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Distributive Justice Debates in Political and Social Thought

Perspectives on Finding a Fair Share

Edited by
Camilla Boisen and
Matthew C. Murray



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Contents

<i>Notes on Contributors</i>	xvii
<i>Preface: The Limits of Distributive Justice: A Brief Exploration of Restorative Justice</i>	xxi
DAVID BOUCHER	
<i>Acknowledgements</i>	xxviii

Introduction: Distributing Distributive Justice	1
CAMILLA BOISEN AND MATTHEW C. MURRAY	

PART I **Historical Approaches to Distributive Justice** 7

1 A Right to Welfare: Historical and Philosophical Reflections	9
SAMUEL FLEISCHACKER	

2 Luck Egalitarianism and the History of Political Thought	26
CARL KNIGHT	

3 Radical Distributive Justice: Fichte's <i>The Closed Commercial State</i>	39
DAVID JAMES	

4 Social Darwinism and Social Justice: Herbert Spencer and the Poor	56
MATT ZWOLINSKI	



PART II

Distributive Justice Reconsidered: Forging New Debates 77

5 Dignity, Sociability and Capability: Exploring Nussbaum's Interpretation of Grotius 79

CAMILLA BOISEN AND MATTHEW C. MURRAY

6 Care Ethics and Distributive Justice 107

DANIEL ENGSTER

7 Justice and Real Politics: Freedom, Needs and Representation 128

LAWRENCE HAMILTON

8 A Conservative Response to Piketty's 'Unthinkable' Top Rate Income Tax 148

CHRISTOPHER ALLSOBROOK

PART III

New Horizons Beyond the West: African and Global Issues in Distributive Justice 169

9 An African Theory of Social Justice: Relationship as the Ground of Rights, Resources and Recognition 171

THADDEUS METZ

10 Social Protection and Justice: Poverty, Redistribution, Dignity 191

MARIANNE S. ULRIKSEN, SOPHIE PLAGERSON AND TESSA HOCHFELD

11 Territory, Desert and Global Distributive Justice 212

KIM ANGELL

12 The Global Commons and International Distributive Justice 230

PERI ROBERTS AND PETER SUTCH

Conclusion: Finding a Fair Share 251

CAMILLA BOISEN AND MATTHEW C. MURRAY

Index 257



9 An African Theory of Social Justice

Relationship as the Ground of Rights, Resources and Recognition

Thaddeus Metz

Africa as a Neglected Intellectual Resource

Most people know that Africa is a continent rich in minerals and, indeed, has been exploited for them for centuries. However, few people, including theorists in the Anglo-American and Continental traditions, are aware of what this part of the world has to contribute intellectually. Upon having moved to South Africa more than a decade ago, I have been working to mine the worldviews of black peoples indigenous to the sub-Saharan region for ideas that can contribute to contemporary debates in moral and political philosophy. This chapter presents some of my key findings with regard to the latter.

The theoretical gem that I have encountered upon having become acquainted with sub-Saharan normative perspectives is the idea that a certain kind of communal relationship is morally worth pursuing for its own sake. The kind of communitarianism below the Sahara, which I sometimes label ‘Afro-communitarianism’, differs from the kinds salient in the contemporary Western tradition, mainly in that it focuses more on a certain kind of relationship as the normative ground of political choice and less on a group. It also provides an interesting, relational contrast to the Hobbesian, Millian, Lockean and Kantian traditions, which are all individualist in an important way, as I explain below.

In my work, I have studied Afro-communitarian approaches to politics under a philosophical loupe, and have also sought to refine and polish them in various ways. The theory of justice that I advance in this chapter is therefore not meant to *reflect* the views of any particular African people. Instead, I have drawn on values and norms that have been salient in sub-Saharan worldviews in order to *construct* an attractive basic moral principle¹ in which I here ground a novel, comprehensive conception of social justice. My aim is not merely to indicate how this theory of justice with an African pedigree differs from influential Western views, but also to contend that it is worth taking seriously as a rival to them.

In this chapter I address solely social or ‘ideal’ justice, as opposed to criminal, compensatory or more broadly ‘non-ideal’ justice. The latter concerns second-order duties about how to respond to the violation of other

duties. My focus on the former means that I am instead concerned to specify some of the key first-order duties, binding principally on the state, that should not be violated in the first place when it comes to the protection of civil liberty, the distribution of property and the recognition of identity. Notice that I set aside issues of political power, for the sake of focus.²

I begin by distinguishing theories of social justice according to whether they are individualist, corporatist or relational, so as to make it clear how the latter category is under-developed in the English-speaking literature. Then, I advance a relational principle grounded on sub-Saharan ideas of community that is a strong candidate for a basic moral theory. In the rest of this chapter I apply this principle to three major issues in social justice, namely which civil liberties the state should protect, which resources the state should distribute and in what manner, and how people's identity should figure into state decision-making. Along the way I will have contrasted the Afro-communitarian approach with standard Western theories of justice, and conclude that, in light of its promise relative to them, it should not be neglected.

Individuals, Groups, Relationships

At a highly abstract level, theories of social justice are usefully characterised according to where moral status is located. By 'moral status' I mean what is entitled to moral treatment for its own sake, or what can be wronged. Most theories can be classified as (largely) either individualist, corporatist or relational.

An individualist theory of distributive justice (or of ethics more broadly) is one that implies that properties intrinsic to an individual are what ground moral status. It is the view that features of an individual that make no essential reference to anything outside it are what ground morality.

The most salient theories of distributive justice in the modern Western tradition are individualist in this way. Consider, first, Thomas Hobbes's (1651) egoist view that each agent, including the ruler of a state, ought to act in ways that are expected to satisfy his own long-term self-interest. Although interacting with others in various ways would of course be likely to improve an individual's self-interest, such interaction is of mere instrumental value; what matters morally for its own sake, and not merely as a means, is the satisfaction of a person's desires.

Similar remarks apply to John Stuart Mill's utilitarianism (1863). According to this theory, the state, among other agents, ought to do what will maximise expected interest satisfaction and minimise interest dissatisfaction over the long run, taking everyone's interests into account. Even though the interests of all are to be advanced as an aggregate, what has ultimate moral value from this perspective is, like egoism, an individual's capacity for pleasure/pain or for the desires she would have if informed to be satisfied/frustrated.

Turning to John Locke (1690), many political philosophers elect to read him as maintaining that individuals have basic natural rights of self-ownership. From this perspective, the sole job of the state is to protect people from interference with their bodies and minds and to protect the property they have acquired upon having either laboured on something unowned or been freely given something by another rightful owner (or having otherwise obtained something in a manner that has not harmed other persons). Again, the individualism is palpable.

For a last example, consider Immanuel Kant (1793), whose account of justice is largely grounded on the formula of humanity, according to which wrong acts are those that degrade a person's capacity for autonomy, roughly the ability of an individual to govern herself according to her reason, as opposed to be determined by natural instinct or conditioning. So stated, there is no essential reference to anyone but the individual when it comes what has moral status.³

From this sketch, one readily sees that individualism cuts across many of the usual ways of classifying theories of political and economic justice, e.g. egoist versus altruist, consequentialist versus deontological, rights-based versus duty-based, autocratic versus democratic, libertarian versus egalitarian, and so on. There is a real kernel of truth in the claim that the Western tradition, at least over the past few hundred years, largely ascribes basic moral value to the individual, and to the person in particular.

The starkest contrast with individualism is corporatism, according to which moral status inheres not in properties internal to an individual, but rather those of a group. From this standpoint, wholes are what ultimately matter and merit moral treatment for their own sake, and not their parts as distinct from them.

In the European canon G. W. F. Hegel (1837) is sometimes read this way, where he is taken to ascribe moral significance to spirit, a supra-individual agency that realises its freedom across society. In addition, there have been anthropologists who deem cultures to have basic moral value (e.g. Benedict, 1934), as well as other theorists who have deemed peoples or nations to have it, where this might include one of the founders of contemporary thought about crimes against humanity (cf. Kukathas, 2006). And then the Western 'communitarian' view that individuals can have unassumed obligations to support their community's way of life (e.g. Walzer, 1983; Sandel, 1984) might implicitly ascribe basic moral value to the latter.

The African tradition also has strains of corporatism, probably most clearly voiced in the work of Claude Ake when he remarks that

in most of Africa . . . people are still locked into natural economies and have a sense of belonging to an organic whole, be it a family, a clan, a lineage or an ethnic group. . . . All this means that abstract legal rights attributed to individuals will not make much sense for most of our people; neither will they be relevant to their consciousness and living

conditions. It is necessary to extend the idea of human rights to include collective human rights for corporate social groups such as the family, the lineage, the ethnic group.

(1987: 9; see also Kigongo, 2002)

Ake believes that individual rights might be appropriate for 'atomised' Western societies, in which people have a sense of their identity as persons separate from groups to which they belong, but that they are inappropriate in a context where characteristically African conceptions of the self and of the good predominate.

I implicitly argue below that Ake's interpretation of the African tradition is inaccurate, or at least incomplete; although he is correct that the notion of collective rights is part of it, it also includes individual rights, so that I believe it is no accident that the Organisation of African Unity's ('Banjul') Charter speaks of both 'human' rights and those of 'peoples' (OAU, 1981). My point at this stage, however, is merely to illustrate the differences between individualism, corporatism and relationalism.

Turning to the latter, it is the view that moral status is constituted by some kind of interactive property between one entity and another. It therefore stands 'in between' individualism and corporatism. Similar to individualism, a relational account implies that moral status can inhere in things as they exist apart from their membership in groups. A relational theory implies that something can warrant moral consideration even if it is not a member of a group or, more carefully (if every individual is necessarily part of a group), for a reason other than the fact that it is a member. Similar to corporatism, though, a relational account accords no moral status to a being on the basis of its intrinsic properties. A relational theory implies that something warrants moral consideration only if (and because) it can or does exhibit certain attitudes towards, or have a causal effect on, another being. It is an individual's extrinsic properties that count.

It is difficult to give clear examples from the Western tradition of justice; in fact, the closest cases come from theorists who are well known for rejecting distributive justice (construed in terms of giving people what they deserve, observing their rights or treating them impartially) as an ideal. Karl Marx, for instance, who in the *Critique of the Gotha Programme* (1875) is famously scathing of 'equal right' and 'fair distribution', at bottom prizes the realisation of a person's species-being, where that includes the capacity to relate to others in certain, communal ways (most clearly articulated in the early manuscripts, 1844a, 1844b). And more recently there is the ethic of care, normally contrasted with an ethic of justice, where the former maintains that the point of moral behaviour should be to develop, sustain and enrich caring relationships (e.g. Gilligan, 1982; Noddings, 1984).

Although there have been strains of relationalism in Western political philosophy, it has not been the dominant approach, particularly when it

comes to justice. That is quite unlike the African tradition, by which I mean worldviews and cultures salient among indigenous sub-Saharan peoples.⁴ They are routinely called ‘communitarian’, and, while that is not inaccurate, in the following section I demonstrate how African communitarianism is characteristically relational and not corporatist. Or at least I show that the relational interpretation is under-developed and merits much more attention than it has received as a potential ground of justice.

An Afro-Communitarian Moral Theory

In this section, I spell out a principled interpretation of relational themes that are prominent in the moral thought of sub-Saharan peoples and, especially, of contemporary, literate intellectuals whose ideas are grounded on theirs. I begin by indicating broadly how much of the African moral tradition is relational, after which I present a specific theory that I advance as a philosophically attractive reading of it.

To begin to see some of the respects in which African political thought has been relational, consider these remarks about sub-Saharan values and norms from theorists who are from places as diverse as South Africa, Zimbabwe, Uganda, Kenya and Nigeria:

(I)n African societies, immorality is the word or deed which undermines fellowship.

(Kasenene, 1998: 21; see also p. 67)

The conclusion that Africans are persistently in search of harmony in all spheres of life is pertinently true of African thought. The concrete expression of African thought is the continual quest for consensus aimed to establish harmony.

(Ramose, 1999: 59)

Social harmony is for us [Africans – ed.] the *summum bonum* – the greatest good. Anything that subverts or undermines this sought-after good is to be avoided like the plague.

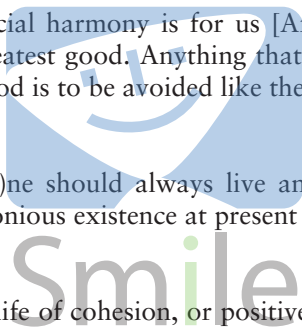
(Tutu, 1999: 35)

(O)ne should always live and behave in a way that maximises harmonious existence at present as well as in the future.

(Murove, 2007: 181)

A life of cohesion, or positive integration with others, becomes a goal, one that people design modalities for achieving. Let us call this goal communalism, or, as other people have called it, communitarianism. In light of this goal, the virtues ... also become desirable.

(Masolo, 2010: 240)



The vast majority of norms, taboos and prohibitions [in the African tradition – ed.] is directed towards protecting the community and promoting peace and harmony.

(Ejizu, 2011)

Talk of ‘fellowship’, ‘harmony’ and ‘cohesion’ is recurrent in the above quotations and in many other remarks from scholars of African thought.⁵

Corporatism is admittedly one way to interpret these remarks; one might think that ethics for much of indigenous Africa is more or less a matter of maintaining a certain kind of group, which, after all, must have its parts arranged in a certain way for it to exist. However, I believe that is not the best interpretation, at least for the purpose of developing a plausible theory of social justice. Instead of maintaining that community, understood as a group, is to be sustained, I focus on the idea of living communally or relating to others in a harmonious way.

I again quote representative African theorists about what it means to live in communion or harmony with others, after which I draw on their comments to advance a precise moral principle to guide thought about social justice.

Every member is expected to consider him/herself an integral part of the whole and to play an appropriate role towards achieving the good of all.

(Gbadegesin, 1991: 65)

Harmony is achieved through close and sympathetic social relations within the group.

(Mokgoro, 1998: 17)

The fundamental meaning of community is the sharing of an overall way of life, inspired by the notion of the common good.

(Gyekye, 2004: 16)

(T)he purpose of our life is community-service and community-belongingness.

(Iroegbu, 2005: 442)

If you asked *ubuntu* advocates and philosophers: What principles inform and organise your life? What do you live for ... the answers would express commitment to the good of the community in which their identities were formed, and a need to experience their lives as bound up in that of their community.

(Nkondo, 2007: 91)

I do not deny that some of the above are using the word ‘community’ to refer to a group, most clearly Nkondo when he speaks of ‘*ubuntu*’, the

southern African Nguni term often used to capture traditional African approaches to morality and theories grounded on them. But what I submit all of them are at bottom prescribing is a certain way of relating to other persons.

In fact, notice that two distinct relational themes are recurrently mentioned. On the one hand, there is considering oneself a part of the whole, enjoying close ties, sharing a way of life, community-belonging and experiencing oneself as bound up with others. I most often call this way of relating a matter of ‘identifying with others’. On the other hand, there is what I call ‘exhibiting solidarity with others’, namely achieving the good of all, being sympathetic, acting for the common good, serving others in the community, and being committed to the good of one’s society (or rather its members).

Although several thinkers have obviously conceived of the key relationship in the African tradition as the combination of two major elements, I aim to be fairly precise and systematic about it, as I construct a moral principle that promises to make sense of social justice. More carefully, then, it is revealing to understand identifying with another (or being close, belonging, etc.) to be the combination of exhibiting certain psychological attitudes of ‘we-ness’ and cooperative behaviour. The psychological attitudes include a tendency to think of oneself as part of a relationship with the other and to refer to oneself as a ‘we’ (rather than an ‘I’), as well as a disposition to feel pride or shame in what the other does. The cooperative behaviours include being transparent about the terms of interaction, allowing others to make voluntary choices, acting on the basis of trust, adopting common goals and, at the extreme end, choosing for the reason that ‘this is who we are’.

Exhibiting solidarity with another (or acting for others’ good, etc.) is similarly aptly construed as the combination of exhibiting certain psychological attitudes and engaging in helpful behaviour. Here, the attitudes are ones positively oriented towards the other’s good and include an empathetic awareness of the other’s condition and a sympathetic emotional reaction to this awareness. And the actions are not merely those likely to be beneficial – that is, to improve the other’s state – but also are ones done consequent to certain motives, say, for the sake of making the other better off or even a better person.

Altogether, then, think of communal or harmonious relationship roughly as in [Figure 9.1](#).

And keep in mind that it is possible to be in a communal or harmonious relationship in two ways. One way to be party to a communal relationship would be to exhibit identity and solidarity with others, as a subject. However, one could also be party to such a relationship by being identified with or exhibited solidarity towards, as an object. Similar remarks apply to the opposite of a communal (harmonious) relationship. One could either relate in a discordant manner as a subject or be subjected to discordance, as in [Figure 9.2](#).

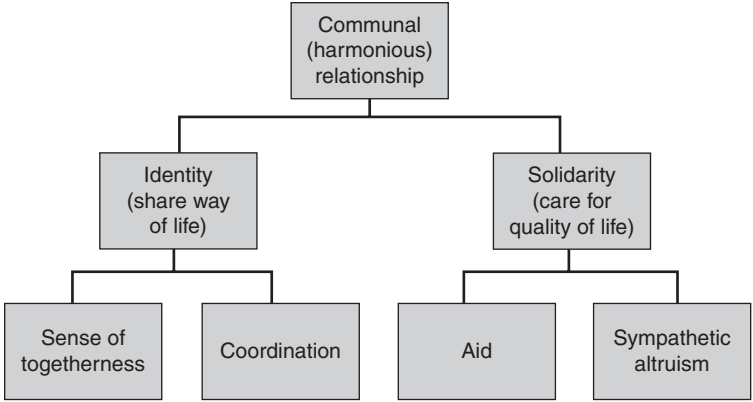


Figure 9.1 Communal or Harmonious Relationship.

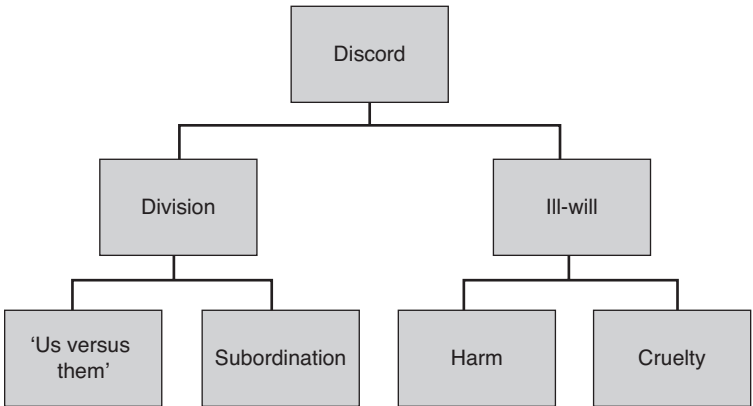


Figure 9.2 The Opposite of a Communal or Harmonious Relationship.

With this reconstruction of salient normative themes in the African tradition, I now advance the preferred statement of my moral principle⁶:

An act is right if it prizes other persons in virtue of their natural capacity to relate harmoniously; otherwise, an act is wrong, and especially insofar as it prizes discordance.

An agent must honour those who can by nature be party to relationships of identity and solidarity, and she ought above all to avoid honouring relationships of division and ill-will.

Notice that these statements, intended to be equivalent, imply that since people have a moral status in virtue of their capacity to relate communally,

one generally ought to relate to people in that way for its own sake, a reconstruction of the African tradition that differs from the ways others have interpreted it. For example, some sub-Saharan theorists have maintained that relating communally is not to be done as a way to express respect for other human beings, but rather done merely as a means to the promotion of a common good in the long run (e.g. Gyekye, 2004, 2010). Others have held that communal relationships are a mere means to the ultimate end of promoting an invisible, vital energy in people's lives, a force that is widely thought in the African tradition to have come from God and to constitute the essential nature of everything in the world (e.g. Bujo, 1997; Magesa, 1997). Still others have contended that communal relationships are to be promoted as ends, with the most important relationships being with ancestors, progenitors of a clan who are normally understood not only to have lived to a ripe old age, achieved moral wisdom and survived the death of their bodies, but also to continue to interact with human beings on earth (e.g. Murove, 2007).

I lack the space here to show that my interpretation is no less African and is more philosophically plausible than these rivals. However, I can point out that, by making a certain way of relating to other human persons the focus and more than merely a means to an end, my principle best promises to ground individual rights. It does not instruct an agent to *promote* anything, not even communal relationship. In a word, the principle is not consequentialist, instead prescribing *respect* and specifically of another person's *ability* to relate harmoniously. It is only such a deontological interpretation of the African tradition, I submit, that can make reasonable sense of the judgements that all human persons matter morally and may not be treated as mere means to a greater good.⁷

To see more of the nature and promise of this principle, consider what it entails for intuitively wrongful actions. When dealing with an innocent party (the natural focus of an ideal theory of social justice), respecting her capacity to enter into communal relationship will typically mean relating to her communally: that is, enjoying a sense of togetherness with her, participating with her on a cooperative basis, doing what one can to help her, and doing so consequent to sympathy and for her sake. Conversely, wrongful treatment of an innocent would normally consist of discordant behaviour, in which one acts out of a sense of 'me versus you', subordinates another, seeks to harm another, and does so consequent to indifference or even cruelty. On the face of it, this is a compelling account of why it is typically wrong to steal, exploit, kidnap, assault, insult, lie, break promises and the like.

Notice that the Afro-communitarian account of right and wrong actions differs from the individualist views canvassed above. A prescription to honour people in virtue of their ability to relate harmoniously is distinct from the ideas that one should, at bottom, maximise long-term self-interest, maximise the general welfare in the long run, uphold natural rights of ownership and treat the capacity for autonomy with respect.⁸ And it is on the face of it no worse an account than these, or at least so I now

contend by applying it to three major dimensions of justice, concerning the protection of civil liberty, the distribution of property and the recognition of identity.

Rights⁹

Here, I appeal to the Afro-communitarian moral principle articulated in the previous section in order to show how it provides a novel and promising account of human rights to civil liberties. I address duties of the state to provide economic resources and to recognise people's identity in the following sections.

As is well known among Western political theorists, the most common way that human rights have been philosophically grounded has been on a principle of respect for human dignity. The standard thought has been that human beings characteristically exhibit a superlative, non-instrumental value that must not be degraded, where human rights violations are severe degradations of our worth. Quite often, a Kantian account of our dignity in terms of our capacity for autonomy or reason has been advanced to fill out this approach.

I continue to employ this overall view of how rights are a function of dignity, but do not conceive of dignity in an individualist manner; instead of rationality as its ground, I suggest relationality. The Afro-communitarian moral theory is well understood to entail that an individual has a dignity insofar as he is by nature capable of being both a subject and an object of a communal relationship.

Suppose, then, that what is special about human beings is their capacity to be in communal relationship with others. In that case, one should neither stunt that capacity for the sake of something worth less than it, nor treat (innocent) others in a discordant way. Respecting another's dignified capacity both to exhibit harmony and to be harmonised with means treating it as the most important value, and hence entails (in the case of innocents) not impairing their ability to be harmonious as well as not failing to be harmonious with them.

Now, characteristic negative human rights violations are behaviours that *do* impair others' ability to harmonise as well as constitute grave forms of discordance. What genocide, torture, slavery, human trafficking and apartheid have in common is more or less that those who engage in these practices treat people, who are special by virtue of their capacity for harmonious relationship, in an extraordinarily discordant way. Raping someone to feel a sense of power and torturing an innocent person for fun are actions that stunt another's capacity for identity and solidarity for a trivial end and evince enormous division and ill-will, the opposites of communal relationship, towards him. Instead of expressing togetherness, one creates distance; instead of engaging in coordinated behaviour, one subordinates; instead of helping another, one harms; and instead of being altruistic and sympathetic, one exhibits emotions such as *Schadenfreude* as well as motives such as self-interest.

Compare this account of (negative) human rights with the Kantian approach, well known for being more promising than utilitarianism as a ground of them. The Kantian standardly thinks of negative rights violations as restrictions on the ability to make an autonomous choice (e.g. Rawls, 2001), but that account does not fully capture why, say, rape is a human rights violation. Rape is wrong not merely because there is a lack of consent involved, for otherwise stealing someone's television would be equally wrong, but it is not; rape is much worse.

The Kantian will try to say that rape is worse than stealing a TV because the degree of infringement of the other's ability to choose is more severe. Perhaps. However, additional, and promising, explanations include the following ideas.

For one, rape is a form of ill-will beyond any restriction of autonomy (or, in my terms, division). It inflicts pain out of, at best, indifference to the other's good. It foreseeably, if not intentionally, hurts, both physically and psychologically, where it is implausible to think that pain is immoral to inflict merely because it prevents another from choosing a wide variety of ends (as per Rawls, 1988).

For another, rape foreseeably damages the other's ability to be romantically intimate, one of the most intense forms of how to commune. That is, the sexual dimension of rape is relevant to its moral dreadfulness, but that is difficult for a Kantian to acknowledge.

My aim is not to show that the Afro-communitarian account of rights to be free from interference and harm is better than the Kantian one, let alone the best full stop. It is rather to indicate an under-appreciated, relational strategy by which to ground negative human rights philosophically, one that gives the dominant approach an apparent run for its money.

Resources¹⁰

It is well known that over the past couple of decades there has been a marked shift in theorisation of poverty and socio-economic justice more generally away from subjective considerations. Instead of focusing on autonomous choice or preference satisfaction, many theorists and policy makers now contend that economic development is better conceived in terms of ensuring that people have the capabilities to live in a variety of ways that are objectively good for their own sake (Sen, 1999; UNDP, 2010; Nussbaum, 2011; OECD, 2013). As I explain below, the African tradition, at least as interpreted here, is in line with this trend, while adding in a robust relational approach to ideas about not only what should be distributed, but also how.

Treating people as special in virtue of (in part) their capacity to be party to a relationship of solidarity means helping them (when they are innocent). Help, though, can be interpreted in a variety of ways. A Kantian would think of it as enabling another person to achieve whatever (permissible) goals she might have adopted, and a utilitarian would tend to conceive of it

as satisfying a person's desires or making her pleased. In contrast, the Afro-communitarian theory, as per most of the sub-Saharan tradition, instead focuses on particular ways of life that people *should* aim for, desire or find pleasing. These objectively good ways of life are usefully distinguished in terms of welfare and excellence.

People's welfarist good in characteristic African thought is largely conceived in terms of met needs, both physical and mental, as well as both biological and social. For example, Kwame Gyekye, the influential Ghanaian political philosopher, maintains that moral behaviour is a matter of working to satisfy 'needs that are *basic* to the enjoyment and fulfilment of the life of each individual' (2010: sec. 7), whereas Nhlanhla Mkhize, an academic psychologist in South Africa, remarks, 'A sense of community exists if people are mutually responsive to one another's needs' (2008: 39). My favoured theoretical rendition of sub-Saharan moral theory likewise is meant to imply that the core of improving others' well-being is a matter of meeting their needs, not merely basic ones but also those relevant to higher levels of flourishing, e.g. being creative, athletic, theoretical.

People's non-welfarist good, in contrast, is a matter of their ethical development. The focus here is not on a person's doing well, but on being a good person. Indeed, an important way to help others in the African tradition is to foster their moral virtue or human excellence (their *ubuntu* in the most literal sense of the word). And since morality is a function of honouring people's capacity to commune, relational factors take centre-stage when thinking of how to aid others. Consider an elderly African woman who during a community discussion about poverty remarked, 'For me, the problem with being poor is that I have nothing to give to others' (cited in Metz, 2011b). She objects to poverty primarily on the ground that it stunts her ability to care for others.

Concretely, by the Afro-communitarian theory, a central way for the state to exhibit solidarity with its residents would be to ensure they have access to things and services particularly useful for communing with others. So, in addition to food, water, shelter, clothing, health care and other goods essential for meeting needs, the state should distribute those resources particularly enabling people to share a way of life and to care for one another's quality of life, e.g. couples counselling, women's shelters, parenting classes, quality daycare, rehabilitation programmes, neighbourhood parks, densification in spacious (i.e. rich) neighbourhoods, job training, non-exploitive labour relations and grassroots organisations.

This relational approach to the kinds of resources that a state should ensure people can access marks a fairly novel contribution to thinking about economic justice. Kantian and utilitarian economic theories are both individualist for their focus on goods/services that will enable a given person to obtain her goals or satisfy her preferences. And note that the influential capabilities approach is also characteristically individualist. Aside from affiliation and political control, the rest of Martha Nussbaum's list of ten central capabilities makes no essential reference to any person

but the individual with the capacity, e.g. life, bodily health/integrity, play, imagination, thought, practical reason, material control, other species (2011: 31–35, 46–62). And then Amartya Sen leaves the content of capabilities open, to be determined by democratic deliberation (2004). In contrast, the Afro-communitarian theory entails that some key socio-economic resources are those that enable people to engage in harmonious relationships with each other, an alternative approach that is worth consideration.

In addition to providing a novel account of what to distribute, the relational theory grounds a fresh view of how to distribute the relevant resources. The dominant views in the literature are currently: utilitarianism (or consequentialism more generally), distribution so as to maximise some state of affairs; prioritarianism (or the Rawlsian difference principle), distribution so as to make the lot of the worst-off the best it can be; sufficientarianism (basic income grant), distribution so as to ensure that everyone has a decent minimum; and egalitarianism, distribution so as to provide (roughly) equal opportunities and goods. In contrast to these views, my reading of the African tradition is that it prescribes what I call a ‘balanced’ distribution.

To begin to see what I mean, consider that the quintessential instance of communal relationship is the family; it is where sharing a way of life and caring for others’ quality of life are expected to be found and to a fairly intense degree. As Augustine Shutte has noted in one of the first philosophical books devoted to the southern African ethic of *ubuntu*,

The extended family is probably the most common, and also the most fundamental, expression of the African idea of community.... There is a sense in which ‘the people’, even humanity itself, constitutes a kind of family. The importance of this idea for ethics is that the family is something that is valued for its own sake.

(2001: 29)

It is common to find the suggestion among sub-Saharan theorists that society ought to be modelled on a family. For instance, Julius Nyerere, the first post-independence political leader of Tanzania, says, ‘Modern African Socialism can draw from its traditional heritage the recognition of “society” as an extension of the basic family unit’ (1968: 12; see also Oruka, 1997: 148–150). The questions, therefore, are how an appealing sort of family distributes wealth, and whether this model would ‘work’ at a national level.

I submit that, intuitively, a family should distribute resources to its members so as to ensure that everyone receives some substantial and comparable meeting of needs, but with special consideration going to both the least flourishing and the most promising. When allocating time, attention, money and whatever else is likely to improve others’ lives, a head of household should distribute them so that everyone gets a similar share, but with the particularly talented and the particularly untalented each getting something greater than a strictly equal share.

Consider that if only one child were gifted, say at piano, the *bulk* of resources should not go to her. However, she should get more than an average child; a head of household would be wrong to parcel out resources in a strictly equal manner, because the piano player should reasonably get more than that, to develop an unusually creative ability.

Another reason to avoid strict equality would be that a particularly untalented child should reasonably get more. And yet, again, a head of household would be wrong to devote the *bulk* of resources to the worst-off child, particularly if he were handicapped, so that there would be little or nothing left for those able to flourish at a higher level.

These reflections suggest a kind of *balancing*, in which there is no great inequality between family members and all receive some substantial consideration, but those who need more resources either to reach a decent minimum of good or to approximate a maximum should receive a larger share. If that is indeed the proper distribution for a family, and if a society ought to be modelled on an ideal family, then resources ought also to be distributed in a balanced way within a state's territory.

Such an approach would ensure that everyone receives a comparable share, but those who are particularly badly off would receive more, so as to reach a decent minimum, and those who are particularly talented would also get more, so as to be able to max out their development. This sort of scheme is neither utilitarian, as it in principle focuses to some degree on the worst-off, nor prioritarian, as it also implies that the best-off have a principled claim to flourish, nor sufficientarian, as people should generally receive a comparable share, nor egalitarian, as the least flourishing and the most talented should get more than others. If indeed this approach is characteristic of a family, the exemplar of communal relationship, then it should be given consideration as the way that a society should commune when it comes to the distribution of property. In addition, I submit that the respects in which balancing differs from other, more familiar principles in the Western tradition on the face of it count as advantages.

Recognition¹¹

One reason I have avoided talk of 'distributive' justice, and have instead spoken of 'social' justice, is that there appear to be central facets of justice that do not concern the allocation of civil liberties or socio-economic resources (or political power). In particular, those who have reflected on identity politics contend that there is an important kind of justice that has to do with recognition, something that is not normally spoken of as 'distributed' (see, e.g., Honneth and Fraser, 2003). In this section, I consider what my Afro-communitarian moral theory entails for how the state and other agents ought to respond to people in light of their particular self-understandings, cultures and histories.

I first address issues of disrespect such as denigration and marginalisation of people deemed to be members of particular groups and then issues

of whether and how the state should support them. My basic claim with regard to these matters is that, for a state to treat people as special in virtue of their capacity for communal relationship when it comes to their group membership, it must not degrade their psychological and social abilities to commune and their particular actualisations of this capacity, namely in the form of extant *communities*, by which I mean instances of identity and solidarity.

To begin, consider cases in which government agents publicly express negative attitudes towards, or judgements of, people because of their religion, race, gender or sexual orientation, at least for the purposes for which such judgements are typically made. Think of a judge who expresses abhorrence of gay sex when making a ruling, or a welfare official who makes derogatory comments to black people seeking social assistance, or a prime minister making a sexist remark about female Parliamentarians in a speech. Such behaviour is degrading, and is so in virtue of symbolic or expressive considerations.

By the Afro-communitarian theory, everyone has a moral status, even a dignity, by virtue of their natural ability to relate communally, and hence everyone merits equal respect. To verbally denigrate people on the basis of their group membership is to fail to treat them as special in virtue of their capacity for harmonious relationships. Of course, a given individual might have failed to exercise this capacity appropriately, or might not have taken care to develop it. However, to act as though members of an ethnicity or sex all (or even characteristically) have an impaired capacity to commune, or are otherwise inferior, is to fail to treat them as having a dignity.

Similar remarks apply to behaviour that is not insulting by virtue of something said or otherwise actively expressed, but that still conveys the view that others are lower by virtue of their group membership. Serving white people before black people who are in a queue would be an example.

In addition to being symbolically degrading, such behaviour can be expected causally to impair, and hence dishonour, people's capacity to be objects of caring and sharing relationships. Slurs and related forms of insulting behaviour do not cultivate a sense of togetherness, but rather divide people according to 'us and them'. They foreseeably reduce people's self-esteem, and hence make them less able to undertake cooperative projects. They often hurt people's feelings, and so are harmful. Finally, they are often done consequent to cruelty or indifference to others' well-being. In a word, they are instances of discordance (objectionably directed towards innocents).

Of course, all these points apply to more than just public agents. And, so, the state would be reasonable to forbid slurs and related insulting behaviour of people's identity not merely by those employed by the state, but also by other institutions that citizens cannot easily avoid. These include privately owned workplaces and stores, and perhaps even schools and churches (at least when there is not an array from which to choose).

So far, I have discussed negative responses towards people in virtue of their identities, and contended that the state has good reason to forbid ones that are difficult for people to avoid, given their other, legitimate interests. Here are some additional ways that people's identities can ground duties on the part of the state to support them.

Although a community, specifically understood here as the combined relationships of identity and solidarity, is of course not one and the same thing as the mere ability for it, it is people's exercise of that ability. And it is plausible to suggest that respecting the individual's capacity for communion requires recognition of the way he has actualised it or, equivalently, that degrading harmonious relationships is to degrade those individuals who have been party to them. When an agent such as the state foreseeably and avoidably disrupts such relationships, or even fails to support them when it could easily do so, it is *thereby* expressing disrespect of individuals who are special because of their ability to relate harmoniously.

It follows by the Afro-communitarian theory that if a group has established genuinely communal relationships, then the government should do what it reasonably can to avoid impairing them, and can also have some reason to go out of its way to protect them. These supportive activities could be a matter of making exceptions to rules, permitting some collective self-determination over, say, civil matters. Or they could be a matter of providing resources to support a group's intellectual or aesthetic culture. Or they could even involve imposing mild restrictions on others, so as to protect the group's identity, with an example being Israel's policy of requiring 50 per cent of all radio broadcasts to be in Hebrew, a language at the heart of many people's self-conceptions there.

Of course, not every widespread and long-standing tradition merits support from the state. A necessary condition for support would be that a group is not seriously degrading anyone's ability to commune, neither insiders nor outsiders. This natural qualification makes good sense of why only certain groups, which do not egregiously discriminate on grounds of race, gender or the like, can merit state protection.

Utilitarianism is well known for having difficulty giving appropriate weight to the interests of minorities; sometimes discriminating against them can be what produces the greatest good on balance. In addition, though, the present rationale for group rights or identity politics is on the face of it more compelling than, say, a typically Kantian one. The natural approach for a Kantian is to consider the bearing of culture and membership on the ability of the individual to make informed or intelligible, and hence autonomous, choices (e.g. Kymlicka, 1989; Rawls, 2001: 93–94; cf. Kukathas, 2006). However, when a practice has been willingly adopted by a large number of people for a long span of time and is central to their self-conception as members of a group, it plausibly has a moral significance that can be worth respecting, apart from the *effects* of membership in the group on the capacity for autonomy, and instead as an *instantiation* of the special capacity to relate communally.

Conclusion: Sub-Saharan, Not Sub-Standard

In this chapter I have sought to mine under-explored sub-Saharan approaches to moral and political philosophy with the aim of advancing a *prima facie* attractive theory of social justice. I noted that African normative ideas are characteristically relational, thereby contrasting with not only individualism but also corporatism. Specifically, I advanced a moral principle according to which people have a moral status in virtue of their capacity for communal relationships, ones of sharing a way of life and caring for others' quality of life. Then, I applied this principle to three major facets of social justice, namely how the state ought to protect civil liberties, allocate socio-economic resources and recognise people's identities. My suggestion has been that these three elements of justice are unified in virtue of being forms of honouring people's capacity for communal relationship. In each case, I submit that the Afro-communitarian ethic has grounded a reasonable approach, particularly in relation to Kantian and utilitarian theories of justice that have dominated Western political thought of late.

I have sought to argue neither that the African theory of social justice advanced here is the most defensible specification of sub-Saharan ideals, nor that it is more defensible than Western ones. My aim has been the more moderate goal of showing that there are perspectives salient in the African tradition that it would be unjust to neglect, with my views being one, *prima facie* attractive specification. I naturally think that my favoured theory has much going for it, but I will have succeeded in this chapter if the reader simply takes away the idea that a communal relational ethic of some kind or other is a promising ground for a theory of social justice and that the views of nearly a billion people below the Sahara should not be ignored when thinking about justice.

Notes

- 1 For some of this groundwork, see Metz, 2007, 2009, 2010, 2011a; Metz and Gaie, 2010.
- 2 For an Afro-communitarian approach to how political decisions ought to be made, as opposed to which decisions should be, see Metz 2009, especially pp. 344–348, and Metz 2012a.
- 3 Things are admittedly more complicated when it comes to Kant. According to him, the reasons one finds upon reflection are moral ones, and so one might think they include essential reference to others. However, they do not. Although one must treat the humanity of others with respect if they exist, one would still have duties to oneself if no one else existed.
- 4 For more on what I mean by 'African', 'sub-Saharan' and other geographical labels such as 'Western', see Metz, 2015.
- 5 In addition to these authors, one could appeal to Western writers such as Silberbauer, 1991: 20; Paris, 1995: 43, 56; Verhoef and Michel, 1997: 397.
- 6 In the following formulations, I focus on persons, since the topic of this chapter is justice. In other work, however, I broaden them to include certain non-persons such as sentient animals (see Metz, 2012b).

- 7 On which see Oyowe, 2013, and my reply to him in Metz, 2014a.
- 8 Some might argue that acting in accordance with the sub-Saharan principle would be equivalent to, or a reliable means to, one of the Western principles. Equivalence is not on the cards, at the very least, for the reason that the ultimate explanation the former provides of *why* an act or policy is wrong will necessarily differ from the latter (see also Metz, 2009: 339–344; 2011b, 2012b).
- 9 Many of the ideas and phrasings in this section are pieced together from Metz, 2010, 2011a, 2012a, 2014a, 2014b.
- 10 Many of the ideas and phrasings in this section are borrowed from Metz, 2011b, 2014c, 2016.
- 11 Some of the ideas and phrasings in this section are lifted from Metz, 2013, 2014b.

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