

# **ETHICS & POLITICS OF JUSTICE**

## **Course Syllabus, Winter 2020**

**Instructor:** Matt Schneider

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**Lectures:** Tues., Th. 2:00-3:20p, SSL 248

**Office Hours:** Tues. 12:30-1:30p, SE 1 rm. 276

How do we define justice and what do we define as just? How does social and material context affect our understandings of justice? Ethical considerations of justice underpin all of politics: What is a just distribution of resources? What is the role of institutions in crafting a just society?

This course draws from a diverse literature to generate a dialogue between ethical philosophy and the issues that define our social world. The first section of the course centers on moral and ethical philosophy, analyzing texts from both early and modern philosophers and dialecticists; thereafter we will read pieces that reflect different aspects of justice: power structures, social disparities, environmental justice, and finally “emergent issues,” those with which we are just beginning to grapple as a society.

Throughout this course, the focus will be on dialogue and dialectics, to question “common sense” knowledge, generate syntheses, and foster critical appraisals of how we function as a society. The thinkers included here focus on the raising of questions; many times you may not agree with them, they often do not agree with each other. The goal is to provide you with the philosophical and contextual tools to think through issues of justice. This entitles conversing with your fellow students in good faith and with a true spirit of openness, with the intent to raise questions to push society in a more just direction.

### **GRADES**

10% will be deducted from the final grade of late assignments for every 2 days they are late.

### **Weekly Reflections, due Sundays at 11:59p: 20%**

Each week you will need to submit a 250 word (minimum) reflection on the week’s readings to Canvas, drawing threads between the works and the themes of the course. These are not meant to be time-intensive, but instead to get you to think about the themes of the course.

### **Mid-term Paper, 3-4 pages, due Tuesday Feb. 4 at 12:30p: 25%**

Compare & contrast one philosopher/dialecticist from each of the first 2 units (Ethical Roots and Dialectics & Modern Philosophy, but with permission you may use a thinker not addressed in class). Make sure you address the following questions: How do their views of justice and ethics compare? What do their ideas imply for the construction of a just world?

**Final Paper, 6-8 pages, due Tuesday March 10 at 11:59p: 40%**

Choose a topic in justice from one day in the latter half of the course (with permission you may use a topic not addressed in class). Outline the social and political contexts of the topic and discuss the ethical issues associated with the topic and its possible solutions, drawing from the thinkers discussed in the first half of the course.

**Participation: 15%**

Participation will be based on iClicker responses during class.

**Formatting & Citations**

For your papers you must use 12-pt. Times New Roman (or equivalent, like Calibri) and have 1" margins. Please use either APA or ASA citations (I personally prefer ASA, but either is fine).

A few of the readings have odd structures or no page numbers so they must use altered citations when directly quoting them. The methods you should use for citing these texts are as follows (examples in ASA):

Laozi's *Dao De Ching* use the name, year, and the poem number, e.g. (Laozi 2010:74)

Freud's *Civilization & Its Discontents* use the name, year, and section, e.g. (Freud 1930:IV)

For Kropotkin's "Are Prisons Necessary?," Marx's "Estranged Labor," and short online publications that do not have page numbers, like Chung's "Felony Disenfranchisement: A Primer," just use the name and the year, e.g. (Kropotkin 1887).

**Bibliography**

Of the readings for the course, a number are drawn from books. All readings will be available on Canvas, but if you should like your own copy, the following are the editions we will be using:

Aristotle. 1999. *Nicomachean Ethics*. Trans. by Roger Crisp. Cambridge University Press.

Currie, Elliott. 1998. *Crime & Punishment in America*. Picador, Revised 2013 Edition.

Foucault, Michel. 1977. *Discipline & Punish*. Vintage Books, 2nd Edition.

Greenwald, Glenn. 2014. *No Place to Hide*. Picador.

Merchant, Carolyn. 2008. *Ecology*. Humanity Books, 2nd Edition.

Nietzsche, Friedrich. 2006. *On the Genealogy of Morality*. Cambridge University Press, 2nd Edition.

## Schedule of Classes

### Week 1

Jan 7 — INTRODUCTION

Review syllabus, discuss course goals

## ETHICAL ROOTS

Jan 9 — WHAT IS GOOD?

Laozi. *Dao De Jing (Tao Te Tsing)*. Read #38-81, pg. 21-35

Aristotle. *Nicomachean Ethics*. Read Book I, pg. 3-22

### Week 2

Jan 14 — WHAT IS VIRTUOUS?

Aristotle. *Nicomachean Ethics*. Read Books II (all) & III (ch. 1-5), pg. 23-48

Jan 16 — WHAT IS JUST?

Aristotle. *Nicomachean Ethics*. Read Book V, pg. 81-102

Plato. *The Republic*. Read Book IV, pg. 111-125 (start at line 433a “Listen whether after all I make any sense”)

### Week 3

Jan 21 — ETHICS & PRACTICAL REASON

Aristotle. *Nicomachean Ethics*. Read Book VI pg. 103-118

Kant, Immanuel. *Groundwork for the Metaphysic of Morals*. Read Ch. 1&2, pg. 5-40

## DIALECTICS & MODERN PHILOSOPHY

Jan 23 — DIALECTICS & SOCIETY

Marx, Karl. “Bloody Legislation Against the Expropriated, from the End of the 15th Century. Forcing Down of Wages by Acts of Parliament.” Ch. 28, pg. 522-527 from *Capital, Vol. I*

Marx, Karl. “Estranged Labor” from *Economic and Philosophic Manuscripts of 1844*.

Nietzsche, Friedrich. “‘Good and Evil,’ ‘Good and Bad.’” Essay I, pg. 10-34 from *On the Genealogy of Morality*

### Week 4

Jan 28 — INTERNALIZATION

Foucault, Michel. “Panopticism.” Ch. 3 from *Discipline & Punish*. Read pg. 213-224 ¶1

Nietzsche, Friedrich. “‘Guilt,’ ‘Bad Conscience,’ and the Like” Essay II, pg. 35-67 from *On the Genealogy of Morality*

Jan 30 — DIAGNOSIS

Freud, Sigmund. *Civilization & Its Discontents*. Read part III to the end

Goldman, Emma. "Prisons: A Social Crime and Failure" from *Anarchism and Other Essays*.

Kropotkin, Piotr. "Are Prisons Necessary?"

## Week 5

Feb 4 — REVIEW OF ETHICS, PHILOSOPHY, & DIALECTICS (**Midterm Paper Due**)

## POWER & INSTITUTIONS

Feb 6 — POWER STRUCTURES

Baumgartner, Tom, Walter Buckley, & Tom R. Burns. 1975. "Meta-Power and Relational Control in Social Life." *Social Science Information* 14(6):49-78. Read pg. 49-53 (through the 3rd ¶), skim the rest.

Nivette, Amy. 2014 "Legitimacy and Crime: Theorizing The Role of the State in Cross-National Criminological Theory." *Theoretical Criminology* 18(1):93-111.

Sørensen, Aage B. 1996. "The Structural Basis of Social Inequality." *American Journal of Sociology* 101(5):1333-65. Read pg. 1333-1336, 1358-1363 (from the beginning to "The Concept of Rent" and from "Rents, Interests, and Time" to the end).

## Week 6

Feb 11 — INSTITUTIONAL FAILURE

Lochner, Lance. 2004. "Education, Work, and Crime: A Human Capital Approach." *International Economic Review* 45(3):811-843. Skip section 2 (pg. 814-819), read the rest

Skaperdas, Stergios. 2001. "The Political Economy of Organized Crime: Providing Protection when the State Does Not." *Econ. Gov.* 2:173-202. Read pg. 173-195

Feb 13 — THE CARCERAL SYSTEM

Currie, Elliott. 1998. "Assessing the Prison Experiment" Ch. 1, pg. 9-33 of *Crime and Punishment in America*.

Gilmore, Ruth Wilson. 1999. "Globalisation and US Prison Growth: From Military Keynesianism to Post-Keynesian Militarism." *Race & Class* 40:171-88.

Joy, Tara. 2018. "The Problem with Private Prisons." *Justice Policy Institute*.

## SOCIAL DISPARITIES

## Week 7

Feb 18 — ECONOMIC DISPARITIES IN JUSTICE

Braithwaite, John. 1991. "Poverty, Power, White-Collar Crime and the Paradoxes of Criminological Theory." *Australian and New Zealand Journal of Criminology* 24:40-58.

Gustafson, Kaaryn. 2009. "The Criminalization of Poverty." *The Journal of Criminal Law & Criminology* 99(3):643-716.

## Feb 20 — RACIAL DISPARITIES IN JUSTICE

Chung, Jean. 2019. "Felony Disenfranchisement: A Primer." *The Sentencing Project*.

Goldman, Daniel S. 2004. "The Modern-Day Literacy Test?: Felon Disenfranchisement and Race Discrimination." *Stanford Law Review* 57:611-655. Read pg. 625-644

Hurwitz, Jon & Mark Peffley. 2009. "Public Perceptions of Race and Crime: The Role of Racial Stereotypes." *American Journal of Political Science* 41(2):375-401. Read pg. 375-381, 391-396 (skip Methods, Data, & Instrumentation and Analysis sections)

Reskin, Barbara. 2012. "The Race Discrimination System." *Annual Review of Sociology* 38(1):17-35. Read pg. 18-26 (until "Now What?")

## ENVIRONMENTAL JUSTICE

### Week 8

## Feb 25 — MOVEMENTS FOR ENVIRONMENTAL JUSTICE

The First National People of Color Environmental Leadership Summit. 2008. "Principles of Environmental Justice." October 21-27, 1991 Washington, DC. Conclusion, pg. 407-409 in *Ecology*, ed. by Carolyn Merchant. Humanity Books.

McGuire, Chad J. & Devon Lynch. 2017. "The Need for Environmental Justice Never Ends Because Externalities Persist" *Environmental Justice* 10(3):68-71.

Wenz, Peter. 2008. "The Importance of Environmental Justice." Ch. 21, pg. 259-264 in *Ecology*, ed. by Carolyn Merchant. Humanity Books.

## Feb 27 — GLOBALIZATION & THE ENVIRONMENT

Johnson, Hope, Nigel South, & Reece Walters. 2016. "The Commodification and Exploitation of Fresh Water: Property, Human Rights and Green Criminology." *International Journal of Law, Crime and Justice* 44:146-62.

Jorgensen, Andrew K., Kelly Austin, & Christopher Dick. 2009. "Ecologically Unequal Exchange and the Resource Consumption/Environmental Degradation Paradox: A Panel Study of Less-Developed Countries, 1970-2000." *International Journal of Comparative Sociology* 50(3-4):263-284. Read pg. 263-270 (Until "The Panel Analyses")

## EMERGENT ISSUES IN JUSTICE

### Week 9

## Mar 3 — MASS SURVEILLANCE

Greenwald, Glenn. "The Harm of Surveillance" Ch. 4, pg. from *No Place to Hide*

## Mar 5 — ALGORITHMIC RISK ASSESSMENT

- Chouldechova, Alexandra. 2017. "Fair Prediction with Disparate Impact: A Study of Bias in Recidivism Prediction Instruments." *Big Data* 5(2):153-163.
- Electronic Frontier Foundation. 2018. "Recidivism Risk Assessments Won't Fix the Criminal Justice System."

## **Week 10**

Mar 10 — TBA

Mar 12 — SYNTHESIS & WRAP-UP

## **FURTHER READINGS**

### **SYSTEMS**

- Fritjof Capra. 2008. "Systems Theory and the New Paradigm." Ch. 31, pg. 365-372 in *Ecology*, ed. by Carolyn Merchant. Humanity Books.
- Harvey, David. 1973. "Social Justice and Spatial Systems." Ch. 3, pg. 96-118 in *Social Justice and the City*. The University of Georgia Press.

### **CRIME & THE CARCERAL**

- Camacho, Alicia Schmidt. 2010. "Hailing the Twelve Million: U.S. Immigration Policy, Deportation, and the Imaginary of Lawful Violence." *Social Text* 105 28(4):1-24.
- Cohen, Lawrence E. & Richard Machalek. 1988. "A General Theory of Expropriative Crime: An Evolutionary Ecological Approach." *American Journal of Sociology* 94(3):465-501.
- Elias, Norbert. *The Civilizing Process*.
- Gilmore, Ruth Wilson. 2007. *Golden Gulag*. University of California Press.
- Kafka, Franz. 1919. "In the Penal Colony."
- Sampson, Robert J. & Janet L. Lauritsen. 1997. "Racial and Ethnic Disparities in Crime and Criminal Justice in the United States." *Crime and Justice* 21:311-374.

### **ENVIRONMENTAL JUSTICE**

- Baumol, William J. "Dark Sides of the Disease: Terrorism and Environmental Destruction." Ch. 5, pg. from *The Cost Disease*.
- Devall, Bill. 2008. "The Deep Ecology Movement." Ch. 12, pg. 149-163 in *Ecology*, ed. by Carolyn Merchant. Humanity Books.
- Ghertner, Asher. 2011. "Green Evictions: Environmental Discourse of a 'Slum-Free' Delhi." pg. 145-165 in *Global Political Ecology*, ed. by Richard Peet, Paul Robbins, & Michael Watts. Routledge.
- Harvey, David. 1996. "The Environment of Justice." Ch. 13, pg. 366-402 in *Justice, Nature & the Geography of Difference*. Blackwell Publishers Inc.