

ETHOS Newsletter

ETHOS Project
Newsletter 04/2019
Special PHILOSOPHY Edition



1. What is ETHOS?

ETHOS is a multi-disciplinary research project funded by the European Commission under the Horizon2020 programme. The ETHOS project seeks to provide building blocks for the development of an empirically informed European theory of justice and fairness. In the project, we strive to refine and deepen our understanding of justice, in order to answer questions about: What is 'justice'? How is justice understood and experienced? Who is entitled to justice? Who is responsible for securing justice?

The project will inform a wide range of stakeholders about different understandings and experiences of justice with a view to supporting attempts to promote justice and fairness.

Six academic institutes work together on [“themes”](#) (or thematic focal points). ETHOS is coordinated by the Utrecht University (the Netherlands) and has partners in Austria (European Training and Research Centre for Human Rights and Democracy, Graz), Hungary (Central European University, Budapest), Portugal (Centre for Social Studies, Coimbra), Turkey (Boğaziçi University, Istanbul) and the UK (University of Bristol).

ETHOS is a 3-year research project which started in January 2017 combining the disciplines of philosophy, social policy, sociology, law, economy, and political science.

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2. On the integrated Theory of Justice and Fairness in Europe

During the course of three years, the ETHOS project seeks to reach a process in which seemingly antagonistic and opposing voices are attuned in a harmonious concert, which reflects the mutual understanding of a European Theory of Justice and Fairness in a deliberative, constantly evolving process. In other words, the ETHOS project seeks to investigate, understand and synthesise the diverse experiences of justice in Europe into an integrated theory, that is nonetheless reflective of the dynamic and ever-changing process underpinning justice experiences.

Keeping this in mind, one of the major tasks of the ETHOS project is to bridge the gap between empirical and theoretical work. At the time of writing, the empirical component of the project has been completed, culminating in dozens of country studies on the economic, political, social and legal domains of justice in six partner countries. At the same time, comparative reports have provided overviews over commonalities, differences, unique experiences, and their relation to justice. All this is underpinned by a breadth of philosophical and theoretical work, which provided the basis for analysis along the parameters and background of justice which, in turn, feed into the integrated theory.

The ETHOS project already began with a comprehensive view of justice, best exemplified by Nancy Fraser's three-dimensional model of justice. This model conceives justice as occurring in three spheres: (re)distribution, representation and recognition. Beyond Fraser, justice takes many more forms and can be viewed through different lenses, including capability, restorative justice, procedural justice, and many more. In the project we quickly found that all justice spheres are intersecting, intertwined, and relational meaning they influence each other, and can be both mutually inclusive and exclusive.

Against this already dynamic theoretical backdrop to the project, the challenge was to develop a philosophical understanding of the topic that could combine existing theories and conceptions, beliefs and expectations, with the new insights yielded from the empirical work. After all, the final goal of the project is not to create a static, universal theory of justice, but to create a framework that helps understand, explain and present how justice is experienced in Europe, in particular by vulnerable populations. Hence, the theory itself is integrated, dynamic, and an ever-growing process.

Nonetheless, a strong framework is needed that can accommodate not only various philosophical traditions, but also the breadth of experiences, parameters, realities and insights yielded throughout the project. This newsletter seeks to explain – in simple terms – what the philosophical foundations of the envisioned integrated European theory of justice and fairness are, which components are noteworthy, and how the process of developing and theorizing the philosophical foundation has taken place until now.

What contribution can political philosophers make to current political debates related to issues of justice, specifically in Europe and in relation to Europe's role in the world? Can political philosophy help guide the decisions of the voters and policymakers who must together address Europe's contemporary problems; for example of migration, of democratic decline, or of economic and status inequality and vulnerability? One might reasonably ask whether the ideal and abstract theories of justice that have dominated political philosophy are at all capable of addressing such empirically complex challenges. There is furthermore a tension – perhaps a growing one – between the theories of justice influential in political philosophy and the beliefs of lay people about justice. This raises the question of whether political philosophers should concern themselves with public opinion, and if so, in what way.

- Bert van den Brink, Simon Rippon, and Miklos Zala
(Special Issue Proposal: Real European Political Philosophy)

3. Between ideal and non-ideal theories of justice

During the first annual ETHOS conference held in Coimbra, Portugal in early 2018, a philosophy workshop took place, led by Bert van den Brink, Simon Rippon, Tom Theuns and Miklós Zala. The workshop yielded fundamental insights that culminated in the foundational building blocks informing the envisioned European theory of justice and fairness. In addition, during the workshop several practical and methodological recommendations were made for integrating empirical and normative work, which influenced the manner in which empirical studies were conducted and synthesized throughout the project.

The philosophical workshop largely considered the issue of “ideal” vs. “non-ideal” theorizing. While ideal (normative) theorizing focuses around how things are and ought to be (the is-ought problem), non-ideal (empirical) theorizing revolves around observations. It is evident that the two are strikingly different. Yet, they also culminate in a paradox: an empirically grounded, normative theory of justice – like the one envisioned in ETHOS – is logically paradoxical. How can empirical observations be the foundation of a normative theory? To answer this, ETHOS advocates the use of ‘hybrid empirical-normative theorising’, that is to say using empirical and normative work in collaboration to generate the premises that ground normative conclusions about European justice. In other words, empirical findings and normative assumptions work in a dynamic process, constantly re-informing each other to generate a foundation on which the European theory on justice and fairness can be built.

Through pursuing hybrid forms of investigation and argumentation, the limitations of using only empirical or normative theorizing, respectively, can be overcome. However, new philosophical issues around the relationship between the *ought* and *is* emerge. On the one hand, normative conclusions are only possible

based on normative premises, which again does not solve the problem between the is-ought relationship. On the other hand, in the discipline of political philosophy itself there is no universally accepted agreement on a theory of justice, meaning these very normative assumptions are themselves subject to debate within the discipline.

A breadth of discussions culminated in an understanding grounded in the breadth of positions with direct application to the ETHOS project. The ETHOS project thus makes use of “Real World Political Philosophy”, following the philosopher Jonathan Wolff, whose keynote lecture in Coimbra argued that the term “non-ideal theory” should be replaced with “real world philosophy”. Indeed, the ETHOS version starts with the real world (what can be empirically observed and concluded through country studies and comparative reports). This investigation into which (in)justices manifest in society are the basis for theorizing on the appropriate responses to addressing injustices. Such a theorizing indeed makes use of the tools of political philosophy, but does not give the philosophical and normative assumptions about justice a place prior to empirical insights.

Wolff himself (2011) best describes how the approach works:

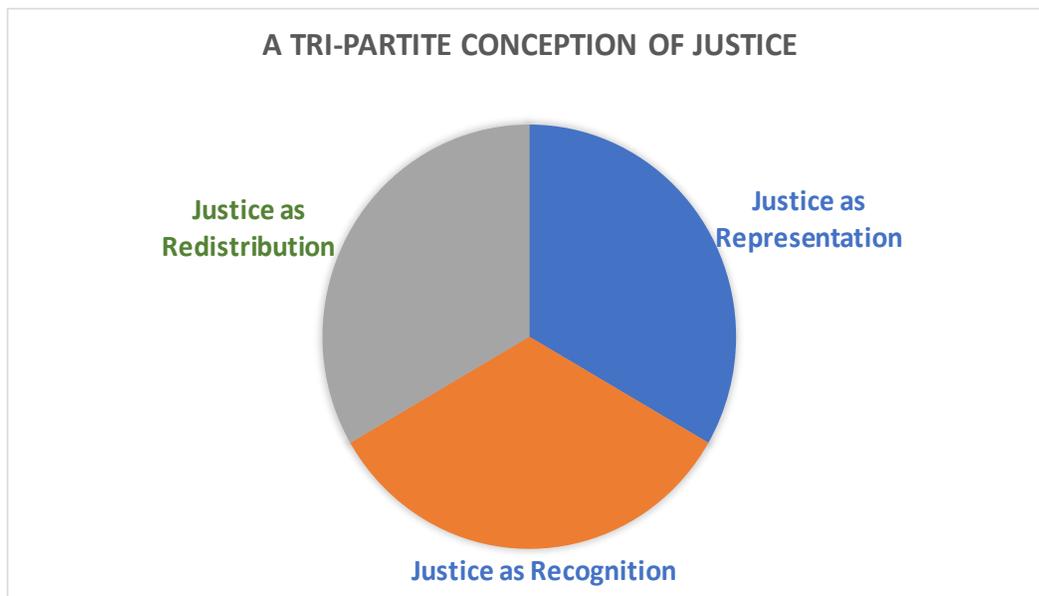
‘the first task is to try to understand enough about the policy area to be able to comprehend why it generates moral difficulties, and then to connect those difficulties or dilemmas with patterns of philosophical reasoning and reflection’.

(see Wolff, Jonathan. 2011. Ethics and Public Policy: A Philosophical Inquiry. Routledge.)

4. Integrating multidisciplinary empirical findings

The ETHOS project is split into several work packages (WPs), or “theme clusters”. These themes include justice and law (WP 3), policy, advocacy and media discourses (WP4), social rights and daily experiences of vulnerable populations (WP5) and struggles for justice (WP6). In other words, ETHOS investigates justice in light of the disciplines of law, political science, social science, and economic science. The philosophical work conducted in WP2 largely revolved around solving the methodological and conceptual problems around developing an empirically informed European theory of justice and fairness. As such, the first decision to use “Real World Political Philosophy” was made. Still, the need remains to integrate and conceptualize the concept of justice as understood and treated in the four afore-mentioned disciplines in order to best assess and integrate empirical findings throughout the project. After all, an integral part of the project is to bridge the gap between theoretical (philosophical) and empirical work.

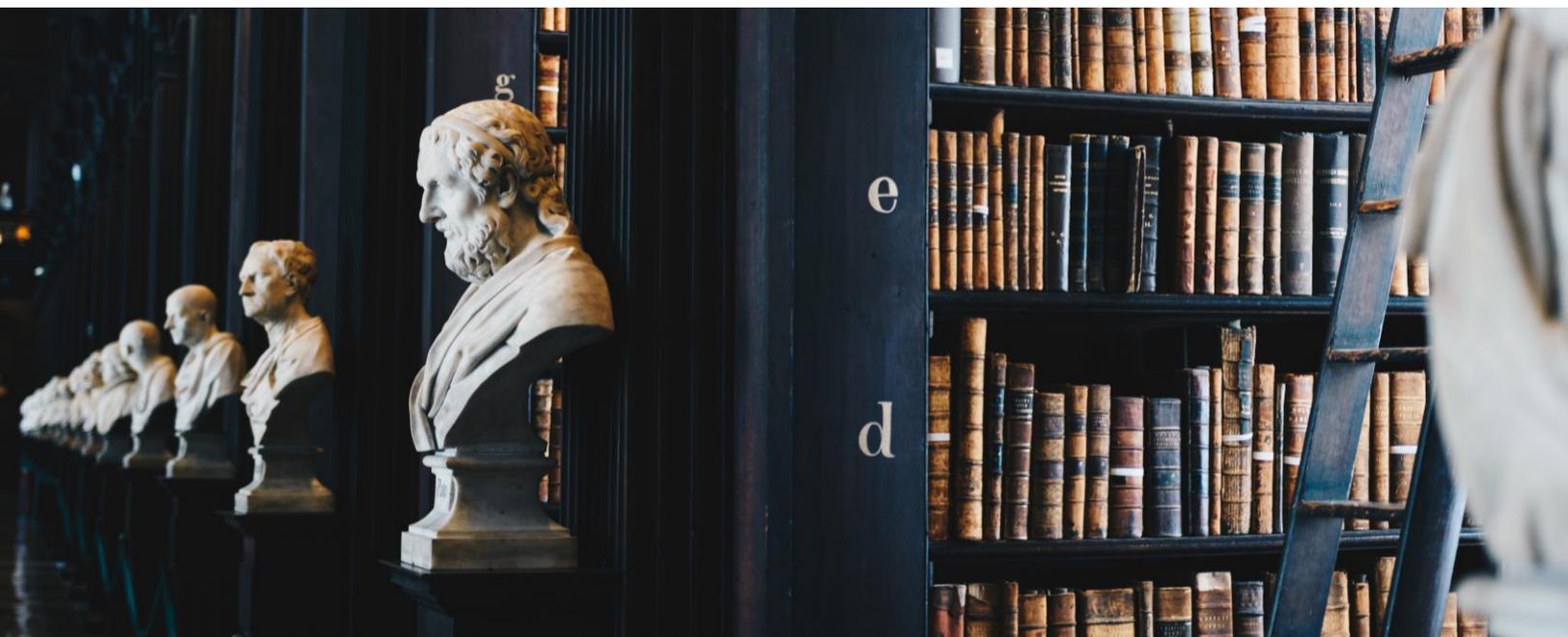
The very first paper written in each work package touched on the philosophical foundations of justice in Europe with respect to the differing disciplines. In this vein, Nancy Fraser’s three-dimensional model of justice as redistribution, representation and recognition was used as a lens through which to analyze different understandings of these justice components in these disciplines, focusing on the different problems they emphasise and the different recommendations they put forward. Fraser herself puts forward a “non-ideal” approach, which nonetheless works with ideal types (abstract frameworks or devices). It does not seek to ‘provide a comprehensive account of the overall goodness or badness of society’, but rather focuses on the question of “how fair or unfair are the terms of interaction that are institutionalized in the society?”. Fraser’s three-dimensional framework enables for the location of different forms of social exclusion. For the purpose of ETHOS, her framework is vital as it highlights the importance of context-specific analysis. At the same time, her insights consider that individuals and groups can suffer from different kinds of injustices, thereby (in)justice should not be examined in isolation.



There are stark differences in the manner in which the disciplines acknowledge, target and tackle (in)justice. While there are traces of all three spheres in all disciplines, the focus is weighted differently and is greatly contrasted in scope and depth. Because some disciplines focus on single aspects and others take a holistic approach, it became an ongoing intellectual exercise to explore and integrate these approaches. In addition, justice is dynamic and constantly developing – the same goes for conceptions about justice within the theoretical traditions. In particular, the notion of citizenship in relation to justice is starkly reflected in the European context and currently particularly present in economic theory, political theory, social theory and of course, law.

During the course of the empirical work against the backdrop of Fraser's so-called "three R's", several interesting channels for research could be uncovered. These provided the next step to better understanding the empirical component of justice, again to be juxtaposed with the philosophical task of creating an empirically informed theory. One of the most important findings was that dimensions of justice could be identified that extend beyond Fraser's threefold conception, and can include many further dimensions including freedom to (ontological) security, historical justice, restorative justice, justice as freedom from domination, and procedural justice. These give rise to relevant tensions and new dimensions of justice claims, that intersect and are interrelated. However, new relationships between justice claims also give rise to new mechanisms that impede justice, including power relations, dominant visions of the "good life" and processes of exclusion, among others. In addition, it was possible to uncover important fault lines and also boundaries of justice, so dimensions of inclusion and exclusion that delimit the scope of justice.

Again, the question arises how these extremely complex and dynamic facets of justice yielded from multidisciplinary, empirical investigations can now be linked back to philosophical, non-ideal, real world theorizing.



5. On reflective equilibrium

In the second philosophical workshop held during the second annual conference in Budapest, Hungary, the focus was put on finding philosophical and theoretical approaches that allow for understanding the empirical justice research conducted in Europe using a real-world approach. In other words, the empirical work is multidisciplinary, extremely complex, and already early on gave rise to striking insights. How could this be tied together with the philosophical components needed to form an integrated *theory*? To answer this, the workshop considered the question of how normative theorizing about justice in Europe should (or should not) depend on the beliefs that people have about justice. Indeed, much of the empirical work conducted also included interviews and sought to understand justice as a “lived” experience, thereby putting beliefs about justice, the manner in which claims were formulated and understood, became vital. In order to develop an empirically grounded theory, it is integral to touch on the question of the role of beliefs in particular, as it also emerges in debates about whether public opinion should (or should not) inform normative theorizing.

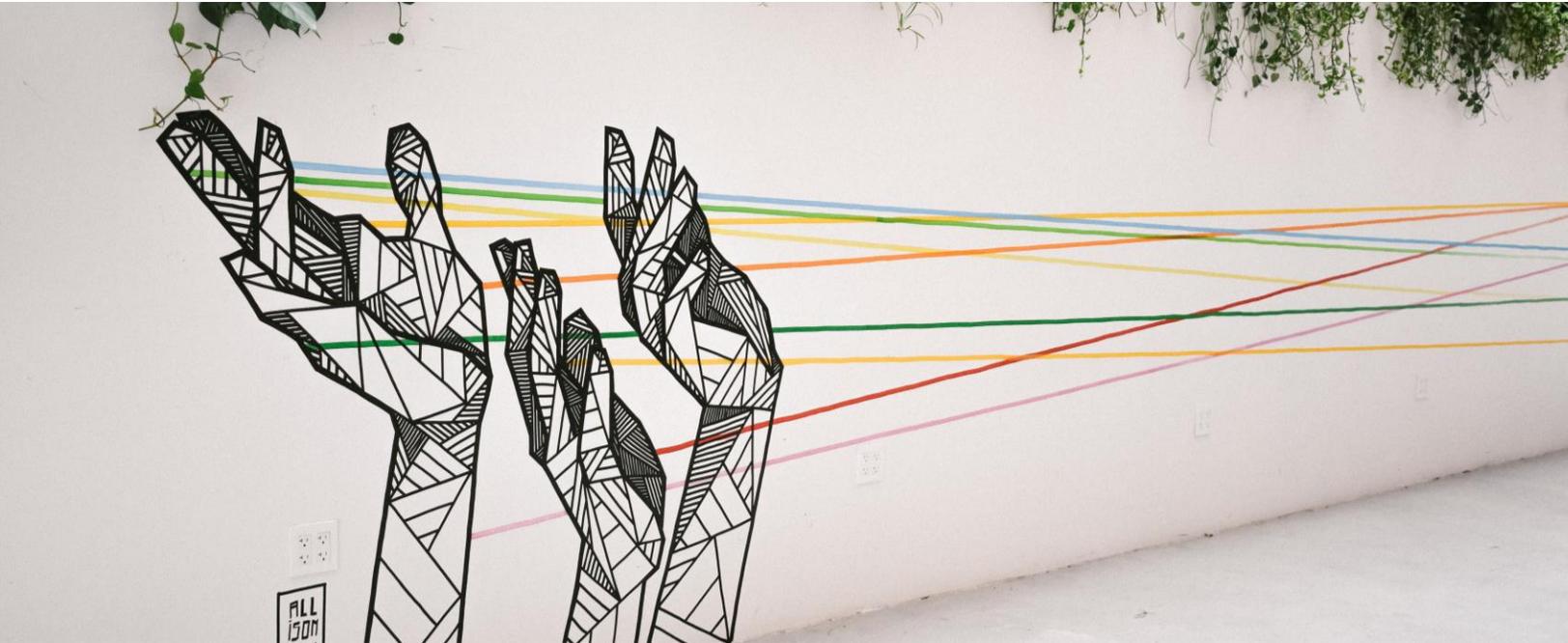
During the workshop, several different frameworks and accounts of justice and justice beliefs in Europe were presented. It is not possible to present one concrete answer to the question of what the relationship between the two is. Rather, it is shown that the possible relations that were investigated offer considerations for and against ways in which public opinions could be integrated into normative decision making. That is, how could beliefs help inform normative assumptions about justice, that in turn play into the envisioned theory of justice and fairness?

One manner in which this bridge can be drawn is the method of reflective equilibrium, encompassing three components:

1. Drawing on the attitudes, beliefs and experiences of marginalized groups is crucial to formulating an empirically informed European theory of justice and it explains one important way in which the empirical research in the ETHOS project and the normative can and should be integrated. Indeed, considering these beliefs can itself give insights on new justice claims and understandings altogether, which in turn drastically influence normative assumptions about justice altogether.
2. In addition to drawing on attitudes, beliefs and experiences, the framework of Real World Philosophy provides an approach that identifies cases of “manifest injustice”, which provide bases for reform and tangible intervention, as will become relevant later on in the project when attention is turned to creating concrete policy recommendations.
3. Finally, during the investigation of empirical insights, it was found that an ideal-type analysis (as Fraser puts forward, a frame of reference) paved the path for reflection in two ways: ideal-types can be contrasted against normative demands of justice, and they can be the basis of policy

recommendations that prescribe certain reforms as the way to pursue more coherent policies in line with a particular ideal-typical approach to understanding justice.

Together, these three alternatives to bridging the gap between philosophical and empirical work on justice provide the basis for an integrated theory of justice and fairness as is envisioned by the ETHOS project.



6. Summary

At the point of writing, the philosophical component of the ETHOS project has considered the issue of ideal vs. non-ideal theorizing, the relationship between normative assumptions and empirical findings, the conceptual integration of Fraser's 3 Rs in empirical work and philosophising, the role of beliefs about justice in theorizing, as well as methods on how to practically and methodologically bridge the gap between theory and practice. It was found that an analysis using ideal types (like Fraser's 3 Rs), rooted in Real World Philosophy, and building on attitudes, beliefs and experiences about justice culminates in a methodology suited to fulfilling the demand of creating an empirically informed, integrated European theory of justice and fairness.

At this time, intensive work is taking place on synthesising findings according to the proposed philosophical framework, which is the basis of WP7 on integrating findings to develop a European theory of justice and fairness.

More information on WP7 and the developments surrounding it will be outlined in the next newsletter, which will also touch on concrete, applicable policy recommendations and stakeholder communication as envisioned in the next conference in Graz, Austria.

7. Relevant ETHOS documents

ETHOS seeks to conceptualise an integrated, empirically informed European theory of justice and fairness. There have been a breadth of country studies and comparative reports made public on the ETHOS website. At the same time, there has been a range of theoretical, philosophical and integrative documents that have been formulated, which provide the methodological framework for integrating normative and empirical findings. They can be found here:

[Report on the European heritage of philosophical theorizing about justice](#) – Simon Rippon, Tom Theuns, Sem de Maagt, Miklos Zala and Bert van den Brink

[Report on the workshop “Ideal and Non-Ideal Theories of Justice”: Towards a Non-Ideal Theory of Justice in Europe](#) – Bert van den Brink, Simon Rippon, Tom Theuns and Miklos Zala

[Multidisciplinary Perspective on Justice in Europe](#) – Trudie Knijn, Tom Theuns and Miklos Zala

[Report on a second workshop on “Justice and Beliefs about Justice in Europe”: Democracy, Stability and Reflective Equilibrium](#) – Sem de Maagt, Simon Rippon, Tom Theuns and Miklos Zala

[Report on a special issue proposal “Real European Political Philosophy”](#) – Bert van den Brink, Simon Rippon, Tom Theuns and Miklos Zala

[Report on a theoretical review of the conceptualization and articulation of justice in legal theory](#) – Orsolya Salat

[Report on a theoretical review of the conceptualization and articulation of justice in political theory](#) – Ayse Bugra

[Report on the conceptualization and articulation of justice: Justice in social theory](#) – Bridget Anderson, Claudia Hartman and Trudie Knijn

[Report on Economizing Justice](#) – José Castro Caldas

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