

ON THE UNIVERSALITY OF THE PRINCIPLES OF DISTRIBUTIVE JUSTICE

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The question of whether “justice” has a universal meaning or it has different meanings in various social schemes has been answered by some philosophers in opposite directions. Michael Walzer is among those who argue that principles of justice vary from one society to another in accordance with different meanings of primary goods, arising from particular historical background conditions. There is no single set of primary goods such as money, political power, social posts, and honors, whose meanings are shared across all cultures; nor are there universally shared principles of distributive justice for him. In this paper, I argue that Walzer’s claim that whether distribution of social goods is just or unjust depends on the cultural meanings of the goods is untenable and indeed inherently flawed. I shall also suggest that one may adopt a pluralistic approach to principles of distributive justice without being committed to Walzer’s relativism.

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Introduction

In *The Laws*, Cicero writes,

There is one, single justice. It binds together human society and has been established by one, single law. That law is right reason in commanding and forbidding. A man who does not acknowledge this law is unjust, whether it has been written down anywhere or not. If justice is a matter of obeying the written laws and customs of particular communities, and if, as our opponents allege, everything is to be measured by self-interest, then a person will ignore and break the laws when he can, if he thinks it will be to his own advantage.¹

The question of whether “justice” has a universal meaning has drawn attention of many scholars since Plato who had an aspiration to find the universal definition of justice. While “justice” has a universal sense for Plato, Cicero and their followers,² it has different mea-

¹ See Cicero, *The Republic and the Laws*, trans. Niall Rudd, (Oxford: Oxford University Press, 1998), p. 112.

² See Immanuel Kant, *Perpetual Peace and Other Essays*, trans. Ted Humphrey, (Indianapolis: Hackett Publishing Company, 1983); John Rawls, *A Theory of Justice*, (Cambridge: The Belknap Press of Harvard University Press, 1971); John Rawls, *Political Liberalism*, (New York: Columbia University Press, 1993); and Martha Nussbaum, “Patriotism and Cosmopolitanism,” in J. Cohen (ed.), *For Love of Country*, (Boston, Mass.: Beacon Press, 1996), pp. 2-20. Though the works of many modern cosmopolitans rely on Kant’s and enlightenment views, there are nuanced differences among them. Instead of a dry and detached Rawlsian rationalism, Nussbaum, for instance, underlines the significance of emotions and people’s particular attachments. Kai Nielsen expresses the distinctive feature of moral cosmopolitanism

nings in various cultural settings for some other philosophers.³ Michael Walzer is among those who argue that principles of justice vary from one society to another. More specifically, he claims that meanings of social goods, emanating from particular historical background conditions, single out various principles of justice.⁴ Walzer's idea that principles of justice change from one society to another rests on his belief that there is no single set of primary goods such as money, political power, social posts, and honors whose meanings are shared across all cultures. Bread, for instance, means the staff of life, the body of Christ, the symbol of Sabbath in different spheres of justice. Even if some social goods are placed on the universal list of primary goods, this is possible only through abstraction of particular meanings of the goods, which in the end renders the meanings obtained through abstraction useless for practical purposes. Distributive principles of primary goods are determined by their particular meanings. That is, the social meanings of primary goods arising from particular historical background circumstances specify the principles of distributive justice.⁵

There are good reasons, however, for doubting the validity of Walzer's argument against the universality of principles of distributive justice. First of all, Walzer does not explain how to understand the alleged relationship of determination between meanings of goods and principles of justice. It is unclear, for instance, how the meaning of bread as the staff of life determines a principle of justice distinct from the one entailed by the meaning of bread as the body of Christ. Should the criterion of distribution be need or effort in the first case while it is equality in the latter case? Suppose that the meaning of bread as the body of Christ involves the principle of equality in a social context. What is the relationship between the meaning of bread as the body of Christ and the principle of equal distribution in this case? Walzer has left in mist the answers of such questions. Furthermore, if the meanings of social goods determine distributive principles, and if a society may, as he presupposes, have overlapping meanings for various social goods, then at least in some cases there must be the same principle for distinct social goods. For example, if familial reputation, physical strength and political power prima-

he attributes to Nussbaum and he himself defends as follows: "... cosmopolitan patriots as well as Nussbaum's cosmopolitans—or for that matter Cicero's or Kant's cosmopolitans or mine—will, while being citizens of the world, (a) have commitments to a world and to a particular people who they regard as their people and (b) take pleasure in, learn from seek to protect and sustain the deep cultural diversity of human beings." In "Cosmopolitanism," *South African Journal of Philosophy*, 24 (2005), p. 280.

³ A well-known argument against universalism turns on the idea that humans have different self-conceptions which vary significantly through history and across diverse cultures. Since the idea of justice is an essential part of the culture of the society constituting the self-conception of individuals, there is no sense of justice independently of individual self-conception. Among the most prominent representatives of this view are Charles Taylor and Michael J. Sandel. See Charles Taylor, *Sources of the Self*, (Cambridge: Harvard University Press, 1989), especially pp. 89-105; and Michael Sandel, *Liberalism and the Limits of Justice*, (Cambridge: Cambridge University Press, 1982).

⁴ Michael Walzer, *Spheres of Justice: A Defense of Pluralism and Equality* (New York: Basic Books, 1983), p. 6.

⁵ Though Walzer has developed this theory in his recent book *Thick and Thin* by making additions and changes in detail, he has maintained the conceptual framework of *Spheres*. "Justice," he says, "requires the defense of difference—different goods distributed for different reasons among different groups of people—and it is this requirement that makes justice a thick or maximalist moral idea, reflecting the actual thickness of particular cultures and societies." In *Thick and Thin: Moral Argument at Home and Abroad*, (Notre Dame: University of Notre Dame Press, 1994), p. 33.

rily mean authority in society, they ought to be distributed on a criterion intrinsically entailed by this meaning. But this is exactly what Walzer purports to repudiate. He protests the dominance of one good in other spheres of justice. Hence, to be consistent, he must either give up the assumption about the priority of the meanings of social goods in determining distributive criteria of the goods or lift the requirement restricting the hegemony of one good to the sphere of that good only.

Walzer's arguments against the universality of principles of distributive justice are flawed for some other reasons as well. In what follows I dwell upon those arguments and try to show that they are untenable. After critically examining Walzer's idea of distributive justice, I tentatively propose that one may espouse a pluralistic approach to distributive justice without being committed necessarily to his relativism.⁶

Particular Meanings of Social Goods and Relativism about Justice

Walzer's primary contention is that there is no single set of primary goods, whose meanings are shared across all cultures. To form a universal list of primary goods becomes even harder when we consider those goods such as opportunities, powers, honors, which are not as vital as basic necessities of life, such as food, bread, etc. Even if it is plausible to form a universal list of primary goods, this becomes possible only through abstraction of particular meanings of the goods at stake. And this, he claims, renders the universal meanings of the goods devoid of a particular content and thus useless practically because the universal meanings of primary goods are barely used in their particular senses. Just as the universal meaning of bread is rarely used in its particular senses, the universal meanings of other social goods may scarcely be used in place of particular meanings of the goods, according to him.⁷ There might be some goods, whose meanings are reiterated across the lines of time and space, but there is also a wide divergence of particular meanings of social goods, and it is these particular meanings that determine the distributive criteria for the goods. "All distributions," he alleges, "are just or unjust relative to the social meanings of the goods at stake."⁸

Nevertheless, Walzer's idea that various meanings of a good, which are products of different social settings, have their own specific spheres of justice looks suspicious for several reasons. It is difficult to believe, for instance, that "bread" is only used to refer to the staff of life in a social scheme, and that it is never used to refer to the body of Christ in the same social scheme. Walzer's claim that there is no universal list of primary goods rests on the assumption that if a good has a certain meaning in one sphere, it rarely has the same meaning in another sphere. He tends to identify a sphere with a unique set of meanings of social goods, and then equate this set with a social scheme. That is, he treats each sphere as a monolithic, homogeneous whole or an island. A society is not, however, a closed and self-sufficient set up of unique meanings of social goods. It is rather a set up of plurality of meanings, most of which make sense within the same society or sphere. So "bread" might mean the body of Christ in a sphere, in which it also means the staff of life. In short, there could scarcely be pure social settings,

⁶ By "relativism" I refer to the view that "ideals and values do not have universal validity, but are valid only in relation to particular social and historical conditions." See Roger Scruton, *A Dictionary of Political Thought*, (New York: Hill and Wang, 1982), p. 399. Indeed Walzer's claims about justice are the result of a variant of cultural relativism he espouses, namely the view that "particular beliefs and practices make sense in one cultural context but not in another." Ibid.

⁷ Walzer, *Spheres of Justice*, p. 8.

⁸ Ibid., p. 9.

which have homogenous meanings for primary goods, i.e. meanings shared by all people in that social setting.

In effect, Walzer's emphasis on primary uses of goods suggests that he approves of the idea that there might be overlapping senses of goods in one sphere. For example, the primacy of the sense of bread as the staff of life gives rise to a distributive principle to be used as a criterion for allocation of bread among a number of individuals; but the sense of bread as the staff of life is primary only in a limited sense for him. In case the religious sense of bread contests with its nutritional senses, it becomes difficult to determine which one would be primary, and hence be incorporated in the universal list of primary goods.⁹ Suppose, for the sake of argument, that the religious sense of bread contests with its nutritional sense; this does not, however, warrant his conclusion that all social goods such as money, social offices, health care, security, etc. have equally many contesting senses, and thus there is thus no universal list of primary goods.

Walzer's emphasis on particular meanings of social goods implies that any separate meaning of a social good constitutes a sphere of justice. This results in extreme particularism, which involves counting some cultural set ups—totally irrelevant to distributive justice—as a sphere of justice. On Walzer's view, when "bread" is used mainly to refer to the body of Christ in a social setting, for example, it is a good that might be subject to a distribution. But no one considers the body of Christ as a good that must be distributed justly among a number of individuals.

Walzer pretends that the universal meaning of a good, abstracted from the particular meanings of the good, becomes deprived of any particular content and is thereby useless practically. That is, abstraction makes universal sense of a good inapplicable to the concrete issues of real life. But this supposition is false unless qualified in a significant way. Universally shared meanings of primary goods need not be pure abstractions that have no correspondent in reality. If abstraction is a way of getting a universal meaning of a good, and Walzer thinks it is, it works generally for cases in which it is possible to establish analogies among distinct variants of the good, which share some features in common. Bread, for instance, might have different kinds, depending on the way it is shaped for backing, on the type of flour and other ingredients used. One might think of types of bread as particular instantiations of its universally shared meaning—the staff of life. When the universal sense of bread is acquired through abstraction from its particular kinds, it does not become useless for practical purposes because it refers to some common features of particular kinds of bread such as being made up of flour, having a certain range of size, being backed, and so forth. As a piece of bread instantiates at least one of these characteristics, abstraction from the particular meanings of bread does not necessarily render its universal sense devoid of content. Therefore, abstraction from particular meanings of social goods does not render universal senses of these goods useless for concrete issues of distribution of the goods.

Walzer's Claim against the Universality of Principles of Distributive Justice

Walzer rejects not only the idea of a universal list of primary goods but also the idea that there is a universal criterion of justice. On the ground of the claim that meanings of social goods determine the distributive criteria of the goods, and that meanings vary from one sphere of justice to another, he infers that there is no universal criterion of justice. Distributions, he

⁹ *Ibid.*, p. 8.

says, must be autonomous for distinct meanings of social goods:

Every social good or set of goods constitutes, as it were, a distributive sphere within which only certain criteria and arrangements are appropriate. Money is inappropriate in the sphere of ecclesiastical office; it is an intrusion from another sphere. And piety should make for no advantage in the market place.... There is no single standard. But there are standards ... for every social good and every distributive sphere in every particular society....¹⁰

The idea behind this pluralism of distributive standards is that there are standards peculiar to each sphere, and that they ought to be used only in the relevant sphere; to apply a standard to a sphere distinct from its own peculiar sphere is morally illegitimate and unjust. Throughout the history of human societies, people in one group, class or caste have had a monopoly of some dominant goods, and through these goods they seized other goods, opportunities, and powers for him:

So aristocracy, or the rule of the best, is the principle of those who lay claim to breeding and intelligence: they are commonly the monopolists of landed wealth and familial reputation. Divine supremacy is the principle of those who claim to know the word of God: they are the monopolists of grace and office. Meritocracy, or the career open to talents, is the principle of those who claim to be talented: they are most often the monopolists of education. Free exchange is the principle of those who are ready, or who tell us they are ready, to put their money at risk: they are the monopolist of movable wealth. These groups—and others, too, similarly marked off by their principles and possessions—compete with one another, struggling for supremacy.¹¹

Land and capital, for instance, were exchanged, divided and converted endlessly through the use of military or political power, religious post and prestige. What Walzer objects to is this dominance of one good in all the spheres of distribution:

Physical strength, familial reputation, religious or political office, landed wealth, capital, technical knowledge: each of these in different historical periods has been dominant; and each of them has been monopolized by some group of men and women. And then all good things come to those who have the one best thing. Possess that one, and the others come in train.¹²

Dominance means using goods in a way other than the way appropriate to their social meanings. Accordingly, if societies have different meanings for social goods such as physical strength, familial reputation, religious or political office, landed wealth, capital and technical knowledge, they ought to espouse distinct distributive criteria related to those meanings. That is, it is all right if people in one society apply equal distribution principle for, let us say, political power while members of another society accept a principle of distribution, which requires that the loveliest candidate ought to be assigned to the relevant political office. We need not pay any attention to other qualifications of the candidates for the political office. For instance, whether the assigned person is a successful ruler with respect to the activities aiming to increase welfare of people, or whether he has a war policy, which involves invading the lands of neighborhood countries, are all irrelevant issues so long as the person satisfies, say, the criterion of the loveliest candidate. However, many people in different societies think that social policies of a political leader are closely related to the appropriateness of his being elected for the relevant office—whatever the particular meanings of political power are in their society. It

¹⁰ *Ibid.*, p. 10.

¹¹ *Ibid.*, p. 12.

¹² *Ibid.*, p. 11.

is plausible that political offices are highly valued in one society while their value is very low in another social setting. Also, “political office” might mean different things for different people. But from the diversity of particular meanings of political offices, one can hardly infer that there are no external criteria to evaluate the fairness of a distribution of political offices.

The essence of Walzer’s criticism of dominance of one social good over others is that it would be wrong to distribute a good such as political power in accordance with a rule appropriate for another good, for example, land. Why is it wrong, however, to allow a distribution in this manner? The reason is that a person who has the required qualifications for owning political power would illegitimately invade the distributive sphere of land, which must be allocated on a principle distinct from a principle of distribution for holding a political office. If the person who holds a political office has also the relevant qualifications for possessing a piece of land, then it would not be wrong for him to own the land. “Here,” Walzer says, is a person whom we have freely chosen (without reference to his family ties or personal wealth) as our political representative. He is also a bold and inventive entrepreneur. When he was younger, he studied science, scored amazingly high grades in every exam, and made important discoveries. In war, he is surpassingly brave and wins the highest honors. Himself compassionate and compelling, he is loved by all who know him.¹³

Given the restraint that the distribution of each good must be in accord with its meaning, an office that requires entrepreneurial qualifications ought to be conferred on someone who is bold and inventive. Likewise, a public office related to science should be given to a person who made significant scientific discoveries. Military offices, on the other hand, ought to be bestowed on those who are brave and do have high honors. All these examples suggest that despite his emphasis on cultural variety, Walzer tacitly presupposes a universal distributive criterion for each social good.¹⁴ Thus, assigning a coward successful scientist to a military office, for example, amounts to violating the standard that military offices ought to be distributed on the ground of braveness and honor of the candidates, which is supposed to be a valid principle of distribution across different societies with distinct cultural backgrounds. Generals of armies in ancient societies as well as in today’s societies are not chosen in general among the cowards and among those who have low standing in honor ranking. In a similar fashion, for the distribution of offices involving entrepreneurial traits, the universally valid criterion is that candidates ought to be courageous and innovative. Walzer’s criticism of dominance of one good over the domains of other goods hinges evidently on some universal criteria of justice, which serve as the benchmark of objecting to the alleged dominance of one good over others. In the absence of a universal criterion of distribution for a specific good, there would be little ground for Walzer to criticize the way it is distributed.

Walzer’s denial of the universality of a criterion of justice has, nonetheless, a deeper seat that must be paid its due attention before declaring that his account is inherently flawed. He propounds that:

The only plausible alternative to the political community is humanity itself, the society of

¹³ Ibid., p. 20.

¹⁴ In “The Architectonic of Michael Walzer’s Theory of Justice,” Govert Den Hartog makes a similar observation: “... contrary to his announced program, in his description of these spheres, Walzer does not derive relevant principles of just distribution for a certain sphere of goods by considering the social meanings of those goods. Rather, he introduces some distributive principles that are conventionally accepted and defines a “sphere” as the range of application of each of them.” In *Political Theory* 27 (1999), p. 498.

nations, the entire globe. But were we to take the globe as our setting, we would have to imagine what does not yet exist: a community that included all men and women everywhere. We would have to invent a set of common meanings for these people, avoiding if we could the stipulation of our own values.¹⁵

The argument is that since there is no international community whose members share the same history, culture, values, etc., there is no way of having universally shared meanings of goods and universally applicable criteria of distributive justice. We can devise a universal criterion, but it is highly likely that it would be a product of our own personal or communal values and understandings which can barely be applied to distinct political communities without appeal to an unjustified coercion.¹⁶ The enforcement of the rules of such an idea of justice paves the way for dominance and tyranny. If the global rules of justice rely on collective values, shared understandings, however, their enforcement—even if it requires dominance and monopoly—would not count as “violations but enactments of meaning.”¹⁷

To tie the existence of universally shared meanings to the existence of a global community with the same history, culture, language and so forth is, however, scarcely tenable. From the fact that the world is composed of historically, linguistically and culturally distinct political communities, it does not follow that there cannot be universally shared meanings, understandings and values.¹⁸ Before anything else, Walzer has to explain how translation of meanings of words from one language to another is possible in the absence of universally shared meanings. If translation—it need not be a radical one, of the sort envisioned by Quine—from one language to another is possible, then there are universally shared meanings, even in the absence of an international community with a tightly shared history, culture, etc. Moreover, it is misleading to think that international sphere consists of entirely separate, isolated political communities, which have very weak relations with one another. Especially in an age of globalization, extensive use of telecommunication technologies and interdependent economies of countries, to accept such a picture of isolated communities becomes highly difficult.¹⁹ Increasing interac-

¹⁵ Walzer, *Spheres of Justice*, pp. 29-30.

¹⁶ In his various writings, Walzer vehemently defends a theory of non-interventionism. See Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, 1977); Michael Walzer, “The Moral Standing of States: A Reply to Four Critics,” *Philosophy and Public Affairs* 9 (1980), pp. 209-29. Walzer is surely right on many points he made against intervention with other countries’ affairs, which are frequently made for the sake of some economic or another sort of gain on the part of the interfering country rather than for the sake of justice on its own right. However, morally malicious cases of intervention in history do not guarantee the truthfulness of the claim that any interference is illegitimate and must morally be forbidden. Even if we agree with Walzer’s thoughts on intervention, this does not entail that there are no universal criteria of justice on the basis of which some policies in other countries may be blamed or praised.

¹⁷ Walzer, *Spheres of Justice*, p. 26.

¹⁸ As Beitz quite correctly points out: “... the fact of disagreement about a basic value cannot be, in itself, a reason to reject the value; disagreement can be found about virtually all values, even those we feel most confident in accepting, so if agreement were really a condition of acceptability we should reject most of the values we accept.” See Charles Beitz, “Does Global Inequality Matter?” *Metaphilosophy* 32 (2001), p. 105.

¹⁹ Maria Rodrigues is among those who point to the growth and the depth of global associations and accompanying global duties of justice. She convincingly argues against nationalist stances on the basis of increasing interdependencies and interactions among nations: “Strong nationalism denies that any duties of justice exist outside national groupings, but rests on the premise of cultural relativism,

tion among different political spheres implies shared understandings, values and meanings, which might constitute the basis of universally applicable criteria of justice.

Even if this is not plausible due to the diversity of opinions and values, one might question the upper hand given to the shared meanings and values in determining a principle of distributive justice. The major reason for counting a distribution of a good in a social context as just on Walzer's account is the conformity of the distributive principle at stake with the primary social meaning of the good. Even if such a distribution is unjust on our own conception of justice, we have to consider it just only because of this consistency. Yet, people may act unjustly, and they may provide whatever pleases them as the meanings of social goods in order to justify a distribution. That is, the meanings they attribute to social goods may be arbitrary, and may display a deeply unjustified action as just. In saying that the meaning of a social good determines its distributive criterion, Walzer indirectly endorses some sort of meaning solipsism,²⁰ which excludes any external measure or standard to evaluate what is going on in a sphere of justice.²¹ It might be the case that a political community as a whole is in deception in understanding what justice is. But in order to question the recognized priority of shared meanings on Walzer's theory, there is no need to invoke such extreme cases. A political society is a collection of individuals with conflicting interests or needs, despite shared understandings of meanings and values of social goods. As it is hard to find an actual political community, whose members—whether politically powerful or weak—are united around homogeneous interests and moral values, “a union,” in Walzer's words, “that transcends all differences of interest, drawing its strength from history, culture, religion, language, and so on.”²² It is possible that applying a morally acceptable ideal of justice to a political community might serve interests of some but not of others, and it might not be rooted in the shared understandings and values of the majority in the society. “Moral views,” accurately points out Charles Jones, “are properly judged not by determining how many people (or cultures) subscribe to them, but by the plausi-

paired with the highly problematic empirical claim that all national cultures believe duties to be limited to the domestic arena. The more plausible, weak nationalist position allows for global duties, but holds that duties to co-nationals take priority due to the special nature of relationships generated by common nationality. There are several versions of the weak nationalist argument, all of which stand on shaky ground.” In “Patriotism and global duties of Justice,” *South African Journal of Philosophy*, 26 (2007), p. 180.

²⁰ Meaning solipsism has been criticized in the context of comparison of scientific theories as well. It is argued that if different scientific theories have completely different languages, then there would not be any ground on which they disagree. As they share no primary scientific concept, they can never refuse what the other accepts. See Dudley Shapere, “The Structure of Scientific Revolutions,” *Philosophical Review* 73 (1964), pp. 383-94. Likewise, we might say that if various spheres of justice speak entirely in different languages, then there will never be any disagreement on the meanings of social goods, neither on the principles of distribution of goods. As distinct spheres share no meanings, they cannot have what the other rules out as a principle of justice.

²¹ Walzer's disguised acceptance of meaning solipsism has untoward consequences for his account. Even if we accept the idea that in a sphere, bread, for example, exclusively means the staff of life, still the question as to whether a piece of bread ought to be distributed equally, proportionally, or according to need or merit calls for an answer. That is, contrary to his supposition, there is need for a criterion of distribution of a good independently of its meaning.

²² Walzer, *Spheres of Justice*, pp. 82-3.

bility of the reasons adduced in their favour.”²³ If the majority in a society has a shared sense of justice, Walzer’s account requires that that conception of justice must be applied to the society. Suppose, however, that the majority’s conception of justice prejudicially favors some but not other members of the society. Why should we endorse a conception of “justice” that is unjustifiably biased towards some members of the society? Walzer appeals to the idea of public discussion as a remedy to overcome conflicting interests of members of a society and racing notions of justice, but he does not say anything as to how a conflict is to be resolved in the absence of a universal conception of justice in case public debate becomes ineffective on the way of a reconciliation.

Pluralism versus Universalism: A Tentative Proposal

We have seen that Walzer’s argument based on the variability of meanings of social goods does not warrant his conclusion that there is no universal list of primary goods. Neither does his argument relying on the alleged relationship between meanings of social goods and distributive criteria guarantees that there are no universal principles of justice. Although Walzer’s argument against universalism is not cogent, his keen insights about the variety of cultural meanings of social goods demonstrate the necessity of a pluralist perspective in the matters of distributive justice. Despite its shortcomings, his criticism of monopoly and dominance of some goods over distinct spheres of justice is instructive. It is plausible to observe illegitimate dominance of one good over distinct spheres in history of societies, and Walzer seems to be right in protesting such unfair invasions of some goods over the domains of others.

Walzer’s main mistake stems from his assumption that a pluralist approach to distributive justice essentially conflicts with the universalistic viewpoint and that the world is composed of wholly culturally distinct and isolated societies which have their own peculiar principles of justice in accordance with the sense they attribute to various social goods. One may advocate plurality of principles of distributive justice without giving up their being universal principles at various levels of abstraction. Walzer might be right in saying that highly abstract meanings of social goods are not straightforwardly used in practical matters. Yet this does not demonstrate that universal principles based on those meanings are completely useless. Principles at high levels of abstraction are more insightful than the ones embodied directly in practical matters in that they explain the essence or the common ground of the more concrete, specific principles. In this way, we understand the main idea behind some practical applications of distributive principles and evaluate their merits better. Without abstract principles we do things as a machine that does something automatically or, metaphorically speaking, blindly. Briefly put, in the absence of abstract principles of distributive justice, we may allocate social goods without adequately appraising the positive outcomes of an allocation, or without sufficiently evaluating its negative effects especially on some groups in society.

Besides, abstract principles may be made more concrete by adding some qualifications or by interpreting them in terms of some goods or specific social contexts. Consider Aquinas’s tenet that “...laws are said to be just ... when ... burdens are laid on the subjects according to an equality of proportion and with a view to the common good.”²⁴ The allocation of burdens in

²³ Charles Jones, *Global Justice: Defending Cosmopolitanism*, (Oxford: Oxford University Press, 1999), p. 184.

²⁴ Thomas Aquinas, *On Law, Morality, and Politics*, W. P. Baumgarth and R. J. Regan, S. J. (eds.) (Indianapolis: Hackett Publishing, 1988), p. 70.

accordance with “equality of proportion,” is a highly abstract principle, and as such it may not be applicable to particular cases of distribution of goods. Nevertheless, with adequate qualifications it might be an operative principle of justice such as the one formulated by classical socialists, namely “the wage should be inversely proportioned to the intrinsic pleasantness (interest, appeal, prestige) of the task.”

To distribute income in accordance with the pleasantness of the tasks or with effort is merely one among many concrete principles of distributive justice.²⁵ Nicholas Rescher, for instance, states additionally six distinct principles of distributive justice. These are 1) The Canon of Equality, 2) The Canon of Need, 3) The Canon of Ability and/or Achievement, 4) The Canon of Productivity, 5) The Canon of Social Utility, and 6) The Canon of Supply and Demand.²⁶ He adopts none of these principles as the overarching principle of justice, however, because each has its limitations and applicable only in a particular context of justice. In a place where there is a moderate scarcity of some goods, the canon of supply and demand, for instance, may be valid. But to espouse the same principle in every scheme of allocation gives rise to great injustices. Likewise, to apply the canon of productivity, for example, to the allocation of, say bread, in a social context where the basic necessities of life are barely met may cause an unfair distribution of bread. “As a criterion of justice,” Rescher maintains, “not only does it put aside any accommodation of unmerited claims, but also any claims based upon factors (such as individual need and expenditure of effort) which have no basis in the making of a productive contribution to felt social needs.”²⁷

Instead of the above principles, Rescher proposes The Canon of Claims as a general principle of justice embracing all of these principles. “The Canon of Claims” means that “distributive justice consists in the treatment of people according to their legitimate claims, positive and negative.”²⁸ The Canon of Claims as a universal, high level principle may have no direct implementation to particular cases of allocation of goods; but it indicates the common basis of particular canons of justice, i.e., each principle presupposes a specific context of a claim. So it eschews the “overrestrictiveness” of more specific and concrete principles of justice. But, as Rescher precisely puts forward, this general principle is by no means a rival principle of the particular canons in a way that one excludes the other. He does not see The Canon of Claims and the other canons as mutually exclusive. Rather, he emphasizes that “The Canon of Claims,” ... reaches out to embrace all the other canons. From its perspective each canon represents one particular sort of ground (need, effort, productivity, etc.) on whose basis certain legitimate claims—upon whose accommodation it insists—can be advanced. The evaluation of these claims in context, and their due recognition under the circumstances, is in our view the key element of distributive justice.²⁹

²⁵ This principle can be made even more concrete by qualifying it further. Take the following principle as an example: “The workers in mining industry should be paid during the hours they work under the ground as much twice as they are paid for their work on the ground for the same length of time.” Notice that the particularity or the concreteness of the principle results from its inclusion of the kind of work, of the specific proportion of income and so on rather than of the particular meanings of income, money, etc.

²⁶ Nicholas Rescher, “The Canons of Distributive Justice,” in James Sterba (ed.), *Justice: Alternative Political Perspectives*. (Belmont: Wadsworth Publishing Company, 1980), pp. 33-40.

²⁷ Rescher, “The Canons of Distributive Justice,” p. 38.

²⁸ *Ibid.*, p. 39.

²⁹ *Ibid.*

Assuming a tight connection between justice and rights as claims, we can, for example, explain the very abstract principle that justice is giving each what he or she owns. What a person owns justly is determined to a significant extent by his or her rights. In this way, it becomes plausible to see clearly the relationship between particular, concrete claims and an abstract conception of justice.

I shall not argue the specific merits or shortcomings of Rescher's proposal of the canon of claims as a general principle embracing the particular canons he just mentioned. My concern is rather about the plausibility of defending a pluralist approach to principles of justice without giving up the universality of each principle at various levels of abstraction.³⁰ What makes a principle universal need not be its applicability throughout all spheres of justice irrespective of time and place. A principle might be universal in the sense that it applies to those contexts of distribution which have some common characteristics such as the economic value of the goods to be distributed, the socio-economic conditions of people who are the subjects of allocation, and so on.³¹ The recognition of various sorts of claim-grounds does not amount to espousing cultural relativism Walzer defends. There might be particular contexts of distribution with their peculiar principles of justice independently of the cultural meanings of the goods to be allocated. Walzer seems to conflate the contextual character of distribution of social goods with the cultural variety of many social settings. Moreover, he confuses the notions of "universal" and "absolute." It is one thing to say that there is only one ultimate principle of justice, absolutely valid in all contexts of distribution of social goods, it is another to hold that there are various principles of distributive justice which are universal in that they are applicable across various societies which, despite cultural differences, share some social and economic features necessary for a morally justified implementation of the relevant principles. In sum, the universality of the principles of justice may arise from the plausibility of their application to any society having some common features entailed by the specific contexts of the relevant distributive principles at issue. Societies, even those fundamentally different from each other with respect to their cultures, may nevertheless share some socio-economic features, which determine whether a principle of distributive justice is applicable in a morally justified manner.

Unlike the narrow viewpoint of some relativist approaches, overemphasizing subjective meanings of social goods in a particular community, pluralism defended here emphasizes ob-

³⁰ An analogy with colors might illustrate the idea of universality at various levels of abstraction quite well. The word "Red," for example, is universal in that various red objects share the same color, i.e., redness; the word "color" is also universal, though at a higher level, in that it denotes something common in particular colors such as blue, red, yellow, and so on. For a detailed and insightful discussion of this issue, see D. M. Armstrong, *Universals: An Opinionated Introduction*, (Boulder: Westview Press, 1989).

³¹ To provide a detailed account of universality is beyond the scope of this paper. Nevertheless, a comparison of the notion of universality advanced here with the conception of universality of scientific laws suggested by Harold Kincaid might give an idea about my point on the universality of principles of justice better. On the basis of Nelson Goodman's notion of entrenchment, Kincaid argues that universality of scientific laws is a matter of degree. Accordingly, a law is "relatively universal" in that if it refers to well-known kinds, is valid for all people having relevant characteristics specified by the law, survives in the face of interfering elements, explains a set of divergent phenomena in a systematic and unified way, and so on. See Harold Kincaid, *Philosophical Foundations of the Social Sciences*, (Cambridge: Cambridge University Press, 1996), p. 92; see also Nelson Goodman, *Fact, Fiction and Forecast*, (Indianapolis: Bobbs Merrill, 1965).

jective characteristics of social goods and the people who are going to share these goods.³² I think John Rawls's conception of primary social goods illustrates my point on objective traits of social goods quite well. Rawls considers primary goods as "things that every rational man is presumed to want." For him, "these goods normally have a use whatever a person's rational plan of life."³³ He proposes primary goods as the basis for interpersonal comparisons since primary goods are things which every rational person is assumed to desire. That is, primary goods constitute the universal index for making comparisons among people with respect to benefits and burdens they receive through a just distribution.

But pluralism advocated here by no means rules out subjective valuations of some goods or their symbolic meanings for some people. It merely says that depending on the social context, one or the other conception of social goods might be taken into consideration rather than only one or the other. Some social goods might be more important for some people than for others. In accordance with the importance people attach to some goods in a particular society a distinct distributive principle might be espoused. However, to defend pluralism only on the basis of the variety of subjective preferences or particular meanings renders such an approach to justice very weak and indeed one-sided despite its pluralistic appearance. If the only consideration in distributing social goods is to be the symbolic significance of some goods, this results in overlooking objective importance of the goods such as security, shelter, health care, etc. which might be vital for the survival of some people irrespective of their individualistic preferences. On the other hand, if a single principle of justice based on a narrow conception of social goods is applied blindly to all social contexts without paying due attention to particular characteristics of the goods and the people, their socio-economic conditions and the differences among these circumstances, this may cause great injustices in the name of realizing justice. The pluralist universalism advanced here eschews both the narrow perspective of some relativist approaches relying heavily on subjective preferences and meanings particular societies attribute to social goods, and of universalistic viewpoints presupposing automatic application of one highly abstract principle to all contexts of distribution of social goods without taking differences among particular societies seriously.

The proposed pluralist conception of distributive justice enables us to see the role of many complicating factors concerning distribution of social goods and to notice the significance of differences among various traits of the goods to be distributed such as their economic values as well as the socio-economic conditions and the preferences of the individuals who are to be the share-holders of the goods in a particular community. Pluralism with a universalistic perspective also provides a powerful conceptual tool in guiding social policy makers in their attempt to realize social justice and hinders them from doing injustice in the name of justice by applying a principle of distribution incongruent to the peculiar characteristics of some primary goods and social environments.

³² By "objective" I mean principally observable qualities of the goods and people. For example, a house as a shelter might be big or small or might have some technical features such as electricity and sanitary facilities or it might not have such premises. Likewise, some people are very thin due to hunger, some are not; some have good clothes, cars etc. while others lack such features, live on the streets and so on.

³³ See Rawls, *A Theory of Justice*, p. 62.

BIBLIOGRAPHY

- [1] Aquinas, T. 1988. *On Law, Morality, and Politics*. W. P. Baumgarth and R. J. Regan, S. J. (eds.). Indianapolis: Hackett Publishing.
- [2] Armstrong, D. M. 1989. *Universals: An Opinionated Introduction*. Boulder: Westview Press.
- [3] Beitz, C. 2001. Does Global Inequality Matter? *Metaphilosophy*. 32: 95-112.
- [4] Cicero, M. T. 1998. *The Republic and the Laws*, trans. Niall Rudd. Oxford: Oxford University Press.
- [5] Goodman, N. 1965. *Fact, Fiction and Forecast*. Indianapolis: Bobbs Merrill.
- [6] Hartog, G. D. The Architectonic of Michael Walzer's Theory of Justice. *Political Theory*. 27: 491-522.
- [7] Jones, C. 1999. *Global Justice: Defending Cosmopolitanism*. Oxford: Oxford University Press.
- [8] Kincaid, H. 1996. *Philosophical Foundations of the Social Sciences*. Cambridge: Cambridge University Press.
- [9] Kitcher, P. 1978. Theories, Theorists and Theoretical Change. *Philosophical Review*. 87: 519-47.
- [10] Kuhn, T 1970. *The Structure of Scientific Revolutions*. Chicago: University of Chicago Press.
- [11] Nielsen, K. 2005. Cosmopolitanism. *South African Journal of Philosophy*. 24: 277-88.
- [12] Nussbaum, M. 1996. Patriotism and Cosmopolitanism. In J. Cohen (ed), *For Love of Country*. Boston, Mass.: Beacon Press.
- [13] Rawls, J. 1993. *Political Liberalism*. New York: Columbia University Press.
- [14] ————1971. *A Theory of Justice*. Cambridge: The Belknap Press of Harvard University Press.
- [15] Rescher, N. 1980. The Canons of Distributive Justice. In James Sterba (ed.), *Justice: Alternative Political Perspectives*. Belmont: Wadsworth Publishing Company.
- [16] Rodrigues, M. 2007. Patriotism and Global Duties of Justice. *South African Journal of Philosophy* 26: 176-89.
- [17] Sandel, M. 1982. *Liberalism and the Limits of Justice*. Cambridge: Cambridge University Press.
- [18] Scruton, R. 1982. *A Dictionary of Political Thought* New York: Hill and Wang.
- [19] Shapere, D. 1964. The Structure of Scientific Revolutions. *Philosophical Review*. 73: 383-94.
- [20] Taylor, C. 1989. *Sources of the Self*. Cambridge: Harvard University Press.
- [21] Walzer, M. 1994. *Thick and Thin: Moral Argument at Home and Abroad*. Notre Dame: University of Notre Dame Press.
- [22] ————1983. *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books.
- [23] ————1980. The Moral Standing of States: A Reply to Four Critics. *Philosophy and Public Affairs*. 9: 209-29.
- [24] ————1977. *Just and Unjust Wars*. New York: Basic Books.

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