward Soja, *Seeking Spatial Justice*, Minneapolis: University of Minnesota Press, 2010.
5. Joan Fitzgerald, *Emerald Cities: Urban Sustainability and Economic Development*, Oxford: Oxford University Press, 2010.
6. Eric A. Posner and David Weisbach, *Climate Change Justice*, Princeton: Princeton University Press, 2010.

## Course Goals and Objectives

- 1) Goal: To be proficiently knowledgeable about current debates over theories of justice.
  - a. Objective: Students will be able to critically engage utilitarian, Rawlsian, and alternative theories of justice.
  - b. Objective: Students will be able to use theories of justice to critically engage issues of social and environmental issues.
- 2) Goal: To be proficiently knowledgeable about the intimate relationship between environmental issues and social issues.
  - a. Objective: Students will be able to develop a perspective on environmental and social issues, as informed by debates about justice, and justify different potential policies and solutions.
  - b. Objective: Students will be able to write an extensive research paper that takes an argumentative stance, as informed by theories of justice, on pressing social and environmental issues.
  - c. Objective: Students will be able to critically engage the meaning of sustainability and the possibility of sustainable cities.

## Online resources

There are few reliable online resources for philosophy, but I do recommend the *Stanford Encyclopedia of Philosophy* (<http://plato.stanford.edu/contents.html>), which is reliable, clear, and scholarly. If you do reference or quote an online source in a paper, it must be cited appropriately.

## Participation

Participation is required. Participation can take place in a number of ways: asking questions, responding to questions, raising objections, and making points. I strongly encourage students to speak up in class. I do recognize that for some students talking in class and discussing philosophy can be intimidating. Discussing the philosophical content of the readings or class discussion by email or during office hours will count toward your participation grade. Participation is not an automatic 10%—you actually have to take part, and I am very aware of who is doing so.

## Papers

You will write three papers and complete a number of shorter writing exercises. For each paper I will provide a handout detailing the assignment and my expectations. All papers are due at the beginning of class. A late paper will be lowered for each class it is late a +/- . If your paper deserves an A- and you turn it in one class late, then your grade for the paper will be a B+. If your paper deserves a B+ and you turn it in three classes late, then your grade for the paper will be a C+. *\*All papers should be double spaced in Times New Roman (12pt font).*

## Writing Center

Everyone needs help with their writing. Even great authors need an editor or second pair of eyes. I strongly suggest that you visit the writing center before you turn in each paper. Your grammar will improve, your prose will become crisper, and your argument stronger. Overall, your writing skills and course grade will very likely increase. There is really nothing to lose, and everything to gain.

For more information:  
[http://www.xavier.edu/writing\\_center](http://www.xavier.edu/writing_center)

Where: Conaton 5<sup>th</sup> Floor  
Phone: 745-2875  
When: Monday-Thursday: 9:30 a.m. - 8:30 p.m.  
Friday: 9:30 a.m. - 3:30 p.m.  
Sunday 1:00 p.m. - 9:00 p.m.

## Plagiarism

Plagiarism will result in the failing of the assignment, and it may result in the failing of the course. The following statement on plagiarism is from Xavier University's website on plagiarism, where you can take a tutorial about how to avoid plagiarism:

<http://www.xavier.edu/library/xututor/plagiarism/index.cfm>

- Plagiarism is using the work of another as if it were your own, without enclosing the words of others in quotations.
- Plagiarism is copying from the Internet, from a web page, or from another person without giving credit.
- Plagiarism is using ideas which are not your own without citing those ideas.
- Plagiarism can be applied to ideas, research, art, music, graphs, diagrams, websites, data, books, newspapers, magazines, plays, movies, photos, and speeches.

## Attendance

You are allowed two unexcused absences. More than two unexcused absences will have a serious effect on your grade. Each unexcused absences after two will result in a lowering of your final grade by a +/- . If your final grade is an A- and you have 4 absences, then your grade for the course will be a B+. If your final grade is a B+ and you have 6 absences, then your grade for the course will be a C+. This policy will be strictly followed. Excused absences require an official note from a doctor or student affairs. If you have more than six absences, excused or unexcused, then you will fail the course. If you do miss a class I strongly suggest that you get notes from another student and that you ask me for handouts I might have distributed and instructions for the next class. If you are absent, do not assume that you know where we are in the readings.

**\*\*Students must keep their cell phones off during class, not on vibrate or silence. No texting at all!!**

## Schedule

### Week 1: Utilitarianism and its Critics

#### August 28

1. Will Kymlicka, "Utilitarianism" (CPP)

#### August 30

2. John Rawls, Selections from *A Theory of Justice* (Canvas)
3. Michael Rosen, Selections from *Dignity* (Canvas)

### Week 2: Rawls's *Justice as Fairness*

#### September 4

1. Rawls, Part I: "Fundamental Ideas" (JF)
2. Will Kymlicka, "Liberal Equality" [51-75, required; 75-101, recommended](CPP)

#### September 6

1. John Rawls, Part II: "Principles of Justice" (JF)

### Week 3: Rawls's *Justice as Fairness*

#### September 11

1. John Rawls, Part III: "The Argument from the Original Position" (JF)

#### September 13

1. John Rawls, Part IV: "Institutions of a Just Basic Structure" (JF)
2. Thad Williamson, "Realizing Property-Owning Democracy: A 20-Year Strategy to Create an Egalitarian Distribution of Assets in the United States" (Canvas)

### Week 4: Rawls's *Justice as Fairness*

#### September 18

1. John Rawls, Part V: "The Question of Stability" (JF)

#### September 20

1. Rawls discussion

### Week 5: The Libertarian Critique

\*September 23: **Michael Rosen** Workshop with the Philosophy Department (3-4:14)

\*September 23: **Michael Rosen** Lecture: "Justice and the Politics of Dignity" (Cintas, 7 p.m.)

#### September 25

1. Robert Nozick "Distributive Justice" [pp. 149-164, 213-231](Canvas)
2. Will Kymlicka, CPP, "Libertarianism" (CPP)
3. Recommended: G. A. Cohen, "Robert Nozick and Wilt Chamberlin: How Patterns Preserve Liberty" (Canvas)

**September 27**

1. **Field Trip:** Friday, September 27, 3-5 p.m.—*Justice (energy and racial) Tour of Smale Riverfront Park* with Cincinnati Parks, Tyrone Williams, and Queen City Bikes (to familiarize students with the idea of energy justice and how it is being supported in Cincinnati).
2. Joan Fitzgerald, *Emerald Cities* (Chapters 1 and 2)
3. Gordon Walker, “Urban Greenspace: Distributing an Environmental Good” (Canvas)
4. Jane Jacobs, “The Uses of Neighborhood Parks” (Canvas)

**Week 6: The Marxist Critique****October 2**

1. Marx, “On The Jewish Question” (Canvas)

**October 4**

1. Karl Marx, “Critique of the Gotha Program” (Canvas)
2. Allen Wood, “The Marxian Critique of Justice” (Canvas)
3. Will Kymlicka, “Marxism”

**Week 7: The Communitarian Critique****October 9**

1. Michael Sandel, “The Procedural Republic and the Unencumbered Self” (Canvas)
2. Will Kymlicka, CPP, “Communitarianism”

**October 11**

1. Charles Taylor, “Atomism” (Canvas)

**Week 7: Justice as Recognition****October 11**

1. Charles Taylor, “The Politics of Recognition” (Canvas)
2. Recommended: Will Kymlicka, “Multiculturalism”

**October 16**

1. Axel Honneth, “Recognition and Moral Obligation” (Canvas)

\*October 16 (Wednesday) Amory Lovins lecture on Energy and “*Reinventing Fire*” (12-1:30)

**October 18**

1. No Class

## **Week 8: Justice as Recognition**

\*October 21 (Monday) *Sustainability Gallery opening* 4-5:30 followed by discussion (5:30-6:30) with Mary Lu Lageman, Sarah Dulle, and Abbie Kinnett about sustainable lives.

### **October 23**

1. Nancy Fraser, "Social Justice in the Age of Identity Politics: Redistribution, Recognition, and Participation" (RR)

### **October 25**

1. Axel Honneth, "Redistribution as Recognition: A Response to Nancy Fraser" (RR)

## **Week 9: Social Justice and the City**

\*October 28 (Monday) 3-4:30 *Sustainability Day with Joan Fitzgerald*, Kennedy Auditorium. In preparation for this lecture **read Chapter 3**, "Renewable Cities" from Fitzgerald's *Emerald Cities*.

### **October 30**

1. Iris Marion Young, "City Life and Difference" (Canvas)
2. David Harvey, "Social Processes and Spatial Form" (Canvas)

### **November 1**

3. David Harvey, "Social Justice and Spatial Systems" (Canvas)

## **Week 10: Spatial Justice and the City**

### **November 6**

1. Edward Soja, *Seeking Spatial Justice* [vii-66]

### **November 8**

1. Edward Soja, *Seeking Spatial Justice* [67-155]
2. Michel Foucault, "Of Other Spaces" (Canvas)

## **Week 11: The Politics of the City**

### **November 13**

1. Tommie Shelby, "Justice, Deviance, and the Dark Ghetto" (Canvas)

### **November 15**

1. Lees, et al., "The Birth of Gentrification" (Canvas)
2. Lees, et al., "Gentrification: Positive or Negative" (Canvas)
3. James DeFilippis and Jim Fraser, "Why do we Want Mixed-Income Housing and Neighborhoods?" (Canvas)

## **Week 12: The City and the Environment**

### **November 20**

1. Thad Williamson, "Beyond Sprawl and Anti-Sprawl" (Canvas)
2. Thad Williamson, "Sprawl, the Environment, and Climate Change" (Canvas)
3. Thad Williamson, "Reforming Sprawl, and Beyond" (Canvas)

### **November 22**

1. Joan Fitzgerald, *Emerald Cities* (Chapters 4, 6, 7)
2. Recommended: Desmond McNeill, "The Concept of Sustainable Development" (Canvas)
3. Recommended: Andrew Dobson, "Sustainable Development and the Defense of the Natural World" (Canvas)
4. Recommended: Keekok Lee, "Global Sustainable Development: Its Intellectual and Historical Roots" (Canvas)

## **Week 13: Thanksgiving**

**November 27:** Thanksgiving Holiday

**November 28:** Thanksgiving Holiday

## **Week 14: Climate Change Justice**

### **December 4**

1. Henry Shue, "Subsistence Emissions and Luxury Emissions" (Canvas)
2. Eric A. Posner and David Weisbach, *Climate Change Justice* (Introduction and Chapter 1)
3. Recommended: Robert Kuehn, "A Taxonomy of Environmental Justice" (Canvas)

### **December 6**

1. Eric A. Posner and David Weisbach, *Climate Change Justice* (Chapters 2, 3, 4)

## **Week 15: Climate Change Justice**

### **December 11**

1. Eric A. Posner and David Weisbach, *Climate Change Justice* (Chapters 5, 6, 7)

### **December 13**

1. Eric A. Posner and David Weisbach, *Climate Change Justice* (Chapter 8)
2. Mathias Frisch, "Climate Change Justice" (Canvas)

## **Week 16: Finals Week**

### **December 18**

Final Work Due, Class meets 2:00 - 3:50