

# Vivès 2018-19

June 11, 2019

Diana-Elena Popescu (King's College London)

Title: Discrimination without traits: a relational understanding of the grounds of discrimination  
Philosophical approaches to discrimination – and the legal practice the literature aims to theorise – list a set of protected grounds which are prohibited from serving as the basis of differential treatment. I argue for a relational understanding of the relevant grounds that differentiate genuine discrimination from merely differential treatment. Firstly, I argue against attempts to establish a list of protected grounds as a set of genuine traits as opposed to traits that are too 'idiosyncratic' to count as grounds of discrimination, such as earlobe size (Arneson 2006, Koppleman 2006) through analysing the historically discriminated against Cagot minority, whose defining feature was earlobe size. Secondly, I move from the seemingly isolated case of the Cagot to the paradigmatic cases of race, sex, disability and sexual orientation to show that on a constructivist reading, these protected grounds are not so in virtue of the traits of skin colour, sex and impairment, but due to how traits position individuals within social relations. Finally, I argue that contra discrimination theorists who claim that whether one has a naturalistic or a constructivist understanding of traits does not matter (e.g. Shin 2018: 199), a coherent constructivist readings leads to re-conceptualising the notion that individuals 'have' grounds of discriminations (contra Kaithan 2015), the notion of what it means to discriminate against someone because of a certain ground, as well as to uncover an additional source of wrongness for discrimination – i.e. that it contributes to establishing and maintaining unequal relations.

May 28, 2019

Refia Kaya, Manuel Valente (Hoover Chair)

Comparing and Combining Age and Gender Discrimination

This chapter is motivated by the philosophical and legal approaches which take gender discrimination more seriously than age discrimination. In terms of how they compare, we discuss whether gender and age discrimination should compare as equals. In terms of how they combine, we discuss how their unequal moral standing may affect the right treatment of multiple discrimination cases in EU law.

May 14, 2019

Amandine Catala (Université du Québec à Montréal)

Multicultural Literacy, Epistemic Injustice, and White Ignorance

The traditional blackface character Black Pete has been at the center of an intense controversy in the Netherlands, with most black citizens denouncing the tradition as racist and most white citizens endorsing it as harmless fun. I analyze the controversy as an utter failure, on the part of white citizens, of what Alison Jaggar has called multicultural literacy. This article aims to identify both the causes of this failure of multicultural literacy and the conditions required for multicultural literacy to be possible.

I argue that this failure of multicultural literacy is due to hermeneutical injustice and to white ignorance. I close by considering possible avenues for fostering multicultural literacy.

April 30, 2019

MANUEL VALENTE (UCLouvain, Chaire Hoover)

Does the Age of Wealth Matter? An Assessment of Limitarianism over Time (UCLouvain, Hoover Chair)

Abstract: In her article "Having too much", Ingrid Robeyns (2016) introduces a new principle of distributive justice called limitarianism. The principle holds that it is morally objectionable to rise above a certain (maximum) threshold of wealth. This paper attempts to place limitarianism in the debate of justice over time and asks what temporal scope we should assign to the threshold. While theories of justice tend to commit to the scope of a lifetime, threshold views are typically understood synchronically (or continuously). The most straightforward interpretation of the principle of limits is synchronic, whereby it is impermissible to rise above the threshold at any given point in time. In this paper, I consider two reasons in favour of a lifetime scope, which is to complement the synchronic interpretation of the principle. A popular argument is that lifetime is necessary to take responsibility and past choice into account. Although certain thresholds (like sufficiency) are most plausible when insensitive to responsibility, luck limitarianism seems to be a plausible approach to a maximum threshold on wealth. A less popular reason for a lifetime view concerns the significance of the lifetime of wealth, its past and expected future. If significant, this may push strict limitarianism to adopt a lifetime scope as well. In this regard, I argue that the lifetime of wealth matters to whether one has too much; the longer had the wealthy been rich, the more impermissible should their wealth be.

APRIL 2, 2019

MATTIA GOZZI (UNIVERSITÀ DI PADOVA)

The demonic transition of ordinary people in the totalitarian context

In a totalitarian context the episodes of violence are often well planned, prepared and executed: the organized exclusion, persecution and murder of thousands of victims is not happening by chance.

This is the novelty of totalitarian crimes and several actors have a crucial role in this process.

The key factor is understanding the transformation of these thousands of individuals who decide to execute the violent acts against the victims selected by totalitarian regime. This is an accomplishment that required the collaboration of thousands and thousands of individuals acting.

Based on such idea, I am going to dwell on the following questions: 1) How is it humanly possible to commit these horrendous crimes? 2) Why is it complicated to understand exactly the origin of these crimes? 3) What are the elements which encourage this 'demonic transition' by ordinary men?

MARCH 19, 2019

CAMILLE PASCAL (UCLouvain, Chaire Hoover)

The 'Obedience Challenge' in Theories of the Right

This study of chapter 12 of the Ethics discusses Dewey's interpretation of theories of the Right. Chapter 12 comes in part II of Dewey's Ethics where Dewey's main aim is to present his pragmatic moral theory.

In chapter 12, Dewey focuses on theories of the right. Theories of the right are theories that regard duty as supreme (LW 7: 180). To choose the right action is to choose an action that subordinates to the demands of duty. Hence, the role of duty in moral decision is central to understanding chapter 12.

Duty is principally a social force. It is an obligation or a responsibility that binds us to a course of action demanded by that force. As such, duty is deeply influencing us in moral decision. However, duty can be misleading and incapacitating. We often find ourselves under some obligations for the only sake that we are told that this is our duty. The challenge for theories of the right is then to explain how it is possible to, somehow, find satisfaction "in heeding the dictates of the right" so that we are not blindly obeying to what is our duty but to what we believe to be the right thing to do (LW 7: 214). This challenge is what I call the 'Obedience Challenge'.

In this article, I show how Dewey rehabilitates the role of duty in moral decision. By presenting Dewey's diagnostic of theories of the right (Kant, Bentham, Bain and Spencer), that they all face the 'Obedience Challenge', I intend to expose Dewey's constructive proposal for understanding the signification of duty. I show that it both builds on these theories and departs from them. The aim of this article is then to bring clarity one component of Dewey's view of reflective morality.

FEBRUARY 15, 2019

OLIVIER E. MALAY (IRES & HOOVER CHAIR)

How to articulate business level indicators to beyond GDP indexes?

In the last decades, new indicators have been developed to provide alternatives to Gross Domestic Product (GDP) at the macro level, and to Return On Investment (ROI) at the business level. However, these new indicators are poorly articulated between the business and the macro level. This paper aims to provide a framework of articulation between them. Firstly, we review how the micro-macro articulation is done in the case of GDP and ROI. Then, we discuss three theoretical challenges faced by an articulation of business level indicators to beyond GDP indexes. Finally, we show what a convergence should look like and how current indicators attempt to articulate the two perspectives.

JANUARY 15, 2019

Mariam Kvitsiani (Tbilisi State University)

Benefits of Moral Injury: From Transgressions to Personal Growth

Moral injury can generally be defined as participating in or witnessing of activities that may conflict with one's previously established moral code (Litz et al., 2009). Moral Injury complaints reflect an inner struggle or challenge for reconciling certain experiences with personal interpretations of right and wrong: self-condemnation, despair, shame, anhedonia, difficulty forgiving, reduced trust, aggression, poor self-care, self-harm, discord, guilt, lack of meaning in life, and internal conflict (Kopacz M.S, et al. 2015). In my research thesis I will be focusing on the process of meaning making from this kind of transgressions. While concentrating on abovementioned issues, next important objective in this study concerns to vulnerability to these kinds of transgressions. According to social-cognitive concept of moral identity, persons' moral identity is embedded in memory, containing information about moral values, goals, characteristics and behavioral scripts. As importance of this or that identity is defined by life-experience, this must be true for moral identity as well. To say it shortly, there are individual differences according to moral identity centrality. A person, for whom moral identity is central, is it important to be moral and behave moral for self-definition (Blasi, 2004). In this model, I will try to identify whether centrality of moral identity is predictor of moral injury and how can one, for whom moral identity is not central, avoids the injury, in other words, is involved in the process of moral disengagement

DECEMBER 11, 2018

MANUEL VALENTE (UCLouvain Hoover Chair)

How do Philosophers Justify Paternalism in Pensions?: A View from Distributive Justice

This paper discusses the traditional trade-off between paternalism and freedom of choice in pensions from a

distributive justice perspective. It argues that mandatory participation (at each pension pillar) can be respectively justified on the basis of sufficientarian, egalitarian and libertarian reasons. Each is put forward in a way that respects freedom and responsibility so that paternalism is justified, not as a constraint to liberty, but as something freedom and responsibility may require doing. Its purpose is to suggest how philosophers can justify paternalism in such a way that its trade-off with freedom of choice is softened.

NOVEMBER 27, 2018

Danielle Schwartz (UCLouvain Hoover Chair, Paris Sorbonne)

Justice between Age Groups : the Case of Fresh Starts in Life

The general question that this presentation asks is: Should people get help in case they want to enjoy the possibility of a fresh start? The more specific questions are: If people regret having stopped their education too early, should they be subsidized in order to participate to retraining programmes? and should people be denied any help when they decide to resign their employment contract in order to modify their life-style?

NOVEMBER 13, 2018

Lisa Basishvili, Tbilisi State University

An importance of TV Media for Democratic Deliberation and Civic Engagement

A case of Georgia

Post-Soviet country Georgia after its independence from the Soviet Union in 1991 (Slider. D) embarked on a path towards the greater democratization and integration into Euro-Atlantic organizations. The first peaceful transfer of power from the United National Movement (UNM) to the six-party Georgian Dream (GD) coalition took place in October 2012 (Report, 2016). An article "Revenge of deplorables that was published in the Economics, states - 'Eastern Europe region is characterized by low levels of popular support for democracy. Much of this stems from widespread disappointment with the political and economic transition from communism [...] This is exacerbated by political parties' weak roots among voters and the poor functioning of leading governments'. According to the Democracy Index, there are 4 types of democracy around the world: "full democracy"; "flawed democracy"; "hybrid regime" and "authoritarian regime"- Georgia, is classified as "hybrid regime". Democracy index of Georgia varied from 4.90 to 5.93, over the course of 10 years from 2006 until 2016. (Democracy Index 2016). Georgia's overall democracy score is 5.93 out of 10. (Democracy Index, 2016).

Mass Media, which is often referred as the fourth branch of government has a key role in democracy. Contemporary democratic theory undeniably appreciates the media's role in ensuring governments are held accountable (Sheila S. Coronel, 2003). In democratic societies, mass media acting as a watchdog and guardian is in fact in the public interest. (S. Coronel, 2003). Those arguments together with this one 'media have the potential to provide citizens with a better knowledge base for support of democratic principles (Sotirovic. M., McLeod J.M) and 'political knowledge that media provides affects the acceptance of democratic principles, and political participation' (William A. Galston, 2001) are proved to be true for democratic developments. However, the present democracy index indicator for Georgia's democracy is still non-optimistic, which, in accordance with the current conditions in the country give no hope for future improvement.

OCTOBER 30, 2018

Gonzalo Olmedo (Catholic University of Córdoba/Columbia University) (from skype)

Neoliberalism Still Rules: Decoding the Impact of Neoliberal Ideology in Public Policy

ABSTRACT: Neoliberalism is alive and well, despite some scholars claiming otherwise. Since its inception, neoliberalism has successfully mutated from an economic system and ideology, to a rationality wherein policy makers, implementers and recipients are immersed in its logic, in many cases unknowingly. I argue that the neoliberal rationality is present in every sphere of public and private life, and has affected not only the cosmopolitanism of how individuals see government, its policies and its legitimacy, but most interestingly, the very perception of our own selves, often precluding our capacity to work together as a collective and rise above our own individualities.

OCTOBER 16, 2018

Refia Kadayifci Kaya (UCLouvain Hoover Chair)

Age and Reasonable Accommodation

ABSTRACT: Age discrimination has been prohibited under numerous legal systems when it was revealed that disparate treatment based on generalized assumptions on the grounds of age prevents certain vulnerable age-groups from participating fully in the working life. Certain legal systems go further than this and involve a duty to provide special accommodation by considering the special needs of vulnerable age groups. This paper aims to combine the existing philosophical knowledge on reasonable accommodation and legal approaches in order to see whether "reasonable accommodation" should be extended to age issues and if extended, should the "reasonableness test" be as strict in age and non-age cases.

OCTOBER 2, 2018

Alonso Villarán (Universidad del Pacífico, Lima)

Conflicts of Interest: A Moral Analysis

What is a conflict of interest? And what is morally wrong about one? In this article I address these questions as follows. I begin with the definition and for that I organize available literature (authors) and create two continuums—one devoted to the more specific definition of “interest,” and the other to that of “duty” (two elements that belong to the definition of conflicts of interest and over which the debate revolves). In each continuum, I place the authors according to the narrowness or broadness of their positions. This facilitates the understanding of the debate as it has developed until now, as well as what is at stake when trying to define conflicts of interest. Once established the continuums, I present a moral framework based on Immanuel Kant’s (1724-1804) highly influential and illuminating deontology. This framework in turn facilitates the moral analysis that leads to the sought-for definition and the reasons why conflicts of interest are morally problematic.

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16/01/2018 – Danielle Zwarthoed - Who’s afraid of polygamous migrants? A feminist perspective on the polygamy bar in immigration law.

06/02/2018 – Olivier Malay - How to orient business towards ecological and social transformation: Gross National Happiness and Social Progress Index compared

20/02/2018 – Ali Emre - Reforming the refugee regime in Europe: A problem of democratic boundary

06/03/2018 – Camille Pascal - Residence and the Right to Vote

13/03/2018 – Levon Babajanyan – Is it morally acceptable to be cynical in post-soviet countries?

24/04/2018 – Goran Dominioni – Political Economy of Carbon Tax

08/05/2018 – Katarina Pitasse & Pedro Lippmann - Why should we give power to the poor in designing anti-poverty policies?

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16/01/2017 – Katarina Pitasse Fragoso – Sciences Sociales et Pauvreté

07/02/2017 – Greg Bognar – Catering for Responsibility

21/02/2017 – Jean-Paul Niyigena – Education à la citoyenneté et pluralisme des valeurs

07/03/2017 – Pierre-Etienne Vandamme - Le progrès humain dans l'histoire

28/03/2017 – Julian Culp - Remarks on a critical theory of Israeli school education

27/04/2017 – Refia Kadayifci - Justice and Biodiversity Conservation in Developing Countries

02/05/2017 – Olivier Malay - Do Beyond GDP indicators carried by powerful actors have a transformative potential?

16/05/2017 - Katarina Pitasse Fragoso & Nicolas Brando - Agency and the relational dimension of child poverty

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26/09/2017 - Louis Larue - Justice and the limits of money

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10/10/2017 - Olivier Malay - Musique Folk et transition écologique

24/10/2017 - Daniel Callies– Geoengineering and Institutional legitimacy

14/11/2017 - Anna Menagarishvili – Political Participation and Youth

28/11/2017 – Tinsaye Tamerat - What’s wrong with Obesity?

05/12/2017 - Katarina Pitasse Fragoso - Why we need to listen more carefully the poor: a two-fold defense

12/12/2017 – Super Vives on the Difference Principle

Vivès 2016

09/02/2016 – John Pitseys - L'obstruction parlementaire en Belgique

23/02/2016 – Danielle Schwartz – La justice entre les classes d'âge

05/03/2016 – Andrée-Anne Cormier - Common Education and the Practice of Liberal Neutrality: The Loyola High School Case

22/03/2016 – Jack Griffiths - Does Nussbaum’s Capability Approach Really “Say Nothing Against” Unorthodox Life-Choices?

19/04/2016 – Lucas Misseri - Evantropias & equality : are they compatible?

03/05/2016 – Jordi Tena - Is There an Informative Effect of Law? An Experimental Test

17/05/2016 – Katarina Pitasse Fragoso - Poverty from a multidimensional approach: the key role of the participation of the poor

07/06/2016 – Pierre-Étienne Vandamme - Democracy and the Right to Income

27/09/2016 - Anne-France Colla - Legitimate expectations

25/09/2016 - Andrew Lister - Egalitarianism and the Difference Principle

08/11/2016 - Louis Larue - A neutral and general framework for classifying currencies

15/11/2016 - Nazi Pharsadanishvili - Why Conditional Cash Transfer Schemes may improve outcomes of interest more than money alone?

29/11/2016 - Bru Lain - Common Property and (pre) Distributive justice  
6/12/2016 - Rita Bouman - Who is responsible for the footprint: The Producer, the Consumer or the Scientist?

#### Vivès 2015

13/01/2015 – Louis Larue – Monnaie et échange marchand  
27/01/2015 – Thomas Ferretti – Liberté réelle et substituabilité des biens sociaux  
24/03/2015 – Tim Meijers – Firms in parental justice: Should firms bear costs associated with procreation and parenthood?  
28/04/2015 – Maud Gauthier-Chung – Relational conceptions of autonomy in a critical perspective: the case of the IPV protocol  
12/05/2015 – Danielle Schwartz – Les contrats de génération sont-ils intergénérationnellement justes ? »  
19/05/2015 – Katarina Pitasse Fragoso – La lutte contre la pauvreté dans une perspective participative : une proposition non paternaliste  
09/06/2015 – Danielle Zwarthoed – Age and Migration  
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20/10/2015 – Olivier Malay – La prise en compte des non-humains dans les nouveaux indicateurs de richesse  
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#### Vivès 2014

14/10/2014 - Maxime Lambrecht: "John Stuart Mill, père de la neutralité d'Internet"  
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04/11/2014 - Cédric Rio: "Accélération et présentisme : rapports au temps et justice entre les générations"  
18/11/2014 - Amneris Chaparro: "A Defence of Dignity: Duties, Actions, and Expressions"  
25/11/2014 - Tim Meijers: "Migrants by plane and migrants by stork: Can we exclude one but not the other?"  
09/12/2014 - Josep Ferret Más: "The political legitimacy of central banks"  
16/12/2014 - Pierre-Étienne Vandamme: "Exploitation, bargaining power and alienation"