

IRIS YOUNG

(1949 – 2006)

IRIS MARION YOUNG WAS ONE OF THE LEADING FEMINIST political theorists of her time. Born in 1949 in New York City, Young was educated at Queen's College and the University of Pennsylvania. After receiving her PhD in 1974, she taught at Worcester Polytechnic Institute, the University of Pittsburg, and the University of Chicago, where she was a professor of political science. Her books include *Justice and the Politics of Difference* (1990), *Throwing Like a Girl and Other Essays in Feminist Philosophy* (1990), *Intersecting Voices: Dilemmas of Gender, Political Philosophy, and Policy* (1997), and *Inclusion and Democracy* (2000).

Unlike many American philosophers, Young did her graduate work mainly in existentialism, phenomenology, and the history of philosophy. That work allowed her to draw on a broad range of sources; these included the work of the feminist and psychoanalyst Julia Kristeva, the Frankfurt School, and French poststructuralism, as well as the liberal philosophy of John Rawls. She frequently approached diverse topics from surprising angles. Her work on gender and embodied experience; on democratic theory; on globalization; and on international justice questions many of the basic assumptions of liberal theory. So too does her work on race, equality, and poverty. And her *Justice and the Politics of Difference* (1990) established her in the forefront of feminist ethics and political theory. In it she called attention to the liberal universalist assumption that citizens are homogeneous, with the same concerns and needs. As she pointed out, this assumption ignores the reality that justice for women, for racial and ethnic minorities, for gays and lesbians, and for the disabled may not require simply equal treatment; it may require recognition of their differences. Young also criticized conceptions of justice that emphasize the distribution of benefits and burdens. According to her, conceptions that prioritize distributive justice overlook or underestimate social and institutional factors that determine people's lives, such as the sexual division of labor, cultural practices, and the power-relations that enable people to make decisions.

Inclusion and Democracy (2000) raised important issues for deliberative democracy. Democratic theorists have often criticized vote-centered representative democracy for being insufficiently democratic. Citizens are reduced to simply electing officials and removing them from office, without

any substantial input into policy. Many people thus feel alienated from democratic politics, which in turn breeds apathy, cynicism, and ignorance of current events. Theorists of deliberative democracy argue that democracy must encourage substantial input on public policy, through citizen dialogue in which people debate their views in a non-hierarchical setting.

Any theory of deliberative democracy raises questions of who should be included in the democratic process. Liberal political theorists have typically remarked on the expanding circle of inclusion, with the sphere of justice gradually widening to include women, minorities, people outside one's own community, and, perhaps, animals. Young recognized that even if attempts were made to formally include previously marginalized groups, the unstated expectations, and norms that dominate majority discourse might very well still prevent their genuine participation. Thus, deliberative democracy, according to Young, suffers from a rationalist bias.

Young died in 2006 at the age of 56, after an eighteen-month struggle with esophageal cancer. Her loss was mourned by many who regarded her as one of the most important political theorists of the late twentieth and early twenty-first centuries, and among the most innovative and brilliant contributors to feminist and socialist thought.



from Justice and the Politics of Difference (1990)

Chapter 1: Displacing the Distributive Paradigm

It was in general a mistake to make a fuss about so-called *distribution* and put the principal stress on it. Any distribution whatever of the means of consumption is only a consequence of the distribution of the conditions of production

themselves. The latter distribution, however, is a feature of the mode of production itself.

-Karl Marx

Thousands of buses converge on the city, and tens of thousands of people of diverse colors, ages, occupations, and life styles swarm onto the mall around the Washington Monument until the march begins. At midday people move into the streets, chanting, singing, waving wild papier-mâché missiles or effigies of government officials. Many carry signs or banners on which a simple slogan is inscribed: "Peace, Jobs, and Justice."

This scene has occurred many times in Washington, D.C., in the last decade, and many more times in other U.S. cities. What does "justice" mean in this slogan? In this context, as in many other political contexts today, I suggest that social justice means the elimination of institutionalized domination and oppression. Any aspect of social organization and practice relevant to domination and oppression is in principle subject to evaluation by ideals of justice.

Contemporary philosophical theories of justice, however, do not conceive justice so broadly. Instead, philosophical theories of justice tend to restrict the meaning of social justice to the morally proper distribution of benefits and burdens among society's members. In this chapter I define and assess this distributive paradigm. While distributive issues are crucial to a satisfactory conception of justice, it is a mistake to reduce social justice to distribution.

I find two problems with the distributive paradigm. First, it tends to focus thinking about social justice on the allocation of material goods such as things, resources, income, and wealth, or on the distribution of social positions, especially jobs. This focus tends to ignore the social structure and institutional context that often help determine distributive patterns. Of particular importance to the analyses that follow are issues of decision making power and procedures, division of labor, and culture.

One might agree that defining justice in terms of distribution tends to bias thinking about justice toward issues concerning wealth, income, and other material goods, and that other issues such as decision making power or the structure of the division of labor are as important, and yet argue that distribution need not be restricted to material goods and resources. Theorists frequently consider issues of the distribution of such nonmaterial goods as power, opportunity, or self-respect. But this widening of the concept of distribution exhibits the second problem with the

distributive paradigm. When metaphorically extended to nonmaterial social goods, the concept of distribution represents them as though they were static things, instead of a function of social relations and processes.

In criticizing distributively oriented theories I wish neither to reject distribution as unimportant nor to offer a new positive theory to replace the distributive theories. I wish rather to displace talk of justice that regards persons as primarily possessors and consumers of goods to a wider context that also includes action, decisions about action, and provision of the means to develop and exercise capacities. The concept of social justice includes all aspects of institutional rules and relations insofar as they are subject to potential collective decision. The concepts of domination and oppression, rather than the concept of distribution, should be the starting point for a conception of social justice.

The Distributive Paradigm

A distributive paradigm runs through contemporary discourse about justice, spanning diverse ideological positions. By "paradigm" I mean a configuration of elements and practices which define an inquiry: metaphysical presuppositions, unquestioned terminology, characteristic questions, lines of reasoning, specific theories and their typical scope and mode of application. The distributive paradigm defines social justice as the morally proper distribution of social benefits and burdens among society's members. Paramount among these are wealth, income, and other material resources. The distributive definition of justice often includes, however, nonmaterial social goods such as rights, opportunity, power, and self respect. What marks the distributive paradigm is a tendency to conceive social justice and distribution as coextensive concepts.

A review of how some major theorists define justice makes apparent the prevalence of this conceptual identification of justice with distribution. Rawls defines a "conception of justice as providing in the first instance a standard whereby the distributive aspects of the basic structure of society are to be assessed."¹ W.G. Runciman defines the problem of justice as "the problem of arriving at an ethical criterion by reference to which the distribution of social

¹ *conception of justice ... to be assessed* [Unless otherwise noted, all notes are by the author of this selection.] John Rawls, *A Theory of Justice* (1971), p. 9.

goods in societies may be assessed."¹ Bruce Ackerman defines the problem of justice initially as that of determining initial entitlements of a scarce resource, manna, which is convertible into any social good.²

William Galston makes more explicit than most theorists the logic of a distributive understanding of justice. Justice, he says, involves an ensemble of possessive relations. In a possessive relation the individual is distinct from the object possessed. Justice, he says, may be defined as rightful possession.³ In such a possessive model the nature of the possessing subject is prior to and independent of the goods possessed; the self underlies and is unchanged by alternative distributions.⁴ Justice concerns the proper pattern of the allocation of entities among such antecedently existing individuals. Or as Galston puts it, justice is

the appropriate assignment of entities to individuals; appropriateness encompasses both the relation between some feature of entities and individuals under consideration and the relation between those entities and possible modes of assignment. The domain of entities may include objects, qualities, positions within a system, or even human beings.⁵

The distributive paradigm of justice so ensnares philosophical thinking that even critics of the dominant liberal framework continue to formulate the focus of justice in exclusively distributive terms. David Miller, for example, claims that liberal conceptions of justice tend to reflect the prevailing social relations, and argues for a more egalitarian conception of justice than traditional theories propose. Yet he also defines the subject matter of justice as "the manner in which benefits and burdens are distributed among persons, where such qualities and relationships can be investigated."⁶ Even explicitly socialist or Marx-

ist discussions of justice often fall under the distributive paradigm. In their discussion of justice under socialism, for example, Edward Nell and Onora O'Neill assume that the primary difference between socialist justice and capitalist liberal justice is in their principles of distribution.⁷ Similarly, Kai Nielsen elaborates socialist principles of a radical egalitarian justice which have a primarily distributional focus.⁸

Michael Walzer is interestingly ambiguous in relation to the distributive paradigm.⁹ Walzer asserts that philosophers' criticisms of the injustice of a social system usually amount to claims that a dominant good should be more widely distributed, that is, that monopoly is unjust. It is more appropriate, he says, to criticize the structure of dominance itself, rather than merely the distribution of the dominant good. Having one sort of social good—say, money—should not give one automatic access to other social goods. If the dominance of some goods over access to other goods is broken, then the monopoly of some group over a particular good may not be unjust. Walzer's analysis here has resonances with my concern to focus primarily on the social structures and processes that produce distributions rather than on the distributions. At the same time, however, Walzer repeatedly and unambiguously uses the language of distribution to discuss social justice, in sometimes reifying and strange ways. In his chapter on the family, for example, he speaks of the just distribution of love and affection.

Most theorists take it as given, then, that justice is about distributions. The paradigm assumes a single model for all analyses of justice: all situations in which justice is at issue are analogous to the situation of persons dividing a stock of goods and comparing the size of the portions individuals have. Such a model implicitly assumes that individuals or other agents lie as nodes, points in the social field, among whom larger or smaller bundles of social goods are assigned. The individuals are externally related to the goods they possess, and their only relation to one another that matters from the point of view of the paradigm is a comparison of the amount of goods they possess. The distributive para-

1 *the problem ... may be assessed* W.G. Runciman, "Processes, End States and Social Justice," *Philosophical Quarterly* 28 (January, 1978), p. 37.

2 *Bruce Ackerman ... any social good* Bruce Ackerman, *Social Justice and the Liberal State* (1980), p. 25.

3 *William Galston ... rightful possession* William Galston, *Justice and the Human Good* (1976), p. 5.

4 *In such ... alternative distributions* Cf. Michael Sandel, *Liberalism and the Limits of Justice* (1982).

5 *the appropriate assignment ... human beings* Galston, *Justice and the Human Good*, p. 112.

6 *the manner ... be investigated* David Miller, *Social Justice* (1976), p. 19.

7 *Edward Nell and Onora O'Neill ... principles of distribution* Edward Nell and Onora O'Neill, "Justice under Socialism," in James Sterba, ed., *Justice: Alternative Political Perspectives* (1980).

8 *Kai Nielsen ... distributional focus* Kai Nielsen, in "Radical Egalitarian Justice: Justice as Equality," *Social Theory and Practice* 5 (Spring, 1979), pp. 209–26; and in *Liberty and Equality* (1985).

9 *Michael Walzer ... distributive paradigm* See Michael Walzer, *Spheres of Justice* (1983), pp. 10–13.

digm thus implicitly assumes a social atomism,¹ inasmuch as there is no internal relation among persons in society relevant to considerations of justice.

The distributive paradigm is also pattern oriented. It evaluates justice according to the end-state pattern of persons and goods that appear on the social field. Evaluation of social justice involves comparing alternative patterns and determining which is the most just. Such a pattern-oriented conceptualization implicitly assumes a static conception of society.

I find two problems with this distributive paradigm, which I elaborate in the next two sections. First, it tends to ignore, at the same time that it often presupposes, the institutional context that determines material distributions. Second, when extended to nonmaterial goods and resources, the logic of distribution misrepresents them.

The Distributive Paradigm Presupposes and Obscures Institutional Context

Most theorizing about social justice focuses on the distribution of material resources, income, or positions of reward and prestige. Contemporary debates among theorists of justice, as Charles Taylor points out,² are inspired largely by two practical issues. First, is the distribution of wealth and income in advanced capitalist countries just, and if not, does justice permit or even require the provision of welfare services and other redistributive measures? Second, is the pattern of the distribution of positions of high income and prestige just, and if not, are affirmative action policies just means to rectify that injustice? Nearly all of the writers I cited earlier who define justice in distributive terms identify questions of the equality or inequality of wealth and income as the primary questions of social justice.³ They usually subsume the second set of questions, about the justice of the distribution of social positions, under the question

of economic distribution, since "more desirable" positions usually correspond to those that yield higher income or greater access to resources.

Applied discussions of justice too usually focus on the distribution of material goods and resources. Discussions of justice in medical care, for example, usually focus on the allocation of medical resources such as treatment, sophisticated equipment, expensive procedures, and so on.⁴ Similarly, issues of justice enter discussion in environmental ethics largely through consideration of the impact that alternative policies might have on the distribution of natural and social resources among individuals and groups.⁵

The social context of welfare capitalist society helps account for this tendency to focus on the distribution of income and other resources. Public political dispute in welfare corporate society is largely restricted to issues of taxation, and the allocation of public funds among competing social interests. Public discussions of social injustice tend to revolve around inequalities of wealth and income, and the extent to which the state can or should mitigate the suffering of the poor.

There are certainly pressing reasons for philosophers to attend to these issues of the distribution of wealth and resources. In a society and world with vast differences in the amount of material goods to which individuals have access, where millions starve while others can have anything they want, any conception of justice must address the distribution of material goods. The immediate provision of basic material goods for people now suffering severe deprivation must be a first priority for any program that seeks to make the world more just. Such a call obviously entails considerations of distribution and redistribution.

But in contemporary American society, many public appeals to justice do not concern primarily the distribution of material goods. Citizens in a rural Massachusetts town organize against a decision to site a huge hazardous waste treatment plant in their town. Their leaflets convince people that state law has treated the community unjustly by denying them the option of rejecting the plant.⁶ Citizens

1 *social atomism* [editors' note] The approach that views social phenomena as arising, at core, from the actions and characteristics of individual people, seen as the basic "atoms"; this contrasts with theories that take relational properties of individuals—how they are connected to one another and to groups—and properties of groups, as basic, unanalyzed, unexplained by individual characteristics.

2 *Charles Taylor points out* Charles Taylor, "The Nature and Scope of Distributive Justice," in *Philosophy and the Human Sciences* (1985).

3 *Nearly all ... social justice* See also John Arthur and William Shaw, eds., *Justice and Economic Distribution* (1978).

4 *Discussions of justice ... and so on* See, e.g., Norman Daniels, *Just Health Care* (1985), especially chapters 3 and 4.

5 *issues of justice ... individuals and groups* See, e.g., Robert Simon, "Troubled Waters: Global Justice and Ocean Resources," in Tom Regan, ed., *Earthbound* (1984).

6 *Citizens in a rural ... the plant* Iris Young, "Justice and Hazardous Waste," in Michael Bradie, ed., *The Applied Turn in Contemporary Philosophy* (1983).

For example, unless one begins with the assumption that all positions of high status, income, and decision-making power ought to be distributed in comparable numbers to women and men, finding that very few top corporate managers are women might not involve any question of injustice. It is in the context of a social change involving more acceptance of women in corporate management, and a considerable increase in the number of women who obtain degrees in business, that a question of injustice becomes most apparent here. Even though more women earn degrees in business, and in-house policies of some companies aim to encourage women's careers, a pattern of distribution of managerial positions that clusters women at the bottom and men at the top persists. Assuming that justice ultimately means equality for women, this pattern is puzzling, disturbing. We are inclined to ask: what's going on here? why is this general pattern reproduced even in the face of conscious efforts to change it? Answering that question entails evaluation of a matrix of rules, attitudes, interactions, and policies as a social process that produces and reproduces that pattern. An adequate conception of justice must be able to understand and evaluate the processes as well as the patterns.

One might object that this account confuses the empirical issue of what causes a particular distribution with the normative issue of whether the distribution is just. As will be apparent in the chapters that follow, however, in the spirit of critical social theory I do not accept this division between empirical and normative social theory. While there is a distinction between empirical and normative statements and the kinds of reasons required for each, no normative theory meant to evaluate existing societies can avoid empirical inquiry, and no empirical investigation of social structures and relations can avoid normative judgments. Inquiry about social justice must consider the context and causes of actual distributions in order to make normative judgments about institutional rules and relations.

The pattern orientation of the distributive paradigm, then, tends to lead to abstraction from institutional rules and relations and a consequent failure to bring them into evaluation. For many aspects of social structure and institutional context cannot be brought into view without examining social processes and the unintended cumulative consequences of individual actions. Without a more temporal approach to social reality, for example, as we shall see in Chapter 2, a theory of justice cannot conceptualize

exploitation, as a social process by which the labor of some unreciprocally supports the privilege of others.

Problems with Talk of Distributing Power

I have argued that regarding such social values as rights, opportunities, and self-respect as distributable obscures the institutional and social bases of these values. Some theorists of justice might respond to my criticism of the distributive paradigm as follows: What is in question is indeed not goods, but social power; the distributive paradigm, however, can accommodate these issues by giving more attention to the distribution of power. Certainly I agree that many of the issues I have said are confused or obscured by the distributive paradigm concern social power. While talk of the distribution of power is common, however, I think this is a particularly clear case of the misleading and undesirable implications of extending the concept of distribution beyond material goods.

Distributional theorists of justice disagree on how to approach power. Some explicitly exclude power from the scope of their theories. David Miller, for example, claims that questions of power are not questions of social justice per se, but concern the causes of justice and injustice.¹ Ronald Dworkin explicitly brackets issues of power in his discussion of equality, and chooses to consider only issues of welfare, the distribution of goods, services, income, and so on.²

Other philosophers and political theorists, however, clearly include questions of power within the scope of the concept of justice. Many would agree that a theory of justice must be concerned not only with end-state patterns, but also with the institutional relations that produce distributions. Their approach to such questions takes the form of assessing the distribution of power in a society or a specific institutional context.

Talk about power in terms of distribution is so common that it does not warrant special notice. The following passage from William Connolly's *Terms of Political Discourse* is typical:

1 *David Miller ... justice and injustice* David Miller, *Social Justice*, p. 22.

2 *Ronald Dworkin ... income, and so on* Ronald Dworkin, "What Is Equality? Part 1," *Philosophy and Public Affairs* 10 (Summer, 1981): pp. 185-246.

When one speaks of a power structure one conveys, first, the idea that power in at least some domains is distributed unequally; second, that those with more power in one domain are likely to have it in several important domains as well; third, that such a distribution is relatively persistent; and fourth (but not necessarily), that there is more than a random connection between the distribution of power and the distribution of income, status, privilege, and wealth in the system under scrutiny.¹

Common though it is, bringing power under the logic of distribution, I suggest, misconstrues the meaning of power. Conceptualizing power in distributive terms means implicitly or explicitly conceiving power as a kind of stuff possessed by individual agents in greater or lesser amounts. From this perspective a power structure or power relations will be described as a pattern of the distribution of this stuff. There are a number of problems with such a model of power.

First, regarding power as a possession or attribute of individuals tends to obscure the fact that power is a relation rather than a thing.² While the exercise of power may sometimes depend on the possession of certain resources—money, military equipment, and so on—such resources should not be confused with power itself. The power consists in a relationship between the exerciser and others through which he or she communicates intentions and meets with their acquiescence.

Second, the atomistic bias of distributive paradigms of power leads to a focus on particular agents or roles that have power, and on agents over whom these powerful agents or roles have power. Even when they recognize its relational character, theorists often treat power as a dyadic relation, on the model of ruler and subject. This dyadic modeling of power misses the larger structure of agents and actions that mediates between two agents in a power relation.³ One agent can have institutionalized power over another only if the actions of many third agents support and execute the will of the powerful. A judge may be said to have power over a prisoner, but only in the context of a network of practices executed by prison wardens, guards, recordkeep-

ers, administrators, parole officers, lawyers, and so on. Many people must do their jobs for the judge's power to be realized, and many of these people will never directly interact with either the judge or the prisoner. A distributive understanding of power as a possession of particular individuals or groups misses this supporting and mediating function of third parties.

A distributive understanding of power, which treats power as some kind of stuff that can be traded, exchanged, and distributed, misses the structural phenomena of domination.⁴ By domination I mean structural or systemic phenomena which exclude people from participating in determining their actions or the conditions of their actions.⁵ Domination must be understood as structural precisely because the constraints that people experience are usually the intended or unintended product of the actions of many people, like the actions which enable the judge's power. In saying that power and domination have a structural basis, I do not deny that it is individuals who are powerful and who dominate. Within a system of domination some people can be identified as more powerful and others as relatively powerless. Nevertheless a distributive understanding misses the way in which the powerful enact and reproduce their power.

The structured operation of domination whose resources the powerful draw upon must be understood as a process. A distributive conceptualization of power, however, can construct power relations only as patterns. As Thomas Wartenburg argues, conceptualizing power as relational rather than substantive, as produced and reproduced through many people outside the immediate power dyad, brings out the dynamic nature of power relations as an ongoing process.⁶ A distributive understanding of power obscures the fact that, as Foucault puts it, power exists only in action:⁷

What, by contrast, should always be kept in mind is that power, if we do not take too distant a view of it, is not that which makes the differ-

1 *When one ... under scrutiny* William Connolly, *The Terms of Political Discourse*, 2d ed. (1983), p. 117.

2 *regarding power ... a thing* Peter Bachrach and Morton Baratz, "Two Faces of Power," in Roderick Bell, David Edwards, and Harrison Wagner, eds., *Political Power*, New York: Free Press, 1969.

3 *This dyadic modeling ... power relation* Thomas E. Wartenburg, *The Forms of Power: An Essay in Social Ontology* (1989), chap. 7.

4 *A distributive understanding ... phenomena of domination* Nancy Hartssock, *Money, Sex and Power* (1983).

5 *By domination ... of their actions* See Wartenburg, *The Forms of Power*, chapter 6.

6 *Thomas Wartenburg ... an ongoing process* See Wartenburg, *The Forms of Power*, chapter 9.

7 *A distributive understanding ... only in action* Michel Foucault *Power/Knowledge* (1980), p. 89. See Barry Smart, *Foucault, Marxism, and Critique* (1983), chap. 5; and Jana Sawicki, "Foucault and Feminism: Toward a Politics of Difference," *Hypatia: A Journal of Feminist Philosophy* 1 (Summer, 1986): pp. 23-36.

ence between those who exclusively possess and retain it, and those who do not have it and submit to it. Power must be analyzed as something that circulates, or rather something which only functions in the form of a chain. It is never localized here or there, never in anybody's hands, never appropriated as a commodity or piece of wealth. Power is employed and exercised through a net-like organization. And not only do individuals circulate between its threads; they are always in the position of simultaneously undergoing and exercising their power.¹

The logic of distribution, in contrast, makes power a machine or instrument, held in ready and turned on at will, independently of social processes.

Finally, a distributive understanding of power tends to conceive a system of domination as one in which power, like wealth, is concentrated in the hands of a few. Assuming such a condition is unjust, a redistribution of power is called for, which will disperse and decentralize power so that a few individuals or groups no longer have all or most of the power. For some systems of domination such a model may be appropriate. As I will argue in the next two chapters, however, it is not appropriate for understanding the operation of domination and oppression in contemporary welfare corporate societies. For these societies witness the ironic situation in which power is widely dispersed and diffused, yet social relations are tightly defined by domination and oppression. When power is understood as "productive," as a function of dynamic processes of interaction within regulated cultural and decisionmaking situations, then it is possible to say that many widely dispersed persons are agents of power without "having" it, or even being privileged. Without a structural understanding of power and domination as processes rather than patterns of distribution, the existence and nature of domination and oppression in these societies cannot be identified.

Defining Injustice as Domination and Oppression

Because distributive models of power, rights, opportunity, and self-respect work so badly, justice should not be conceived primarily on the model of the distribution of wealth,

¹ *What, by contrast ... exercising their power* Foucault, *Power/Knowledge*, p. 98.

income, and other material goods. Theorizing about justice should explicitly limit the concept of distribution to material goods, like things, natural resources, or money. The scope of justice is wider than distributive issues. Though there may be additional nondistributive issues of justice, my concerns in this book focus on issues of decisionmaking, division of labor, and culture.

Political thought of the modern period greatly narrowed the scope of justice as it had been conceived by ancient and medieval thought. Ancient thought regarded justice as the virtue of society as a whole, the wellorderedness of institutions that foster individual virtue and promote happiness and harmony among citizens. Modern political thought abandoned the notion that there is a natural order to society that corresponds to the proper ends of human nature. Seeking to liberate the individual to define "his" own ends, modern political theory also restricted the scope of justice to issues of distribution and the minimal regulation of action among such self-defining individuals.²

While I hardly intend to revert to a full-bodied Platonic conception of justice, I nevertheless think it is important to broaden the understanding of justice beyond its usual limits in contemporary philosophical discourse. Agnes Heller proposes one such broader conception in what she calls an incomplete ethico-political concept of justice.³ According to her conception, justice names not principles of distribution, much less some particular distributive pattern. This represents too narrow and substantive a way of reflecting on justice. Instead, justice names the perspectives, principles, and procedures for evaluating institutional norms and rules. Developing Habermas's communicative ethics,⁴ Heller suggests that justice is primarily the virtue of citizenship, of persons deliberating about problems and issues that confront them collectively in their institutions and actions, under conditions without domination or oppression, with

² *Seeking to liberate ... self-defining individuals* Agnes Heller, *Beyond Justice* (1987), chapter 2; and see Alasdair MacIntyre, *After Virtue* (1981), chapter 17.

³ *Agnes Heller ... concept of justice* Agnes Heller, *Beyond Justice*, chapter 5.

⁴ *Habermas's communicative ethics* [editors' note] Jürgen Habermas (1929–), German social philosopher and sociologist, associated with the "Frankfurt School." His discourse ethics is based on a theory of communicative action in which the validity of moral norms is determined by the intersubjective, uncoerced agreement of participants in public debate. See the introduction to his work in this anthology.

reciprocity and mutual tolerance of difference. She proposes the following test of the justice of social or political norms:

Every valid social and political norm and rule (every law) must meet the condition that the foreseeable consequences and side effects the general observance of that law (norm) exacts on the satisfaction of the needs of each and every individual would be accepted by everyone concerned, and that the claim of the norm to actualize the universal values of freedom and/or life could be accepted by each and every individual, regardless of the values to which they are committed.¹

In the course of this book I shall raise some critical questions about the ideas of citizenship, agreement, and universality embedded in the radically democratic ideal which Habermas and Heller, along with others, express. Nevertheless, I endorse and follow this general conception of justice derived from a conception of communicative ethics. The idea of justice here shifts from a focus on distributive patterns to procedural issues of participation in deliberation and decision making. For a norm to be just, everyone who follows it must in principle have an effective voice in its consideration and be able to agree to it without coercion. For a social condition to be just, it must enable all to meet their needs and exercise their freedom; thus justice requires that all be able to express their needs.

As I understand it, the concept of justice coincides with the concept of the political. Politics as I defined it in the Introduction includes all aspects of institutional organization, public action, social practices and habits, and cultural meanings insofar as they are potentially subject to collective evaluation and decisionmaking. Politics in this inclusive sense certainly concerns the policies and actions of government and the state, but in principle can also concern rules, practices, and actions in any other institutional context.²

The scope of justice, I have suggested, is much wider than distribution, and covers everything political in this sense. This coheres with the meaning of justice claims of the sort mentioned at the outset of this chapter. When people claim that a particular rule, practice, or cultural meaning is wrong and should be changed, they are often making a claim about social injustice. Some of these claims involve

distributions, but many also refer to other ways in which social institutions inhibit or liberate persons.

Some writers concur that distribution is too narrow a focus for normative evaluation of social institutions, but claim that going beyond this distributive focus entails going beyond the norms of justice per se. Charles Taylor, for example, distinguishes questions of distributive justice from normative questions about the institutional framework of society.³ Norms of justice help resolve disputes about entitlements and deserts within a particular institutional context. They cannot evaluate that institutional context itself, however, because it embodies a certain conception of human nature and the human good. According to Taylor, confusions arise in theoretical and political discussion when norms of distributive justice are applied across social structures and used to evaluate basic structures. For example, both right and left critics of our society charge it with perpetrating injustices, but according to Taylor the normative perspective from which each side speaks involves a project to construct different institutional forms corresponding to specific conceptions of the human good, a project beyond merely articulating principles of justice.

From a somewhat different perspective, Seyla Benhabib suggests that a normative social theory which evaluates institutions according to whether they are free from domination, meet needs, and provide conditions of emancipation entails going beyond justice as understood by the modern tradition.⁴ Because this broader normative social theory entails a critique of culture and socialization in addition to critiques of formal rights and patterns of distribution, it merges questions of justice with questions of the good life.

I am sympathetic with both these discussions, as well as with Michael Sandel's related argument for recognizing the "limits" of justice and the importance of conceptualizing normative aspects of the self in social contexts that lie beyond those limits.⁵ But while I share these writers' general critique of liberal theories of distributive justice, I see no reason to conclude with Taylor and Sandel that this critique reveals the limits of the concept of justice which a normative social philosophy must transcend. I disagree to some extent, moreover, with Taylor's and Benhabib's suggestion

1 *Every valid ... they are committed.* Agnes Heller, *Beyond Justice*, pp. 240-41.

2 *Politics in this ... institutional context* See Ronald Mason, *Participatory and Workplace Democracy* (1982), pp. 11-24.

3 *Charles Taylor ... framework of society* Charles Taylor, "The Nature and Scope of Distributive Justice."

4 *Seyla Benhabib ... the modern tradition* Seyla Benhabib, *Critique, Norm and Utopia* (1986), pp. 330-36.

5 *Michael Sandel's ... beyond those limits* Sandel, *Liberalism and the Limits of Justice*.

that such a wider normative social philosophy merges questions of justice with questions of the good life.

Like many other writers cited earlier in this chapter, Taylor assumes that justice and distribution are coextensive, and therefore that broader issues of institutional context require other normative concepts. Many Marxist theorists who argue that justice is a merely bourgeois concept take a similar position. Whether normative theorists who focus attention on issues of decisionmaking, division of labor, culture, and social organization beyond the distribution of goods call these issues of justice or not is clearly a matter of choice. I can give only pragmatic reasons for my own choice.

Since Plato "justice" has evoked the well-ordered society, and it continues to carry those resonances in contemporary political discussion. Appeals to justice still have the power to awaken a moral imagination and motivate people to look at their society critically, and ask how it can be made more liberating and enabling. Philosophers interested in nurturing this emancipatory imagination and extending it beyond questions of distribution should, I suggest, lay claim to the term justice rather than abandon it.

To a certain extent Heller, Taylor, and Benhabib are right that a postmodern turn to an enlarged conception of justice, reminiscent of the scope of justice in Plato and Aristotle, entails more attention to the definition of ends than the liberal conception of justice allows. Nevertheless, questions of justice do not merge with questions of the good life. The liberal commitment to individual freedom, and the consequent plurality of definitions of the good, must be preserved in any reenlarged conception of justice. The modern restriction of the concept of justice to formal and instrumental principles was meant to promote the value of individual self-definition of ends, or "plans of life," as Rawls calls them. In displacing reflection about justice from a primary focus on distribution to include all institutional and social relations insofar as they are subject to collective decision, I do not mean to suggest that justice should include all moral norms in its scope. Social justice in the sense I intend continues to refer only to institutional conditions, and not to the preferences and ways of life of individuals or groups.

Any normative theorist in the postmodern world is faced with a dilemma. On the one hand, we express and justify norms by appealing to certain values derived from a conception of the good human life. In some sense, then, any normative theory implicitly or explicitly relies on a

conception of human nature.¹ On the other hand, it would seem that we should reject the very idea of a human nature as misleading or oppressive.

Any definition of a human nature is dangerous because it threatens to devalue or exclude some acceptable individual desires, cultural characteristics, or ways of life. Normative social theory, however, can rarely avoid making implicit or explicit assumptions about human beings in the formulation of its vision of just institutions. Even though the distributive paradigm carries an individualist conception of society, which considers individual desires and preferences private matters outside the sphere of rational discourse, it assumes a quite specific conception of human nature. It implicitly defines human beings as primarily consumers, desirers, and possessors of goods.² C.B. Macpherson argues that in presupposing such a possessively individualist view of human nature the original liberal theorists hypostatized the acquisitive values of emergent capitalist social relations.³ Contemporary capitalism, which depends more upon widespread indulgent consumption than its penny-pinching Protestant ancestor, continues to presuppose an understanding of human beings as primarily utility maximizers.⁴

The idea of human beings that guides normative social theorizing under the distributive paradigm is an image, rather than an explicit theory of human nature. It makes plausible to the imagination both the static picture of social relations entailed by this distributive paradigm and the notion of separate individuals already formed apart from social goods. Displacing the distributive paradigm in favor of a wider, process-oriented understanding of society, which focuses on power, decisionmaking structures, and so on, likewise shifts the imagination to different assumptions about human beings. Such an imaginative shift could be as oppressive as consumerist images if it is made too concrete. As long as the values we appeal to are abstract enough, however, they will not devalue or exclude any particular culture or way of life.

Persons certainly are possessors and consumers, and any conception of justice should presume the value of meeting

1 *any normative theory ... human nature* See Alison Jaggar, *Feminist Politics and Human Nature* (1983), pp. 18–22.

2 *It implicitly ... possessors of goods* Agnes Heller, *Beyond Justice*, pp. 180–82.

3 *C.B. Macpherson ... social relations* C.B. Macpherson, *The Political Theory of Possessive Individualism* (1962).

4 *Contemporary capitalism ... utility maximizers* Charles Taylor, "The Nature and Scope of Distributive Justice."

material needs, living in a comfortable environment, and experiencing pleasures. Adding an image of people as doers and actors¹ helps to displace the distributive paradigm. As doers and actors, we seek to promote many values of social justice in addition to fairness in the distribution of goods: learning and using satisfying and expansive skills in socially recognized settings; participating in forming and running institutions, and receiving recognition for such participation; playing and, communicating with others, and expressing our experience, feelings, and perspective on social life in contexts where others can listen. Certainly many distributive theorists of justice would recognize and affirm these values. The framework of distribution, however, leads to a deemphasizing of these values and a failure to inquire about the institutional conditions that promote them.

This, then, is how I understand the connection between justice and the values that constitute the good life. Justice is not identical with the concrete realization of these values in individual lives; justice, that is, is not identical with the good life as such. Rather, social justice concerns the degree to which a society contains and supports the institutional conditions necessary for the realization of these values. The values comprised in the good life can be reduced to two very general ones: (1) developing and exercising one's capacities and expressing one's experience,² and (2) participating in determining one's action and the conditions of one's action.³ These are universalist values, in the sense that they assume the equal moral worth of all persons, and thus justice requires their promotion for everyone. To these two general values correspond two social conditions that define injustice: oppression, the institutional constraint on self-development, and domination, the institutional constraint on self-determination.

Oppression consists in systematic institutional processes which prevent some people from learning and using

satisfying and expansive skills in socially recognized settings, or institutionalized social processes which inhibit people's ability to play and communicate with others or to express their feelings and perspective on social life in contexts where others can listen. While the social conditions of oppression often include material deprivation or maldistribution, they also involve issues beyond distribution, as I shall show in Chapter 2.

Domination consists in institutional conditions which inhibit or prevent people from participating in determining their actions or the conditions of their actions. Persons live within structures of domination if other persons or groups can determine without reciprocation the conditions of their action, either directly or by virtue of the structural consequences of their actions. Thorough social and political democracy is the opposite of domination. In Chapter 3 I discuss some of the issues of decisionmaking that contemporary welfare state politics ignores, and show how insurgent social movements frequently address issues of domination rather than distribution.

As will become clear in the chapters that follow, I think the concepts of oppression and domination overlap, but there is nevertheless reason to distinguish them. Oppression usually includes or entails domination, that is, constraints upon oppressed people to follow rules set by others. But each face of oppression that I shall discuss in Chapter 2 also involves inhibitions not directly produced by relations of domination. As should become clear in that chapter, moreover, not everyone subject to domination is also oppressed. Hierarchical decision-making structures subject most people in our society to domination in some important aspect of their lives. Many of those people nevertheless enjoy significant institutionalized support for the development and exercise of their capacities and their ability to express themselves and be heard.

- 1 *Adding an image ... doers and actors* C.B. Macpherson, *Democratic Theory: Essays in Retrieval*; and Samuel Bowles and Herbert Gintis, "Crisis of Liberal Democratic Capitalism: The Case of the United States," *Politics and Society* 11 (1986): pp. 51-94.
- 2 *developing and exercising ... one's experience* See Gould, *Rethinking Democracy*, chapter 2; and Galston, *Justice and the Human Good*, pp. 61-69.
- 3 *participating in determining ... one's action* See Iris Young, "Self-Determination as a Principle of Justice," *Philosophical Forum* 11 (Fall, 1979): pp. 172-82.