Love and Justice
PHIL 196, Sec 001 Winter 2011
MW 2:30 – 4:00 pm
3254 LSA Building

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Course Description

I love you….I want justice….Have I treated you fairly?….Can we be friends?….You have no right to do that….It is the just thing to do….Let justice roll down like waters….All you need is love….All is fair in love….Justice is blind….Love is blind….

Aristotle, in the *Nicomachean Ethics* (ca. 335 BCE), posited two fundamental virtues of human relationship: justice and love. In this course we will undertake a philosophical inquiry into love and justice — exploring them separately, in harmony, and in tension. I invite you to join me in drawing upon philosophical texts as well as expressions of love and justice in literature, music, drama, and art, to think through love and justice in our own lives, our public and personal situations, our own societies, our own ways of being with others. And to ask: can life be worth living without love or justice or both?

These are large topics: indeed, can there be topics larger than love and justice? And are there any topics more fraught with difficulty? How can we understand love? How can we define justice?

And what do we do when love and justice appear to be in conflict? How do we respond, for instance, when, in Shakespeare's play, Macbeth's and Lady Macbeth's love leads them to the murders of Duncan and MacDuff's wife and children? Can we, like Bishop Tutu in the South African Truth and Reconciliation Hearings, really appeal to love and mercy, in contradistinction to justice, in the face of the atrocities committed in the apartheid era? What does it mean to say to the mixed race couple of the 1960s or the homosexual couple of today that their love receives no sanction in our system of justice? What do we do when, in a loving relationship, desire overpowers the good of one or both participants — that is to say, leads to unjust treatment? Conversely, where is love to be found in a relationship that revolves only around what each owes the other? Should we acquiesce in the idea of a loving God creating an unjust world?

Our explorations will necessarily be preliminary and guided by the idea that the process of inquiry into matters as important as love and justice is itself worthwhile and informing — and, perhaps, in itself an act of love and an aspiration to justice.

Some preliminary thoughts

The course represents for me a renewed effort in an inquiry that I first took up as a graduate student many years ago, one which has lain dormant for some time. It is a topic that has always been important to me, and I seek your help in exploring it. What are some preliminary thoughts that we might pursue about love and justice? Let me propose that both are ways in which we approach the Other.

Justice, long symbolized in Western civilization by a blindfolded woman holding a balance, safeguards the equality and equity necessary in such an approach to the Other if we are to have community. It balances interests and persons; it receives the world and asks, how can we ensure reciprocal autonomy and mutual respect among those in society? Justice, we might hypothesize, is *responsible* — indeed, Plato in *The Republic* suggests that it is the very *form of responsibility*, possibly the heart of morality as such,[i] the virtue of recognizing one's fundamental *obligation to the other person*. It entails the recognition of the Other as an Other, and gives to each his or her *due*.

Love, on the other hand, transcends what is given; it is a movement toward the Other, an uncovering of the uniqueness of the Other, a sharing with the Other. Love, we might imagine, is not concerned with equality, equity, and balance; it can be partial and committed; it takes the world and asks, how can we *together* make it new, more valuable, more what it is in its best self? In this way, might we say that love may *threaten* justice, as chaos threatens order, as the new threatens the established? And yet, isn't love without justice in danger of becoming self-obsessive and indeed blind? Love, we might hypothesize, is *responsive* — indeed, it may be the very *form of responsiveness*, and an alternative candidate for the heart of morality as such, the virtue of recognizing one's *full participation with the other in remaking the world in our image.* It entails the desire, attraction, or endearment for the Other as Other, and gives to each…a new future.

I have written as if love and justice always pertain to the relationship of humans, but clearly we can love or hate many things, and we can do justice or injustice to many things. Your college educations will be, in part, careers in love and justice: what subjects attract you? What and who command your commitment, your loyalty, your interest? How do you do justice to the subject, to your fellow students, to your roommate, to ideas? How do you *learn* to love this idea, that place, those persons? (Because, as the philosopher Nietzsche says, love, too, must be learned.)

Modes of love, domains of justice

In English, "love" is a broad term that can cover a raft of virtues and vices. Not all languages have such an encompassing term for the matters of the heart; the Ancient Greeks, for instance, had a number of terms for what we today in English call love. To help organize our inquiry, we will utilize a schema, derived from the Greeks, of

four fundamental modes of love: *eros,* or love as desire*; storge,* or love as familial affection; *philia*, or love as friendship; and *agape,* or love as selfless goodwill. Similarly, for sake of inquiry, we may divide justice into three forms: *distributive justice*, or the justice that deals with the proper distribution of things of value among people; *rectificatory justice*, or the justice of setting right the relations between people when they have been disrupted; and *transitional justice*, or the justice of moving from a situation of rank injustice to one of full justice in a community that now fully integrates those who have been previously repressed.
So, we will look at conflicts between these modes of love and these domains of justice. What do we make of situations where, for instance, *eros* and *distributive justice* collide — as when the state, or families, or other authorities seek to regulate sexual relations, or marriage, or sexual reproduction? Or situations where *agape* and *rectificatory justice* are in conflict — as in the South African Truth and Reconciliation process, or God's creation of the world?

Readings and viewings
Philosophical readings will likely include works by thinkers such as Plato, Aristotle, Mo Tse, Max Scheler, Luce Irigaray, John Rawls, and others. We will pair our philosophical readings with films, possibly including *Hiroshima Mon Amour, My Sister's Keeper, Slingblade*, and others*;* plays such as *Much Ado About Nothing* and *Antigone*; short stories by authors including Raymond Carver, Italo Calvino, and Isak Dinesen; poems; works of art. The arts offer many great reflections on love and justice — and indeed, the arts in popular culture do so as well. I suspect hat each of us has a song, a poem, a story — something that resonates deeply within us — that says something about our own loves, that helps us interpret our own lives. You will be encouraged to think about how and why these symbolizations, these artistic expressions, have meaning to you: why do you love them? How do they define you? We will look to see how philosophical concepts help shed light on such expressions, and how such expressions inform our philosophical inquiry, our effort to examine our lives.

Class Requirements
Philosophy at its best, in my view, presents an interesting combination of self-reflective thinking and other-engaged dialogue. Your grade will have three components: writing, engagement, and quizzes/homework. The writing will give you a chance to reflect in what I hope will be a fairly deep way upon philosophical ideas, their meanings, and their applications to situations in which we are called upon to love or to be just. Engagement provides opportunities for you to participate in a more dialogical form of learning, discovering and exploring issues, refining your ideas, and working with others. Homework modules and quizzes will help you gauge your mastery of the philosophical concepts we develop.
Writing will focus on a term paper due at the end of the semester. You will have the opportunity to submit a short, ungraded prospectus of the paper early in the semester, for review. You will also have the option of submitting a short version of

the paper, for review and optionally graded, about half way through the semester. I encourage you to take advantage of these opportunities.
Engagement will consist of a number of activities, including full class discussion, work with partners, extracurricular activity, etc. My fundamental request is that you contribute to the intellectual life of the class — to advancing our explorations of the topics at hand and to building, or attempting to build, an academic community.

What I hope you and I will get out of the course
This is a philosophy course, which I take to mean it is a course in *examined life*.[ii] This course is more about questions than answers, but it is about particular sorts of questions, questions that engage in the age-old philosophical pursuit of wisdom. We are going to search for the good, the beautiful and the true in the context of loving and just relationships. If we engage responsibly and responsively in this endeavor, I believe we will take several things away from this class. So here are my hopes and the opportunities that I will try to provide, first for you as students:

- *To develop your abilities and skills in critical and interpretive inquiry, which differ in important ways from instrumental problem-solving and scientific inquiry.*

- *To deepen your understanding and appreciation of the moral complexity of human persons, human relationships, and human societies.*

- *To think from your own perspective about your activities of love and justice, your relationships to others, and the ways in which love and justice bear on those relationships. To come to grips with issues of love and justice in public and private life.*

- *To see that college is a wonderful time to explore the ideas of love and justice and to become more virtuous in these ways of being.*

- *To begin in a new way to learn to read complex texts, such as philosophical or literary texts; to develop the ability to interpret key passages in a way that treats them in context, and ultimately to develop skill for interpreting the "book of the world." To learn to interpret and reflect on symbolic complexes (poems, songs, movies, stories, etc) that are meaningful to you, and to develop those symbols both* theoretically *and* dialectically*, as Plato might say.*

- *To gather some sense of the multivocity of philosophical thought, and to begin to see where your thought fits into it. To convince you that each of you has a philosophy that is waiting to be given voice, and that it is important to give it voice.*

- *To help you develop your ability to engage in meaningful and respectful discourse about things that matter, and about which we might disagree. To help you develop your sense of duty to speak, because your internal philosophy comes from*

all those who have contributed to your experience: to speak is an act of love and an act of justice.

- *To develop an understanding of the difference between the causal and the meaningful, the explanatory and the interpretive/justificatory, the factual and the valuable, the subjective and the objective.*

- *To come to grips with the "examined life," both personal and collective, and to see it as an orienting idea for intellectual and moral growth. I want you to confront your beliefs, develop your moral voice, and, as Friedrich Nietzsche would say, to become "human beings who are new, unique, incomparable, who give themselves laws, who create themselves."*[iii]

And for myself, in addition to the above, I hope:

- *To learn more of what the world looks like from a position more than a quarter-century younger than my own, and thereby better to understand you as participants in our shared institution.*

- *To have your views, your understanding, and your aspirations inform my own thinking about love and justice.*

- *To come out of this course having advanced, with your help, my own work in the philosophy of love and justice.*

- *To refine and develop, with your help, this course, so that it will be better in the future.*

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[i] The Ancient Greek word for the idea of justice is *dikaiosyne*, which could also be translated as "righteousness." It should be noted, however, that *The Republic* can be read as a cautionary tale of justice taken to excess. We shall explore that issue.

[ii] In Plato's *Apology*, Socrates famously says that the unexamined life is not worth living.

[iii] *The Gay Science*, Section 335.