

ECO-ETHICA

VOLUME 6

ABSTRACTS / RÉSUMÉS

Part I / Première partie

Ethics and The Idea of Justice / Éthique et l'idée de justice

Peter KEMP, *Justice dans un monde de violence. Sur la gouvernance mondiale selon la rose des vents*

The question is: how shall we conceive the idea of justice in the world of violence of our time? It takes up the old symbol of justice: the scales that symbolise an equilibrium between different ambitions. The author traces this idea in Western philosophy since Plato and Aristotle through Kant to Rawls, Ricœur and Delmas-Marty for whom it becomes the symbol of global justice. By using the wind rose as another symbol, Delmas-Marty expresses the ethical necessity of a global justice between the philosophical, legal, social and political ambitions that blow across our whole world. All these winds have their rights in globalization, but none of them have the right to dominate the others. P. 13.

Tilman BORSCHÉ, *Equity – The Image of Infinite Justice in Law*

Enquiring the sources and the legitimacy of Derrida's statement "Law (*droit*) is not justice" from his essay "Force of Law: The 'Mystical Foundation of Authority'" (1990), the paper analyses the three notions of "justice", "equity" and "concordantia" (in Cusanus). Part I explains historically how the difference between the limited and changing human laws and the eternal justice of God was gradually being perceived and acknowledged in Antiquity. Part II illustrates how the virtue of equity was called upon to compensate for the insufficiencies and contradictions of human laws, mainly by Aristotle. Part III explores the conditions how and argues for the possibility that the notion of "concordantia" as developed by Nicolaus Cusanus for the Council of Basle could work as a mediating principle of legislation among conflicting interests and thus provide for temporary justice by means of an equitable procedure of legislation. P. 23.

Robert BERNASCONI, *Lost without Words: The Justice That Surpasses Blind Justice*

Emmanuel Levinas can be read as challenging the legal principle that everybody must be treated in the same way without fear of favor, no matter who they are or what status they hold. He did so by highlighting the private suffering that goes unnoticed if justice is blind, as is suggested by the image of Iustitia wearing a blindfold. What this unspeakable suffering means for justice is explored through

a reading of Jean Améry's *At the Mind's Limit* and Jill Stauffer's *Ethical Loneliness: The Injustice of Not Being Heard*. P. 47.

Jacob Dahl RENDTORFF, *Mondialisation et justice globale. Vers un esprit cosmopolitique / Globalization and Global Justice, Towards a Cosmopolitan Spirit*

This article discusses the concept of globalization in relation to global justice with the aim of developing a cosmopolitan spirit as the basis for international justice. Globalization was in the beginning an economic concept but with the emergence of global problems of global poverty, environmental degradation, climate change and global social and political interdependence we need to re-think the concept of justice for the international community at a cosmopolitan level. The article considers that it is the task of political philosophy to reflect on this other concept of globalization, not only as a utopia but also as a real alternative for the global community. The dream of another globalization includes overcoming the misery of the world in the struggle for democracy and hope for cosmopolitan justice in the age of hypermodernity. P. 59.

David RASMUSSEN, *From the Moral to the Political. The Question of Political Legitimacy in Non-Western Societies*

This article focuses on the problem of political legitimacy: first, by finding it to be the driving force in the Rawlsian paradigm moving from a focus on the moral to one on the political; second, with the help of a consideration of multiple-modernities theory, by arguing for a version of political liberalism freed of its western framework; and third, by applying that framework to current debates over the meaning of democracy in a Confucian context. P. 81.

Bernard REBER, *Le quasi-réalisme de Dworkin et la responsabilité de juger. Hercule face au roi Salomon*

Dworkin invented a fictional character: Hercules. Super-judge he has the capacity to reveal the hidden structure of judgments. In his famous judgment Solomon's wisdom is recognized as divine. It is no longer sufficient for a secularized philosophical reflection. However, Dworkin's Hercules is endowed with a capacity of unconventional coherence, which allows him to overcome the judge's instinct. It is somehow in the position of a god. Salomon, who is called wise, has undoubtedly invented an unexpected resolution in his judgment, which is tested here in the light of the richness of the meaning of responsibility. For Salomon, as for Dworkin, responsibility is a rock. – This chapter examines in-depth his latest book, *Justice for Hedgehogs*, from a moral realism perspective, in order to critically analyse his narrow conception of moral realism and the various opponents of this meta-ethical theory as powerful as it is diverse. P. 97.

Peter McCORMICK, *Just Persons*

Ethics has to do basically with what and who acting persons are. Persons however act variously. Some persons are basically individualists. They characteristically act as if they are as wholly independent as possible from other persons.

Other persons are collectivists. They act as if they are as much a dependent part of some larger community of persons as possible. – Accordingly, one cardinal issue for any philosophical ethics like eco-ethics is whether almost all persons are, fundamentally, independent entities. That is, are almost all persons independent entities, or are almost all persons dependent ones? – The idea I try to pursue here briefly is that, fundamentally, persons are neither independent nor dependent entities but interdependent ones. They are so in the senses of not being essentially prior to, or ontologically more basic than, or having their ontological identity apart from other persons. P. 115.

Part II / Partie II **Ethics and Social Justice / Éthique et justice sociale**

Jayne SVENUNGSSON, *Justice in the Prophetic Tradition*

This paper explores the idea of justice in the prophetic strand of the Jewish and Christian traditions. First, a brief description is given of the context in which the prophetic idea of justice first evolves. Second, focussing on the historical and prophetic literature Hebrew Bible, an analysis of the defining characteristics of this idea of justice is undertaken. Third and finally, the relevance of this prophetic tradition for our contemporary politico-philosophical debates on justice is discussed in relation to the discourse on law and justice initiated by Jacques Derrida in the 1990s and followed up by Giorgio Agamben during the last decades. P. 135.

Patrice CANIVEZ, *J.-J. Rousseau et l'idée de justice*

La question de la justice est partout présente dans l'œuvre de Rousseau. S'il aborde tout d'abord la question du juste et de l'injuste en rapport avec la loi de nature, la justice n'est cependant pas seulement pour Rousseau un problème de droit. S'interroger sur la justice, c'est poser la question de l'homme et de son rapport au monde. Pour autant, l'idée rousseauiste de justice ne se déduit pas d'une philosophie « compréhensive » du monde et des affaires humaines. La théorie rousseauiste de la justice est en elle-même une théorie compréhensive. C'est une philosophie des rapports humains et de la manière dont ils s'inscrivent dans l'ordre du monde. Ce chapitre s'efforce de rendre compte des différentes dimensions de cette théorie. Il commence par montrer comment Rousseau traite de la justice dans le cadre du droit naturel. Puis, il traite successivement du principe intersubjectif de la justice et de la justice comme principe d'un ordre « objectif » du monde, de la société et de l'État. P. 151.

Manuel B. DY, Jr., *Social Justice in Sun Yat-Sen's The Three Principles of the People*

The intent of this paper is to derive an understanding of social justice from Dr. Sun Yat-sen's *San Min Chu I, The Three Principles of the People*. Sun Yat-sen, the founder of modern China, gave a series of lectures in 1924, setting the goals of the revolution against the Qin dynasty and the foundation of a modern China. The word "justice" is mentioned only once in the lectures and it is paired

with “faithfulness,” or trust referring to the ancient moral character or virtue. And yet underlying the whole programme is a notion of justice that is not interpersonal but social. The first part of the paper gives a summary of the meaning of the three principles: nationalism, democracy and people’s livelihood. The second part attempts to draw the meaning of social justice from the three principles, hopefully showing the relevance of Sun Yat-sen’s ideas to our time. P. 171.

Sang-Hwan KIM, *Confucian Golden Mean as Justice*

The Confucian concept of *Jhongyong* (中庸) corresponds to the Western idea of metaphysical justice, and encompasses similar ideals to the Aristotelian golden mean. Herein is an approach to this Confucian concept from the perspective of comparative philosophy, its aim being triple: to expound on the central or representative position that the concept of *Jhongyong* takes in Confucian philosophy, to analyze various semantic spectrums of this Confucian concept, and to clarify the complex relationship it has with other Confucian ideas and principles. P. 187.

Noriko HASHIMOTO, *The Lack of a Concept of Justice in Japan. How to Recognize the Balance Between Opposite Views*

In the case of Japan, we accepted the Chinese philosophy of morality when we received the Chinese character Yi (義): it means responsibility to Heaven (vertical) and, at the same time, responsibility to community (horizontal). An act having this structure might be our responsibility as human beings: 義 means “justice”, keeping balance between Heaven and Earth. The Japanese people had such a balance until the Edo era. In 1868, when the Meiji Restoration occurred, the Japanese government tried to accept Western ideas. Cyoumin Nakae (中江兆民) introduced the Western philosophy of law and the constitutional system. He translated Rousseau’s *The Social Contract* into Japanese and gave a series of lectures on the social contract. The fundament of his thought is concentrated in the “rights of Liberty”. He emphasized transcendental liberty beyond personal, phenomenal liberty and found the same structure in Mencius. His idea of 義 suggests the way of justice. Unfortunately, this idea was crushed with the death of his talented disciple in prison. After the book of Bushido, 義 was only translated as “duty” for the community (horizontal), and we lost the vertical perspective: transcendental liberty. P. 201.

Part III / Partie III
On Paul Ricœur / Sur Paul Ricœur

Gilbert VINCENT, *Du sentiment d’indignation au sens de la justice. Apports de la pensée de Paul Ricœur*

Chez Paul Ricœur, on découvre une appréciation de l’indignation, dont la valeur tient d’abord à la nature, celle d’un authentique sentiment. Certes, ce dernier

n'est pas raison. Pourtant, Ricœur l'a amplement montré, les raisons d'agir se nourrissent de motifs, et ceux-ci ont généralement la couleur, voire la chaleur, de nos sentiments. – Parce qu'il la considère comme l'expression du « sentiment d'injustice », il tient l'indignation pour l'entrée, déjà réflexive, dans le monde éthique. À ses yeux, cette expérience est décisive pour tout enfant et elle reste fondamentale pour l'adulte, dont les capacités critiques lui doivent beaucoup, même si, souvent, ces dernières contribuent à leur tour à en redéfinir les premières cibles. – Ricœur n'a pas manqué de mettre un accent tout particulier sur la tradition prophétique biblique dans lequel il arrive que l'indignation contre l'injustice devienne accusation et condamnation irrémédiable contre l'injuste, à savoir Israël lui-même ! Mais que penser de « la colère de Dieu » ? Quant à lui, Ricœur nous invite, tout à la fois, à justifier l'indignation, éthiquement, mais à en limiter la portée ontologique et théologique. P. 215.

Bengt Kristensson UGGLA, *A Just Allotment of Memory and a Just Distance. Paul Ricœur on Memory and Justice*

This article elaborates upon how memory and justice are connected within the philosophical project of Paul Ricœur, and thus it aims to explore the broader context and meaning of his intriguing term “a just allotment of memory.” First, the concept of justice will be contextualized within the framework of Ricœur’s philosophical anthropology in general, and second, more specifically, with respect to his “little ethics.” Thereafter, issues relating to the manner in which memory generates questions of justice, and, indeed, why memory needs history in order to be just, will be explored. Finally, some crucial questions about the limits of justice, and the challenges associated with the presence of justice and injustices in limit-situations will briefly be raised. P. 245.

Zeynep DİREK, *Ricœur, Personalism and Personal Justice*

This essay explores the personalism underlying the ethical dimension of Ricœur’s discussion of the institutional justice. According to Ricœur, “public justice” refers to civil society’s critical response to the judicial acts of justice, with reference to ethical values as negotiating or mediating between the principles of justice and concrete practices, i.e., how things are done in the world, the existing state of affairs. Public justice can force institutional justice to function when it is not functioning well because of political interference and manipulation. In case the public justice is obstructed, for instance in a totalitarian regime, which intimidates the public debate, all we are left with is “personal justice,” a virtue in the Aristotelian sense that exceeds justice in the institutional sense. If institutional justice collapses and public discussion is silenced, personal justice is the only remaining relation to the third, which is irreducible to friendship. P. 263.