

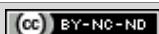
Introduction

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Introduction

Geoffrey Dierckxsens

The thematic of this issue of ERRS, dedicated to the question of "Justice at its Margins," draws its inspiration from the European conference on Ricoeur which was held in Antwerp, Belgium in 2014. Annemie Halsema, Marianne Moyaert, Arthur Cools and I had organized this conference with the idea of exploring the "margins" of Ricoeur's thought. We wanted to know whether and to what extent Ricoeur's thought has a tendency to mask the radicalism of certain points of view and certain philosophical, religious, and political discussions, along with the difficulty involved in reconciling them, as a result of his constant and well known efforts to establish a fruitful dialogue between conflicting and seemingly irreconcilable positions. In fact, Ricoeur is generally considered to be the philosopher of all the dialogues. Instead of engaging in polemics, he tries to facilitate a dialogue between opposing sides, thus rendering possible a hermeneutic mediation between thinkers who position themselves at different "margins" of thought. Where others speak of rupture and dichotomy, Ricoeur tries to establish a dialectical relationship. In this regard, it is worth noting that the word "between" (*entre*) often appears in the titles of his articles, testifying to his tireless quest for unexpected connections, confrontations, and syntheses among his contemporaries and/or those who have preceded him.

In this sense Ricoeur is undoubtedly a thinker of "the in-between." Yet, the problem which must be considered is whether Ricoeur's dialectical method can account for positions that "lie at the outer margins of harmony." It is that question that this issue of ERRS sets out to consider, giving particular attention to the problem of justice: where the Antwerp conference focused on Ricoeur's thought in general, on this occasion there is a very specific focus on the frontiers of Ricoeur's philosophy of justice.¹

Contemporary society has a tendency toward radicalization, a characteristic that makes Ricoeur's philosophy of dialogue especially timely. Perhaps more than ever we are in need of dialogue, particularly in the sphere of justice. Not only are we confronted with the horrific reality of terrorist organizations that refuse every possible form of dialogue while "justifying" extreme forms of violence in the name of their oppressive ideology. We also face political institutions that defend a renewed nationalism purportedly in the name of freedom and democracy. How are we to deliver and maintain justice in the face of violence? How are we to understand the paradoxical relationship between justice and violence, which results from the tendency towards ideology inherent in every institution? Finding answers to these questions is particularly urgent at a time which – rightly or wrongly – has already been described as the time of "our war," to quote a phrase used on the cover of a popular French magazine in the immediate aftermath of the Paris attacks of November 13th 2015.² Understanding justice and its limits, where it ends and where it begins, that is precisely what this issue of ERRS proposes to thematize in relation to Ricoeur's philosophy.

Ricœur's effort to facilitate the harmonisation of divergent voices is particularly apparent in his reflection on justice. If justice is clearly a key concept in Ricœur's work, the interpretation of that concept which the philosopher proposes is a "dialectical" one. Ricœur not only distinguishes between justice at the level of intersubjective relations and justice at the level of institutions, he also tries to make sense of justice both in relation to social peace and in relation to struggle and violence.³ For Ricœur, the primary meaning of justice is ethical and moral, and it is intrinsically linked to social peace and mutual recognition. According to Ricœur, the idea of the just is nothing other than the idea of the good, considered in terms of our relationship with others.⁴ In *Oneself as Another* Ricœur explicitly argues, in line with Aristotle, that justice is an essential part of "aiming for the good life with and for others in just institutions."⁵ Then, in "Love and Justice," he tries to work out the relationship between loving one's neighbor and justice.⁶ And finally, in *The Course of Recognition*, he points to the role that justice plays in "states of peace."⁷ Commenting on Marcel Hénaff, he defends the thesis that the function of the exchange of gifts is to establish mutual recognition between different parties, and thus maintain the peace between them.

Yet if, on the one hand, Ricœur views justice as a virtue, he always insists that there is an intrinsic relationship between justice – as judicial institution – and violence. In this regard, it is significant that first encounters with the idea of justice inevitably begin with a *sense of the injustice* done to or suffered by others. Faced with the suffering of others we are reminded of the *need* for justice, which is felt in the experience of a *lack of justice*.⁸ Moreover, in some articles published in *The Just* and in *Reflections on the Just*, Ricœur endeavors to understand to what extent there is an intrinsic relationship between justice and vengeance. According to him, justice as judicial power is an institutionally regulated form of violence, irreducible to but also closely related to personal vengeance. Justice marks the difference between the "hasty reprisal" and "suffering" that is "applied as punishment."⁹ However, given that in institutional justice conflicts are resolved through punishment, a "residual degree of violence remains" in institutional justice.¹⁰ Similarly, if in *The Course of Recognition* Ricœur understands justice in relation to social peace and mutual recognition, he also agrees with Hegel and Honneth that it is part of "the struggle for recognition."¹¹

Ricœur's dialectical approach to justice raises several questions. To what extent is it possible to reconcile, as Ricœur appears to assume, the opposing interpretations which arise from the notion of justice? Is it possible that Ricœur's hermeneutical philosophy takes the edge off certain problems in current political and philosophical debates on justice? Does Ricœur adequately understand the paradoxical or possibly even contradictory nature of justice? If conflict and the possibility of violence are inherent in the question of justice and if justice – as judicial institution – can seem like the expression of personal vengeance, does it mean that "justice" is primarily the expression of the violent nature of human beings? If justice is the expression of violence and struggle, to what extent should it be thought of as a virtue? Further questions arise concerning the relationship between Ricœur's dialectical approach to justice and other theories of justice. If justice as judicial institution is intrinsically violent, should it be understood as a purely procedural construct, as Rawls argues in *A Theory of Justice*, rather than as a virtue in the Aristotelian sense? How does Ricœur's idea that justice is a virtue relate to Honneth's and Hegel's idea that justice is a struggle for recognition? These are the questions that the seven contributions to this thematic issue try to answer.

Elodie Boublil's paper "Instaurer la 'juste distance.' Autonomie, justice et vulnérabilité dans la pensée de Paul Ricœur," defends the claim that what Ricœur is suggesting is that we understand justice with reference to vulnerability and not, as is often the case in our contemporary society, with reference to autonomy. Boublil contends that even if autonomy is a condition for justice in that distributive justice implies the constitution of a holder of a right and the self's capacity to act, we must acknowledge that vulnerability and the possibility of harming others are also inherent in the capacity to act, found both in the autonomous self capable of justice and in systems of justice whose norms and rules can oppress otherness. For Boublil, what makes Ricœur's practice of interpreting justice from the perspective of vulnerability interesting is that it invites us to jointly consider the violence coextensive with social relations and political conflicts and the restoration of the power to act called for by such contexts. The implementation of this "culture of the just distance" that Ricœur hopes for requires work of recognition and work of reinventing relations of justice, which is only another name for the courage to be just.

Geoffrey Dierckxsens' article "The Ambiguity of Justice" tries to show how the relationship between the universal and justice, as Ricœur conceives of it, leads to a pronounced *ambiguity of justice*. According to the author, this ambiguity consists in the following: on the one hand, the task and function of justice is to maintain social peace, but, on the other hand, the judicial institution introduces a residue of evil and violence insofar as it remains linked to personal vengeance, authority, and the struggle for values. That is why Dierckxsens is led to question an idea that Ricœur defends in *Oneself as Another*, namely, that it would be possible to formulate universal principles for social peace. Drawing support from other texts by Ricœur – particularly *The Lectures on Ideology and Utopia*, *The Just* and *Reflections on the Just* – the author endeavors to show that the Ricœurian approach to justice provides us with the means to achieve a shared sense of justice through critical dialogue, a sensitivity to the other, and the critical path of narrative.

Roger W. H. Savage's article "Judgment, Imagination and the Search for Justice" suggests that we try to understand justice starting from Ricœur's idea of imagination. According to the author, the "search for normative requirements of justice" does not depend solely on the application of a social theory of justice, it also depends on singular exemplary moral and political acts. For Savage, a social theory of justice fails to achieve a totalizing critical reflection insofar as every theory is caught up in the perspectives and conceptions of the social group to which the theorist belongs. For that reason, the social critique that lies at the basis of the norms for justice ought not to result only from theory. According to Savage, exemplary acts not only provide models for norms of justice, they also offer a practical way to social theories in circumstances where the latter do not attain the critical distance necessary for re-envisioning the norms for justice. From that perspective, Savage underlines the role of art in moral and political critique, emphasizing the kinship between, on the one hand, the power to refashion the reality of music and literature, and, on the other, singular moral and political acts.

In her article, "Connaissance de soi et reconnaissance. Bases éthico-anthropologiques de la justice dans la pensée ricœurienne," Beatriz Contreras Tasso defends the thesis that the ricœurian conception of justice, as expounded in *Oneself as Another* and *The Course of Recognition* in particular, assumes an essential correlation between self-knowledge and recognition. According to the author, in *Oneself as Another*, Ricœur proposes a dialectical understanding of

recognition that highlights the relationship between the recognition of others and self-knowledge in the Aristotelian sense. However, as Contreras Tasso sees it, this dialectical conception could hide an ethical sense of a form of justice that founds social life both at the interpersonal level and the political, and reinforces the institution of justice at the judicial level. For the author, the idea of endorsing the otherness of the other through gratitude plays a central role, then, in the reappropriation of this ethical sense of the just. As Contreras Tasso demonstrates, while in *Oneself as Another*, Ricoeur places the greatest emphasis on the link between recognition and equality through the idea of the recognition of others mediated by self-esteem and attestation within the framework of just institutions, the originality of the analysis of love developed in *The Course of Recognition* is that it brings to light an essential relationship between recognition and the gift.

In "Justice sociale et luttes pour la reconnaissance: la question de l'*agapè*," Sébastien Roman addresses the problem of recognition through the rereading of Honneth's thesis on *Anerkennung* that Ricoeur puts forward in *The Course of Recognition*. The author responds to Ricoeur's critique of Honneth's theory of recognition, arguing that, contrary to what Ricoeur says, a theory of mutual recognition can do without the reference to *agape*. According to Roman, while Honneth's theory of *Anerkennung* stresses the importance of struggle in relationships of recognition Ricoeur lays greater stress on the possibility of recognition in states of *peace*, and that is why he considers *agape*, that is the love of one's neighbor, as the example of this more peaceful kind of recognition. Faced with this difference in emphasis, the author sets out to demonstrate that the idea of a dialectical relationship between justice and love, which Ricoeur defends, profoundly alters the way in which the struggles for recognition are conceptualized. For Roman, a social justice based on *agape* – that is, on generosity and compassion – rests on anthropological presuppositions that Honneth's theory did not intend to assume: by not leaving the conflict, he says, the latter enables us to give a better account of the experiences of injustice and to combat them.

In "Between the Prose of Justice and the Poetics of Love?," Robert Vosloo compares Ricoeur's conception of recognition with the theoretical discourse around the problem of racism and xenophobia. Analysing the particular case of apartheid in South Africa, the author raises the question as to whether the dialectical approach to the problem of recognition, developed by Ricoeur, responds adequately to the challenges of racism and xenophobia in the post-apartheid regime of South-Africa. Vosloo adopts the theory of "political literacy," developed by the sociologists Heribert Adam and Kagilo Moodley, and according to which political education is an imperative that cannot be ignored in the struggle against racism and xenophobia. However, he also pays particular attention to an essential complement to that theory, represented by the Ricoeurian theory of mutual recognition and its dialectical conception of the relationships between justice and *agape*. According to the author, Ricoeur's theory of mutual recognition is significant in two respects. First, it demonstrates that, in states of peace, the symbolic recognition of others through an exchange of gifts is close to justice in that it aims to establish a relationship of equality between two parties. Second, it shows that recognition is directly linked to love in that it involves the non-reciprocal gift.

In line with Ricoeur's work on recognition, Charles Reagan's article entitled, "Recognition and Justice," draws on *Le Robert*, *Le Littré* and the *Oxford English Dictionary* to explain precisely the different meanings of the concept of "recognition" and the verb "to recognize." According to

the author, there are three main meanings of the term “recognition”: epistemic recognition, recognition of oneself, and recognition of others. On that basis, Reagan puts forward an analysis of the connections among these three meanings of the term “recognition” and what he considers to be the different meanings of justice: judicial, distributive, social and political. The author’s contribution consists in showing how these different forms of justice cause different senses of recognition to arise. To take the example of justice in the sense of the judiciary, here the three meanings of “recognition” come into play: in the context of a court, the trial not only implies epistemic recognition (it involves identifying the suspect, recognizing the victims, remembering that one has seen the weapon, the place or the clothing, etc.), but also recognition of oneself and of others, that is, a recognition of the judge and the jury as authorities capable of holding and conducting the trial and rendering a verdict. It is this intersecting of forms of recognition and justice that Reagan brings to light right across his article.

¹ <https://sites.google.com/site/ricoeurantwerp2014/home>

² "Notre guerre" (our war) was the title of a recently published issue of the French magazine *Le Point* that came out after the Paris terrorist attacks on November 13th 2015. See: *Le Point*, n° 2254, 16/11/2015.

³ Paul Ricœur, *Oneself as Another*, translated by Kathleen Blamey, (Chicago: University of Chicago Press, 1992), 169ff.

⁴ François Azouvi and Myriam Revault d'Allonnes, "Paul Ricœur," *Cahier de l'herne* 82 (2004), 288.

⁵ Ricœur, *Oneself as Another*, 172.

⁶ Paul Ricœur, "Love and Justice," *Figuring the Sacred. Religion Narrative and Imagination*, translated by David Pellauer and edited by Mark I. Wallace, (Minneapolis: Fortress Press, 1995), 315-29.

⁷ Ricœur, Paul, *The Course of Recognition*, (Harvard: Harvard University Press, 2007), 219 ff.

⁸ Ricœur, *Oneself as Another*, 198.

⁹ Paul Ricœur, *Reflections on the Just*, translated by David Pellauer, (Chicago: University of Chicago Press, 2007), 223.

¹⁰ Ricœur, *Reflections on the Just*, 223.

¹¹ Ricœur, *The Course of Recognition*, 153.