



Realistic Justice

How to bring justice talk nearer to ourselves

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Overview today

1. Why justice – in Western countries?
2. Why justice – in non-Western countries?
3. Idealist vs. realist theories of justice
4. Starting with equality: “enlightened” equality
5. Three formulations of equality

1. Why justice – in Western countries?

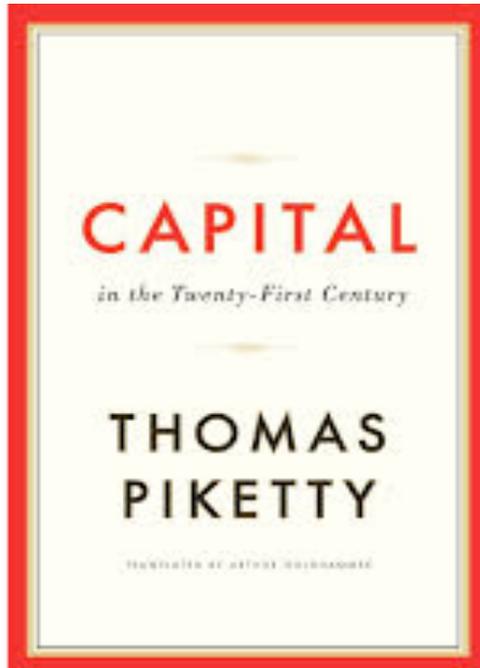
Empirical diagnosis

- (1) There is a growing tendency towards social and economic inequality (OECD, Picketty).
- (2) This growing inequality seems to be inherent to capitalism and unavoidable for capitalist countries.

Moral puzzle

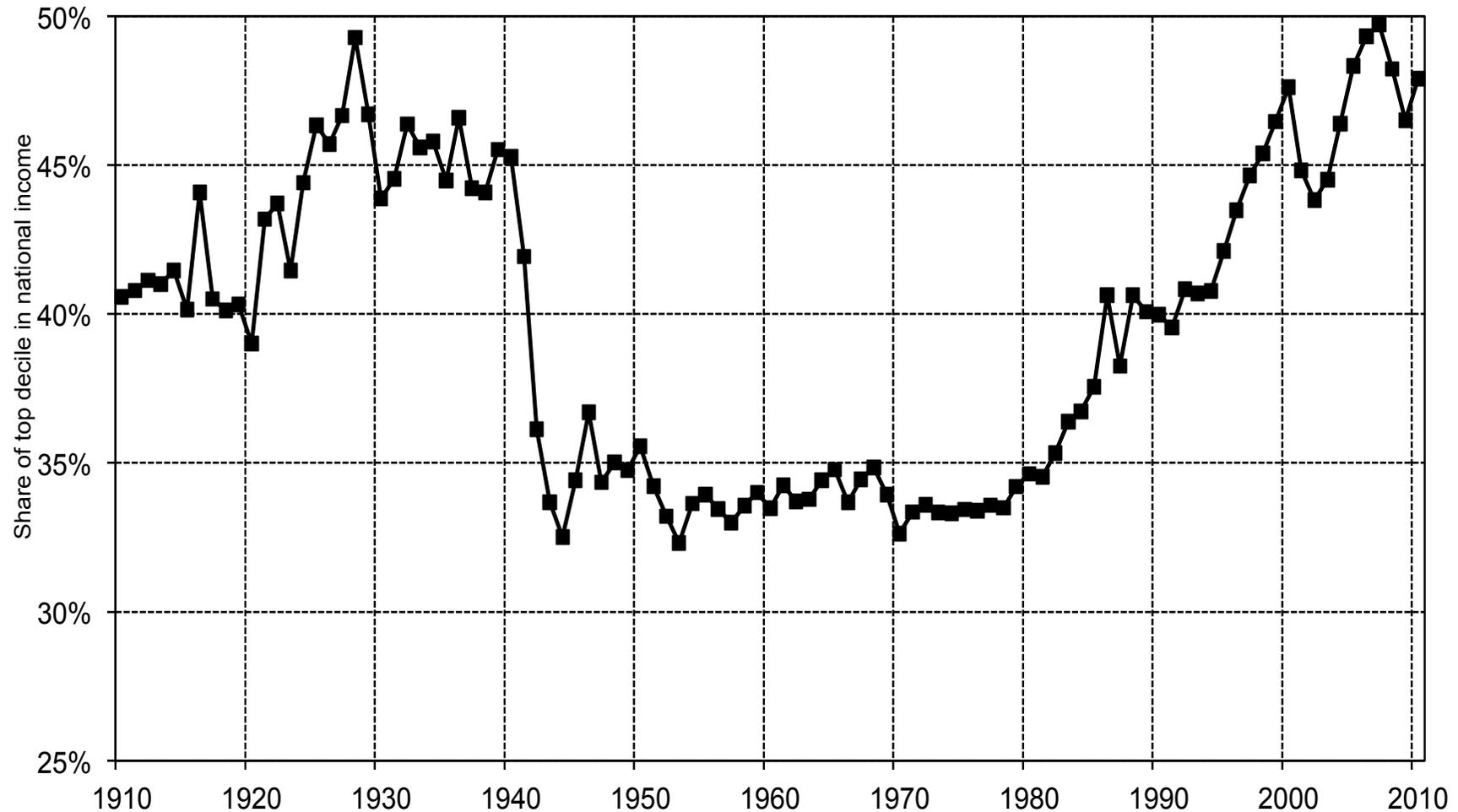
- (1) Why is inequality bad?
- (2) Difference: inequality = injustice? Equality = justice?
- (3) If A works more than B then A deserves higher wages. This is just inequality in wages.
- (4) Is the empirical diagnosis a moral problem?

1. Why justice – in Western countries?



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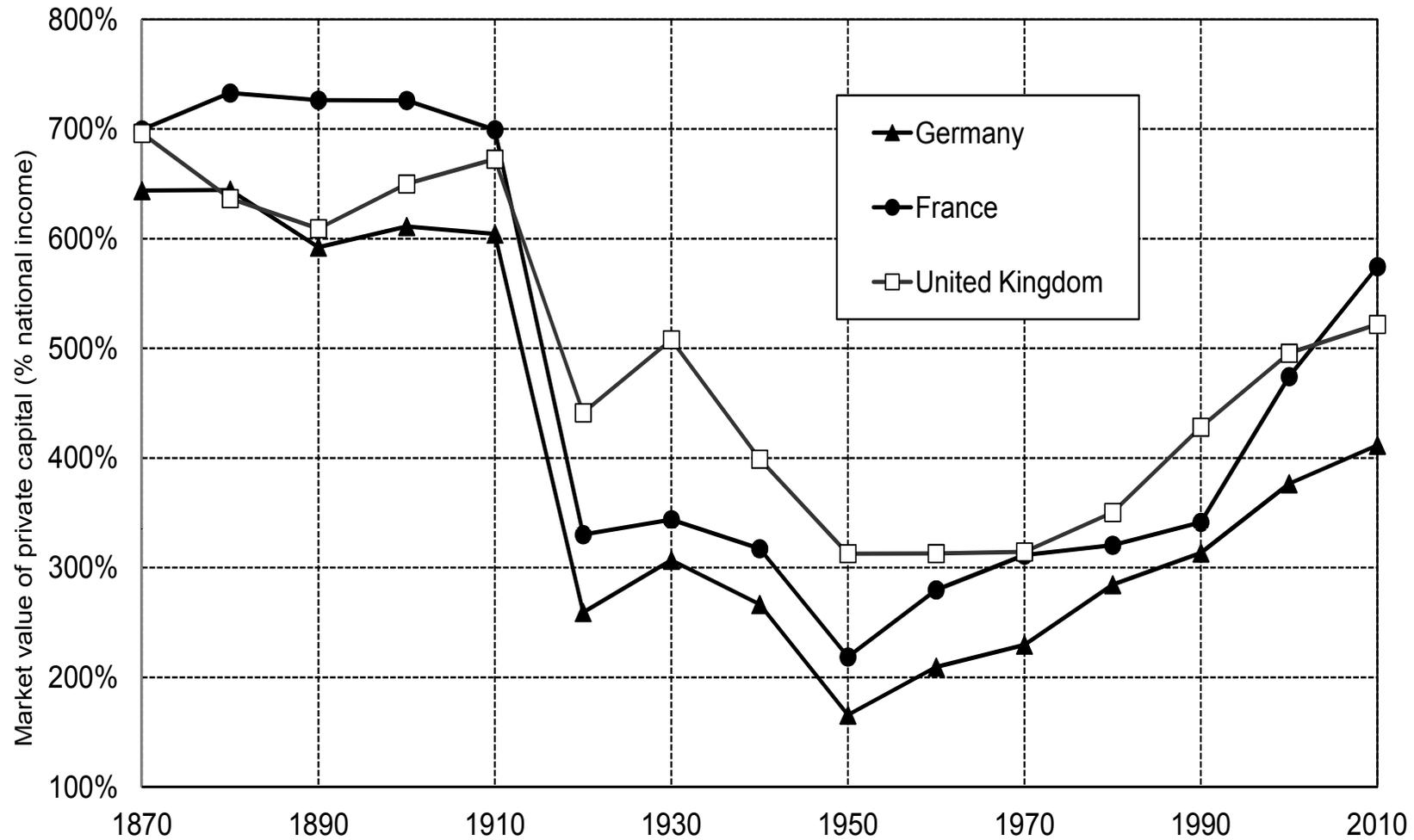
Figure I.1. Income inequality in the United States, 1910-2010



The top decile share in U.S. national income dropped from 45-50% in the 1910s-1920s to less than 35% in the 1950s (this is the fall documented by Kuznets); it then rose from less than 35% in the 1970s to 45-50% in the 2000s-2010s. Sources and series: see piketty.pse.ens.fr/capital21c.

1. Why justice – in Western countries?

Figure I.2. The capital/income ratio in Europe, 1870-2010



Aggregate private wealth was worth about 6-7 years of national income in Europe in 1910, between 2 and 3 years in 1950, and between 4 and 6 years in 2010. Sources and series: see piketty.pse.ens.fr/capital21c.

1. Why justice – in Western countries?

Table 7.3. Inequality of total income (labor and capital) across time and space

Share of different groups in total income (labor + capital)	Low inequality (≈ Scandinavia, 1970s-80s)	Medium inequality (≈ Europe 2010)	High inequality (≈ U.S. 2010, Europe 1910)	Very high inequality (≈ U.S. 2030 ?)
The top 10% "Upper class"	25%	35%	50%	60%
<i>including: the top 1%</i> <i>("dominant class")</i>	<i>7%</i>	<i>10%</i>	<i>20%</i>	<i>25%</i>
<i>including: the next 9%</i> <i>("well-to-do class")</i>	<i>18%</i>	<i>25%</i>	<i>30%</i>	<i>35%</i>
The middle 40% "Middle class"	45%	40%	30%	25%
The bottom 50% "Lower class"	30%	25%	20%	15%
Corresponding Gini coefficient (synthetic inequality index)	0.26	0.36	0.49	0.58

In societies where the inequality of total income is relatively low (such as Scandinavian countries during the 1970s-1980s), the 10% highest incomes receive about 20% of total income, the 50% lowest income receive about 30%. The corresponding Gini coefficient is equal to 0.26. See technical appendix.

1. Why justice – in Western countries?

Three projects in the face of growing injustice

- (1) **Justification project:** Can we argue with our liberal justice ideas against growing inequality?
- (2) **Motivation project:** Are the reasons we bring up from this liberal tradition based in widespread psychology or are they only „in the mind“, a sort of cheap talk.
- (3) **Capitalism project:** is capitalism a structure which allows the potential motivations for justice to catch on?

Realistic Justice: answering these three questions by help of

- (1) Philosophy
- (2) Psychology
- (3) Social science, economics

2. Why justice – in non-Western countries?

Where is the most extreme injustice located?

- Economic inequality – like in the Western countries (also Israel)?
- Economic poverty on a general level?
- Political inequality: racism (India), repression of women (some Islamic countries), missing civic public (Russia)
- Political repression: indoctrination (North-Korea)
- Political dependency: restricted nation-building (Palestine)

Conditions for justice

Cooperative system of mutual advantage in one society, normally a nation-state & widespread interest in a people to participate in it.

If missing: repression, secession, nation-building

3. Idealist vs realist theories of justice

What is an **idealist theory**?

Theory oriented at ideas/ideals which have no clear foundation in human psychology and activities.

What is a **realist theory**?

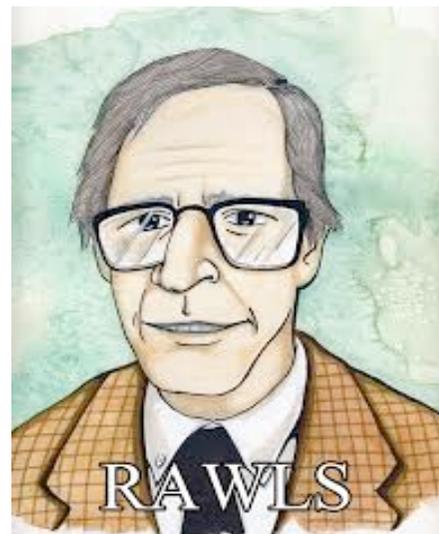
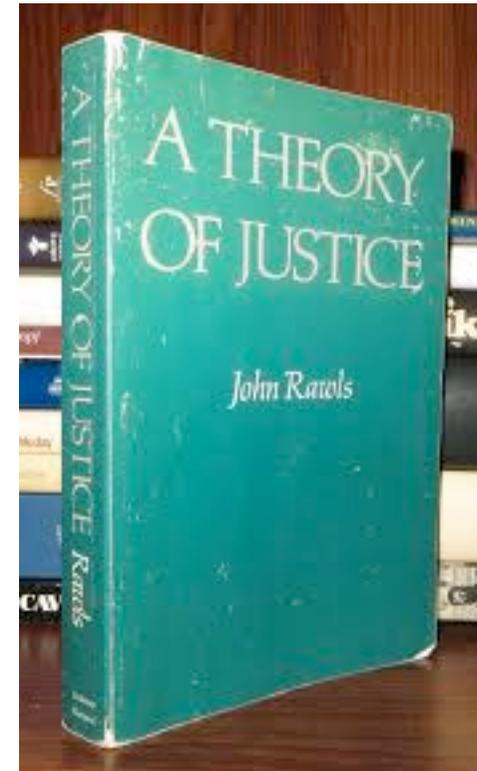
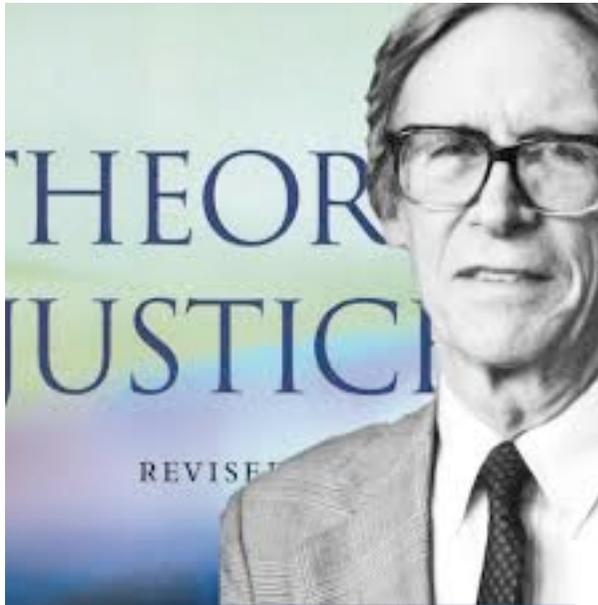
Theory undergoing the burden to show how justice will be possible by drawing on human psychology and activities.

Warnings against realism:

Too much realism: theory will be conservative

Too little realism: theory will be merely rhetoric

3. Idealist vs realist theories of justice



3. Idealist vs realist theories of justice

How to make a theory of justice *realistic*?

Rawls

Justice is a system of principles within a cooperative society for mutual advantage, depending on reciprocity.

What is meant by reciprocity?

Psychological law of reciprocity

There is a tendency in humans to answer actions of kind x with same actions of kind x (nice actions as well as bad actions)

Idea

Justice is a cultural development of this basic human law

4. Starting with equality

„**All humans are equal**“ – but why and what does it imply?

Normative vs. empirical

All humans are equal – in the sense of

“are sometimes hungry”, “live not longer than 100 years”, “do not have wings like birds” etc.

All humans are equal – in the sense of

“have the same (human) rights”, “should have their basic needs satisfied”, “are free, are not allowed to be imprisoned”, etc.

4. Starting with equality

„**All humans are equal**“ – but why and what does it imply?

Positive argument: all humans are equal because of

children of God, same DNA, same needs, same reason, same “humanity” etc.

Problem: either these properties are **metaphysical** (children of God, humanity) or they are **wrong** (same reason, same needs) or they are normatively **irrelevant** (same DNA).

Negative argument: all humans are equal because of

Proofs of human **inequality** are all unsuccessful, and therefore there is a **presumption** of normative/moral equality

4. Starting with equality

„**All humans are equal**“ – but why and what does it imply?

Typical unsuccessful proofs of human inequality

Humans are **inequal** because ...

men are stronger than women, as Catholics/Islamists/Islamists X
they have the right religion, Whites are preferred by the God of
the Bible, etc.

Why unsuccessful? Because either irrelevant (stronger) or
metaphysical (God of the Bible)

4. Starting with equality

Consequence

Moral equality needs a **culture of critical reflection**

There is

- unrestricted **freedom** to put reasons for inequality into doubt
- ability to distinguish between what is said to be right and what **is right** (not depending on what is written in a book, said by an authoritative person, being part of common tradition etc.)
- ability to find out about what is right by finding a **reasonable consent** with others.

4. Starting with equality

Consequence (extended)

Moral equality needs a **culture of critical reflection**

which includes

- an “enlightened” attitude towards claims of rightness
- an attitude which is aware of the burdens of arguments for normative claims
- an attitude which accepts that reasonable others are the addresses and arbiters of these normative claims.

Basic human equality is *procedural* and open in content

4. Three formulations of equality

What is ahead? Looking for a basis of equality which is:

- Within the constraints of enlightened equality
- Has normative content: includes principles of distribution

Suggestion: there are **three possible answers**:

- Equality on basis of **mutual advantage (Hobbes)**
- Equality on basis of **reciprocity (Rawls ?)**
- Equality on basis of **impartiality (Rawls)**

4. Three formulations of equality

What does equality on basis of mutual advantage mean?

- Members of a collective are self-interested (looking for their advantage in material and ideal goods (religion, worldview)) and do not have moral/legal/political principles among them.
- For all of them it is better if there is peace and a social order.
- Therefore, they agree (accept a “contract”) that there should be a social order by principles of equality for all.

Problems:

- Disabled, aborigines/Indians, minorities are not ‘mutual’ enough
- Collective vs individual advantage: Hobbes’ “Fool”
- Instrumental attitude towards others – nothing better? Conflict with enlightened equality

4. Three formulations of equality

Look ahead

Rawls' Theory of Justice: is it equality by reciprocity or by impartiality?

Original position:

All members of society have to decide on principles for their society to their advantage

without knowing about their **personal characteristics** (age, sex, health, wealth, family etc.). What would they decide?