

Paul Ricoeur, Preface to *The Just* (2000)

Ricoeur prepares us for his brand of moral philosophy with a quotation from Aristotle about the nature of “equity.” This *equity* has to do with *particular* correctives to *universal* systems of law. When general laws don’t adequately apply to concrete situations, human judgment must be brought in to decide what to do. In a sense, this places equity above law. It is somehow *more just than law*, because it’s what judges the law as to its just-ness.

What Ricoeur is after here is a philosophy of justice and the law, not a philosophy of *ethics* all the way down. Still, he acknowledges that his approach to the question of what is just relies upon some ethical claims he’s made elsewhere. To that end, he tries to map his views about justice on to some broader claims about the ethics of action.

‘The just,’ he tells us, has to do with two main axes: (1) the *dialogical constitution of the self* and (2) the hierarchical *predicates of morality*. According to the first axis, the self is constituted not through its own reflective capacities, but rather through its interaction with others. This can come about in two ways: (1a) in face-to-face interpersonal interactions (such as friendship) and (1b) in relations from a *distance* (which are then mediated by *institutions*). Justice, for Ricoeur, takes place primarily at the level of this institutional, ‘distanced’ relation to others.

The hierarchical predicates of morality provide us with a more systematic breakdown of Ricoeur’s moral philosophy. We can represent them in a handy grid:

<i>Senses of the Just</i>	<i>Predicates</i>	<i>Rationale</i>	<i>Consequences</i>
Teleological	Good	We seek justice as part of our overarching desire for fulfillment or even happiness. (cf. Aristotle’s <i>eutheonia</i>)	Our ethical goal of well-being presumes the political goal of a just society.
Deontological	Legal	We seek justice as part of a formal procedure, through which particular cases can be subsumed under general categories and dealt with accordingly.	Justice is most often communicated to us through structured norms, duties, and obligations.
Phronetic (practical)	Equitable	We seek justice as part of the messy contextual decisions, shrouded in uncertainty, which we have to make as we live our lives.	Moral conscience hazards its judgments by relying on probability, applications of some kinds of pre-understanding, or imaginative innovation.

For Ricoeur, all three of these levels feed into one another. They aren’t meant to be taken in isolation. The teleological level is what drives the whole project of justice, but it’s mostly without content, unless it allows itself to pass over into the deontological schemas of obligation. Neither the teleological nor the deontological, meanwhile, can give us a full sense of justice. For that, we need to bring justice into the experiential lifeworld, with all its messy situations and unclear conditions. Only by returning to the world of *experience* can the *meaning* of justice be *fulfilled* for us.

QUESTION!

Justice & Fulfillment: How does Ricoeur's claim that we can only *fulfill the meaning of justice* by bringing it back to the world of practical *experience* relate back to earlier claims we saw him make about 'fulfillment?' (Think especially of the way that understanding—unlike explanation—has to culminate in some kind of phenomenological fullness; think also of the way that threefold mimesis doesn't truly take place unless the imitative process feeds back into the realm of experience that it imitates. Hint: we are still at the nexus of hermeneutics and phenomenology!)