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SOCIAL JUSTICE (Draft)

In *International Encyclopedia of Political Communication*, G. Mazzoleni, K. Barnhurs, K. Ikeda, R. Maia, H. Wessler eds., Wiley, 2015, 1483-1489.

Social justice concerns the fairness with which the goods and the burdens arising from collective life are shared amongst members of society. The main questions that are raised by the problem of social justice therefore relate to the different dimensions involved in the distribution of social goods : what are the different types of social goods to be distributed? What are the principles underpinning a fair distribution? What are the agents and processes ensuring that the distribution of social goods is fair?

1. What is social justice?

The concept of justice has several dimensions. It is one of the cardinal virtues of the rational individual in his or her dealings with others; it is the bedrock of the legal system; and it is the critical point from which judgement are made over the various ways in which society functions. Underneath these different dimensions and fields of application, a common unity of meaning exists, if justice is simply defined as “giving each their due”. On that definition, social justice is the kind of justice that is to be achieved when the social arrangements make it possible for everyone to receive their due. Whilst there are many dimensions to justice in general, social justice is concerned more specifically with the just distribution of resources resulting from the economic, political and cultural organisation of the community. Questions about social justice are therefore questions about the organisation of just distribution in society, it denotes “the just state of affairs ... in which each individual has exactly those benefits and burdens which are due to him by virtue of his personal characteristics and circumstances” (Miller 1975, 20), or in Rawl’s famous statement: “the adequate repartition of benefits and burdens arising from social cooperation” (Rawls 1999, 4).

Even though philosophical reflection on justice has from the beginning identified the distributive dimension inherent in it (Aristotle 2000), the issue of a just distribution of social benefits and burdens was only identified as a problem with the rise of market societies, in which on the one hand basic individual rights were granted to ever greater sections of the population, whilst on the other capitalistic forms of work organisation and the attendant social structure

created such extreme forms of economic and social inequality that they were increasingly put under the pressure of justification, were increasingly deemed unjustifiable. In brief, it is not inappropriate to claim that the question of social justice arose with the rise of the “social question”.

2. Objects of social justice

Human beings differ in “natural” sorts of ways by having varied, diverging types of intellectual, bodily and emotional endowments. To this initial “natural” form of inequality, social life adds a second kind of differentiation between individuals. Human beings are forced to cooperate, not only to survive, but indeed to flourish and bring their life projects to fruition. Social cooperation brings about a distribution of all sorts of goods and “bads”. Following Rawls, a received term to describe those goods produced by social life is that of “social primary goods”. They are the goods over which society has a direct control, as opposed to “natural” endowments like health and intelligence over which social life merely exerts an influence (Rawls 1999, 54). The list includes “rights, liberties, wealth, income, opportunities, and forms of social recognition at the basis of self-respect”. To these can be added the “bads” that are inherent in social life, like degrading or dirty work.

However, the “shares” produced by social cooperation are not distributed equally. The division of labour inevitably brings with it an unequal distribution of shares: of employment and unemployment, of the benefits of production in the form of a disparity of income and wealth, as well as in the access to more or less valued professions and types of activity. Many types of goods are distributed across society in direct relationship to the material and symbolic rewards attached to the division of labour, like educational opportunities, health resources, access to cultural resources, and so on. Attached to this distribution of wealth, statuses, life chances and opportunities across society, cultural value systems, notably around race and gender, combine to produce a certain pattern of distribution of benefits and burdens that define individuals’ overall life chances and opportunities for self-development.

The question of social justice arises in relation to this distribution of life chances, because of a specific conundrum of modern, market societies. On the one hand, some principles of fairness are already at play implicitly in the very organisation of labour and society’s cultural patterning, constraining and co-determining the existing institutions and processes involved. And yet, because the distribution of benefits and burdens is unequal, the gap between a full realisation of those principles is only too obvious to see, expressed in phenomena of inequality,

poverty and all forms of discrimination (racism, sexism), demanding a full making explicit of the principles of social justice.

3. What is "due" by society to individuals?

The first set of issues arising from the demand for social justice in modern societies centres on the criteria by which social goods are to be distributed fairly. Three principles guide possible redistribution based on the entitlements individuals and groups can claim on society as something due to them: entitlements understood as rights; as based on individual needs; or, as something that they deserve.

The discussion touches first of all on the proper definition and interpretation of each of those principles, on whether any of the three can be reduced to another principle, and how they are to be articulated with each other.

All contemporary theories make rights an indispensable foundation of social justice, indeed, in many accounts, social justice is synonymous with the claiming of rights. One particularly strong account in contemporary political thought follows the classical Kantian definition of rights as material expression and entrenchment of moral autonomy, of an individual's status as 'end in itself' based on the latter's capacity for freedom, but characterises this autonomy in the terms of 'self-ownership', and by derivation makes ownership, in other words property rights, the direct expression and extension of an individual's autonomy. On such an account of rights, any redistributive mechanism is an encroachment upon freedom and therefore constitutes a fundamental injustice (Nozick 1974). Consequently, the fact of socially produced inequality is not sufficient by itself to justify redistribution. Emphasising the link between rights and social justice can lead to a rejection of the link between justice and redistribution. By contrast, egalitarian accounts that focus on the modes and justifications of redistributive mechanisms assume that fundamental rights are to be secured and entrenched in the "well-ordered society" and conceptualise individual entitlements on social wealth and socially produced opportunities as goods upon which disadvantaged individuals have rightful claims. In that case, the link between social justice and rights is again inherent, but in a very different sense and with very different political outcomes.

A second principle to organise a fair distribution of social primary goods is that the latter should reward those who deserve it, have earned it: greater income for those who have worked harder or produced more, or produced socially valued goods; a high social status for those who have achieved socially valued activities; educational opportunities, for instance entrance to university, for those who have proven their worth at an earlier level of study, and so on. The core problem here revolves around the criteria by which social achievements are to be measured. A basic alternative lies between the reward of effort spent, as opposed to the value of the social contribution made. Discussions on this are as intractable as the intuition is pervasive, that social justice consists to a significant extent in giving their due to those who deserve it.

One particularly significant mode of elaborating the principles of merit is through the principle of equality of opportunity. Equality of opportunity represents a core element of a contemporary understanding of social justice. The principle elaborates on the idea that, in situations where opportunities have been equalised through the removal of discriminations based on gender, race or any other unjustifiable criterion, those who acquire a greater amount of social goods through their own decisions and actions are entitled to them. Indeed, it would be an injustice to deny them the benefits that have accrued from their own actions, and it is in fact one of the main stakes of justice to strive for a state of society in which discriminations have been abolished so that each individual can strive to secure the social goods attached to his or her own life plan.

This central principle however runs up against a central objection of contemporary political philosophy: namely, the fact that natural inequalities are as little relevant in moral terms as socially produced ones. Accordingly, it is actually mistaken to assume that greater achievements, however they are defined, simply ought to attract greater social rewards, if they are based on capacities that have simply been inherited. Much theorising in contemporary political philosophy has revolved around the invention of schemes aiming to address the morally adequate redistribution of social shares once social and natural inequalities have been identified as the hurdles to full social justice.

Finally, the concept of need is as debated a principle of social justice as it seems to designate an irreducible series of claims. Of the three core principles, it is possibly the one that has been submitted to the most criticism. Many writers have claimed that it was reducible to other principle (Barry 1965). Many have raised substantial theoretical concerns about it, notably because it seems difficult to come up with adequate criteria to distinguish between “true” and

“false” needs, between mere wants, desires, and intrinsic needs, and because the reference to needs may smack of a naive appeal to something like a set human nature. And yet, for all those theoretical suspicions, the principle of need remains an irreducible principle founding claims of justice and as such has been vindicated by a number of theorists (Renault 2004). It corresponds to a fundamental intuition about what is owed to individuals in modern societies, a principle already enunciated in simple terms by Marx, in a way that already articulated needs with contribution: “from each according to their abilities, to each according to their needs” (Marx 2008).

Marx’ famous motto also raises the issue of adjudicating between the three principles. One of the key aspects of Rawl’s theory of justice is to offer a method to do precisely that. Needs are acknowledged as a core normative condition of the institutional order. However, they are constrained by the other principles, the rights and liberties enshrined in the first principle, and the equality of opportunity established in the second. The fact that social and economic inequalities are justified to the extent that they benefit the least advantaged allows performance and merit to be rewarded in a way that makes them compatible with rights and needs. In contrast with Rawls, other theorists have insisted on the fact that real social-political life consists precisely in the unstable tension between the three principles (Miller 1999).

4. Agents and processes of social justice

A second set of issues concerns the agents and processes that are to effectuate the redistribution. There are three main agents of social justice: the state and its institutions; the markets, labour and commodity markets; and society itself considered in terms of the ethical and cultural principles subtending the form taken by the social bond.

The importance granted to each of those agents depends straightforwardly on the way in which rights, deserts and needs have been articulated. In libertarian models, in which rights prime over other principles, a central consideration is the suspicion over government’s interference with individual freedom. Against this, the market is trusted as a mechanism ensuring the efficient coordination of work efforts and the exchange of the products of everyone’s efforts. In this model, the distribution of life chances resulting from market mechanisms is the most efficient and the fairest. Intervention in these mechanisms not only introduces inefficiencies, but is also unjust as it encroaches upon liberties. The state’s role

therefore is only to shore up the institutional, in particular legal processes entrenching individual liberties and the market mechanisms through which individuals come into social contact. Despite its utter individualism, such a model might continue however to refer to social justice as a virtue attached to the community as the product of the combined efforts of all the free citizens.

Clearly this model is not just a theoretical construct. As the blueprint for the neoliberal reorganisation of advanced economies from the late 70s onwards, its different versions continue to form the heart of established policy thinking. Against it however, a large portion of political theorists, and indeed large portions of contemporary societies hold that the natural distribution of benefits and burdens suffers from inherent inequalities, due to undeserved initial positions of power and/or privilege, ranging from individual endowments, to inherited wealth and social status. Egalitarian approaches seek to address these distortions of fair distribution, by devising principles to curtail and redirect market mechanisms so that they deliver fair outcomes. Beyond theoretical differences concerning the proper methodological approach, the common goal of egalitarian approaches is to ensure equality of opportunity in all areas of social life. The market is still entrusted with the efficient coordination of supply and demand, but government agencies are granted multiple forms of intervention in market mechanisms through taxation, subsidies, changes to regulations, in particular to property laws, to address the many shortcomings in the distribution of social shares effectuated by markets. Typical shortcomings of the market already start at the economic level, such as the inevitable formation of dominant market positions and monopolies, unaccounted negative social costs and externalities, the inability of market prices to adequately respond to basic needs, or the inability of the market to produce a distribution of income enabling everyone to reach liveable life standards (Rawls 1999, 243). Equality of opportunity also requires direct and indirect government intervention to ensure that every individual has equal access to employment opportunities, to positions of prestige, as well as education and culture. In short, egalitarian approaches to social justice seek to entrench a fair redistribution of benefits and burdens by devising strong institutional and institutional mechanisms designed to correct the inequalitarian effects of social-economic processes. Of course the reliance on markets as irreplaceable mechanisms of social coordination can itself be subjected to critique, especially if the analysis is conducted from the perspective of existing capitalistic markets. From this perspective, a main source of social injustice is precisely to be found in the way in which market mechanisms secure and entrench social domination.

Finally, a number of approaches have focused on processes other than institutional design and intervention by government agencies. In the broad field of “critical theory”, the accent is placed on the contestability of the interpretations of key societal norms and values underpinning the “basic structure of society”. In some of these approaches, the problem of redistribution is tackled as only one of the core normative problems facing society, next to recognition of status and political representation for instance (Fraser 2009). Alternatively the asymmetries structuring the cultural underpinning of society are seen as the root of social injustice, and therefore as being the first objects of social justice claims, before redistribution (Young 2011). In these alternative approaches, however, agents of social justice continue to be state institutions and markets, but only to the extent that they are contested and transformed as a result of social movements waged in the name of social and cultural equality (Honneth 1994).

This focus on social movements also raises the issue of the boundaries of social justice. The exponential development in globalising trends at all levels has rendered problematic a key assumption of modern political philosophy, namely, the reference to the nation-state as the main relevant framework.

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