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Progress Report

Geography and ethics: Justice Unbound

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Abstract

Debates in geography often centre on whether it is possible or preferable to develop robust normative foundations for critique. But the relationship of academic analysis to normative concepts does not to be thought of in foundational terms, one way or the other. It is better understood in terms of elaboration, elucidation and amplification. Theorising justice from the bottom-up in this way is consistent with certain strands in recent moral and political philosophy, exemplified by Amartya Sen's recent account of comparative justice. Recent work by feminist philosophers including Seyla Benhabib, Nancy Fraser, and Iris Marion Young explicitly engages with the question of how to theorise the geographies of democratic justice in non-foundational, modest ways. The proliferation of geographical concerns in moral and political philosophy is indicative of the various ways in which concepts of justice are 'unbound' from forms of containment to which they have often been restricted. Philosophizing about justice is no longer automatically restricted to a national frame; and nor are questions of justice contained within prescriptive styles of reasoning, opening up instead to insights from empirical social sciences. Freeing concepts of justice from imaginary geographical constraints and from restrictive rationalistic conventions presents a challenge to spatial disciplines to suspend their chauvinism about the use of spatial vocabularies in other fields.

1 Who needs foundations?

Elizabeth Olson and Andrew Sayer (2009) have recently argued that the critical postures articulated by geographers lack strong foundations in clearly defined conceptions of the human good or flourishing. According to them, the challenge of ‘embracing the normative’ involves facing up to this task of providing clear foundations for judgement (see also Carmalt and Faubian 2009). Olson and Sayer’s challenge raises the question of what we think normative conceptions – of the good life, human flourishing, or justice – are meant to do for us. Their counterpoint in re-asserting the importance of thinking of normativity in terms of foundations is a style of generic poststructuralism that remains, thanks to the influence of Richard Rorty’s iconoclastic pragmatism in mediating geography’s engagement with issues of essentialism and foundationalism, trapped with an epistemological frame of reference. Generic poststructuralism continues to focus on the problem of squaring the absence of firm foundations for knowledge-claims with the assumed requirement that political action needs to be based on secure grounds of identity and experience. Various formulations finesse this problem, including *contingent foundations*, *strategic essentialism*, *onto-stories*, or *weak ontology*. All of these formulas rest on the “the implicit assumption that one could think like a sceptic but act like a foundationalist” (Zerilli 1998, 438), an assumption that is indicative of a misconstrual of what is at stake in debates about foundationalism – which is not whether the foundations of knowledge and action are more or less contingent, but whether or not one should construe action wholly in epistemic terms in the first place (Cavell 1979).

Anti-foundationalist approaches to normative issues should not, therefore, be restricted to their poststructuralist variants – they include both the post-metaphysical approach of Habermasian ‘discourse ethics’, and various politically inflected readings of Wittgenstein (e.g. Tanesini 2004, Zerilli 2006). The presumption that one needs strong foundations to legitimately criticize a state of affairs might misrepresent the art of critical judgement. Criteria of judgement might not be best thought of as providing foundations for judgement at all, but rather function by ‘creating an expectation’ that enable the use of concepts in new concepts in a ‘wholly ungrounded’ way (Cavell 2005, 205). Judging is not a matter of applying hard-and-fast rules discovered through theoretical reasoning to worldly cases. Using concepts like justice, equality, and freedom are pre-eminently matters of *practical reasoning*, meaning that they involve the activity of “being able to use a general term in various circumstances and being able to give reasons for and against that use” (Tully 2009, 27).

On a ‘formational’ view of practical reason (e.g. Lovibond 2002, Wiggins 2006), related to the broad revival of interest in virtue theories of ethics, normative concepts cannot be pinned down in a strongly foundational way precisely because ‘ethical knowledge’ is “a matter of knowing how to act, when to act, when to withdraw, whom to admire, more than knowing that anything is the case” (Blackburn 1998, 1). The revival of interest in practical reason in moral and political philosophy (e.g., is closely related to a broadly shared anti-foundationalism amongst philosophers working at the intersection of ‘Continental’ and ‘Analytical’ styles. Informed by a return to Aristotle, a revival of virtue ethics, a revitalization of pragmatism, and drawing extensively on phenomenology, existentialism, and hermeneutics, a renewed critique of the over-intellectualization of reason and rationality is reconfiguring the boundaries between mind and world (e.g. McDowell 1994), action and perception (e.g. Hurley 1998), epistemology and ethics (Fricker 2007). This field of work holds that there is no sharp distinction to be drawn between unarticulated backgrounds of action and explicit knowledge (Taylor 2000). The understanding of ethics that

emerges from this anti-foundationalist, anti-representational style of analysis is 'rationalist' in the sense that it presumes that agents act for reasons, but certainly does not hold that action is the outcome of prior deliberative reasoning; only that philosophical analysis involves "the reconstruction of reasons for action not necessarily thought out in advance" (McDowell 1998, 66).

One implication of this neglected strand of anti-foundationalism is that the relationship of academic analysis to normative concepts need not be thought of in foundational terms at all, but rather in terms of elaboration, elucidation, and amplification – of 'making things explicit' (e.g. Brandom 1994, Cooke 2006). On this view, the lack of attention to the sorts of 'foundational' issues that Olson and Sayer argue are required might be seen in a more charitable light, as an index of styles of analysis which elaborate intuitive senses of *injustice* that emerge in particular fields of conflict and contention. Consider, for example, the two areas of debate in geography where the concept of 'justice' is most seriously at stake, debates around 'the right to the city' and work on 'environmental justice'. The 'right to the city' concept builds on a longer tradition of concern with social justice (e.g. Harvey 2008, Mitchell 2003, Purcell 2002, McCann 2002), informs discussions of notions of 'the just city' (Marcuse *et al* 2009) and spatial justice (the topic of a new electronic journal launched in 2009 – see *justice spatiale/spatial justice*: <http://jssj.org/>). These concepts come out of the wider field not just of human geography but of urban studies and planning theory, which are the primary reference points for the framing of 'normative' political philosophy as a form of impertinent idealization (see Campbell and Marshall 2006). This framing underwrites the more widespread wariness of normative political philosophy of a post-Habermasian and/or post-Rawlsian variety amongst human geographers, and the elective preference for political theory of a more self-consciously agonistic variety (e.g. Purcell 2007, Spaces of Democracy and the Spaces of Democracy Network 2009).

The case that Olson and Sayer level against radical geography could certainly find some sustenance by looking at this field of work, shaped as it is by a long standing closure of normative reflection (see Katznelson 1995). This closure has only been squeezed tighter by the elaboration of Levebvrian perspectives on 'the production of space' in the last two decades. In this paradigm, one always already knows that distributive concepts of justice and rights obscure and sustain the more fundamental sources of injustice generated by modes of class power, property relations, accumulation by dispossession, and exploitation, albeit mediated by dynamics of gender, race or sexuality, and state formation. Human geography's version of spatialized 'ontological gerrymandering' (cf. Woolgar and Pawluch 1985) insures that normative questions of justification never really arise, since theories of the production of space or of relational spatiality provide explanatory frameworks which presume to reveal fundamental sources of injustice simply by unmasking the exclusionary, naturalizing, or essentializing effects of relatively unsophisticated, less bendy Cartesian, flat, absolute, or at best relative ontologies of space

We might, however, ask how far it matters that this field of work does not, at the end of the day, develop a fully fledged, rationally justified account of justice. Adherents to 'the right to the city' or notions of spatial justice might well argue that the normative concepts of justice and equality operative in their fields of research are not deduced by academics, but are immanent to the arenas of contestation which they are investigating – something which becomes evident when notice is taken of the distinctive contexts out of which these notions have emerged and across which they are translated (e.g. Avritzer 2008, Dikeç 2007, Parnell and Pieterse 2010, Wright

2009). This sense of the ‘direction of fit’ between normative concepts like justice and social practices is illustrated by literature on the concept of environmental justice (see Hobson 2006, Lorimer 2007, *Antipode* 2009). Rather than simply an academic framework, research on environmental justice is shaped by a concern with thinking through how this concept is developed and deployed in movement politics – ‘environmental justice’ is a frame for organising and mobilising, one which academics analyse while also seeking to critically support (Walker 2009).

The metaphysical commitments to a certain style of spatial constructionism, rooted in relational ontologies of one sort or the other (dialectical, deconstructive, networked, topological, or vitalist) explains the difficulty which critical human geography has in thinking of values as anything other than utopian hopes or mutely emergent energies and forces. But despite this inattention to normative issues, there are two important insights to be drawn from the styles of analysis associated with literature on the rights to the city and environmental justice. First, there is a sense that normative concepts of justice are worldly, emerging from situated conflicts. Second, there is the implicit claim that critical analysis starts not so much from a clear-sighted definitions of justice but from widely shared intuitions of *injustice*. This second lesson opens these radical perspectives to traditions of ethical thought which might appear less self-consciously ‘political’, but which are relevant here precisely because they develop a sense that the *feeling for injustice* has sources other than a fully worked-out model of justice. I have in mind, for example, Elaine Scarry’s (2000) account of how an appreciation of beauty lies at the heart of a sense of fairness and justice, or recent philosophical elaborations of the fictions of J.M. Coetzee in terms of an ethics of exposure (Cavell *et al* 2008, Mulhall 2008). These arguments that motivating action in the name of justice must negotiate the indeterminacies of the aesthetic acknowledge that reason alone is insufficient for this purpose. These examples of expansive moral philosophy remind us of the importance of practices of ‘ethical formation’ in shaping capacities to recognise, acknowledge and respond to injustice. They also indicate that the ‘feeling for justice’ is motivated by reasons that extend the scope of moral concern beyond ‘the human’ narrowly conceived (e.g. Hobson 2007, *Environment and Planning D: Society and Space* 2010).

The idea that there are other virtues upon which ‘the sense of justice’ is also the animating thought behind the major treatise on justice published in 2009 by Amartya Sen (2009). Sen’s starting assumption is that a workable account of social justice needs to start with readily available understandings of *injustice*, rather than presuming that what is required is a philosophically robust model of justice (see also Guess 2008). Being able to recognise wrongdoing or injustice, on this view, does not require consensus around theoretical ideas, but is rooted in widely shared understandings and intuitions of injustice and indignation. He argues instead for a comparative approach to justice, one which holds that it is possible to assess the justice of a state of affairs by reference to other situations, without having access to a perfect theory. And one of the most significant features of this approach is the importance it ascribes to social science (of a certain sort, admittedly) in elaborating and putting in to practice comparative justice based on making judgements between feasible alternatives.

Sen’s book is just one contribution to a broader movement in moral and political philosophy in which concepts of justice are unbound from various forms of containment to which they have often been restricted (e.g. Nussbaum 2006). The most obvious sense in which justice has been unbound is in debates about global justice and cosmopolitanism, in which the restriction of reflection on issues of justice to the nation-state is lifted (e.g. Brock 2009, Brock and Moellendorf 2005, Gould 2004,

Pogge 2001a). Sen's book exemplifies a second sense in which justice is unbound, freed from the containment within certain styles of normative reasoning and opened up to insights from certain strains of social science (see Appiah 2008). Both these moves present an interesting challenge to geographers and spatial theorists interested in issues of justice. Sen's book on justice engages with issues of global justice, Michael Sandel's (2009) recent book on the same topic prefers the imaginary geography of communitarianism, while David Miller (2007) defends the status of national-level rights and obligations as the basis of any more expansive understanding of global justice. But none of them engages in deflationary genealogical analysis of the construction of national territories, in revisionary ontological descriptions of networked globality, or in dialectical deduction of class as a transcendent principle of equivalence - the genres which remain the benchmark of sophisticated conceptualization and critique in human geography (e.g. Harvey 2009, Sparke 2005). The lifting of imaginary geographical constraints and restrictive rationalistic conventions from philosophical reflection on justice therefore presents a challenge for researchers in spatial disciplines to suspend their chauvinism about the use of spatial vocabularies in other fields. It should be possible to attend to the spatializations of concepts in other fields, by asking what the use of spatial vocabularies is doing in the elaboration of conceptual analysis, rather than presuming the first responsibility is to correct other traditions for having the wrong ontology or being merely 'metaphorical' in their usage.

2 The scope and sites of justice

Impetus to the geographical turn in moral and political philosophy was in part provided by Rawls' (1999) *The Law of Peoples*, in which he rejected the argument that the principles worked out in his earlier seminal account of distributive justice could be applied beyond the nation-state (ibid., 115-119). Rawls consistently argued that 'the subject of justice' should first and foremost be the institutions of society which sustain deep and pervasive inequalities - what he called 'the basic structure of society'. Philosophical debates about global distributive justice and global egalitarianism ask whether it is plausible to think in terms of a 'global basic structure', and whether it is appropriate to extend and revise the scope of application of principles of egalitarian justice accordingly. These arguments play out between those who advocate an ethics of assistance and those who make stronger arguments about global distributive justice (see Barry and Pogge 2005, Chatterjee 2004, Kuper 2005, Tasioulas 2005). Some writers have sought to develop Rawls' approach despite his own reservations. Chief amongst these is Thomas Pogge (2001b, 2001c, 2002), who combines philosophical analysis with social science to argue that it is not adequate to reason about obligations to 'distant strangers' less fortunate than oneself from the perspective of a potential helper. It is more appropriate to acknowledge that 'we' in the West stand in the position of supporters and beneficiaries of global institutional systems that contribute to the impoverishment and disenfranchisement of distant others. Pogge's point is that questions of global responsibility are not merely matters of personal morality - they are issues of equality, justice, and public policy (see also O'Neill 2000).

Cutting across these different positions on the *scope* of principles of justice there is debate on the question of what range of activities should be evaluated by a distributive conception of justice. In arguing for the primacy of the basic structure as the subject of justice, Rawls imposed a restriction on the range of activities that theorizing about 'social justice' should be expected to address - attitudes, dispositions, personal

judgements were not considered by Rawls to be the primary concern of a theory of social justice. For Rawls, these are matters of ethical judgment and personal virtue rather than evaluations of justice. Debates about the *site* of distributive justice (Pogge 2000) focus on the question of whether the Rawlsian restriction of questions of justice to the basic structure is justified. The argument that criteria for assessment of institutional structures should also apply to a morality that governs personal conduct is most forcefully developed by G.A. Cohen, one-time doyen of so-called Analytical Marxism, a tradition of thought whose reconstruction of the Marxist concept of exploitation in distributive terms has barely registered in geography's debates. Cohen's long-running critical engagement with liberal theories of justice (see Cohen 2001), informed by a resolutely collectivist understanding of freedom (see Cohen 2009), culminated in his *Rescuing Justice and Equality* (Cohen 2008), published shortly before his death in 2009:

Cohen takes aim at the dualism Rawls imposed between the organisation of economic and political affairs in line with principles of justice, on the one hand, and the individual choices people make within these arrangements, on the other, which are not subject to these principles. Cohen's argument is that a properly egalitarian account of justice requires the cultivation of an egalitarian 'ethos' in daily life not just at the level of institutional design. In contrast to Sen, for whom Rawls' approach is too 'transcendental' in seeking after ideal principles, Cohen thinks that Rawls is not transcendental enough! For Cohen, Rawls' allows too much scope for certain 'facts' (i.e. assumptions about human motivations and incentives) to determine fundamental principles, notably in the famous Difference Principle, according to which inequalities in rewards are justified if their overall outcome is to the benefit of the least well-off. Cohen argues that assumed facts about what will motivate differently-placed individuals should be irrelevant to establishing fundamental principles of justice. Seeking after a Platonic bedrock of justice beyond such worldly considerations leads Cohen to a radical endorsement of the principle that 'non-coercive' structures such as conventions, social ethos, and personal choices should also fall under the evaluation of egalitarian principles of justice.

There are, then, a set of ongoing debates in moral and political philosophy about the *scope* (global or national) and the *sites* ('coercive' institutions of the basic structure and/or 'non-coercive' fields of personal conduct and social ethos) of egalitarian justice. However, cutting across these debates is another set of approaches, in which egalitarian aspirations are made to answer more fully to equally compelling principles of democratic legitimacy. This is in part a methodological challenge, as articulated by Seyla Benhabib (2004, 110-114) for example, who holds that arguments in favour of global redistributive justice or global egalitarianism tend to be monological in asserting principles applicable everywhere without considering their compatibility with principles of democratic self-governance. Nancy Fraser (2008) makes the same argument against the 'dogmas of egalitarianism', identifying a tendency to deduce principles of global justice or global democracy from the 'facts' of people's entrapment in globalized chains of affected interest. For both these thinkers, principles of justice must be interpreted dialogically.

Theorising justice dialogically necessarily transforms theories of justice into theories of *democratic justice* (e.g. Shapiro 1999; Young 2000). On this view, issues of justice are intimately related to discerning the geographies of inclusion in effective and legitimate democratic polities. Fraser (2008) and Benhabib (2002, 2006) both engage directly with these geographical issues. Fraser argues that principles of democratic justice need to be reconfigured around the spatially expansive principle of

affectedness, in terms of an ‘all-subjected’ principle, one which trumps membership as a criterion of democratic inclusion. By contrast, Benhabib’s account of ‘democratic iterations’ is more forgiving of the imperatives of closure involved in the national-framing of democracy and justice. This is because she acknowledges the importance of situated contexts of social integration and solidarity within which capacities to be affected by and respond to the claims and concerns of others are learned (see Bridge 2005, Calhoun 2007).

One finds in Fraser, Benhabib, and other theorists of transnational politics working a post-Habermasian vein (see Bohman 2007, Scheuermann 2006), is an intuitively ‘striated’ sense of the geographies of democratic justice that contrasts with the rather ‘smooth’ spatial imagination of theorists of global redistributive justice and global egalitarianism. This striated geographical imaginary is evident in the last works of Iris Marion Young, one of the most influential political philosophers in human geography over the last two decades, who died in 2006. These works develop a conceptualization of political responsibility that builds on the worldly example of global social justice movements. Young’s own re-theorization of justice stands in critical relation to the Rawlsian heritage, deepening the definition of the basic structure to include a range of non-distributive issues, such as the social division of labour, structures of decision-making power, and processes of cultural normalization (see Young (2006). In contrast to the type of monist position defended by Cohen, Young reaffirms the principle of two levels of moral evaluation: “one to do with individual interaction and the other to do with the background conditions within which that action takes place” (2006, 91). She affirms that questions of justice refer primarily to the latter level.

Young insists on not collapsing institutional analysis into the analysis of individual interactions. Her concern is to not reproduce a discourse of blame and guilt by applying a single standard of justice to both social structures and individual action (Young 2003). Young theorises political responsibility a collective practice in which questions of justice are articulated with the evaluation of individual level conduct and interaction in a non-reductive way. She proposes a ‘social connection’ model in which political responsibility is understood to arise from the ways in which different actors are implicated in structural social processes (Young 2004). Young’s account of political responsibility therefore has strong affinities with the account of the geographies of responsibility developed by Doreen Massey (2004, 2006). What is notable about Young’s account, though, is that she sets out an understanding of political responsibility that displaces the opposition between *individual* responsibility and *collective* responsibility. Young (2007, 179) calls this alternative a model of *shared responsibility*, one in which responsibility is distributed across complex networks of causality and agency (see also Berlant 2007, Butler 2005).

The lesson of Young’s work is that theorizing about political responsibility in a global world requires more than just telling stories about spatially extensive networks of connection and entanglement. Her forward-looking account of *taking responsibility* (see Barnett 2009) emphasises issues of power, privilege, interest and capacity for action, as well as spatial relation (Young 2007, 181-186). There is a challenge here to the prevalent ways in which geographers have approached the task of theorising these types of extended relationships. The admonitory tone of the burgeoning field of ‘geography and ethics’ has shaped pedagogies and research agendas in which it is assumed that having more geographical knowledge should in itself be an impetus to effective action. But it might be intensely *de-motivating* to be constantly required to recognise and act upon the responsibilities that may theoretically follow from one’s more or less intentional entanglement in complex spatio-temporal patterns of

production, consumption, communication, distribution, exchange and disposal. In reproducing prescriptive pedagogies of global responsibility, academic geography might well be complicit in disseminating the experience of what Robbins (2002) calls 'the sweatshop sublime', the aesthetic structure characteristic of contemporary discourses of 'global feeling' around climate change, trade justice, humanitarian disaster, and environmental futures, in which access to *knowledge* about infinitely demanding responsibilities generates a sense of powerlessness to *act* on those responsibilities (cf. Barnett *et al* 2008, Clark *et al* 2008, Barnett *et al* 2010, Micheletti and Stolle 2007). Young, in short, helps us see that, if virtues other than justice alone are required for effective global action and that if feelings of responsibility are amongst these, then there is also more to responsibility than knowledge.

Rather than thinking of philosophy as a place to visit in order to find idealized models of justice or radically new ontologies, there is an identifiable shift amongst moral and political philosophers towards starting from more worldly, intuitive understandings of injustice, indignation, and harm, and building up from there. This is associated with a revival of practical reason understandings of ethics and an opening towards certain styles of social scientific research. Subsequent *Progress Reports* will delve further into this ongoing convergence between re-socialized philosophies of action, and social theories re-sensitizing the social sciences to issues of normativity.

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