

Philos 117AC, Fall 2017

Main Text:

Tommie Shelby, "Justice, Deviance, and the Dark Ghetto"

The "Ghetto":

"Ghettos": Shelby's (somewhat outdated?) term for poor, urban communities, predominantly of historically marginalized or subordinated racial or ethnic groups.

"Ghetto poor": people who live in the ghetto (and, perhaps, have no other option).

Vicious cycles:

- *Housing*: Not only "white flight," but also deliberate, concerted policies of segregation.
- *Employment*: Fewer jobs, statistical discrimination of job seekers.
- *Crime*: Forms of crime that would not be tolerated elsewhere establish themselves.
- *Policing*: If police cannot be relied on to provide protection and settle disputes, then people will seek "self-help."
- *Education*: Less funding for schools supported by local taxes.

Pick one or two of these factors, and think through how they are likely to lead to the others...

Opposing views:

- "The problem of the ghetto is the bad values and character of the ghetto poor. They need to take responsibility for themselves."
- "The problem of the ghetto is the social conditions it puts people in. We should not blame the victim; we should instead improve social conditions."

A point that Shelby makes in passing, but worth emphasizing: It is coherent *both*...

- to criticize some members of the ghetto poor for their choices *and*
- to criticize the failure of others to improve (or simply not to worsen!) their situation.

Just think of parents raising teenagers under "ghetto" conditions!

- As parents, they will criticize their teenagers if and when they make bad choices.
- As observant people, they will criticize the social conditions their teenagers face.

Making both criticisms at the same time might *seem* incoherent, because we might think that:

- "If *they* are responsible for it,
- then *others can't* be responsible for it."

But it isn't in fact incoherent, because "responsible for it" means different things.

- Ghetto poor who make bad choices are "responsible for it" in the sense that they can be *blamed for their bad choices*. Indeed, this might be so *even if it was harder* for them to avoid those bad choices. Blaming someone for a bad choice may be appropriate even if it was hard for them to avoid the bad choice.
- But others are "responsible for it" in the sense that they have an *obligation to improve the bad conditions* in which people make such choices.

Shelby's question:

- Given that the conditions of the ghetto are unjust, what criticism of ghetto poor is appropriate?

- In particular, given that the conditions of the ghetto are unjust, when, if ever, can we criticize the ghetto poor *for not fulfilling their obligations*?
- Which depends on the question: Given that the conditions of the ghetto are unjust, *what obligations do the ghetto poor have*?
- Or, more generally, what obligations do people facing unjust conditions have?

Two kinds of obligation:

1. Civic obligations:

- Held by citizens, owed to other citizens with whom they are cooperating.
- The content of civic obligations is determined by the institutions.
- A matter of reciprocity, doing one's fair share, not free riding.
- Comparable to Rawls's "principle of fairness": to do one's part in a cooperative system, when one chooses to benefit from that system, so long as it is just.
- But the system is not just, at least for the ghetto poor.
- So they do not violate civic obligations when they "refuse to accept menial jobs or to respect the authority of the law qua law," or engage in victimless crimes, such as "welfare fraud, tax evasion, selling stolen goods, and other off-the-books transactions."

2. Natural duties:

- Held by human beings, owed to all other human beings.
- The content is not always determined by institutions.
- "The ghetto poor do have duties, natural duties, that are not defined by civic reciprocity and thus are not negated by the existence of an unjust social order."
- Shelby seems not to have in mind Rawls's "natural duty of justice" to *comply with* just institutions, which *are* in some sense "negated" by unjust institutions.
- Instead, Shelby has in mind:
 - Rawls's "natural duty of justice" to try to *bring about* just institutions.
 - Natural duties to avoid harming, and, where possible, to aid, other people. Some "attitudes and actions of the ghetto poor are impermissible, not because they are forbidden by law but because they cannot be fully justified from a moral point of view. This means, at a minimum, that the reckless and gratuitous violence, the selfish indifference to others' suffering."