
The Question of Justice in Logics of Expansion and Reductionist Efficiency

An example of a typical logic of expansion is the economic logic for the growth of profits. Such logics relentlessly pursue such growth, going ever further, and continue to expand without envisaging any end to this process. They are the empowered and pluralized avatar of the logic of the understanding of Kant, and later Hegel. Their main characteristic is reductionism. This means that they only take an interest in that which they invest in the object in the course of the objectification process. They create a model of the situation, reducing it to the set of parameters to influence an external criterion. This criterion may be profit. Indeed, in general, these logics are focused on reward (since today, knowledge itself, both human and natural sciences, is used, at least in part, for making profit). However, logics may also be diverted to some extent, and used in the interest of social justice. They must therefore reproduce the form of reductionist rationality and are restricted to reflecting on the validity of one or more external criteria and the methods of applying them to the situation modeled. This means that they must develop a problematic framework, which we will now briefly outline.

1.1. Problematic structure of the question

This reasoning can be characterized as an “abstract” way of carrying out a reflection on political justice. What is the philosophical meaning of this abstraction?

It can be stated in a very general, and relatively consensual, way that the normative theories of justice strive to offer one or more rules governing the distribution, within a society, of precious resources, as well as a reasoning to diffuse these rules, and make them plausible and adoptable. The rules provided are therefore given as guides, as references of justice, for distributional or redistributional action, which is only concerned with the “facts” (*tangible* “preferences” or “goods”). The rules are set out in light of the facts and dictate the action faced with these facts. *Here, in the externalization of the rule, and the passive nature of the fact, lies the abstraction of the approach*¹.

By focusing on a number of significant dichotomies, which in a very general sense can help establish a classification or a reference within the literature based on the issue of political justice², we will attempt to examine the internal logic of this “abstract” characterization of the question.

The rule must be set out in relation to the fact. The first question lies in understanding which method to adopt in order to set out the rule. This method may have been thought of as being “aggregative”. In Social Choice Theory, developed as a reaction to the work by Kenneth Arrow [ARR 74]³, as well as to John Nash, which re-imagined bargaining theory in the framework of game theory, there is an attempt to establish a rule governing fair distribution using the aggregation of individual *utilities*. The references of justice are therefore functions of social well-being. Nevertheless, egalitarian theories of justice use a different method: they start from a preestablished general rule of equality. They then differ in the response they give to Amartya Sen’s question: “Equality of

1 Abstraction, in its legal form (scientific and judicial), is a diamond, sparkling on the top, and sharp at the base.

2 The book by Valérie Clément [CLE 08] examines, as its title makes clear, the economic theories of justice. However, in this section, we are especially focusing on the structure of chapter 2: “The labyrinth of contemporary theories of justice”, which actually addresses a much wider question, and can be used as a basis to examine and structure the underlying logic of many theories of contemporary justice.

3 It should be recalled that this provides a negative result: the impossibility of achieving a rational “collective choice” by the aggregation of individual preferences in a context of information which satisfies undemanding axioms.

what?”[SEN 80]. They all give an answer to the following question: In which aspect should justice require individuals to be equal, and to what extent or under which conditions? We should underline that an aggregative method can lead to a statement of an egalitarian rule. Indeed, it is a question of method which is the first key issue. A method is needed to set out the rule in relation to the fact.

However, it is not enough to have a method in order to obtain a distributional rule. Indeed, it is usually a case of seeking to give a basis to such a rule. Whether this is done through introspection and an appeal to individuals’ moral beliefs, accessible to intuition, or through a constructive approach, whether it is done in two stages or from an original position⁴, or even through Rawls’ notion of “reflective equilibrium”, the goal is always to give a basis to this rule, to provide it with a firm and stable grounding which can ensure its scope in justice, its legitimacy faced with other rules and arm it against objections. In short, it requires a foundation which prevents it from collapsing back into the fact.

Once the method and the foundation are established, it is important to determine the level of application of this rule. Should it apply to problems of macro- or micro-justice⁵? Should it assess the justice of distribution at the level of institutions which organize society in a general sense, or should it deal with distribution issues regarding more restricted groups of people? What relationship should it have to the facts in the context which it is to be applied?

After the method, the foundation and the level of application, the scope of the rule’s application should be specified. Is it part of a universal or pluralist theory? Is it applicable in law to the whole of society and to any socioeconomic or political context? Should it be restricted to a pre-determined type of society, as Rawls advocates for his own rules⁶? Should only one single rule be accepted, as utilitarians

4 See Chapters VII-IX in [BAR 89]. Barry defends an intuitionist position, but not in the sense that Rawls gives to this term.

5 These terms are defined in [KOL 96].

6 See [RAW 05], where the question is asked of “setting out a political concept of justice which can be applied to a democratic constitutional regime...”.

argue, or should a range of rules be welcomed and reflected upon, and if so, should these be applied at different times, or should they be combined? Here, it is a case of specifying the conditions of application to the factual context.

When the method, the foundation, the level of application and the scope of application of the rule are all established, it is then necessary to identify a reference to which it can be applied. The main two references provided in the literature are consequentialist and procedural. Either the justice of the rule must be assessed according to the consequences caused by its application or what makes the ultimate distribution just is the very procedure that brought about the definition of the rule. Here, the application of the rule needs to be legitimized, in context, according to the conditions set out previously.

These few differences, which are among the most significant, and which give an insight into contemporary reflection on political justice, reveal on both sides the abstract logic determining this reasoning. If a rule must be given in an abstract way in relation to the fact in order to guide human decision-making, a method must be given in order to set the rule out. Subsequently, the stability of the rule must be ensured in the face of objections by giving it a solid foundation and prevent it from collapsing in on the fact. Its level and scope of application must be determined, since the abstraction of the rule requires a precise definition in its relationship with the context. A reference must also be sought in order to set the legitimacy of this application in context.

All of these features converge to give a defined question of justice.

1.2. Its explicit scope

It is not a coincidence that all the focus is on the rules of *just distribution*, rather it is a result of the abstract nature of the reasoning itself.

The dichotomy between the consequentialist and procedural views is deeply rooted in moral philosophy, corresponding to the differences between the teleological and the deontological approaches. The former

bases its ethics on the question of what makes a good life, while the latter places morality in the accomplishment of duties through strict compliance with the law, without direct consideration for the consequences of the action⁷. This opposition is therefore more deeply involved in the distinction between what is good and what is just, and between ethical achievement and submission to the law.

In John Rawls' rejection of utilitarianism, he starts by stating: "The two main concepts of ethics are those of the just and the good [...] The structure of an ethical theory is therefore largely determined by the way in which it defines and connects these two basic notions" [RAW 09]. Should this good not be understood as meaning "what" and just as "how"? And subsequently, how can their integration into the question of just distribution be prevented: establishing that justice lies in knowing "how" to distribute this "what", using this "rule" to share out these "goods"?

The reference for the justice of this rule lies in the consequences which it allows or the procedure which is applied, regardless of the end consequences. It is in what makes the consequences "good" or in the fact that the procedure is "just". However, the "goods" are what is to be distributed and the "just" is how this distribution is to be carried out, therefore the rule which brings this about.

An approach which looks for a method to set out the rule and a foundation for this rule, which determines the level and scope of application of this rule, and which provides a reference for its justice, therefore an approach which sets out the rule in relation to the fact, includes the distinction between a legitimization involving the tangible facts and another directly related to the rule, before its application. Justice is based on this relationship between the rule and the fact, in the distribution of the fact which results from the application of the rule. The question of justice will take the form of just distribution.

⁷ This is one of the most consensual characterizations of "ethics" compared to "morals". Paul Ricoeur valiantly attempts to show that the two are not contradictory [RIC 03].

Likewise, establishing the question of just distribution, in order to set out an objective rule in relation to the facts, will require a method to be defined to provide this rule, before giving a foundation to this rule which prevents it from collapsing back into the fact, etc.

Here, it is important to underline that, regardless of the answer given and the rule defended, the abstract approach to logics of understanding, in their reductionism, leads to a single question of justice, defined and unambiguous, in relation to the expansion of efficiency logics. The coherence of justice within these logics will lie in this question of just distribution.

This characterization involves some very simple assumptions, which we would like to examine.

1.3. Further clarification

1.3.1. *Overlooked aspects*

Among the aspects overlooked in this approach, we will identify four of them. Their problematic nature will not be addressed at this stage, but only when it is necessary to reflect on a possible extension of efficiency toward efficacy. Initially, they appear to be as neutral and inoffensive as assumptions which have become invisible since they are included in the efficiency of the logics. The clarification of these aspects is purely preliminary.

Asking the question about just distribution as part of a search for rules governing the distribution of “goods” (which are tangible, and thus factual⁸, regardless of their definition) lends an implicit framework to the formal approach.

First and foremost, a *stationary* point needs to be sought. The movement of a curve or a line is only felt if it leads to a single, fixed, identifiable and unambiguous solution. The Pareto criterion can be

⁸ Whether it is a case of “revealed preferences” or egalitarian objectives, the meaning of “goods” always includes a requirement of objectivity, linked to the efficiency needed.

used as a guide, but it allows too many solutions. It remains too indeterminate. Moreover, the solutions it enables need to be intersected with a curve, for example, to express a principle of justice. A clearly identifiable result is required, a mathematical point of equilibrium, a single point at the intersection of lines.

Subsequently, an approach needs to be defined which is *external* to the goods, the facts to be distributed, to be objectified, kept at a distance, scrutinized, evaluated and assessed as something passive, and something which we consider as having value because it can be rationally argued that people would or should grant it value. Nevertheless, this something is to be considered as being inert.

It is inert, but restive, since distribution is unjust, injustice is there from the very beginning. We will therefore seek to ensure a *control* over it. Indeed, this would be a control over the goods. It is necessary to correct a faulty distribution, and the suffering it causes. Furthermore, the distribution of these goods needs to be redirected, and eventually controlled, in light of the theory of the just.

This control must be provided by a coherence of theoretical apparatus. This will be understood in a rigorous, non-contradictory sense, in accordance with an intelligibility plan. It will attempt to run through the interwoven facts in a way which verges on *exhaustiveness*.

Pinning down a result in an external approach allows the fact to be controlled by relying on a coherence which verges on exhaustiveness. These four features define what we call latent reductionism of the abstract approach. Accepting them means reducing the complexity of the fact in its contingency to a finite collection of variables structured by rules which include a perfectly coherent intelligibility plan. In its conclusion, this coherence conceals a number of aspects of factual complexity, which become invisible: they are not only unformulated but are impossible to formulate in the coherent intelligibility plan which is imposed.

Efficient coherence, which allows the fact to be controlled, is therefore built in opposition to contingency. It does not try to ignore

contingency, rather it affirms the necessity to control the unjust consequences of it, and *from this point*, develops the coherence of its intelligibility plan. The concepts of efficiency and contingency are therefore constructed in a reciprocal relationship.

1.3.2. Uprooting and triviality

This reductionism and abstraction immediately introduce, by the method itself, an *uprooting* of a diversified fact, animated in its contingency. This uprooting takes place by identifying the parameters used to model the situation, which will then be used to control other parameters. This abstractive overhang is conserved by theories of distributional justice. Efficient logical coherence is based on the intelligibility plan which it created and has no interest in what this perspective conceals. This point should not be understated. More than an attitude to knowledge, this is an existential relationship, a way of occupying and placing the world in relation to itself and taking this relationship into account. The uprooting must be recognized for what it is, a choice of what is accepted and what it is necessary to distort, deny and remove from the object in question. Reductionism amplifies this uprooting by disassociating it from an existential attitude. It allows it to operate unbeknownst to the logic agents, just like a blind spot. However, reductionism is possible only through the existential aptitude to take a stand, to require what is to be denied, to turn away from what it certainly should not be, to doom it to failure. There is an aspect of this in terrorism, in its most spectacular manifestations⁹. There are also aspects of this, mediatized by the opaque nature of the language, in logics of profit. Concealing what cannot be seen, ignoring what should be revealed, not simply due to idleness, but in order to ensure efficiency. It is a case of massacring those who are different by not taking into account what this difference is and forgetting this ignorance. Since uprooting has become efficient, it has separated itself from the monstrous figure of uprooting, which is defined as its exact opposite. These are the two types of uprooting which seem to

9 Of course, we use the term “spectacle” as intended by Guy Debord [DEB 92].

dominate the start of the 21st Century, from September 11 to the financial crisis¹⁰.

However, an uprooting is always in relation to a *trivialization*. Uprooting occurs in relation to a disinherited deterioration within it. Uprooting occurs in relation to contingency when only triviality can be seen within it, only complacent abandonment to desires and disorder. In Chapter 3, I will attempt to show that contingency can be something else altogether. For the moment, I should emphasize this powerful assimilation. Spectacular terror occurs as an uprooting of the triviality of the societies of flattery (of the simple management of needs), without seeing that it is itself only a caricature of what it is criticizing. Administration knows no attitude of indignation. There are forms of behavior deemed as abstractly harmful, but indignation is not one of the predicted reactions. This simply means that management makes triviality its only objective. It manages the production of material goods in the conditions of indefinite expansion of efficiency logics. Unwittingly, theories of distributional justice approve the reduction of the objective to the calculable and predictable. Nothing else is possible since they are themselves logics which are focused on efficiency. For them, triviality is quite simply lost from view in its current form and remains only as a measure of the immediate needs of a given social category. To overcome a misunderstanding, it is not a case of stating that it is not important or does not constitute an essential element of the question of justice. But we are allowed to question the shortsightedness which narrows focus purely on this aspect. Continuing to ask the question of distributional justice whatever the response would not help in making progress toward revealing the blind spot in this reflection.

At this stage, we believe it is useful to provide an example to give some content to this characterization of justice theories which aim to correct the autonomous development of efficiency logics. The coherence of justice logics of expansion must also be placed in a more explicit relationship with existential attitudes of uprooting and triviality, in order to gradually specify their philosophical significance.

10 The blindness of financiers, obsessed with their sophisticated mathematical models, in relation to the reality of the economy, as much as that of fanatics, fascinated by barbarous interpretations of a sacred text, signify an uprooting.

1.4. The typical content¹¹

1.4.1. *Pareto efficiency*

A minor diversion is necessary in order to give some weight to Roemer's suggestion which we will explore next. Traditionally, discussing efficiency in economics means referring to the Pareto criterion. Without focusing on the difference between weak and strong Pareto optimum and Pareto indifference, it is simply necessary to recall that it is essentially a case of unanimous criteria. It specifies that a socioeconomic state is efficient if it improves the satisfaction of at least one individual without reducing that of anyone else¹². It therefore provides a normative criterion apparently stripped of any reference to ethics, which does away with interpersonal comparisons of utility and is based on a strictly ordinal information-based framework.

In Pareto's view [PAR 17]:

When a community stands at a point, Q, that it can leave with resulting benefits to all individuals, procuring greater enjoyments for all of them, it is obvious that from the economic standpoint and if the only desired outcome is to benefit all the individuals which make up the community, it is advisable not to stop at that point, but to move on from it as far as the movement is advantageous for all. When, then, the point P where that is no longer possible, is reached, it is necessary, as regards the advisability of stopping there or carrying on, to resort to other considerations foreign to economics: to decide on the grounds of social utility, ethics or something else which individuals it is advisable to benefit, which to

¹¹ Here, we do not intend the Kantian use of the word, nor that expressed by Weber ("Ideal type"). Rather, we are referring to a representative exemplification, in its structure as well as in its explicit and implicit assumptions, of the general theoretical approach which we are focusing on at this stage. This is an exemplification which provides clear but characteristic content, going further than its own limits to the general logical aspect which is the focus of this chapter.

¹² See Chapter 2 in [FLE 96] for an accessible explanation of the principles of Pareto, which also presents the main problems associated with them.

sacrifice. From the strictly economic standpoint, as soon as a community has reached point P it has to stop¹³.

A socioeconomic change is only legitimate if it benefits everyone, if, in increasing the satisfaction of one person, it does not penalize another. This is the common definition of efficiency.

This idea is powerful, even more so if it is combined with the two fundamental theories of the economy of well-being. The first states that, under normal conditions, any general competitive equilibrium in the economy is Pareto optimum. The second states that, under more restrictive conditions, any state of Pareto optimum can be implemented by the competitive market, under the conditions of a specified distribution of initial goods.

Therefore, a very strong link seems to connect competition and efficiency, in the sense of the Pareto criterion. It should be noted that this criterion is seen, in its author's view, as being independent of any ethical consideration and any value. This has been contested with some very strong reasoning¹⁴. Here, we simply want to address two questions which highlight the weakness of this criterion from an ethical point of view, and therefore argue for an extension of Pareto efficiency to include a reference to morals¹⁵.

The first question regards the *welfarism* of the criterion. Initially, this clearly takes as reference information the "well-being" or the "satisfaction" of individuals. These are individual preferences, as shown by the individual behavior on the market, which make up the

13 Cited by [FLE 96, p. 38]. We emphasize this notion of a "stationary point", which contradicts the fact that the economic processes themselves, like logics of expansion, can only keep on developing.

14 The individualism inherent in this approach should be noted, as well as the importance of the information accessible: a perfectly informed unanimity is obviously not the same as another which is less informed. The claimed employment of impartiality (not favoring a particular individual, but always acting for the good of everyone) is perhaps in itself profoundly ethical.

15 We will not introduce a distinction in this context between "moral" and "ethical".

information base upheld, often exclusively, by Pareto's economy of well-being as well as in the Social Choice Theory¹⁶.

Therefore, specifically, this *welfarism* has been questioned as a basis for assessing the position of individuals, for the benefit of an egalitarian requirement (which has, in reality, been specified in different ways). This is where the second question arises: the Pareto criterion allows solutions which may in practice be extremely unequal. According to the example of Fleurbaey: "the solution where a single individual has everything and the rest of the population dies of starvation could be very efficient!" [FLE 96, p. 31]. It is not possible to change the situation in order to feed the starving individuals without reducing the satisfaction of the individual who possesses everything. This individual could thus use his or her veto, and there would be not unanimity in changing the situation.

Welfarism and indifference to inequality: these are the two aspects which call for an ethical correction of the Pareto criterion. The question which thus arises is: can the Pareto criterion be supplemented with an egalitarian requirement?

1.4.2. The formal tool used by Roemer

Before discussing how Roemer attempted to do it, it is necessary to briefly outline the formal tool which he modified for this purpose.

It is a function of social well-being¹⁷. The idea, initially developed by Sen [SEN 70], was no longer to reason, like Arrow, on the basis of individual preferences, but on the functions of utility which they represent. A "function" is therefore a rule of aggregation, which constitutes a transition from individual utilities to collective choice.

16 It should be highlighted however that formal *welfarism* allows an objective interpretation of the index of utility. This may take the form of information regarding life expectancy, nutrition or levels of education, for instance.

17 For all of this section, the work by [CLE 08] was for me especially important, enabling an in-depth insight into the literature and a concise picture of the arguments made.

The two most well-known examples are the utilitarian rule and the leximin rule¹⁸.

Arrow's axioms, which lead to the impossibility of aggregating individual preferences, were transposed onto the framework of these functions. The Pareto criterion is one of these. Moreover, this is still in a context where only the information contained in the functions of utility of individuals can be taken into account in determining social choice.

The formal tool, the function, was picked up by Roemer, but modified, in light of the ethical requirement which arose as a result of *welfarism*. Indeed, it is not clear whether well-being is the only information relevant for social choice. Several arguments have been put forward to the contrary. The strongest of these are connected to the contingency which can affect an evaluation when information is limited to utilities.

Firstly, only taking utility into account means simultaneously being exposed to adjustable preference and expensive tastes. Each individual's evaluation of their preferences will clearly depend on the contingent circumstances of their existence. According to their social position, their expectations will be adapted and may either lead them to accepting deprivation or to a taste for luxury being developed. This evaluation will therefore be determined by a contingent group of distinct and heterogeneous decisions.

Another argument targets the subjective nature of this information. How is it possible to compare individuals' well-being when each one, due to the contingent situation in which they find themselves and their unalienable freedom, is independent in deciding their life plan and what they believe to be a successful life? How is it possible to take into account the way in which these judgments influence what each individual understands by "satisfaction" and "preferences"? Is it not the case that freedom simply makes such individual judgments of utility immeasurable?

18 Lexical application using the repetition of the maximin (maximization off the least well-off situation).

Welfarism and subjectivism weaken the criterion and make it necessary to modify the function in an egalitarian direction.

1.4.3. Efficiency and justice according to Roemer

We will now focus on equality, which is the central thrust of Roemer's theory, and which, as we have seen, constitutes an objection against the Pareto criterion. This concept is affirmed in opposition to contingency. The two ideas are defined in a complementary way, via the notion of responsibility¹⁹. Contingency is present at a number of levels²⁰: each individual has specific aptitude or inaptitude, depending on genetic endowment. There are varied social circumstances, such as the professional situation of parents. Finally, there is fortune or misfortune: whether one falls ill or stays well, etc. Even in the most clearly predefined circumstances, in one way or another, there is always room for fortune or misfortune. Contingency, on these three levels, contributes to inequality between individuals. Therefore, what makes these circumstances contingent is the fact that the individual is not responsible for them. They have not taken a decision whereby they would be subject to certain circumstances and not to others. *Contingency is negatively defined as a blind set of pivotal conditions, which cannot be mastered or controlled by the agent, and thus there can be no individual responsibility for it.*

Therefore, there are inequalities which are not linked to individual decisions, and for which these individuals are not responsible. It is at this level where Roemer advocates his corrective prescription to be placed [ROE 93]²¹. It is an attempt to equalize opportunities, thus the

19 For the moment, we are focusing on "responsibility" according to the operational concept given by Roemer, without seeking to offer a definition of a "responsible" approach to research and innovation. It is a case of showing the relationship with contingency which gives rise to the question of just distribution.

20 With regard to this triple distinction, see [RAW 09, p. 128].

21 It should be highlighted that he is not alone in having explored this type of correction. Van de Gaer did the same, in the same year [VAN 93], also using a modified function of social well-being. Another formalized school of normative economy examines this egalitarian objective. It is represented by Fleurbaey and Bossert [BOS 96]. The difference between relevant and irrelevant variables can also be seen in Dworkin, in terms of the distinction between "circumstances" and

possibilities of individuals' choices in opposition to an equalization of resources, taking material goods as reference (see Chapter VI in [CLE 08]).

In a characteristic gesture of this type of reasoning focused on equality, it makes an initial distinction between the variables for which the individual is responsible (their "effort") and those for which they are not responsible (their "talents"). It defines the justice of a situation in which individuals who have exerted the same amount of effort achieve an identical result, regardless of their talent [ROE 93]. It distinguishes areas of endowments, and therefore, within each area, affects the level of effort granted by the individual. The variation of the result within the same area depends *exclusively* on individual responsibility. Thus, inequalities linked to these variables placed under individual responsibility are declared just.

This criterion is expressed using a modified function, and the individual results are thus aggregated. However, the comparability which enables this aggregation is not set out at the level of well-being. It is based on objective information: for instance, life expectancy and education levels. The function thus becomes able to express an aversion to inequality, linked to its distinction between relevant and irrelevant variables. It combines the utilitarian summation and *min* operation, borrowed from Rawls. It is utilitarian in terms of the difference of results which can be attributed to the effort exerted, which it does not suggest correcting, and at the same time, egalitarian in terms of the variations of results caused by varying talents. It provides the sum, for all effort levels, of minimal utilities. A socioeconomic state is thus evaluated on the basis of levels of minimum opportunity level for each area for the degrees of responsibility chosen.

The egalitarian requirements can therefore supplement the Pareto criterion. Efficiency expands to include equality. It explicitly takes into account ethical concerns in its formal expression.

"ambitions", which is central to the defense of an equality of "stretched resources" [DWO 81].

1.4.3.1. Verification of overlooked aspects of the approach using Roemer's proposal

Using this example, it is possible to refer back to what was termed the overlooked aspect of the abstract approach, defined as reductionism, in its four elements: a stationary image, external, which allows a control of the facts, including an intelligibility plan which aims to reach exhaustiveness.

Roemer's function is based on a stationary image which takes the form of a division, within a society, of various levels of contingent endowments of talents, and a competing measurement of the degree of effort exerted. It proposes a statistical measurement of the degree of the individual's responsibility in the result achieved. For each talent category, there is a variation of effort. Regardless of the starting position, the individual is responsible for the energy used in reaching a given result. A possible example of what is considered a "talent" is the socio-professional category of the mother. An indicator of the effort exerted could be the diploma obtained. If thirty percent of children of white-collar workers achieve full academic high-school qualifications, and thirty percent of children of blue-collar workers achieve vocational qualifications, it can be considered that a child from either of these two categories will have exerted the same level of effort if they obtain full high-school qualifications or vocational qualifications, respectively (see [CLE 08, p. 258]).

These are therefore fixed categories. The division between "talents" or natural endowments is stationary, while the statistical measurement of effort assumes a comparability of this effort, regardless of the individual's circumstances. Both talent and effort are considered as external. Indeed, we take into account the objective information considered as reflecting adequately what is put under these terms. These are therefore variable, tangible and factual objective variables which represent both the elements which reveal the responsibility of the agent and those which do reveal the absence of it.

The theory prescribes a correction of the data for which the individual is not responsible. It therefore asks for a redistribution to be carried out which corrects the unjust inequalities linked to contingency.

It is a case of controlling the fact in order to correct the objective distribution.

Moreover, Roemer does offer coherence, in a single intelligibility plan, which seeks to exhaust the relevant objective information for the question of justice. There is information which reveals the responsibility of the individual and those which do reveal its absence. Both of them include tangible, measurable facts. At the same time, the information taken into account targets exhaustiveness. If we stay with the rational plan suggested, all the relevant information is taken into account. The categories of talent cover all cases included in the inventory. The measurement of effort ensures that the level of individual responsibility is also taken into account.

Therefore, the question of justice, in a stationary, external approach would be exhausted by the use of factual information. It would be “reduced” to the purely factual. What is offered is a purely objective crisscross grid of the society in terms of justice. From this point, everything which is not factual is concealed and condemned to remaining implicit.

An important remark: it is not a question here of naively rejecting objectivity and its major contribution to efficiency logics, but of exploring its assumptions in order to enable it to function in a more just way and to reestablish the efficiency which it provides as part of an effective process.

1.4.3.2. Verification of the importance of attitudes of uprooting and triviality using Roemer's proposal

Nevertheless, a number of points remain hidden. These can be partially revealed by the philosophical concepts of uprooting and triviality.

Firstly, this very stark separation between what reveals the responsibility of the agent and what does not is problematic. It is a mark of uprooting from the triviality of idleness. However, things cannot be so simple. Rawls already highlighted the fact that effort is

itself influenced by family and social circumstances [RAW 09]²². So what can be done about this? Should a distinction be made between those which lead to a tendency toward effort in a favorable context and those which develop it in a negative one? Is it possible to grasp what makes this context favorable or unfavorable simply in terms of talents? And what about the talents themselves? Should a distinction be made between someone whose parents are poor but very loving and another, born into luxury, but who is beaten by his father? Every time, if the question is asked in an open way, according to simple common sense, it appears that the individual is responsible for much less than would be expected, but also for much more than intended. Perhaps contingency, as Roemer builds his theory completely against it²³, should not only be seen as an obstacle, but also as an opportunity to exercise responsibility.

The uprooting hides the fact that the effort, as well as the talent, comes from upstream: various conditions which have determined the individuals since their birth (we all start by living in pre-determined settings, which are the first conditions each individual faces), various possibilities which are given to assume these pre-determined settings (people who serve as an example, moral references, etc.), and obstacles which are opposed to these things being assumed. All of which comes from contingency. In this regard, it would not be by eliminating

22 [HIL 04] focus on the fact that Roemer attempts to respond to this objection, previously directed at the distinction between the variables of relevant/irrelevant differences: so, what happens if the relevant differences are themselves dependent on irrelevant factors, if effort depends on talent in some form or another? Roemer attempts to redefine the relevant factors in order to “purify” them from any influence of the irrelevant factors. He does this by emphasizing the abstraction of his approach. However, perhaps justice requires us to face this contingent entanglement as it is, rather than try to untangle it.

23 [HIL 04] point out that Roemer’s argument for distinguishing between relevant and irrelevant variables works only for unpredictable circumstances. Indeed, it is unsuitable to take into account the cases where the relevant factors are not differentially influenced by irrelevant factors, but are statistically correlated with them. For instance, if genetic differences are statistically correlated, but not caused by, the parents’ level of education. They refer back to Fleurbaey’s argument, “Equality among responsible individuals”, in [LAS 98] and the example of genetic differences in [SAU 96].

contingency but by experiencing it that the relevant elements of a theory of justice can be clearly set out.

Of course, effort must be rewarded. However, effort is not a good in itself. If it is disordered and confused, it will fail without it being necessarily unjust. If an individual has a particular talent, he or she will flourish by realizing great achievements, and the reward would not be necessarily undue with respect to justice. The distinction is too stark and needs to be refined. It is not possible to remain within a single plan (relevant and irrelevant variables). The perspective should be more open and more dimensions should be taken into account, at least if a robust relationship with justice wants to be retained.

It is important to try to define “primary goods” following Rawls, to emphasize the freedom of each individual to form their own life plans and their assessment of success and failure, and even to make this freedom a good in itself, etc. However, it is also essential to ask whether what happens to us is always intrinsically good or bad. Do we only know when it happens to us? Do we only realize much later? Rather, is it not the case that, whatever the event, our way of reacting to it, of receiving it, is good or bad, rather than the event? And so, are we responsible for this reaction? Does it not come, after all, from further back, not only from our influences but also from the decisions taken long ago, in our formative stages?

Is it possible to look beyond this level of meaning when examining the question of justice? Can it be examined at a purely factual and objective level²⁴, or would the relationship with the theory of justice simply be lost? Exhaustively defining the objective information to be taken into account and establishing a separation²⁵ between what, *on the face of it*, is the responsibility of the agent and what is not means making a normative decision on what *must* be a result of this responsibility and to which circumstances they are connected. Can we simply uproot oneself from a given contingent whose triviality we reject (the weakness of not behaving responsibly) by using several parameters which have been abstracted from it. It is to condemn those

24 It should be recalled that what is not “objective” is not necessarily “subjective”.

25 Rightly known as a “justice cut”.

who did not exercise their responsibility²⁶, without examining the situation, even at a purely objective level, on the existence of other information, not taken into account by the theory which could modify this judgment. It is to reward²⁷ agents, and therefore to potentially deprive them from being pushed to exercise their responsibility further, to carry it on.

Another aspect which appears to be overlooked by this uprooting (which we have not found in the literature) is the following: responsibility is responsibility for one's self, but also responsibility for others. Effort is made for one's self, but also to help the family, friends and simply those who need help. Responsible action is also, perhaps above all, at play in this relationship with others. This may, to a certain point, be taken into account in an objective way. Should the egalitarian requirement be accompanied by strict or regulated individualism? In any case, it is necessary to have the means of measuring for whom responsible action is carried out, and to what extent. This highlights the extreme difficulty of getting a grasp on the "responsibility"²⁸ exercised by agents in a purely objective approach, with the facts externally fixed.

Another classic argument can be added to this reasoning. It consists of denouncing the overbearing intrusion of the State into peoples' lives which involves the establishment of necessary objective databases, but also the control which this distribution implies connected with the egalitarian requirement. The theory therefore simplifies situations which are in themselves complex. However, what is more, it enables an authoritarianism from the State to which it seems impossible

26 Should there not be room for "second chances"? See [FLE 05].

27 [FLE 11] discuss "the principle of utilitarian reward" for Roemer's theory, which gives those deserving an extra reward, along with the "natural" reward which their great effort gives them.

28 It can be noted that the comparability between agents (which is implied by a measure of responsibility), as soon as it is established in a foundational approach, leads to a "reduction". [KOL 72, HAR 77]. The latter seeks to overcome the heterogeneity of individuals' utility function, supposing that, if all the parameters which determine their behavior had the same values, everyone would have the same utility function.

to impose limits [SCH 05]. Control is indeed one of the dominant features of the abstract approach.

The overlooked aspects of this approach are therefore present in Roemer's theory. They dictate his direction toward the factual and the objective. They establish these as guarantees for the efficiency of redistribution. However, the risk is that, to ensure this efficiency, the relationship with the theory of justice is compromised, and its complex aspects remain concealed.

Therefore, we have explained the uprooting imposed by the theory in relation to complex contingent information, but also the difficulty of ascertaining the triviality which is condemned for failing to respect its responsibility. It is only by enduring the risk of this failure, by measuring the scale and the intensity of the factors which may be missing, that we can show ourselves to be truly responsible.

1.5. Relational structure

The coherence of justice which constitutes the question of just distribution reproduces the four characteristic features of efficiency logics, as well as the aspects they overlook. The exclusive reliance on the fact, fixed in an external position, in an act of control and in a way which leads toward exhaustiveness (all relevant variables are taken into account), is redirected into the assessment on justice. It can also be noted that these four overlooked features of the efficiency approach, according to the two original positions of uprooting and triviality, affect attitudes whose crucial importance remains concealed at this point.

At the same time, an appeal to logics of stabilization is spontaneously made in the consideration of logics of expansion. This is clear, for instance, in the use of the term "administration" in the passage which introduces the concept of uprooting. This term usually refers to logics of stabilization. It is a case of managing, thus of keeping together, organizing a possible perpetuation of living together. Yet, it is also a question of the administration of questions of efficiency and competition, even outsourcing and privatization [ABA 00]. In this regard, it refers back to efficiency logics, which are

characterized by expansion. This is the point on which we have focused up until now. However, it is precisely this expansion, in administration, which is to be put at the service of stability. There is a crossed structure here. The fact should not be hidden that, in general, the two aspects are much more clearly separated and embodied in the opposite logics. Nevertheless, it can already be noted at this stage that expansion and stabilization cannot always be so easily separated.

Efficiency refers to a certain level of stability, which is not exactly Hegel's view of effectiveness, but which strictly speaking constitutes what remains of it after empowerment of efficiency logics is achieved. As a mark or a vestige of effectiveness, stability must be taken into account as a distinct moment. Stabilization logics do not function in the same way as logics of expansion. They nevertheless engage a definite question of justice, which could reveal its general coherence.

As a reductionist reorientation is necessary for justice if it is to be effectively translated in the facts, a correction of stabilization may be necessary for a proper processing of its question. If only the first moment is retained, this may entail a risk of losing justice. If this is what justice requires – more than an objective determination by the fact – an imponderable vestige, the freedom behind the fact – the non-objective fact that this fact is possible by a free act.

In this form, the transition is central to the question of just distribution. Indeed, equality which aims to prevail over contingency, since it is reductionist, would on its own be blind to a complex situation whose leveling it could not justify. In practice, it only retains its legitimacy as an implied level of freedom. This enables an achievement despite an unfavorable contingent context. It is the moral effort exerted to detach from this context, and so it is valuable. It is this which is rewarded in Roemer's theory, to which in return it lends its plausibility, at least as much as the notion of equality.

We will attempt to show, in Chapter 2, that this freedom which shapes the question of just distribution refers to the examination of the justice of stabilization logics where it must be relocated and taken into account.