Justice: Social, Criminal, Juvenile
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Editors' Introduction

We are delighted to bring you the 34th volume of *Social Philosophy Today*. Each year in this journal, the North American Society for Social Philosophy (NASSP) publishes selected and peer-reviewed papers presented at the previous year's annual International Social Philosophy Conference. Each year's conference features a theme but also welcomes papers on other topics in social philosophy. For the 2017 conference, held at Loyola University in Chicago, the theme was "Justice: Social, Criminal, Juvenile." We received papers addressing topics in each of these domains of justice individually and also papers exploring topics at the intersections between them, such as questions of social justice for offenders.

This issue includes seven papers submitted and chosen through an anonymous peer review process, as well as one of the keynote addresses from last year's conference, by Lisa Guenther. In addition, the issue contains four commentaries and an author's response from the NASSP 2016 Book Award 'Author Meets Critics' session (awarded at the 2017 conference), which honored Tommie Shelby for *Dark Ghettos*, his insightful account of the injustices underlying the persistence of disadvantaged black communities in America.

Part I. Social philosophy often is centrally concerned with theorizing about the plight of society's marginalized groups. Perhaps no group in society today is more marginalized than people with criminal convictions who are imprisoned in long-term solitary confinement. Not only are these individuals locked away from society at large, but they are isolated even from other prisoners. Lisa Guenther, in her keynote address, "Unmaking and Remaking the World in Long-term Solitary Confinement," takes the Security Housing Unit in Pelican Bay State Prison as a case study in how prisoners in solitary confinement can find novel ways to engage in collective resistance. For the Pelican Bay prisoners, this meant use of a hunger strike to reclaim "their perceptual, cognitive, and expressive capacities for world-making,

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even in a space of systematic torture." Guenther's address both highlights the resilience of humanity, even in conditions of extreme deprivation, and calls on us as a society to reconsider the oppressive, isolating structures in which we warehouse certain stigmatized members of our population.

Part II. Related to our conference theme of "Justice: Social, Criminal, Juvenile," we offer three diverse papers, each of which draws on disparate literatures to shed new light on contemporary challenges. First, Chloë Taylor examines the tension between, on one hand, prison abolitionists' critiques of the institution of criminal punishment, and on the other hand, calls by feminist scholars and activists for increased convictions and longer prison sentences in response to sexual and gender violence. In "Anti-Carceral Feminism and Sexual Assault—A Defense: A Critique of the Critique of the Critique of Carceral Feminism," Taylor adopts Elizabeth Bernstein's phrase "carceral feminism" to describe the inadequate efforts of feminists to critique the institution of criminal punishment. Taylor contends that feminists should embrace an anti-carceral response even in the context of cases involving sexual assault or other forms of sexual or gender violence.

Next, in "Towards a *Poliethics* of Enhanced Responsibility," Carmen Madorrán Ayerra asks what concept of responsibility is appropriate to confronting modern challenges of environmental and social justice, in which the impacts of our ethical choices often extend further than ever in spatial and temporal terms. Ayerra offers an in-depth conceptual analysis of responsibility, an account that draws on the notion of *poliethics* developed by Spanish philosopher Francisco Fernández Buey. Buey's notion of poliethics highlights the important connections between the contexts of ethics and politics in conceptualizing responsibility. Ayerra ultimately offers 10 principles to serve as a basis for a poliethics of responsibility.

In the third essay in Part II, Irene Ortiz rethinks the traditional legal grounds for conferring citizenship—by bloodline and by birth in the territory (*jus sanguinis* and *jus soli*)—in order to imagine a more just system for those residents of countries who do not have those traditional paths to citizenship. Following Ayelet Shachar, Ortiz suggests a third route to justice for those (so-called) "alien residents": *jus nexi* or "rootedness as a basis for membership."

Part III. In our next section, questions of epistemic justice take center stage. First, Abigail Gosselin examines the respects in which the stigma of mental illness can tend to discredit a person's epistemic agency. Although this discrediting may sometimes be justified, at least to an extent, Gosselin points out that the stigma of mental illness can lead to overgeneralization and misunderstanding, and thus to a failure to make realistic and nuanced judgments about the extent to which a person's epistemic agency is actually diminished. Thus in her article, "Mental Illness Stigma and Epistemic Credibility," Gosselin ultimately endorses a contextualized approach in interactions with people with mental illness, one that recognizes that

people may have diminished epistemic agency with respect to certain functions in certain settings but not to others.

Next, in "Epistemic Injustice and Its Amelioration," Ben Almassi focuses on a question related to epistemic injustice that has received comparatively little attention: namely, appropriate responses to such injustice. Almassi defends a relational approach to restorative epistemic justice that draws on Margaret Urban Walker's theories of moral repair and reparative justice. An advantage of these approaches for thinking about epistemic injustice is that they prioritize non-ideal theorizing: how to move forward in circumstances of injustice, to repair the relationship between victims and wrongdoers, and of each with their community. Almassi contends that the notion of epistemic restoration and repair is preferable to other candidate responses to epistemic injustice, such as retribution or restitution.

Part IV. This section features two more essays exploring diverse justice-related questions. First, Matt Silliman and David Braden-Johnson offer a philosophical dialogue in which two characters, Russell and Jules, debate the significance of David Hume's is-ought gap. Jules contends that all nontrivial human discourse includes tacit normativity—that description and evaluation are unavoidably interdependent. Russell, by contrast, argues that precisely in virtue of the tacit normativity of discourse, the is-ought gap remains. Although the discussants' positions shift somewhat over the course of the dialogue, neither is ultimately persuaded by the other's view.

Next, in "Rawls, Libertarianism, and the Employment Problem," Larry Udell argues that employment should be added to John Rawls's list of primary goods. Udell contends that although Rawls advocated government as employer of last resort, he never adequately integrated this idea into his theory, instead treating unemployment as "a technical problem in macroeconomics" and thus as "exogenous to the theory of justice." By contrast, Udell contends that employment should be integrated explicitly into Rawls's theory, among the primary goods. Udell intends this addition as a friendly amendment to Rawls's theory, and he offers reasons to think that Rawls himself would have approved of the addition.

Part V. Finally, we offer the commentaries and author's response from the NASSP Book Award, which went to Tommie Shelby for his outstanding 2016 book *Dark Ghettos: Injustice, Dissent, and Reform*. First, Greg Hoskins offers a synopsis of Shelby's "timely and timeless" work which builds a detailed scaffolding of principles meant to ground the call for a "renewed ghetto abolitionism." He describes Shelby's attention to the systemic injustice that maintains these communities of concentrated poverty and his (Shelby's) recognition of the "immense burdens" members of these communities bear. Hoskins frames his comments with the Langston Hughes's poem "Let America Be America Again," and concludes with a description of the hope that Shelby's work can instill by providing a path forward.

Inspired by his own employment history, Patrick Taylor Smith raises questions for Shelby about the responsibilities and possibilities for action of the more privi-

leged "non-ghetto allies." Karen Adkins presses Shelby on the issue of gentrification which he brackets out of the current work. Shelby distinguishes between integration (which he rejects) and desegregation which allows for continued self-segregation for traditionally marginalized communities who benefit from the solidarity more homogenous neighborhoods can provide. Adkins sees gentrification as threatening to those benefits. And Emily McGill challenges Shelby on his presentation of the ethics of reproduction because she reads his critique of welfare reform as including an acceptance of moral failure in poor women specifically who "choose" to give birth in circumstances that preclude access to resources for properly caring for those children. McGill sees that presumption as unjust to women.

In his response to the discussants, Shelby first engages with the issue raised by Adkins: the consequences of gentrification on poor black communities. He offers a nuanced account, which claims that whether gentrification could ever be justified will depend on what other policies are put in place and on the attitudes and conduct of wealthy newcomers to disadvantaged communities. Shelby next responds to McGill's worry that, in his discussion of the Reproductive Responsibility Principle (RRP), he assumes ideal reproductive and family justice. RRP tells us that "you should not bring a person into existence when you know (or should know) that it is highly unlikely that you will be able to fulfill the obligations thereby created." Shelby emphasizes that the public often shares blame for failures to satisfy RRP, and that when a woman reproduces in violation of RRP specifically in response to the threat of violence, her decision is surely not blameworthy. In response to Taylor Smith's question about the duties of the privileged under unjust conditions, Shelby endorses four principles: the duty to contribute to making society more just; the duty to lessen the burdens on the oppressed; the duty to avoid exploiting the unjust scheme for personal advantage; and the duty to cultivate solidarity with the oppressed.

We are grateful to NASSP, especially President Sally Scholz and the Executive Board, for allowing us to continue in our role as editors of *Social Philosophy Today*. We also thank the authors of the works collected here for producing such high-quality, thoughtful philosophical analyses, as well as the anonymous referees who generously gave their time to help us produce this volume. We are grateful to Loyola University's Heidi Malm, the local host of the 34th International Social Philosophy Conference. And as always, our sincere thanks go to Diana Malsky of the Philosophy Documentation Center for guidance throughout the production process.

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