

## **DEEP PRINCIPLES OF JUSTICE GROUNDING IN LIFE-VALUE MEANING**

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### **Summary**

This analysis defines and explains the ultimately regulating principles of justice theory over 2500 years East and West, critically focusing on leading modern and contemporary philosophies of justice in developing a life-coherent understanding of what each is due across cultures.

#### **10.1. Recovering the World's Lost Life-Value Bearings**

The major cognitive problem of contemporary civilization is, as we have seen, the failure to understand the common life-ground beneath selves and money sequences. At the most general level, the myriad partial perspectives within which global market culture is confined resemble the blind men of ancient Vedic lore. None can recognize the whole elephant of which each can feel only a part. One feels a thick snake-like being, another feels a sharp horn, another a tree trunk, and so on. The unified reality

cannot be seen.

Today the elephant that cannot be seen is the money-sequence rule system joined across the individuals and cultures of the world. Its inner logic of justice is by rights and duties of money demand possession, exchange and growth. Wars are fought to universalize it, people rise and fall by success or failure in serving its rule system, and ‘necessary sacrifices’ propitiate its ‘iron laws’. While no-one denies this ‘global market system’, its status as a system of morality and justice is generally unexamined in philosophy. As we will continue to find in the analysis ahead, mainstream moral and political thought blinker it out, while economic science presupposes its prescriptions as akin to laws of physics.

### **10.1.1. System-Deciding Choice Space: The Life-Value Plane We Need to Reclaim**

Although they remain generally unexamined, society’s actually regulating principles of morality and justice are the deciders of society as a self-organizing life system. They are *generalized instituted decisions with stakes of better or worse life for all they regulate* - humanity’s ultimate choice space, but normally presupposed as givens.

As explained in Section 9.10.2, the social subject of the rules by which we live has been abdicated to a money-sequence system of dictates conceived as “economic laws”. By this conception, the choice space of deciding the rules by which we ought to live is denied even to exist.

Yet we also know from prior analysis that where social rules are *not* consciously steered by common life interests, they are life-destructive - from rituals of child mutilation and malnourishment amidst plenty to the natural environment as industrial looting basin and sink. When social ordering *is* life coherent, in contrast, its rule system protects common life interests and is binding on all - from universal obligations of child care and social programs for the deprived to enforced environmental laws and free wildlife spaces. Such social ordering follows the life-coherence principle proposed by life-value onto-axiology, but this life-grounded understanding is not yet recognized in the reigning philosophical traditions.

Around and between these poles, social rules and norms prove invalid or valid in fact by life-value standards of judgment. Yet while ruling value systems are the primary frames of all of society’s rules and norms, they are seldom examined *as* moral or justice systems. Rather each is presupposed by those living within it as a silent first premise of acceptable discussion. Or utopian schemes are fabricated which bracket out the reigning order a-priori, as we see ahead. Questions do not arise within received philosophy as to the rightness of the ruling system of justice itself - even if, for example, 1% of the population controls over 90% of society’s wealth and seeks by the system’s rules to further maximize its private enrichment whatever the deprivations of the majority of their society. As we will see, a standard position in philosophy as well as the wider world is that such a situation benefits the least well off by trickle-down wealth creation. On the other hand, those who repudiate this ruling system may be attacked as heretics were once pursued for blasphemy. Very little work in contemporary philosophy, or ever, has raised this issue itself, the justice or morality of the ruling order.

The social rule system by which we live, what we ultimately *are* as a society, may most of all need inquiry into its morality and justice, but it is rarely examined as a unified value system. Although the given system is typically assumed as regulating for the common good better than any possible alternative, this is an assumption which cannot bear life-value scrutiny, as we have seen. So what are the theories of justice which stand out over human history and today? Can we discern any underlying pattern to understand them more clearly across differences and cultures? And can we in the light of life-value analysis identify in principle exactly where they go wrong and how their blind-spots may be overcome?

## 10.2. Marx and the Missing Life-Coherence Principle

While philosophers have discussed *in abstracto* what a just social order means since Plato's great classic *The Republic*, they have revealingly done so by ideal constructions not connected to the surrounding social order – that is, until Karl Marx almost 2500 years after Plato. He certainly called the ruling system into question, but was barred from academic appointment and his ideas have been widely distorted almost out of recognition. To be uncontroversially brief, Marx proposed a worker-run communist society once industrialization had developed the means of production to a level where private appropriation of profit was less productive than social ownership, and, at this point, he claimed, it must be “inevitably” revolutionized to serve human development instead.

The problem, as we have seen in prior chapters, was that the *master equation of productive force advance to human development* - an underlying equation which Marx shared with mainstream economics - was not critically examined. Rather more productivity was the ultimate value imperative with the needs and capacities it was meant to serve not spelled out to ensure that technological-industrial development served them, as opposed to subjugating them to its internal dictates (e.g., by mass assembly-line method and technological substitution for Nature). This issue was covered in general by Section 5.19.

### 10.2.1. Life Coherence Principle Missing on All Levels

While Marx's ultimate ideal is famously “from each according to his ability, to each according to his needs”, there have been three major problems with his inherited principle.

(1) “Needs” themselves have remained without criterion or definition. Thus damaging habits conceived as needs may qualify as benefits, leading to disabling consequences and disputes.

(2) The “ability” expected from each is not grounded in human life capacities. Thus dehumanizing use of abilities can be obliged, allowing for industrial subjugation, *inter alia*;

(3) There is no principled linkage between the needs provided for (benefits) and the abilities given (duties) to ensure system life coherence. Thus the principal issue of social

justice is missing, as well as defined criteria of its burden-benefit sides.

In short, the life coherence principle – consistency with human and ecological life requirements - has not been satisfied on the three most fundamental levels. These are not merely academic matters. Marx in fact affirmed ‘need’ growth with no limit (e.g., cigarettes and mansions for all if that was the norm), and he uncritically assumed that the productive development conditioning these ‘needs’ was itself the inexorable determiner of humanity’s social and historical advance. Governing life-value standards were nowhere defined, and in any case were trumped by Marx’s productive-force determinism. Human subjugation by technological growth and its system demands was not conceived as an issue, but only the issue of class control. The life coherence principle of social organization of benefits and burdens was not conceived as system regulator. Principles of justice themselves were dissolved into the state superstructure and “the ruling ideas of the ruling class”.

### **10.2.2. Productive Force Development as Determiner Trumps Morality and Justice**

In the heat of revolutionary creation, Marx assumed that all would fit inevitably together in the end, led by what he saw as humanity’s productive *telos*. In this respect, he provided peerless scientific comprehension. As opposed to slaveholders and idealists’ exploring the mind’s structure and the world as eternal designs, he became so suspicious of any ideal not promoting the proletarian-materialist revolution which he envisaged that he disregarded and disdained them.

Yet why would justice and morality *not* be Marx’s greatest allies in his ultimate project of human emancipation? The brief answer is that Marx thought that their transformation was as inevitable as the transmutations of Nature: one could only hasten the emergence of what was as certain to occur. More than a century later, we may more easily see that neither morality nor justice are ensured by productive force development, nor by change of class rule. Life may, on the contrary, be diabolically sacrificed to system demands unless accountable to deeper structural regulation by life-coherent standards.

### **10.3. Back to the Beginning: The Invisible Realms of No Justice**

The key and canonical idea of *justice* itself from Plato and Aristotle on – not to mention in the religions of Judaism and Islam - is “*to every man his due*”. The masculine pronoun reveals the masculine bias of the ages, but this bias is corrected by saying, “to every human being what is due”. Such a phrase is not current, but it re-sets comprehension towards taking into account the majority of human beings long ignored by theories of justice – slaves, hired workers and women until workers’ and women’s suffrage in the last 175 years, and still today children and young people who remain with no place in known theories of justice. Under law, they are classified as the legal “possessions” of their parents.

We may identify here an underlying pattern - *the a-priori erasure of rights and justice for those persons who are not property owners but possessed by others as a form of property*. It is only by moving to these underlying, prior rights of private property that we are able to see this silent line of *non-justice* for those who are under the private

possession of another – the dark side of justice and rights which is normally kept out of view. Private property by definition grants the proprietor the right to direct and use its contents and exclude all others from doing so, including the possessed life of people and natural beings unless legally enforced limits are prescribed to this possession.

A society's rule system decides this, and it evolves to objectively higher levels the more human and life conditions are coherently protected in transgenerational development. One cannot thus now legally own other human beings as slaves, although for most history across continents the privileged could and did. One cannot either legally own a woman as chattel without consent and alienate her as one chooses, although this right still continues in some cultures today. One cannot legally destroy or pollute all forms of life and life conditions in privately owned Nature, but these are now understood as requiring protection. One cannot beat one's children or starve them under criminal law in industrialized countries, but the right of life and death over one's children, servants and wives prevailed from biblical ages to effectively many countries today.

### **10.3.1. The Progress of Civilization and Its Retarding Limits**

In short, we have a very mixed picture of justice and rights for human beings (and other life), and it continues into the present – but with a *rising line of human and non-human life which is protected by evolving social rule systems*.

Limits on the use of property in life marks the progressive pattern of civilization, but such limits are usually fought tooth and nail by proprietors of slaves, women, children, natural life and, still sweepingly today across the world, bought labor. Herein lies the unseen moving line of civilization's advances *and* retardation. Yet this very line of humanity's moral advance and continuous opposition to it is invisible in most philosophy of justice until limits have become instituted led by thinkers outside the accepted mainstream. While such limits advance towards non-slavery in people and equal rights for women in developed and socialist societies, they remain retarded in corporate use of natural life supports systems, and have regressed with bought labor. Human labor rights do not exist in transnational trade law since 1988, the year of passage of the North American Free Trade Agreement (NAFTA), which has been the global prototype of an historical reversal of these life-protective rights since.

Throughout this process of reversal, however, the ideal of “*equality* of rights” has been near-pervasively proclaimed, while the concept of “equality” has been a lead issue of debate among philosophers in central institutions and journals. Yet as we will soon see, “equality” is a chameleon concept which admits of vast inequalities in its name.

### **10.3.2. Life-Value Onto-Axiology: Justice for All that Lives**

While non-human and pre-adult human life as well as, more strikingly, human labor have no place in any known general theory of justice, they are necessarily included along with the young and women within a *life-value* framework. For life-value onto-axiology, that is, justice is a concept which includes all that lives so far as it acts and feels, with correspondingly more life-value as it bears thinking consciousness beyond immediate identity with the body.

Before we move to justice and rights for human beings, however, the central issue of this chapter, we may briefly summarize life value onto-axiology on *justice for animals* by two principles explained in prior chapters, which sharply contrast with their normal exclusion in received theories of justice. For life-value onto-axiology, as we have seen:

- i. there are no rights or justice for animals *in Nature* whose ecosystems regulate numbers, biodiversity and food supplies by predation and food cycles which human beings develop beyond by rule-making to protect life;
- ii. human relations with other animals follow the principles of *life-value ecology* in which species reproduction and biodiverse flourishing are protected and enabled as *justice to Nature*;
- iii. human relations with *livestock and domestic animals* conform to the live-value principle of allowing their life-capacity ranges to be expressed consistent with non-harm to other life.

These principles constitute “the just treatment of animals”, and are explained *inter alia* in Sections 8.1.1, 8.2.3, 8.6 and 8.7.3.1. The remainder of this chapter is concerned solely with justice for organic human beings.

#### **10.4. Who Deserves Justice? The Inner Logic of Received Doctrines.**

While the unifying idea of justice as “*rendering to each his due*” holds across theories and times, it admits of many opposing variations. *What* is due to each has been the primary question posed by philosophy, but, as we have just seen in Section 10.2, *who* is entitled to justice is an even more basic question which is assumed away in various ways. Modern philosophy’s underlying defining principle of who deserves justice is unexamined. Yet it assumes exclusions which are quite breathtaking in substance and scope. In its modernly dominant ‘social contract’ form, it implicitly rules out all life on the planet *except what can rationally agree to contractual terms*. That is, this “social contract” tradition which has reigned over the philosophy of justice for over 400 years from Thomas Hobbes, John Locke and Jean-Jacques Rousseau always *presupposes* agreement to a contract as the basis of justice in terms of which all its terms are decided.

We may observe here the external world of market contract operating pure type as the silent ruling paradigm – a presupposed model that rules out all those who do not think or agree in these terms, such as indigenous peoples and the young, and others we will see. This sweeping principle of *exclusion from justice* is seldom explicit in modern philosophy, but it is a methodological assumption to which all established forms of philosophy of justice still conform. In law, contractual relation is the silent ultimate logic of modern justice with no life-value meaning.

##### **10.4.1. Who Is and Is Not Seen: The Standard Biases of Justice Doctrines and Processes**

Until contemporary times, there have been silent requirements to qualify for justice which have been assumed since the ancients although they exclude the vast majority of human beings as well as other life forms. They reveal the ruling tendency to confine justice to a special group of ascendant power. They deserve a formal listing to move beyond the implicit assumptions which have variously governed civilizations over 300

years as what we might call *false justice* because of its *partial and sectarian nature*. To be counted as one who deserves to “receive one’s due” whatever that might be, the unstated qualifications have been:

- (1) being *human*
- (2) being *adult*
- (3) being *male*
- (4) being a *citizen*
- (5) being a *property holder*.
- (6) being or representing a *corporate person* rather than the human labor it buys.

These discriminatory selectors have been preponderantly preconscius and unexamined over 2500 years with major turning points occurring over centuries through universal suffrage overcoming limits (3) and (5): that is, adult males who did not own property and more recently, adult females. *Non-citizens* thus fall through the cracks over millennia, not only slaves, but refugees and all others within a society not recognized as citizens (the adult majority, for example, in classical Greece and Rome). As with all the qualifications of (1) to (5), those not covered have remained *invisible* to justice doctrines.

There are many manifestations of this unrecognized structural blindness of theories and institutions of justice. For further example, in traditional law those under 21 or 16 were classified as legal “infants” - literally, “unable to speak”. In contemporary law, more deeply and more invisibly to leading doctrines of justice, the civil rights we hold dear do not protect the majority of people in their active life-hours because these are purchased as the commodity of “labor” and are the private property of employers subject to master-servant or management rights – essentially over everything but the contracted wages themselves, if these are in fact contracted. Thus, for example, “management rights” rule out free speech, free assembly, electoral accountability and so on during all paid-for hours in or out of formal contracts.

While employees are thus excluded from democratic rights and justice in these fundamental ways, the “corporate persons” employing them are, ironically, the principal litigants for civil-rights protections against government regulations with teams of lawyers and financial powers to ensure their rights of freedom of speech, assembly, and so on which their own employees lack. Indeed the U.S. Supreme Court overturned a law requiring labelling of human consumer products containing bovine growth hormones as violating the corporation’s “right not to speak” (*International Foods v Amestoy*, 1996). This lop-sided design of “rights and justice” and “equality before the law” within which most people’s lives are substantially excluded from both seems a very profound and transparent *injustice*. Yet for mainstream philosophical literatures on rights and justice, the issue is unexposed.

#### **10.4.2. The Ruling Value Syntax behind the Justice and Rights of Globalization**

Rights of justice for the tens of millions of “stateless persons” driven from their lands by wars and conflicts as well as poor children everywhere fall beneath even the rights of bought labor, which *may* have independent unions representing it or legal protections of society which are enforced (e.g., on safety of working conditions). Rights for poor

children and stateless people do not in general exist. With little or no money demand – the real right in this system – human beings have few life protections at all. Even the vast majority of workers have no rights to living wages, safe working conditions, or unions to win these protections. Workers are a “factor of production” to be bought in the market and managed at the lowest price possible as other commodities - with, for example, unions in the world’s richest nation, the United States, protecting fewer than 10% of private employees.

What justice or equality can remain? one might ask. The answer is: All are equal as citizens able to vote and speak freely and in their rights to become employers or employees, and all have the same right of money to buy and to consume products of their choice. We may observe throughout the ruling value syntax at work here whose essential principle is entitlement of private money demand and sequences to have and become more in market exchanges: whose international form, in turn, is free flows of capital and commodities across borders.

#### **10.4.3. From Justice to Labor to Justice for Children**

Children under parental or *in parentis* care are legally recognized as entitled to a kind of justice or due (e.g., life support by their guardians and protection against their sexual abuse), but *not* to self-determination or voice in where they live, what they eat, what they do, how they are educated, and so on. While animals led children in recognized legal rights until the last quarter of the last century, children today are widely protected against deprivational abuse by their possessors, but *not* by the system in which they live - whose employers may disemploy and underpay family breadwinners however this deprives their children. Revealingly, child poverty rates have not decreased, but increased in correspondence to trade and profits over the last 30 years in developed countries themselves.

Justice for human life, in short, continues to be honoured more in the exclusions than the protections. It remains true that “justice” has a deep and resonant ring of moral meaning, as it should. Yet Chief Justices attend only to what is already before the courts; Ministries of Justice focus on punishments of offenders and enforcement of private-property law; and philosophies of justice do not normally examine any of the biases of “false justice” identified above.

#### **10.5. Classical Justice East and West: The Unifying Principles of Rule and Servitude**

The defining general principle of justice as “to each his due” means *both benefits and burdens, rights and duties*. This is the innermost principle of justice across theories and times.

Plato and Aristotle are exemplary as philosophers of morality and justice over 2500 years, but they remain within the pattern of unseeing identified in Section 10.4.1. Plato’s *The Republic*, a monumentally rich dialogue which is about justice both within *the individual soul* (the microcosm of justice within) and within *the state* (the macrocosm of justice without), provides a paradigm case. He develops his ideas in the

voice of Socrates, and does so by philosophy's age-old method of question-and-response towards reasonable conclusion in the light of competing ideas. We will see as we move how even critical dialogical method does not release philosophers from the ruling prejudices of the day.

### **10.5.1. The Right of the Stronger**

In Plato's *Republic*, the claim that "justice or right means nothing but what is in the interest of the stronger party" (Thrasymachus) is the most famous argument that Socrates rebuts (I, 336b – 347e) – basically by arguing that it does not distinguish between what *is* in the stronger party's interest and what the stronger party demands which may *not* be in his interest. From this it follows, Socrates reasons, that disobedience to the stronger can be both good and bad, and is thus a contradictory position.

Socrates, however, does not answer the position that does make the distinction which Thrasymachus overlooks, and only claims that "justice" is what the stronger *say* it is, whether true or false. This cynical position is implied in the works of Niccolò Machiavelli through to Leo Strauss and their elite followers today. *Justice is an artifact of rule, and may pretend what is false in the interest of rule.* The truth is what works for the ruler or ruling group.

Michael Walzer claims in *Spheres of Justice* (1983) that this underlying pattern of history's 'rule of the strongest' is a kind of sorcery. "History reveals no single dominant good", he says, "but only different kinds of magic and competing bands of magicians". Magic may be too generous a term.

### **10.5.2. Justice as Rule by the Rational Element of the Soul and of Society**

Although Plato via Socrates recommended a "considerable dose of deception" regarding the eugenics of the ruling philosophical class in breeding its next generation (459), what Strauss seizes on as generalized rule of popular deception, this was in fact an exceptional affirmation of falsehood in his *Republic*. What justice meant for Plato and Socrates in the state *and* in the individual soul was the ultimate regulation of the conflicted elements of (1) Reason, (2) Spirit/Will, and (3) Appetite (the "tripartite division" of both the individual and society) to a rational harmony of the whole on both microcosmic and macrocosmic levels. Both the person and the society are properly governed, he argued, by (i) the rational element, (ii) enacted by the will of the individual and the guardian class of society to (iii) subdue and organize the lowest level of the appetites in the person and the lower classes to the rational ends of the Republic.

This principle of *just rule by rationality* has been the master logic of philosophical thought for as long as the life-coherence principle has been absent as the proper governor of rationality – the topic of chapter Reclaiming Rationality And Scientific Method: The Life-Coherence Principle As Global System Imperative. For Plato and Socrates, justice by rational governance means *rule of the lower elements by the higher* in which the three classes of human beings operate in the same way as the three elements of the individual soul – that is as the rational ruling class, the enforcement

class, and the craft-merchant class(es) in organized harmony. At the bottom were the “hired laborers hardly worth considering in our society” (II, 371e).

On both individual and social levels, then, the proper ruler is always rationality and knowledge, but without any universal life requirements to govern rationality itself. This is why, at bottom, the rational design of society that Socrates and Plato formulate can assume mass slavery as “natural”, “hired laborers” as not worth considering, and wars to take other’s lands as “necessary” (II, 373-74). This life-blind logic of ‘rationality’ persists in meta-form to the present, and is reset to life-ground coherence by *Reclaiming Rationality and Scientific Method: The Life-Coherence Principle as Global System Imperative*.

### **10.5.3. The East-West Principle of Justice: Doing That to Which One is Naturally Suited**

One organizing principle rules here. *What each receives and is obliged by as due to him depends on following these different “natural” functions* – with, in Plato’s terms, the Many as the appetitive class; the administrative-enforcing Guardians as the spirited class; and the Ruler of all as the rational understanding of the “philosopher-king” class.

Readers may bridle at the philosopher-king idea, but Plato’s condition was that all “own their goods in common” so that the reason of the rulers is not corrupted by private-property biases. All education, livelihoods and practices are structured in this ideal state of the Republic to realize this regulating framework of justice in the individual and in society. Revealingly, Plato’s primary onto-axiological principle - that *society’s rational rule is corrupted by private property holdings of its rulers* - is never again proposed in philosophy, although implied by Rousseau and Marx.

#### **10.5.3.1. Dharma and the Five Relations**

Plato’s vision was systematic, and has much in common with the notion of *Dharma* in Indian philosophy and the *Five Relations* of Chinese Confucianism. Both of these great and ancient philosophical traditions also suppose one organizing idea as supreme: *natural classes of society in ruler-ruled relations as the proper and eternally regulating order of human justice*.

The underlying definitive formula which applies across these classical understandings is that justice is the state of affairs in which each and all functions and classes *do that to which they are naturally suited*. There is no question in any of these canonical philosophies of justice of the West, India and China that people are born to a certain function (e.g., females and workers), and that they properly serve higher classes of rational rule (e.g., fathers, Brahmins, kings). We may observe here a ruling meta-syntax of value across civilizations

### **10.5.4. The Dark Side of Classical Justice: The Servitude of the Many**

Division of labor under reason and light to accomplish the common good is the unifying idea. Division among reason-emotions-appetites on the individual level *and* ruling-

executing-appetitive classes on the social level is the organizing principle across East and West. Herein lie the innermost first principles of just rule across these major civilizations.

The dark side of this rule is seldom raised or questioned. If only the rational rule, then the non-rational are properly subjugated to them. In Aristotle's words, "For that which can foresee by the exercise of mind is by nature intended to be lord and master, and that which by its body can give effect to such foresight is a subject, and by nature a slave" (*Politics*,1252a4). There is little in all canonical philosophy across continents to challenge this principle. Thus the nature-based differences between natural masters and slaves, men and women, adults-children, superior and inferior persons and offices all fall into a common premise-inference pattern. *The rationally superior rule, the inferior obey, and justice is the organizing system of their proper social positions in a rationally ordered whole.* This ordering of justice on the basis of 'natural classes' governs across classical Eastern and Western civilizations and their prominent philosophies as an underlying structure of onto-ethical assumption. Despite the modern shift away from bloodline determination of positions into claims of "equality, this mode of thought remains an undercurrent of assumption in popular and political culture, and recurs in the sociobiological idea of genetic determinism of people's social places – "natural classes" in gene form.

The underlying metaphysic of this social ordering of "justice" also holds on the *internal* level in the duality between reason and emotions analyzed in Section 7.1 and subsequent sections.

#### **10.5.5. Classical Confucian, Aristotelian, and Hindu Consensus on the Nature of Justice**

Chinese Confucianism holds to this meta-structure of thought in its doctrine of "Five Relations" and so too does Hinduism with its four *Varnas*, again natural classes in a variation on the meta-theme. Governing relations are claimed to be *nature-based* in gender, age order, and inherited familial line, with a ruler-ruled relationship assumed between natural superiors and inferiors in each relation. For example, in classical Confucianism, the ordering of 'the five relations' highlights ruler-minister, father-son, husband-wife, older brother-younger brother - with guest-host the intriguing anomaly until one considers the visiting superior or lord. The unifying principle is *dominion and servitude based on assumed differences of natural capacity.* "It is the nature of things to be unequal" is the plausible unifying assumption, and this presupposed natural inequality is understood to be one in which the natural superior orders and receives while the natural inferior obeys and serves. Disaster is variously thought to attend any violation of this moral order of the cosmos. Classical tragedies follow this inner logic of "justice".

Thus Indian thought from just as ancient a logic of ruling order declares the God-given organizing principle of *Varna* (literally, "color") in which there are originally four classes, very much like Plato's classes, the *Brahmin*, *Kshatriya*, *Vaisya* and *Sudra* standing for the spiritual, the warrior-administrative, merchant and laboring classes respectively, each below and serving the ones above it. Each and all, it is believed, hold

their positions by a cosmic law of justice - the law of *karma* (moral cause-effect) in which the deeds of past lives determine position in the divinely sanctioned hierarchy.

### **10.5.6. The Meta-Principles of Just Order in Pre-Modern Philosophy**

What is in common across these civilizations and ruling thought systems are five distinguishable meta-principles of just rule and order:

- (1) Each receives his due of benefit and burden
- (2) in accordance with the natural function he bears
- (3) as his/her performance of this natural function deserves
- (4) with all positions falling within unequal natural classes
- (5) such that the naturally inferior serves the naturally superior.

Unifying these meta-principles themselves are the legitimating master ideas of justice by rational/enlightened rulers in which all of lower faculties in different ways must obey their superiors in nature. Behind or above the earthly scene of mortal rule is the eternal cosmic order divine right, truth and justice which *rules the rulers themselves* for justice to be achieved. Deviation from this divine order, it is believed, brings ruin until the order is restored. The Greeks called this order *Moirai* or Fate (Plato rationalizing and secularizing it as “the Forms”). The Confucians call it “*Li*” and “the Mandate of Heaven”; and Hindus call it *Rta*, the moral order of the cosmos, with *dharma* the principles of it. All imply an objective moral order of the universe to be followed in a strictly hierarchical system of rule and service, with the imperial ruler of all obeying God, Brahmin or the Mandate of Heaven as the ultimate source of legitimacy and justice on earth.

Modern philosophy and doctrine changes this meta-belief system of justice at one defining level. God is still retained as the Ruler in Heaven, and John Locke and the 1689 “Glorious Revolution” he justifies invoke God as judge and sanctifier of the new property-right order - just as the U.S. Declaration of Independence does 87 years later. Yet one seismic change occurs in ordering conception. All ideals of modern justice negate one underpinning master idea of earlier civilization - *inherited ranks of natural inequality and function across generations*. Bloodline determination of property holding and use, in other words, is repudiated.

## **10.6. From Inherited Rank to Money Capital: The Meta-Program of Transition**

An innocent question insists across thought systems, but is unanswered. If the principles of society’s just rule descend from on high – whether as the Mandate of Heaven, Dharma, or Private Property Right - how can subjugation and impoverishment of the majority of the world, the armed force determination of effective right, and ecocidal development persist *without the notice of justice doctrines and theories?*

### **10.6.1. The Failed Capitalist Revolution in Retrospect**

Modern philosophy and society revolt against the preceding ancient order for reasons which are well known. But the underlying *value program* which defines this revolutionary change in society’s rule-system is more basic. The defining principle of

the prior ruling order *must* be repudiated if market-capitalist society it is to exist at all. That organizing principle is the assignment of people to received rank positions and functions, from blood-line royalty and aristocrat control of landed estates, to peasant and artisan small-holds of land and craft production. The latter in particular are logically incompatible with capitalist freedom to organize agriculture and manufacture for private profit and mass production in which inherited roles and status are fundamental barriers. The money-capital sequence has to eliminate these inherited positions to exist and grow, and it does so by what is the new immanent God to mankind – the “laws of motion of capital”. Karl Marx richly explains this undergirding transformation in material terms, but the *inner logic of regulating principle of value and social choice* is pre-empted by externalist explanation.

Although the deep-structural regulatory change in society’s life has been amply demonstrated from Marx through Polanyi to contemporary times, a great regulatory change has transpired that neither justice doctrines nor economic theory have heeded. The ruling imperative of money sequencing to more has moved to a financialized mechanism of private money-capital gains with no productive contribution. Social rule by ever more leveraged sequences of linear-number mutations of money gain govern ever more domains of society’s life and reproduction in an inner logic of value growth which is entirely blinkered out by justice theory.

#### **10.6.1.1. Money-Sequence Rule with No Life Value, Justice Theory with No Ground**

The following ordering of society’s benefits and burdens has been blocked out. With the *money-sequence economy* transferring ever more control of existing and self-created money demand to financial controllers with no goal but self enrichment without bound, society’s structure of rights and duties has become undone at the regulatory core. None of the standard arguments of contemporary justice theory which invoke *superior productivity of performance in producing useful goods* (contribution) to *justify higher income returns* (benefits) applies to the dominant system today. For in financialization sequences, limitless money returns (benefits) flow to money-sequence speculation with *no production of any useful good required* (that is, no burden or duty to provide society with more goods by productive performance). *The right-duty correspondence* assumed by all classical and modern theories of justice has in this way collapsed beneath notice. Yet neither the theory nor practice of justice has taken account of this collapse in the world reality surrounding them.

The outer collapse of this system occurred in 2008 with drying up of liquidity from which money-sequencing institutions and their managements had leveraged limitlessly to more returns with no ground of value to keep them in check. Least of all has there been a requirement of higher productivity of goods (burden) to receive ever more in money returns (benefit). On the contrary, governments rescued the very money-sequencing institutions and apical managements which had engineered the collapse with trillions of dollars of taxpayers’ funds. The burden-benefit, obligation-right, productivity-reward logic of social justice over millennia dissolved in the financialized system with justice experts and philosophers of justice unaware of the problem.

People's means of existence were lowered – “belts tightened” - to ensure opportunities for expanding money sequences to lever into more with no organic or ecological function and no correction for this even after system collapse. Rather, the public's present and future wealth was poured into the system to keep it going with even less funding to meet mounting ecological, social and organic disorders. No theory or article on *justice* registered the sea-change in the very structure of right-duty and benefit-burden that had occurred.

### **10.6.2. What Has Gone Wrong? Return to the Original Value Program of the System**

As system justice collapsed beneath principled understanding in 2008, a predictable response expressed the structural disorder. “The system must be saved”, state leaders and media of record across the world proclaimed. Only marginal changes in money-capital requirements were made, the cumulative degradation and collapse of natural and social life support systems continued, and the philosophy of justice went on as before as if nothing had happened but “a market problem”.

How could things go so profoundly wrong with society's rule system of rights and obligations with no normative comprehension or even notice? In fact, the set points of the moral logic of social justice out of which this system had long evolved went back its philosophical founder, John Locke.

### **10.7. Understanding the False Justifications of Money-Capital Right**

What Locke argued for in his classic *The Second Treatise of Government* was a theory of justice that has since become official doctrine and the centrepiece of political theory and liberal discourse. Its phrasing and logic is instituted into the U.S. Declaration of Independence; its text is studied as a central classic of political philosophy and science; and standard works on justice still orient themselves in terms of its arguments.

The innermost principle of Locke's theory of justice of which all else is elaboration is that *all right and legitimacy lie in the right and legitimacy of private property*. Even one's own life is conceived as a form of private property. It is the exclusive property of the metaphysical proprietor who holds it as the “property in his own person”, a self-ownership “conferred by God” as the ultimate ground of “the natural right of freedom”.

The self in this doctrine, however, may still be enslaved by “just war” with no criterion in which the victor has a property right to the life of the vanquished - “the forfeit of life” by defeat in war, the ancient logic of justice in this age-old hoary institution. Locke, incidentally, was a major investor in the African slave trade and officer of its dominion in the Carolinas. While such slavery may be outlawed today, the exchange of life for money in bought daily labor – what Abraham Lincoln himself called “wage slavery” - remains the central institution of global capitalism. What is important to recognize in this system of justice is that the *rights to money gain by private property in others' lives* stand behind both wage-labor and slavery: (i) the property right of the victorious in colonial war who may enslave the losing people, and (ii) the employer in the market who owns the labor of those who have nothing else of market value to sell.

### **10.7.1. The Free, Just and Profitable Exchange of Money for Working Lives**

Buying human labor is the permanent basis of capitalism, whereas slavery is the major historical basis in this system's globalization. The underlying principle at work in *all* periods is the equation of private-property right in money *to* private-property right in others' working lives. As we see ahead, this "free and just" exchange is presupposed as given by Locke once money is introduced by "tacit consent". Its proceeds in profit thus stand as an absolute right with no condition of a living wage, safe conditions, share in proceeds, or anything else for those whose working lives have been bought. *If* employer liability occurs in destroying the life of the worker and courts certifies this (an exceptional outcome even today when, in fact, hundreds of thousands of workers die annually from employment-related diseases without redress), money payment to survivors discharges the right of that life. Life is in this system of justice, in short, is equivalent to the sum of money it can be marketed for.

The justice and freedom of this life-money exchange, the basis of capitalism, is not questioned by Locke or liberal and conservative thought after him. The underpinning throughline of meaning to global capitalism today is that money rightfully buys others' life-time and profits from its exploitation without any regulating regard to violation of human life and its most basic conditions of human existence. That the bought-and-sold human labor of this system has been forced to be sold to survive by armed-force clearance of hundreds of millions of people from their lands is a topic not discussed in modern justice theory from Locke to today, although it still globalizes across indigenous lands across continents.

### **10.7.2. The Inner Logic of Capitalist Justice and Equality**

From Locke to today, justice and the public good are ultimately conceived in terms of *private property rights* and *money exchange*. Justice is conceived as serving private-property and its exchanges or contracts as – to use John Locke and Adam Smith's terms, "deputy" and "umpire" of lawful right - which has no limit of more or less for anyone. This is the innermost meaning of justice and equality in this thought system. While material *inequality* may be limitless in fact, *equality of rights is asserted because all alike have the right to become rich*. "The poor boy/immigrant makes good" is an everyday expression of this idea. Conversely, no inherited rights of social station limit market purchase or sale of land, resources, and people's working lives. The state, in the ordinary form of this ruling doctrine, must not re-distribute private property holdings, however unequal and beyond need they become. This is the essential argument of Locke and of Robert Nozick in his famous *State, Anarchy and Utopia* (1974), and it is the essential meaning of "freedom" in this theory of justice across centuries.

*Equality* remains, nonetheless, assumed as a defining standard of this system's justice - as in the equal chances people have in a competitive game with *the same rules for all*. All alike gain or lose by its rules governing everyone without external interference by the state. Furthermore, the system is understood as based on "self-regulating" economic system governed by "an invisible hand" (a concept later added by Adam Smith), and justice as the legislation and enforcement of its rules with government prohibited to interfere with private property rights or contracts around it. Justice and law have, in all,

a unifying goal - to secure and protect private property and punish those who transgress threaten it. No other ultimate right or obligation finally exists. “God “, as elsewhere, is the ultimate decider “in heaven” – endowing, in Locke’s canonical language, man with “the common rule and measure” wherein men obey the “natural right of property” which is prior to society, but requires the “compact of the state” to ensure it. If one does not obey the laws of “right reason”, then one is judged to have abandoned reason and “put himself into a state of war” with the one whose property is transgressed: that is, in a state of war with the armed force powers of government. Government’s legitimacy is equated to this legislative/executive function without which it becomes unjust, that is, by violating private property. So absolute is this principle that even contemporary philosophy of justice ludicrously refers to redistributive taxation as an issue of “slavery” of “talented” people.

To protect private property by law and enforcement is, in short, the property-holder’s sacred right “for which government is created”. “Quitting reason [by violating property], which is the rule given between man and man”, Locke says, “he becomes liable to be destroyed by him - - - as any savage ravenous beast that is dangerous to his being” (Section 181). This includes the king himself - against whose property violations Locke justifies revolution against James II in 1688, as do the United States against Britain in 1776. When government breaches “the end of government and reason - the good and *preservation of property*”, Locke declares and the U.S. Declaration of Independence echoes, “he has dethroned himself and put himself into a state of war with his people” (Section 239). How government can reduce any inequality or ensure security of its majority against dispossession by money-capital accumulation cannot in principle arise as an issue within this ruling logic of justice. That is why redistributive liberalism or socialism is anathema to its value program, and predictably warred upon by abuse or arms.

#### **10.7.4. Locke’s Original Provisos for Just Private Property**

One may wonder how such a doctrine could still be thought to produce “justice” and “equality”. Perhaps it might not have been so understood were it not for the fact that Locke’s canonical *Treatise* asserts three famous *provisos* for just private property which seem to rule out all that has gone wrong since. So clear and apparently self-evident are these prior conditions of private property that it is they, not Locke’s actual arguments after them, which may stick in the reader’s mind as the defining logic of justice and private-property right:

- (1) Private property must be the outcome of “*mixing one’s labor*” with what is “appropriated from nature” (Section 26).
- (2) Private property must always *leave “enough and good left in common for others”* to do likewise (Section 27).
- (3) Private property must *never “be allowed to spoil”* (Section 31).

##### **10.7.4.1. Reversing the Three Provisos One By One**

These conditions of private property seem just, and Locke eloquently justifies each of them - in particular the condition of “mixing one’s labor with” whatever is claimed as

one's property. Yet after pages of justification, Locke parenthetically abolishes every one of his provisos by perhaps the greatest philosophical sleight-of-hand in history (which still works). Just as he completes his egalitarian and magniloquent defense of *labor right, sufficiency of land, and non-waste*, he says that "the same rule of property, viz that every man should have as much as he could make use of" by the governance of these three conditions, a rider at the tail end of his 10-line sentence creeps in (emphases added): "*had not the invention of money and the tacit agreement of men to put a value on it introduced - by consent - larger possessions and a right to them*" (Section 36).

Locke smuggles in this entirely new and unjustified premise with no explanation. He then proceeds on its basis to erase all of the conditions he has spelled out as cardinal requirements for property right. Managed by a small clause at the end of a voluminous text, one might note the doctrinal prototype of the 100-page Wall-Street mortgages on people's homes which begin with close to zero interest before escalating into unpayable compound-interest sums. Small-print reversal of what went before is a convention of this long-ruling order of justice. Locke's scriptural argument for just capitalist private property cheerfully goes in the opposite direction of all he urged before it, and then boldly asserts as given what before was ruled out – *annulment of the labor-mix requirement, removal of the non-waste condition, dropping of the "as good left over for others" condition* and - in all - the sudden justification of unlimited inequality in property. In short, Locke reverses his entire set of just conditions of private property by a stroke of the pen, and does so by the entirely unexplained device of "the introduction of money".

The primary blanks in this canonical case for the justice of capitalist property are not exposed since. What remains magically unexplained is:

- (i) the *source of the money supply* and who controls it;
- (ii) what gives *title to money property* equivalent to labor right;
- (iii) how true *consent* to it is shown that allows refusal; and
- (iv) why *unlimitedly unequal possessions* is justified by people using money.

None of these gaping holes of system justification are in fact ever filled by rational bridge.

#### **10.7.4.2. Labor Right Annulled**

Thus it now follows that men can buy others' labor and its products without "mixing their labor" with anything, and that they may do so without bound or justified ownership of the money-demand itself – not an inconsiderable issue given that 95% of money today is created by the debt issues of private banks and financial institutions. In these ways, the claimed ultimate right of justice - right to what one has produced with one's own work - is erased from both ends. That is, there is neither labor-right justice for the worker (whose material labor is bought with all right to its product annulled), nor for private money sequencers (who may mix labor with nothing and yet have ever more money property to continue this process with no end).

"God gave earth to the use of the industrious and rational", Locke says, "and labor was to be his title to it" (Sections 32, 34). But in between the labor title and the enjoyment of

its fruit lies the complete reversal of justice and right whose logical steps are nowhere coherently explained.

#### **10.7.4.3. “Good Enough Left Over For Others” Erased**

The second condition of justice in private property right goes the same way of labor right. It is erased. Yet here Locke and his successors do not deploy the silent middle term of money to extinguish it. It is simply dropped out of the discussion. Locke never mentions this condition of just private-property right again once he has made use of it to justify private property right as the basis of justice. Yet what could be more important to justice than that there is “good enough left over for others” when appropriation of nature’s land and resources for oneself is claimed as a God-given right? The question is not posed. Rather, as elsewhere, the primary condition and justification of this right, now permitting inequality of possession without limit, disappear once its pretext has served its role.

We might further observe the ecological implications of this erasure of the “as good enough left over for others” condition. Had this proviso of land and resource appropriation been honored by private property in Nature being allowed only in what is reproducible, a far-sighted capitalism might have been environmentally responsible rather than ecogenocidal.

#### **10.7.4.4. Condition of Non-Waste and Spoilage Annulled**

One is hardly finished with these reversals of just right than the third and final proviso of non-waste and non-spoilage is annulled as well. Locke first resonantly says that “Nothing was made by God for man to spoil or destroy” (Section 31), a first principle of life-value onto-axiology with or without God.

Here as well the primary condition of just private-property right is reversed, but by more slippery changing of terms. First the principle of no spoilage or destruction (Section 31) is reduced to a principle of “non-perishability” (Section 46); then it is attached specifically to “money – some lasting thing that men may keep [and increase] without spoiling” (Section 47); and then it is confined to “gold and silver” which “may be hoarded up without injury to anyone” (Section 50). Locke thereby double-talks away the non-waste proviso altogether. It is worth citing the twisting form of his argument given the global system’s now pervasive wastes. “But since gold and silver, being little useful to the life of man in proportion food, raiment and carriage [*sic*], it has its value only from the consent of men”, says Locke in non-sequitur inference. Therefore, he concludes, “it is plain that men have agreed to a disproportionate and unequal possession of the earth, they having by a tacit and voluntary consent, found out a way how a man may fairly use more land than he himself can use - - by receiving in exchange for the overplus the gold and silver which may be hoarded up without injury - - -”, the sentence carries on for 10 lines. In this way, Locke reasons in the style characteristic of this doctrine through seven specious steps which are not distinguished – nor seized upon by analytic philosophers of justice who live by distinctions:

(a)”But since gold and silver [replacing “money” now as the tangible substance it is not]

- (b) being little useful in proportion to food, raiment and carriage;
- (c) has its value only from the consent of men [unproved consent is now a given;]
- (d) it is plain that men have agreed to [plain agreement now replaces tacit acceptance]
- (e) a disproportionate and unequal possession of the earth [“right to larger possession” now jumps to “disproportionate possession of the earth” itself ].
- (f) and thus men reasonably arrive to “an inequality of private possessions men have made practicable out of the bounds of society without compact” [cancellation of the three prior conditions of justice results with no contract required].

### **10.7.5. The Ruling Money-Value Syntax behind the Reversals of Meaning**

Not one of the unexamined moves through (1) to (4) *or* (a) to (f) stands up to critical scrutiny. Yet all follow through the ruling value syntax assumed across centuries. The reversal of meaning of the original three conditions of just private property may be complex in prevarication, but elementary in syntactical form. *Substitute money property into every logical space of just right, and it follows there is nothing left at all for life requirements.*

Locke rides on this built-in equivocation from Section 37 to 243, and so has the global money-sequence system since. Once set into this syntax of meaning, all reversals follow. Neither Locke nor his heirs acknowledge that labor right, the original basic right of just property right in the commons, has been cancelled out without good reason; that unlimited inequality has advanced in the name of “justice” and “equal right”; that “good enough left over for others” has been erased as a condition of just private property without notice; nor that the universal moral principle of non-waste has been trivialized into gold and silver which do not spoil.

Over three centuries have not exposed the manifold incoherence built into the logic of this system. Money-capital overrides labor right, sufficiency of natural resources for others, and non-waste at once, the very conditions of private property which legitimated it as right and just.

### **10.8. Contemporary Theories of Justice: Excluding Life Substance and Capitalist Rule**

Explanation now fast-forwards to the received philosophy of justice today to observe that what Locke erased has not been admitted back into the argument. While justice theory has become perhaps the most active field of philosophy in the decades since the publication of John Rawls’ monumental *A Theory of Justice* in 1971, analysis and debate have continued to follow the generic method of kept philosophy - *blocking out all issues which transgress the ruling meta-program of value judgment and justice.* While the ruling value syntax continues to govern in this unseen way, a more deep-structural mode of disconnection from the real world is made conventional. Philosophical discussion is locked into a hermetically sealed circuitry of debate of silently obligatory avoidance. The actually reigning justice system of money-capitalist right is off-limits to discuss. Its logic of rule and profit is no longer justified as it was by John Locke and Adam Smith, but *abstracted out.*

Accordingly, the issues of ‘good enough left over for others’ and ‘non-waste/spoilage’ are not raised as conditions of just right, as they were by Locke in a revolutionary time when these issues had to be answered. Rather they are excluded from the discourse. Instead, the issue becomes one of arguing within the limits of the justifying ideology – *not* any issue to do with the actually ruling structure of in/justice, but about “incentives” to “the talented” to “serve the least advantaged”. Concern to assist the least advantaged and poorest – justice as prescribed from the Buddhist, and Christian traditions to secular socialism and left liberalism today – appears to now find root in the post-War twentieth century’s canonical work. Yet, in truth, all the burning issues of the justice of the money-capitalist order disappear. What Locke covered up is repelled a-priori from the discourse by methodological convention.

Wordless silencing now regulates what can be said – whatever is unjustifiable about the ruling order is unspeakable. This is the operation of the ruling value syntax within high theory itself. Thus bought labor for profit without work contribution is never mentioned. Limitless money right and dispossession by capital accumulation are blocked out. The principle of non-waste disappears. Whatever cruel oppressions are structured into the surrounding ruling order, in short, are excluded as surely as if they had been censored. In their place an idealization of more-money for self is transformed into private ability’s reward for producing goods for others. Around this uplifted issue endless debate turns. The rights to sequence private money into more private money with no obligation to anyone or anything do not arise as an issue.

#### **10.8.1. Replacing Analysis of the Ruling Order of Justice with a Myth of its Ideology**

In reality, the primary inequality of money gain comes from the control of money issue and capital, not personal talent – but this structuring of social system is ruled out from discussion in advance. Extra pay for superior performance now stands in as the central problem. Debate now focuses on the magnanimously idealized “difference principle” of Rawls’ *A Theory of Justice*: namely, that “*the higher expectations of those better situated are just if and only if they improve the expectations of the least advantaged members of society*”

Introduced under the heading “*Democratic Equality and the Difference Principle*”, Rawls appears here to propose a very high standard of justice, even if not related to social reality and its actual ordering. Raising the lot of the poorest or “least advantaged” is an ultimate principle of justice which stems from a very old and high-minded tradition. Yet all the ultimate questions of social justice are ruled out from the ungrounded abstraction – the ground of private property itself, money-capital right to become more with no burden, natural resources left over for others, the non-waste obligation, the protection of common life support systems, organic means of existence and the production of them, the rights and duties justly assigned to ensure their provision, and how humanity is to live with Nature so as not to despoil it. Discussion now turns on how inequality can be justified.

## 10.8. 2. The A-Priori Structure of Avoidant Exclusion in Philosophy of Justice

At the highest level of generality, all substantive issues of life-coherent justice disappear.

The implicitly cordoned-off areas of discussion are worth identifying to comprehend how basic and far-reaching they are. While the standard conceit is that such abstracting out of life substance is required by sophistication of argument, we are better able to judge the integrity of this view by identifying what it excludes a-priori in conformity to the ruling money-sequence program.

However basic their importance to our lives and their right regulation, the following foundational areas of concern for any life-coherent theory of justice disappear:

- (1) the biophysical world itself and its universal requirements of reproduction;
- (2) human needs, their nature, criterion and universal structure;
- (3) production of the means whereby societies live, and its organizing principles of regulation;
- (4) the nature of actual money-capitalist society and its money-profit sequence;
- (5) the conception of any of (1) to (4) as normative issues or questions;
- (6) any right or obligation of justice not based on contractual agreement of atomic individuals;
- (7) any resource to repudiate any social regulator as evil;
- (8) any allowance of method to ground in or introduce (1) to (7) as what must be addressed by a theory of justice.

“What is left that *matters*?” one might ask. This is a question that does not arise within the field. Human “equality” is the central issue – as it has been since modern society’s movement away from inherited feudal relations of inequality.

### 10.8.3. The Difference Principle: High Moral Legacy or Ideological Rationalization?

John Rawls’ “difference principle” focuses the debate into the issue (emphases added) of “*no* inequalities of expectation or advantage are just *unless* they improve the expectations of the least advantaged members of society”. In an intuitive and undiscussed way, this principle appears to resonate with the heart concept of justice since Yeshua defined just merit and desert to his followers - “the first amongst you will be servants to the least”. Indeed one *might* believe that Rawls’ ‘difference principle’ identifies the core moral principle of decent thinking across cultures, from the golden rule to Thomist and Islamic charity, to the ethics of social democracy.

Yet philosophical reflection of the kind advanced in this study poses questions which this field of debate on justice is structured to block out. That is, *not one* of the ultimate issues and concerns of (1) to (8) above is taken into account. In fact, every one of these ultimate concerns of substantive social justice is boxed out. The reason for this is that dominant justice theory has been preconsciously governed by the same underlying meta-program of value as the surrounding capitalist system, but at an elaborately idealized level of conception.

#### 10.8.4. Equality, Difference and Pareto Principles: The Structure of Avoidance

From the start, John Rawls crucially links discussion of “the difference principle” to another denatured conception from modern economics – the principle of “Pareto optimality”, a touchstone of modern social and philosophical sciences. Although Pareto himself does not define the principle so concisely, it means a condition in which *no-one can be made better off without someone being made worse off*.

Against surface appearance, the Pareto principle is consistent with the most extreme inequalities. For example, if the given distribution is a very small fraction of society in control of most of its capital assets – as today is the case – Pareto “optimization” would leave all their wealth intact with no redistribution because this would make the super-rich ‘worse off’. While most economists find no problem with such a gross inequality of distribution, philosophers of justice see a problem in moral principle. Thus Rawls, while never indicating that such a problem exists in the surrounding capitalist social order itself, says “it may be that under certain conditions serfdom cannot be significantly reformed without lowering the expectations of some representative man, say that of landowners” (p. 12). Thus Rawls finds the Pareto principle inadequate to guide justice.

G.A. Cohen in *Rescuing Justice and Equality* (2009) initially grounds with Rawls in the Pareto principle, but also rejects it as inadequate for justice. He further rejects Rawls’ ‘difference principle’ to justify inequality of wealth to the ‘talented’. More deeply, however, both he and Rawls entirely sidestep the capitalist world reality of *allocating money to money-capital profit without limit or desert*. Global capitalism itself thus remains a non-fact. None of this discourse engages the actually ruling structure of global justice, nor remotely develops a principled alternative to its regulating mechanism. The elephant in the room is not there. As Antonio Gramsci has observed, hegemonic ideas never touch the essential core of ruling economic relations. Rawlsian justice theory conforms, and Cohen’s criticism does as well.

While standing against any movement to inequality from “the initial position of equality” that Rawls begins from, Cohen also declines to question Rawls’ position that inequality-producing incentives *do* get people to produce more real goods from which the poor benefit. In this method, just-so stories stand in for reality, and they reflect the myths of the system. There are individual super-producers, they alone can produce what the poor need, and the issue is of giving them incentives to do so. There is no criterion of need here, nor account of the productivity of the higher paid, nor correlation of incentive to either. All is taken for granted as in the wider world. What is *not* reflected from the wider world is any trace of the actually ruling system of inequality in which the grossest and most systematic inequalities are generated by the private control of money sequenced to more money with none of the properties of the Rawlsian parable involved. The basic structure of injustice is thus pre-empted root and branch. In its place are, for the most plausible example, skilled surgeons as representatives of income inequality, alone able to do life-serving operations, and producing more life-serving consequences by higher pay – with money-capital profit itself an unspeakable concept. The multiplying assumptions at work here all serve to construct an ideological illusion which is not examined – that money inequality is correlated with superior persons and their performances of value for others, the ultimate idyll of the system. While Cohen

accepts all this without question, he refuses to accept the argument that these inequality-producing payments can be just in a truly *just society* (e.g., pp. 32 ff. 74 ff, 384 ff).

### **10.9. From Pareto to Rawls: The Trickle-Down Doctrine**

Before proceeding further in explaining the disagreement here, we need to pause on the ‘Pareto principle’ itself from which Rawls’ difference principle is launched. Revealingly, its context of vehemently anti-egalitarian argument is blocked out. Again whatever disturbs sleeping conceptions of the ruling doctrine is unseen. The inner logic of Pareto’s principle in fact *repudiates* the Rawlsian difference principle with no-one apparently noticing. It is (1) compatible with the very destruction of the disadvantaged, as he makes clear in passages reported ahead; and (2) it endorses radical inequality with an alibi which has ever since worked – “the rich create a larger social pie from which the poor benefit”. It thus follows from (2) that it is wrong to take from the rich to give to the poor because it violates Pareto optimality at both ends. Both are worse off.

#### **10.9.1. Pareto In Fact Justifies the Extremist Inequalities That Exist**

Unlike the Rawlsian difference principle which draws on Pareto’s principle, maintenance of capitalist rich and poor classes is Pareto’s stated preference however much it causes suffering to the ‘least advantaged’. Indeed Pareto calls the idea of equality “objectively absurd” (p. vi) and he repudiates any mechanism of redistribution to the poor as economic nonsense. He asserts that the notion of equality is only used “to get rid of one aristocracy and replace it with another (p. 93), with aristocratic rule as “what always exists” (pp. 311-12). It is a law of nature which only “decadent” and “degenerate” members of the ruling class oppose. These ‘decadents’ are only moved to the absurd goal of human equality by a “morbid pity” or because they are “eager for perverse enjoyment” (p. 73).

Pareto is disdainful of “humanitarianism” and flays it in the work in particular of John Stuart Mill, a liberal icon. One may observe the likeness of his contempt of any kind of egalitarianism or humanitarianism to his European predecessor, Friedrich Nietzsche, whose work has been analyzed in prior chapters. Pareto’ does not favor raising the lot of the ‘least advantaged’ so much as using them for cannon fodder. He affirms war and the mass killing as necessary to “European civilization” whose advance he regards (emphasis added) as “the fruit of an infinite number wars and of much *destruction of the weak* - - [by whose] sufferings the present prosperity has been acquired” (p. 48). “Very moral civilized people”, he asserts, “have [also] destroyed and continue to destroy, without the least scruple, savage or barbarian peoples”. All the “so-called liberal professions [medical care and education, for example]”, he further urges in implicit pre-emption of any compensating services to the poor, “derive their income from factory owners” who would be deterred from producing wealth for society by such “humanitarian absurdity” (p. 304).

#### **10.9.2. Explaining Liberal Affirmation of the Pareto Principle**

It is revealing that liberal thinkers so widely invoke “Pareto optimization/efficiency”. While it seems paradoxical that liberal egalitarians would appropriate Pareto to their

apparently opposite cause, there is less paradox than first appears. Pareto's principle of "equilibrium", as he calls it, in which none can be made better off without others being made worse off - is a logic of status-quo adhesion. It is consistent with the most extreme deprivation of the poor while leaving the rich in the position of not being taxed one dollar to enable the least. This is where the Rawlsian difference principle of *A Theory of Justice* steps in to ensure fairness and justice where the Pareto principle does not (pp. 66 ff, 119).

Yet when we examine the Rawlsian difference formula with an eye to the hidden implications endemic to liberal philosophy since Locke, we find that it is in fact permissive of the inequality which the capitalist idea of 'trickle-down' has justified in the decades since Rawls' famous book. Rawls' language of "initial equality" and seemingly egalitarian condition of raising up the least can justify inequality just as trickle-down does, and do so in the name of equality with no criterial limit. That is, the Rawlsian formula - "no inequalities of expectation or advantage are just *unless* they improve the expectations of the least advantaged members of society" - may be the academic prototype of the trickle-down justification which has had wide popular and economic-theory currency since the Reagan presidency from 1980 to 1988. Observation shows that almost every capitalist gain-scheme advocated in the world since - global free trade and investment without borders, ever lower taxes and regulation, 'right to work' breaking of unions - is likewise claimed as a policy *to benefit the poor*. Even the IMF now calls its privatizing-pay-bank-debt programs "poverty alleviation programs".

### **10.9.3. Moving Beneath Trickle-Down Ideology and Income Measure to the Life-Ground**

Yet unlike any capitalist ideologue, Rawls parenthetically accepts the possibility of state ownership of the means of production with a socialist market (p. 271). Surely he has *some* criterion to ensure that his difference principle is not so forked-tongued.

He does, but his only *measure* of whether the lot of the worst off is improved is income appreciation (pp. 94 ff.). His other "primary goods" of "liberties" and the "bases for self respect" admit of as much psycho-socio-political bluff as other slogans of capitalist culture. Yet if income-level is the only clear measure of "improving the lot of the least well-off", this standard remains open to the worst. For example, if subsistence farmers lose their farmland, support relations and village commons to earn one dollar more per day than before in city streets, the least advantaged are benefitted and justice is served *according to this justice calculus*. What many, including subsistence farmers themselves, experience as ultimate injustice - loss of farming land, family home and community supports - can be deemed to be a condition of superior justice because they have more income from scratching a living in the slums than on the subsistence rural farm.

This problem has in fact afflicted countless hundreds of millions of people over generations. Doubtless unintentionally, it is justified by Rawls' only measure of well-being gain. In this as well, Rawls and justice theory remain like the wider capitalist system itself without any life-ground or organic life-value measure. Money-value is the only objective metric, and there are no criteria of individual rights and liberties beyond

the names. Only life-value standards can resolve the problem, as explained ahead. But they are found nowhere in the conversation. Thus the most important means and conditions of life – what are explained ahead as “universal human life goods” – can be degraded and deprived, and so long as income rises, justice is believed to be improved for those most dispossessed of them! This mode of conception fits the money-capitalist system like a glove.

### **10.9.3.1. Beyond the Ruling Value Syntax and the Rawlsian Justice Calculus**

It is all very clear within this syntax of thought. An advance of justice has been measured. Economic science has established the metric which is used. All is more just to this logic of justice even as the majority world is deprived of its very life-ground. Once the justice calculus allows for the rich to have ever more if the poor do so too in money terms, as Rawlsian justice permits, what is evilly unjust in assault and expropriation of people’s life means is transfigured into social justice. In such ways, the ruling money-value syntax governs from behind the paragon of contemporary justice theory.

Where does philosophy of social justice then turn? Only by grounding in a *defined set of means of life themselves universally necessary to human survival and flourishing* - what no received theory of justice provides - is the problem solved. This is the life-value framework of justice spelled out through this study.

## **10.10. Principle of Equality Blocks Out System Injustice**

G.A. Cohen’s *Rescuing Equality and Justice* (2009) is the most egalitarian opposition to the Rawlsian ‘difference principle’ within this discourse. While it is no more grounded in life requirements, it repudiates *any* inequality of benefits. “Revolutionary”, one might think. Yet all the life-blind exclusions identified by (1) to (8) in Section 10.7. 2. govern this understanding of social justice as well. Criterial life substance, basic needs, and existing ruling social structure continue to be blocked out. The worst-off are, therefore, not better recognized in what makes them badly off. The reigning order of inequality by unearned private money-capital income is, again, never mentioned. The masking myth of personal talent reaping higher pay (benefit) for superior productivity of performance (burden) remains in place unexposed.

### **10.10.1. The Ruling Value Syntax Again at Work**

Again we may see the ruling value syntax at work. Radically egalitarian argument itself avoids the organic life goods making anyone’s life well or worse, blinkers out the money-capital governance of the world producing the deepest inequalities, and accepts the idealizing equation of deserving more money for superior performance as the ultimate issue to argue. *Conceptions of justice and injustice again disappear into debate within the terms of the masking myth.*

Recall the defining principles of the actually regulating money-capital syntax analyzed in prior chapters. The *subject* is money capital whose *verb* is seeking to become more without upper limit, and *all modifiers* are money-demand or its equivalents. Competing

money capital subjects purchase, exchange and dispose of human and natural resources, commodities, and stock futures - all forms of money value - to become *more* money capital and commodities as final end. *Rationality* is, in turn, regulatively presupposed as (i) self-maximizing strategies in (ii) conditions of scarcity or conflict over (iii) desired payoffs at (iv) minimum costs for the self to (v) win/gain more.

As we have seen, a theorist may be governed by this regulating value syntax by justifying the rules and behaviors expressing it, as explained in the case of John Locke in Section 10.7. This remains money-capital's longest philosophical tradition, and is reproduced today under the popular name of 'libertarianism' (e.g., the arguments of Robert Nozick and Jan Narveson). On the other hand, invisible governance by this value syntax may be more subtle by simply screening out all the issues of (1) to (8) while not justifying any direct expression of it. The actually regulating order of justice is *simply blocked out from view*. In all of these ways, radically egalitarian, Rawlsian egalitarian and libertarian analysis together proceed across disagreements in never addressing the structure of in/justice governing the surrounding world, ever grounding in the organic life goods deprived by real injustice, ever connecting to natural and communal goods which all depend on, and in general remaining within assumptions which never touch life-ground.

### **10.10.2. The Blocked Life-Ground: Contemporary Justice Theory Across Oppositions**

While distinguished "communitarian" philosophers like Alastair MacIntyre, Charles Taylor and Michael Sandel have eloquently repudiated the relationless individual of the Rawlsian schema, Cohen has instead critically proceeded in terms of its defining assumptions to argue against the justification by the 'difference principle' of inequality of benefits to the well-advantaged to improve the lot of the least advantaged. Yet what none of these thinkers take account of, and here we reiterate the blind-spots, is the very natural and social life substance of a grounded and well-formed conception of justice - (1) the biophysical world and its universal requirements of reproduction; (2) human needs, their nature, criterion and universal structure; (3) production of the means whereby societies live, and its organizing principles of regulation; (4) the nature of actual money-capitalist society and its money-profit sequence; (5) the conception of any of (1) to (4) as normative issues or questions; (6) any right or obligation of justice not based on contractual agreement of atomic individuals; (7) any resource to repudiate any social regulator as evil; (8) any allowance of method to ground in or introduce (1) to (7).

### **10.10.3. Equality a Confused Category of Justice**

As we have seen, the normative category of "equality" allows for limitless exploitation of its ambiguity of meaning. This is why "equality" has been at the forefront of system-justifying doctrine since Locke and the American and French constitutions he significantly inspired *and* at the same time has been a rallying cry of radicals from the British Levellers to the French *sans-culottes* to socialists today. The category of equality is as a Rorcharch test which brings out whatever discussants project onto it. To strike to the core problem which still remains submerged, any ordering principle can be seen as both equality *and* inequality at once, depending on the viewer – equality before the

same capitalist rule system, for example, but extreme inequality of condition entailed by its operations, on the other. This is why market capitalism has long been described as both a system of “equality” and a system of “inequality” at the same time.

The original revolutionary struggles and documents in the formation of capitalism in the later eighteenth century and contemporary philosophy of justice have both long traded on and elaborated this built-in ambiguity without recognizing the intrinsic *logical* problem of equivocation of meaning. Even when one seems to have a straight-on disagreement in principle – for example, Cohen opposed to Nozick opposed to Rawls, the list is long – even the most apparently inegalitarian position, like Nozick’s, turns out to be grounded at another earlier level in the same idea - equality before juridical and market law.

#### **10.10.4. The Cohen Stopper: No Inequality At All is Justified**

In the face of this reigning problematic, G.A. Cohen (1941-2009) adopts a meta-position against *any* position justifying inequality. He does not justify equality, but rebuts any argument which negates it. His main targets are Rawls’ difference principle and Nozick’s market principle (in which the famous conceit is that Wilt Chamberlain has the right to all the revenues from people buying tickets to watch him play even if that makes him much richer than others). Throughout these long bouts of disputation, Cohen’s underpinning stand is that no inequality at all – even one to uplift the least advantaged position - may be justified without inconsistency or error. We might call it the *via negativa* defense of equality.

While Cohen’s *via negativa* brings us no closer to understanding justice in real-life terms nor in laying bare the ruling system of injustice, it does embarrass the canonical Rawlsian position which deploys the Pareto ‘efficiency’/’optimality’ principle to argue that justice can be best served by an inequality of benefits – namely when inequality by incentive pay motivates the better advantaged to produce more so as to benefit the poor (e.g., a surgeon working longer hours to treat the least well off). The selectivity of such examples which avoid corporate money-capital accumulation entirely are mythic in nature, but this does not bother Cohen who explicitly argues for the ‘fact insensitivity’ of principles of justice (pp. 284-92). As in this literature in general, money-capital ownership, class analysis and corporations are all abstracted away. What matters here is the idealized Rawlsian paradigm, and showing that its ‘difference principle’ - to allow inequality in benefits to benefit the worst off - is inconsistent *within* the ideal order which Rawls constructs.

Cohen’s arguments for this conclusion are complicated on the surface, but feature one underlying pattern: that those well-advantaged or talented who demand more for benefiting the least advantaged are choosing to serve their own gain rather than justice, and fail to live up to the ethos of justice and fair citizenship which Rawls describes his ideal order as producing. Cohen acknowledges “deference to reasonable personal prerogative” to avoid the dread accusation of compromising “liberty”, which, decoded, means the freedom to self-maximize as an end-in-itself. Cohen insists that a free and just order and citizenship of the sort Rawls proposes ought to consist in the most talented or advantaged people giving of the extra they have with no further pay for

doing so, thereby satisfying the purpose of the difference principle without requiring either inequality *or* loss of liberty.

### **10.10.5. Missing the Incoherence at the Core**

Cohen's most pointed formulation occurs in a footnote at the end of *Rescuing Equality and Justice* (p. 384) where he reaches the harshest conclusion of his book. He quotes Rawls (emphases added): "Taken together these features of a well-ordered regime diminish the number of occasions when the *less favored are likely to experience their situation as impoverished and humiliating*". Before citing Cohen's response, we may observe Rawls' comfort with merely "diminishing" people's experience of "impoverished and humiliating" inequality in even his ideal state. Their experience of impoverished humiliation is "just" by realization of his difference principle. That the least advantaged are still reduced within his scheme of justice in a manner the most excruciating to human "self-respect" (repeatedly described by Rawls' as "the most important primary good" in his scheme) betrays a contradiction at the very heart of his theory.

Cohen does not recognize the core contradiction, but moves straightaway to Rawls' earlier formulation in the formative article "Justice as Fairness" (1958). Here Rawls says: "we hope that that the observable features of the [unequal] distributions that result fall in range where they do not *seem* unjust" (emphases added by Cohen). Only appearances count, it is implied, and the poor's actually 'impoverished and humiliating' positions in life continue to stand. Cohen now comments: "If I did not know that Rawls was free of cynicism, I would call the position here cynical. It is an argument for, *inter alia*, secluded roads for liberal limousines".

#### **10.10.5.1. Rawls' Core Moral Incoherence**

Although Cohen's metonym of inequality is striking, it misses the deeper derangements of Rawls' 'difference principle' as justice. Rawls' position is not merely "cynical" in appearance, but morally incoherent at the core. For the greatest injustice by Rawls' *own* measure is deprivation of "self-respect", what he identifies as "the most important primary good" (pp. 440-46, 604). Yet precisely this deprivation of self-respect attends the positions of the least advantaged who *still* feel their positions as "impoverished and humiliating" in Rawls' ideal order. Moreover, Rawls says in the very next sentence of his *Theory of Justice*, "Even if they [the poor] have some liability to envy, it may never be strongly evoked". That is, he quickly shifts the issue to the "liability to envy" of the least, thus displacing the problem of the cupidity of the rich onto the covetousness of the poor. The ruling value syntax has many forms of expression.

### **10.11. Justice Theory without Life-Ground, Life Plans without Life**

Leaving aside Rawls' system-exemplifying moral incoherence, the problems of injustice go far deeper than either he or Cohen can penetrate by their methods. What really matters to people cannot be reached by preoccupation with issues generated by the elastic-band category of "equality", nor by categories of rights, offices, incomes and self-respect without criteria. What in fact people exactly need for social justice as

organic beings is screened out. Food is never mentioned, nor water, nor housing, nor waste systems, nor natural environment. The life-ground of humanity disappears into concepts with no life content or base.

Yet it is *a matter of extreme social injustice if any of these life means is deprived by a social structure*. How can justice be understood when its central categories are thus hollowed out? Citizens cannot eat claimed liberties, or be assured of a more just society by an income gain, enjoy an attractive versus despoiled environment if the issue is blinkered out, play and create when no room is made for it, be concerned with massive fellow species extinctions if the matter cannot be seen, open to life's turning to new directions if held within a career plan, or have a human vocation of meaning to oneself and value to others if only opportunities to compete for existing market-state offices exist. We cannot even conceive a more just order than rules when all of these issues are foreclosed by the received framework of meaning.

### **10.11.1. Reigning Paradigms of How to Live Are Life-Blind**

Life-grounded understanding is ruled out by the central contemporary discourses because none comes to grips with what people's lives universally require for them *not* to be unjustly deprived. In philosophy as well as economics, the actual means and goods of life are repelled from the conversation. Prior analysis has already laid bare this de-lifed method in, among other places, the representative work of G.E. Moore, *17. Good and Evil without Life Referents: Principia Ethica as a Paradigm Case*. At one level, the problem is biographically explicable – none may have ever lived outside the hot-house existence of scholastic positioning of self. More deeply, the ruling value syntax of the wider society systematically blocks out the life-ground, as we have seen in Sections 6.16, 7.12 and 9.3.

This is why even the human food system be stripped of real nutrients by chemical-genetic concoctions in accord with the ruling value syntax with no issue of injustice to millions diseased by it arising to view even as they are urged to do within the reigning order. Most social injustices in the contemporary global rule system are of this kind – *unjust deprivations of means of life by the ruling system's demands*.

### **10.11.2. While the World Groans for Justice, System Injustices Are Inverted or Ignored**

Let us consider the underlying shapes of injustice which are boxed out or turned upside down. Rights and freedoms are declared as greater than before while ever more are deprived or without the life goods all humans require. Increasing hundreds of millions of people are without ecological security, water and nutrition as global wealth multiplies in the control of an apical few with no contribution to provision of any life good. Ever greater volumes of junk commodities undermine the health of children and the non-affluent across the globe after critical science recognizes the epidemic damages. Social infrastructures of education, health and pensions are defunded to pay compound-interest public debts to private foreign banks leveraging the debt money. Evolved cultures of participant art and play are commoditized in debased and violent forms by mass-culture factories. Wars and domestic oppressions by force of arms grow in public funds devoted

to them as common life support systems are stripped towards collapse. Species extinctions and genocides accelerate by the ruling system's growth demands. The ultimate good of just vocation to serve the lives of others before self gain is selected out by the ruling purpose of competitive money-value adding. As the most basic sources of natural, produced and community life goods are cumulatively polluted and exploited for private profit to flow to the already rich, the deep-structural patterns of injustice are ignored and inverted.

Thus the ultimate general question of justice arises. What could be a profounder social disorder of burden and benefit allocation, of rights and obligations borne by global society's citizens? How much more could the ultimate principle of justice, the *due proportion between rights and duties, benefits and burdens*, be turned upside down? How much more extreme could system injustice be than of limitless rights to benefits of some who carry no burdens of protecting and providing the life goods of all? What could be more important for justice theory to examine, explain and supercede by principles of what is fair and due within a social order?

The next chapter, *The Unseen Global War of Rights Systems and its Principles of Resolution*, will spell out the ultimate principles of international law and right in conflict here, but first we need to understand how these life-and-death issues of social justice have been blocked out *as* issues.

### **10.11.3. The Right or Freedom to Follow One's Career Plan as Itself Life-Blind**

The most basic onto-axiological principle which is unexamined in the dominant theoretical discourse is that a "*rational plan of life*" is the given frame of good for anyone. Contractual justice theory and moral philosophy presuppose this frame of conception as an ultimate given prior to choice. Over and over Rawls reiterates this first premise, and it is unexamined by his known critics as well.

Yet what of those who have no such 'rational plan of life', but reject it as careerist and closed to the creative openness of human being? Young people, for example, may find elders insisting on such a life plan as oppressive bores. They may further experience any force-fitting of them into such a 'rational plan' as an overbearing injustice to their open lives. But the young are excluded wholesale from this scheme of justice *as* young. Rawls is clear that their elders must choose for them (e.g., pp. 128, 208-9).

The young are not alone here. Consider the possible just exceptions. Giving one's all to the challenging tasks at hand can make the 'career plan' a cramping, egoic distraction. An all-round life may rule out a 'life plan' as a one-sided reduction. A contemporary person must be ready to adapt to changes of circumstances with new plans made as occasions arise. Yet the idea of a 'rational life plan' is *itself* perfectly unreasoned as an assumption of justice theory. Deeper interrogation might ask whether it is indeed a primary assumption behind racism, sexism and modern genocides – an issue earlier discussed in *Good And Evil Within: Opening The Terra Incognita Of The Felt Side Of Being*.

Yet it is not only those viewed as inferior who fall outside this first premise of

understanding justice. Wisdom literatures across cultures implicitly and explicitly counsel *against* such self-centred presumption. Very briefly, they agree that any such confinement to a self-plan and the accumulating assets of its fulfillment means blindness to the wider life body to be comprehended, served and fulfilled – a point to which we return in the final chapters of this study.

#### **10.11.4. The Meta-Disconnect of Justice Theory**

The “rational life plan” which is assumed as both (i) the condition of understanding justice and (ii) what justice must allow to be fulfilled, really means, decoded, a *career plan*. Only a career admits of a sane plan across decades of unpredictable self, age and world changes. Since life-span plans can only make sense as career plans, justice must mean here what serves the careers of selves. This equivalence leads to a summary comprehension of the underlying shape of justice in this scheme of thinking. *The rational life-career plan determines each’s good, and justice is what allows it to each: with equality of benefits to each self the basic issue of contention.*

One will find no relevant dimension of this dominant discourse on justice excluded by this formula. What is not noticed, however, is that *the good of life itself has silently disappeared*. Life as ground, ultimate value and connectively guiding goal of enabling humanity in more coherently inclusive or just ways – as explained through this study – is pre-empted root and branch. In its place are set claims on *positional advantages for atomic selves* constructed into a entire scheme of social justice across differences.

#### **10.11.5. Modes of Life-Blind Reason**

Rationality is at the same time defined by both Rawls and Cohen as life-blind in principle. For Rawls it is self-maximizing choice including “wanting a larger share for oneself” a-priori, his description in *A Theory of Justice* (p. 143). For Cohen, the “thesis that ultimate principles are fact insensitive” distinguishes *Rescuing Justice and Equality* (p. 232). The canonical protagonist thus confines the objective of ‘justice’ to what suits everyone’s rational self-serving, while his most acute antagonist falsely deduces fact insensitivity *simpliciter* from the recursion of judgments in particular cases to ultimate principles underlying them. Both are life-insensitive conceptions of reason.

Cohen’s deduction is, in any case, false because facts of laws of nature – for example that human beings need food and water in all situations to exist, and always suffer some disabling disease or death in correspondence to their deprivation - are what any structure of justice must take into account to be sane. His position fails to distinguish between general and specific facts. Rawls rightly admits general facts into theory determination, but screens out all actual means of life from his account. His ‘primary goods’ – defined as “what is useful to any rational plan of life” “income and wealth”, “rights and liberties”, “powers and opportunities”, “self-respect”) – include no organic means of life nor any life support system at all.

Observe that the deciding criterion of “the primary goods” themselves is that they must be *useful to* a “rational plan of life”. The unexamined converse is that if they are not so instrumental, they are not primary goods. The self’s career thus becomes by implication

the sole decider of what *is* a primary good!

### **10.12. From Equality to the Life-Ground of Deep Justice: What Is Due to Each as Human**

The ruling value syntax, as we have seen, blocks out organic and ecological life parameters a-priori. Philosophical theories express this syntax in rarefied form. World movements for social justice are accordingly blocked out along with the ultimate concerns moving them. Lead concepts for global justice like ‘basic needs fulfillment’, ‘climate justice’, ‘end the war’, ‘food sovereignty’, ‘no privatization of water’, ‘public health not private profit’, ‘education is not a corporate agenda’, and ‘no blood for oil’ cannot compute to the reigning justice paradigm in theory or practice. There are *no life grounds to recognize the deprivation of people’s lives in which true social injustice always consists.*

Justice, as distinguished from propriety, always turns on what is ultimately *due* to the lives involved. Yet to comprehend the life benefits and burdens, rights and obligations that true justice entails, deeper analysis must define the life content of these concepts or remain life blind in principle. A theory of justice must be clear on what human beings need to live, or justice has no basis in life-value terms. Yet to understand what all human lives require to define their rights and obligations must be impartial across individual and cultural differences for even the possibility of global justice to exist in principle. Yet impartiality itself is only a formal condition of justice, not its life substance, as explained in Section 5.16.

The profoundly unresolved issue then still stands, *what* is this life substance? It cannot be life or career plan as a given good, because this conception is self-centered, however Rawlsian theory seeks to annul this fact by a “veil of ignorance” over who-one-is in the “original position” of rationally choosing principles of justice. Life substance is blocked out. “Communitarian” justice theory too fails to connect to the lost life-ground when its sole base is already established social relations and personal bonds of this or that community. It has no way to move beyond these constituted attachments to comprehend more life-coherent forms of social order, even if they are caste-ridden or otherwise life-destructive (as explained in Section 5.15.).

Principles of morality and justice have long been lost within cultural biases and private prejudices, as we have seen. Yet we now know what we are looking for – those ultimate and universal life requirements/goods without which people’s lives are always deprived or reduced to less than human lives. Justice demands that each receives what is due by a structure of judgment even-handedly applicable to the lives of all – the ultimate objective of social justice. In this age, however, the meaning of justice has been obscured by the equivocal concept of “equality” as another life-decoupled formula in a long line of ruling slogans of justice which blinker out what people need to live as human. The issue of “equality of *what?*” has been much disputed, but has never reached life-ground. Cohen argues for “equality of advantages”, but explains nothing about what all human beings require to live and live well. Amartya Sen argues for the more dynamic concept of “capabilities” as “abilities to perform functions”, but never identifies the organic goods whose deprivation defines social injustice. The actual *what*

of justice has in these ways remained as obscure as the “welfare” and “well-being” of economic theory. This is the lost life-ground which needs to be spelled out. Aggregate and positional incomes and rights without means to exercise them are false proxies in which the burdens and benefits of justice remain without life meaning.

### **10.12.1. Understanding the Life-Value Structure of Social Justice and Injustice**

As explained through this study, the universal life goods of humanity across classes and cultures have long been inarticulately assumed, abstracted out or otherwise denied or trivialized. Explanation has spelled out what justice is for *non*-humans in Section 10.3 and the sections to which it refers. What is required now is the full set of universal life goods by which any human being is enabled to exist and flourish in the world across selves and languages - that which defines the *life* benefits and burdens of provision which justice must fairly distribute with the means available. The underlying ultimate principles here have been lacking except in glimpses. While Cohen rightly points out that Rawls’ “ignoring welfare in matters of social justice is ludicrous” (p. 202), neither he nor other theorists provide any set of life standards or goods to meet the problem he flags.

We achieve understanding of the missing determinate meaning by knowing what all people require so as not to be deprived of a human life - the dividing line between justice and injustice. Let us recall here the objective criterion of this life-and-death line developed in earlier chapters: “*The baseline and measure of social justice is defined by its opposite of injustice which it overcomes: systematic suffering from need by the life-capacity loss entailed by deprivation of life means.*” Prior analysis has tracked this defining line with which the dominant theories have not come to grips, and step by step explanation has built from the missing onto-axiological bases, as defined in Section 2.21. Why equal standards in themselves can never succeed has also been spelled out in Section 5.16. In chapters *The Value Field Of Action: Reconciling Humanity And The Beast* and *The Lost Social Subject: Evaluating The Rules By Which We Live* the nature of social justice and injustice has been explained to ultimately reside in the rules by which society lives, and how far they structurally enable or disable the lives of its members. Analysis has further shown in Section 9.3.2 that the ultimate life-ground of human existence has been overlooked by received normative theories in general.

### **10.12.2. The Substance and Measure of Justice and Injustice**

The defining principle of all universal human goods is, as we have seen:

- (1) that without which the life capacity of anyone is reduced*
- (2) by the degree of the good’s necessity, and*
- (3) to the extent of its deprivation.*

Anyone anywhere thus suffers social injustice by deprivation of a universal life good whose means are available, and the injustice is in proportion to the necessity of the good, the extent of its deprivation with the means available to provide it, and the lives so reduced or destroyed (e.g., collapse within hours without clean water). The same principles apply across these objective human life goods, with known variations. This is

the life-value metric of social injustice. Each and all of the universal goods which are thus deprived or, in social justice ensured, are more deeply comprehended by recognition that they:

- (i) have *intrinsic value* so far as they are felt and conscious to human being (e.g., the air, waters and fellow beings felt as values in themselves);
- (ii) have *instrumental* or *ultimate* value without which human life is reduced or destroyed by degrees;
- (iii) mark *systematic injustice* to the degree of their necessity, system deprivation, and life destruction without them;
- (iv) mark *social justice* to the measure of the *protection and enabling of their provision through time* by
- (v) society's *system of benefits and burdens progressively ensuring their provision*.

Once social justice is defined with principled life coordinates, we are able to understand how it is won or lost in the real world: for example, by potable and waste water cycles, literacy levels and social security programs with corresponding gains or destructions of citizens' life capacities. The underlying life-value onto-axiology explaining these principles of value measure at their ultimate level of philosophical meaning is found in Sections 6.1, 6.6, 7.5, and 8.10.

### **10.12.3. Capitalist-Market Justice in Pure Form and its Theoretical Rationalization**

While life-value justice grounds in the actual universal life goods required by individuals to enjoy the benefits and carry the duties of a just society, both the reigning social order and dominant conceptions of justice have disconnected from them in principle. The ruling capitalist-market order grounds instead – if at all with financialization - in a metric of consumer pleasures measured by increased commodities purchase by profitable private money payment (the sole measured benefits and obligations of this system). Without private money payment, it follows, life goods are deprived of all who do not profitably pay – not only people with little money, but all that lives and supports life. Complementarily, only goods and bads that private money can buy are produced and provided. These are the fatal disorders of this system. Reversion to this pure-type form of capitalist-market justice is, however, implemented on the ground by corporate globalization. The collapse of life and life support systems follows.

Received theories of justice legitimate this global disorder by never discussing its actually regulating form. Life coordinates are simultaneously abstracted out of both the benefit and burden sides of the justice ledger. Instead, idealized models are confined to dyadic self-maximizing exchanges for private assets (ruling economic theory) or to fabricated social contract terms (the dominant philosophy of justice). Theoretical and ruling models are thus indifferent in principle *to* the universal life goods/necessities without which human life is reduced towards dehumanizing conditions, morbidity and death in the short and long term.

#### **10.12.4. Re-grounding Understanding of Justice and Injustice in Life-Value Measures**

The missing core principle and yardstick of justice and injustice has been explained in principle in Section 9.14. The complete framework of these universal life goods – (1) to (7) below – is required to define the set-points of benefits and burdens by which any system of social justice can be evaluated and aimed at: with provision/deprivation of these universal life goods identifying more/less justice in their regulating orders in all degrees of possibility. The complex but recognizable life coordinates and grounds of Section 10.10.5 can be tested by readers. They can recognize in their lives the importance of each by the life-capacity loss *without* it. This onto-axiological framework defines the life standards by which to understand the rules by which we live as right or wrong, and to what extent, in exact life-value science - the long-missing terra firma of social justice.

#### **10.12.5. The Universal Life Necessities and Goods Due to Each as Human**

- (1) the *atmospheric goods* of unpolluted air, space and light;
- (2) the *bodily goods* of clean water, nourishing food, and waste disposal;
- (3) the *home good* of shelter from the elements and noxious animals and materials with room and means to rest/sleep and freely function;
- (4) the *environmental good* of natural and constructed elements contributing to a life-supporting whole;
- 5) the *social good* of reliable care through time by supportive love, work-day limits and safety, healthcare, and security of person;
- (6) the *cultural goods* of language, the arts, participant civil rights, and play; and
- (7) the *vocational good* of enabling and obliging each to contribute to the provision of these universal life goods consistent with enjoyment of them.>

Each of these universal life goods across cultures admit of degrees of sufficiency which is definable by the margin gain, or loss, of life range with, or without, provision - the life-value calculus, if you will, because it denotes infinitesimal differences of more or less. The unifying human good denoted by (7) links the good of human vocation to what it requires to be just: the burdens of protection or provision of (1) to (6) which must be borne in life-coherent contribution to ensure these human life benefits. This is the ultimate onto-ethical issue of human civilization. Conflicts over competing notions of just rights, however, have defined the species' progression and regression in a fragmented and largely preconscious way. The deciding war of rights systems on these universal life goods is the topic of the next chapter.

#### **Glossary**

- Agent-relative:** A standard philosophical term signifying individual choice: as in “agent-relative ethics” which assumes that value agency is restricted to individual persons.
- Analytic philosophy:** An umbrella term covering any school or method of philosophy for which logical rigor of conceptualization and

argument are equated to philosophical understanding.

- Anti-foundationalism:** A generic term for the dominant trend of philosophy over the recent century embracing many contemporary philosophers and schools of thought whose unifying characteristic is denial of any universal ground, truth or value.
- A-priori :** Derived independently of sense experience e.g.,  $2+2=4$ . Truth by definition and tautological deduction is the mathematical model, but presuppositions are often falsely assumed a-priori.
- Axiology:** From the Greek, *axioma*, “what is thought to be worthy”, the ultimate, but under-theorized category of value reason, ideally building from rationally self-evident bases or *axioms* of value a complete system of value (aesthetic, epistemological, moral, etc.) with unlimited validity across domains. Onto-axiology is axiology which grounds in the nature of being. Life-value onto-axiology grounds in life-value as defined by the Primary Axiom of Value.
- Capitalism:** Strictly speaking, the adjective money before capitalism is required to ensure its distinction from other forms of capital (e.g., life capital). Money capitalism is defined by its value governor, **the money sequence of value**.
- Civil commons:** A unifying concept to designate social constructs which enable universal access to life goods. Life support systems are civil commons so far as society protects and enables their reproduction and provision for all members.
- Coherence Principle:** See **Life Coherence Principle**
- Collective agency:** A concept which is little understood in philosophy and the social sciences which dominantly focus on, respectively, agent-relative methods of analysis or aggregates of individual choices, but best understood by the rule systems by which people live
- Collective life unconscious:** Distinguished from Karl Jung’s psychoanalytic category of the “collective unconscious” as the collective *life* unconscious – what Jung refers to as Mephistopheles, the “shadow self” and “true spirit of life against the arid scholar” of Faust, which is expressed in destructive form because it is unrecognized and repressed.
- Common life interest:** A concept which disambiguates the categories of “the common interest”, “the public interest”, and so on to specify what these concepts normally omit, common life support systems.

- Communitarianism:** A concept which has become attached to those philosophers who reject the atomic-individual rationality of liberal thought to ground in substantial social relationality (e.g., Alastair MacIntyre, Charles Taylor and Michael Sandel): but with an inability to move beyond constituted attachments and received ways to more life-coherent forms of social ordering.
- Consequentialism:** Often equated to utilitarianism, but strictly holding that the good or bad is to be found in its consequences, not its principle of action or intention.
- Continental philosophy:** A standard way of distinguishing contemporary European philosophy and method from **Analytic philosophy**. See also **Existentialism, Marxism, Phenomenology, and Postmodernism**. Justice theory is only explicit in the first school..
- Deep ecology:** A movement founded by Arne Naess whose leading ideas against environmental resourceism are that “the well-being and flourishing of non-human life have value in themselves independent of their usefulness for human purposes” and “humans have no right to reduce the richness and diversity of life forms except to satisfy vital needs” (a term left undefined).
- Deep naturalistic fallacy:** Does not merely identify the good with a natural property, but identifies the survival-of-the-fittest order of nature with human order, and assumes this order as both necessary and good for human survival and development.
- Deontological ethics:** Essentially, “duty ethics”, standardly opposed to utilitarianism insofar as it holds that good lies in the principle or duty which action embodies, not its consequences. Life-value onto-axiology subsumes both as required for a life-coherent adequacy.
- Determinism:** A problematic term typically, but falsely, counterpoised to freedom of choice. The meaning adopted by life-ground onto-axiology is to delimit (de-termin) a known range of material possibility within which individual or social choices occur for better or worse.
- Development:** A central term of value in contemporary global discourse which does not distinguish between opposed forms of development – principally, more commodities sold for profit (market growth) versus more means of life allocated to people’s lives (social justice).
- Dualism:** A central and controversial doctrine in philosophy in which reality is conceived as divided into two unbridgeable and incommensurable orders of being - most famously, mind and body, *res cogitans* and *res extensa*, the dualism instituted in

- Western philosophy by Descartes. Dualist divisions include reason-emotion, subjective-objective, and spirit-matter.
- Epistemology:** This is a central field of philosophy concerned with the nature, grounds and limits of knowledge resting on norms of justification.
- Existentialism:** Classically defined by Jean-Paul Sartre as “existence precedes essence”, which means that human choice of what one does (existence) precedes any set fate, determinism, role or external design: with those denying responsibility of choice being in “bad faith” (*mauvais fois*).
- Globalization:** A concept which admits of many different meanings but whose ruling prescription is globalization of money capital sequences.
- Group-mind:** The manifestation of a life-blind ruling value syntax regulating consciousness across individuals and groups. See **Ruling Value Syntax**.
- Human value identity:** This is a concept which understands value identity as that which is *identified with* by a self as of ultimate value. It can take polar opposite forms such as the identification of a person with his powers of money demand or, at the other pole, a person or society which identifies with universal organic life requirements.
- Internal and external goods:** What are goods in themselves and what are goods as external possessions of selves alone.
- Intrinsic and instrumental value:** What is a good in itself and what is good as a means.
- Life coherence principle:** The onto-axiological principle whereby positions or systems must be consistent with (1) factual premises and (2) valid inferences, so as (3) to inclusively enable rather than disable life and life-systems to (4) qualify as fully rational or valid. More simply, consistency with life requirements.
- Life sequence of value:** The process whereby any body of life becomes more life by means of life: a process which admits of regressive, reproductive and progressive modes and degrees, each measurable by the criteria of more/less fields of life enabled or enjoyed through time.
- Life standards:** Those principles and laws which protect and enable human and ecological life systems.
- Life-blind norms:** A characteristic tendency of the ruling value systems of societies and their received ideologies to blinker out their life-disabling procedures and effects.
- Life-Ground:** Most simply expressed, all the conditions required to take your next breath. Axiologically understood, all the life

support systems required for human life to reproduce or develop, most comprehensively understood as all conditions for human life and its experience.

- Life-unconscious:** The life-unconscious arises out of life desires being conditioned to repressive forms – for example, the desire for oneness with life conditioned to be a craving for a power-machine vehicle dominating nature. See Bernays, Edward W. in **Bibliography**.
- Life-value metric:** More/less life range in any domain or degrees of life function or expression, with margin gains or losses in any or all with respect to prior states the measure of life-value progress or regression.
- Life-value onto-axiology:** The value-system which regards life and means of life to more coherently comprehensive ranges of life as the ultimate and universal good. See **Axiology**.
- Linguistic idealism:** The dominant tendency of contemporary philosophy to decouple language from life referents within autonomous and self-referential discourses.
- Linguistic turn:** Major philosophical movement of the twentieth century associated with the work of Ludwig Wittgenstein in regarding all problems as problems of language.
- Measures of life value:** These refer to the ranges of the fields of life value which are maintained, gained or lost at the margins in reference to a prior or compared state (e.g., at the social level, literacy rate growth, caloric and protein intake compared to health requirements, and housing ratios per capita to ratios of able-bodied citizens to available meaningful work of value to others). Life-value measure is applicable to phenomena in any life-field or domain by identification of more/less range of life capacity through time.
- Mechanical reduction:** Whatever reduces life or life-systems to mechanical systems so as to rule out non-mechanical life properties (e.g., the irreversibility of life processes, non-substitutability of constituents, or fields of internal life).
- Mechanism:** Doctrines according to which all phenomena are matter in motion or governed and predictable by physical laws.
- Meta-Ethics:** The study of the nature of moral judgment: conventionally preoccupied with the logical status of ought and taxonomies of competing theories in exclusion of substantive moral issues.
- Metaphysics:** The ultimately regulating principles of existence (ontology) and knowledge (epistemology): referred to also as “metaphysic” when a doctrine lacks consciousness of the

	underlying principles of its assertion.
<b>Money sequence of value:</b>	Using anything whatever as means (including money derivatives) to turn private money sums into greater quantities in consistent choice paths of money-value-adding which adopt myriad transnational forms as “globalization”. The following formula denotes this process in all its variations: ( $\$ \rightarrow All\ as\ Means \rightarrow \$^{1 \rightarrow 2 \dots n}$ ) $\$$ = private money-capital input: ‘ <i>All as Means</i> ’ = anything at all can be used to turn this private money-capital input into more: $\$^{1 \rightarrow 2 \dots n}$ = this money sequence of value can repeat over and over again indefinitely to world-dominating private money-capital formations.
<b>Moral Philosophy:</b>	Moral philosophy is often equated to Ethics, but is in principle more restricted in reference to ought-to statements which entail prescriptions or prohibitions whose violation is thought to deserve guilt or punishment.
<b>Need:</b>	That without which organic life capacity is reduced.
<b>Objective Values:</b>	Values which are independent of individuals’ affirming them (e.g., universal life support systems like the earth’s atmosphere).
<b>Onto-Axiology:</b>	A primary concept of life-ground value theory in which the standard and reductionist split between ontology (the philosophy of being) and ethics/axiology (critical theory of good and bad, including justice and injustice) is overcome in a non-divided unity of understanding: such that the analysis of the ultimate structure of being as such (ontology) and of the ultimately regulating principles of good and bad (axiology) are integrated in principle.
<b>Pareto Optimum (or Pareto efficiency):</b>	A standard ideal of philosophical and economic rationality in which no-one can be made better off without making someone else worse: based on pure-type dyadic exchanges of private assets and consistent with extreme inequality.
<b>Phenomenology:</b>	A major school of contemporary philosophy in which human consciousness as such is adopted as the direct object of analysis prior to the subject-object distinction, causal explanation or scientific claims.
<b>Primary Axiom of Value:</b>	An axiom formally expressing the first and ultimate principle of all value and disvalue, and the measures of each across time, place or culture i.e., x is of value if and only if, and to the extent that, x consists in or enables more coherently inclusive thought/felt being/action.
<b>Proceduralism:</b>	A generic pattern of leading philosophies of value which assume that universal values can only be implicit in or decided by procedures of argument (e.g., “contractarian”

models of justice and norms of “the ideal speech situation”), and whose rational “procedures” distinguish the different schools.

- Profit:** The positive difference between input of value and output of value whose dominant type is private money-capital inputs and private money capital outputs to maximum gain, but in principle can include social profit from the positive difference between public investment and life-value gain of citizens.
- Relativism:** A generic term for the view that there are no objective or universal values because all values are by their nature relative to the contingent cultures, preferences, individuals, practices and world-views in which they are embedded.
- Ruling value-system:** A society’s value-system which is normally presupposed by those governed by it and which ultimately regulates the decision norms and goals of a society’s dominant social institutions, the individual roles within them, and the thought structures of those internalizing its regulating assumptions and conclusions. See also **Ruling Value Syntax**.
- Second-order Shift:** A move from first-order value-system (e.g., to maximize pecuniary possessions or equivalents) to a second-order level of value understanding and choice within which the first-order value-system is only one regulating possibility. This is a logic of distinction which is straightforward in non-normative matters (e.g., the first-order of red and blue, and the second order of color), but not at the normative level wherever a ruling value program is assumed as without alternative.
- Social injustice:** Systematic suffering from need by the life-capacity loss entailed by the deprivation of life means. Social justice is the process of overcoming it.//Social justice - The baseline and measure of social justice is defined by the constant principle of its opposite: suffering from need by the life-capacity loss entailed by the deprivation of life means. Social justice is the overcoming of the various forms of this iniquity.
- Social justice:** The baseline and measure of social justice is defined by the principle of its opposite which it overcomes: systematic suffering from need by the life-capacity loss entailed by the deprivation of life means.
- Truth:** Truth is not an end state, but a process of more coherently inclusive taking into account: with way stations of soundness, that is, consistency with available evidence, other statements and requirements of life support systems. See also **Validity**.

- Universal life goods:** All goods *without* which human life capacities are reduced or destroyed (eg., breathable air, potable water, means of expression for free speech).
- Validity:** In life-value sense, requires not only consistency of statements with each other and empirical evidence, but with the reproduction of life support systems.
- Value syntax:** Organizing principles of pro-and-con meaning, prescription, position and transformation which regulate a value system, but may be invisible to those who presuppose it. In the ruling value syntax of contemporary global society, the *subject* is money capital whose *verb* is seeking to become more without upper limit, and all *modifiers* are money-demand or its equivalents: with competing money capital subjects and the human and natural resources they purchase, exchange and dispose of always used to become *more* money capital. Rationality in this onto-axiological grammar is regulatively presupposed as (i) self-maximizing strategies in (ii) conditions of scarcity or conflict over (iii) desired payoffs at (iv) minimum costs for the self to (v) win/gain more.
- Value-system:** Any stable set of regulators of judgment and action, whether or not the value deciders are recognized.

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Laing, R.D. (1972), *The Politics of the Family*, 92 pp. Toronto: Anansi under auspices of Massey Lectures. [Explains how validating and invalidating attributions within a "family drama" can wreak injustice by distorting the development of human personality by the "mapping" of family roles across generations.]

Lane, R.E. (2000), *The loss of happiness in market democracies*, 465 pp. New Haven, CT: Yale University Press. [This empirical study shows that rising income and growth negatively correlate with reported happiness after a line of sufficiency is exceeded.]

Locke, John (1690/1950), *The Second Treatise on Government*, 139 pp. New York: Liberal Arts Press. [This is the founding classic of the modern philosophy of justice.]

MacIntyre, A. (1981), *After Virtue*. 271 pp. London: Duckworth. [This is a definitive contemporary work of "virtue" and "communitarian" ethics" in which, he argues, the dominant model of self-maximizing rationality to find the good is refuted by its failure to distinguish between "internal and external goods" and inability to recognize the development of "practices" and "excellences" the core human good consists in.]

Manno, J.P. (2000), *Privileged Goods: Commoditization and Its Impact on Environment and Society*, 252 pp. London: Lewis Publishers. [This is a definitive documentation by expert witness of the devastating effects of the commodity measure of efficiency on ecological systems.]

Marcuse, H. (1956), *Eros and Civilization*, 209 pp. Boston: Beacon Press [This is an original philosophical synthesis of Marxian and Freudian thought moving beyond Freud's reality principle of necessary repression to affirmation of "the life instinct"]

Marcuse, H (1964), *One-Dimensional Man*, 260pp. Boston: Beacon Press [Marcuse critiques capitalist society as a reduction of human life to a totalizing consumer-management culture].

Marx, Karl and Engels, F. (1975- ), *Collected Works of Marx and Engels*, 44 vols. (ed. R. Dixon et al). New York: International Publishers [Marx's complete works exhibit which an underlying conflictedness between concern for social justice and rejection of the very categories of morality and justice as merely ideological concealments of class rule.]

McMurtry, J. (1978), *The Structure of Marx's World-View*. 278 pp. Princeton: Princeton University Press. [This work defines an ultimately regulating inner logic of Marx's philosophy and science across domains and periods, explaining his undergirding concept of human nature and his belief in its realization by social productive force development.]

McMurtry, J., (1979) "How to tell the Left from the Right", *Canadian Journal of Philosophy* **IX** (3), 387-411. [This study moves underneath the phenomena of 'left' and 'right' as primary naming categories of ethico-political opposition to the unexamined principles governing their value-stand meanings since the ancients.]

McMurtry, J. (1981) "Is There a Marxian Personal Morality?", *Canadian Journal of Philosophy*, Supplement VII, 171-9. [This analysis seeks to deduce a substantive individual ethic from the work of

Karl Marx in the light of the methodological barriers against such a project.]

McMurtry, J. (1984), "Fascism and Neo-Conservatism:: Is There a Difference?", *Praxis International* 4 (1), 86-102. [A systematic comparison of their regulating principles of doctrine.]

McMurtry J. (1986) "The Argumentum Ad Adversarium", *Informal Logic*, VIII.1, 27-36. [Explains the underlying logical disorder of switching the issue to an accepted enemy or adversary of the community addressed.]

McMurtry, J. (1988) "The Unspeakable:: Understanding the System of Fallacy of the Media", *Informal Logic*, 41::3,133-50. [This analysis sets out the general regulating framework of the "ruling value syntax" as a system of rules selecting against whatever invalidates the presupposed ruling order of control over society's means of existence, and for whatever validates it.]

McMurtry, J. (1989), *Understanding War*, 90 pp. Toronto:: Science for Peace [A concise philosophical overview demonstrating the locked choice-spaces of the military paradigm of war across cultures and times, and explaining the rational alternative of warring for rather than against life security.]

McMurtry, J.(1998), *Unequal Freedoms:: The Global Market As An Ethical System*, 372 pp. Toronto and Westport CT:: Garamond/University of Toronto Press and Kumarian Press.[This work is a systematic critique of the unexamined ethical assumptions of classical, neoclassical and contemporary ethical and political theory and policy as determined by an unexamined ruling value system.]

McMurtry, J. (2000), "Caging the Poor:: The Case Against the Prison System" in W.G. West and R. Morris (eds), *The Case for Prison Abolition*, pp. 167-87. Toronto:: Canadian Scholars Press.[This article explains how the modern prison regime is structured to achieve the total defeat of the legally disobedient by systematic deprivation of their human properties.]

McMurtry, J. (1999/2002), *The Cancer Stage of Capitalism*, 312 pp. London and Tokyo:: Pluto and Springer Press. [This work explains how ruling value systems since the ancients may be life-blind and yet presupposed by the leading critical philosophers of the period, spelling out this pattern in the money-value sequences of late capitalism as a carcinogenic system at the social level of life organization.]

McMurtry, J. (2002), *Value Wars:: The Global Market versus the Life Economy*, 262pp. London:: Pluto Press [This volume explains and tracks the underlying epochal principles of opposing value-systems in the 'new world order', with defining constitutional regulators for life-coherent global rules and standards.]

Mill, John Stuart (1963-91), *Collected Works*, 33 vols. Toronto:: University of Toronto Press. [These volumes contain the works cited in this essay, *On Liberty* and *On Utilitarianism*, from which an implicit theory of justice can be drawn, led by the concept of "the permanent interests of man as a progressive being".]

Mirowski, P. (2000), *Machine Dreams*, 540 pp. Cambridge:: Cambridge University Press [Mirowski implicitly exposes the presupposition of self-maximizing asset gain by transaction or war as the mechanical first principle of the ruling economic system.]

Nietzsche, Friedrich (1964), *The Complete Works of Nietzsche* (ed. O. Levy). New York:: Russell and Russell. [Includes the *The Genealogy of Morals* and *Beyond Good and Evil* which explain Nietzsche's master idea that "values are constructs of domination", and that moral will is ultimately a "will to power":: with "slave morality" too as a will to power moved by *ressentiment* against the rule of "nature's aristocracy".]

Nozick, R. (1974), *Anarchy, State and Utopia*, 367pp. New York:: Basic Books. [This influential work rejects liberal arguments for equality of rights in favor of the rights of private property to trump any redistribution by taxation or otherwise as unjust.]

Nagel, Thomas (1987), *What Does It All Mean?* 101 pp. New York:: Oxford University Press.[A fresh and intelligent negotiation of basic problems of philosophy, including social justice.]

M.C. Nussbaum and Amartya Sen eds. (1993) *The Quality of Life*, 453 pp. Clarendon:: Oxford University Press. [This is a collection of articles and replies to them by leaders in the field including the editors, G.A. Cohen, Onera O'Oneill, Hilary Putnam, Charles Taylor, and Michael Walzer, on justice and standards of living, none of which grounds in life support systems.]

Nussbaum, M. (1999 ) *Sex and Social Justice*, 476pp. New York:: Oxford University Press.[An Aristotelian liberal and feminist, Nussbaum's attention to "separateness" and "the separate individual" as the ground of understanding social justice nicely explains the standard view.]

Olson, M.(1965) *The Logic of Collective Action:: Public Goods and the Theory of Groups*, 176pp. Cambridge Mass:: Harvard University Press. [Along with Arrow's Paradox, the classical and more comprehensive statement of the problem of collective action based on individual choice functions alone.]

Ostrom, Elinor (1990) *Governing the Commons:: The Evolution of Institutions for Collective Action*, 280 pp. Cambridge Mass:: Harvard University Press. [Recipient of the 2009 Nobel Prize in Economics, Ostrom revealingly confines her study to small-scale commons organized and governed by individuals without government funding, legal enforcement or life-value criterion.]

G. Outka and J.P. Reeder eds. (1993), *Prospectus for a Common Morality*. Princeton:: Princeton University Press, 302 pp. [This is an outstanding collection of original articles by internationally recognized leaders in the field with no common life interests defined by any.]

Pareto, Vilfredo, (1971 [1906]), *Manual of Political Economy*, New York:: A.M. Kelley [This classic of rational choice theory and economic reason is the source of the famous principle of "Pareto optimality/efficiency", based on dyadic asset exchange with no relation to life needs.]

Parfit, D. (1984), *Reasons and Persons*, 543pp. Oxford:: Clarendon Press. [The definitive work of contemporary discourse on persons which is rejected as a sameness through time.]

Perry, R.B. (1969), *Realms of Value:: A Critique of Human Civilization*, 487 pp. Cambridge:: Harvard University Press. [Perry implicitly provides the most comprehensive argument for the general value theory of the market:: briefly, the good = what is desired.]

Plato (1961), *The Collected Dialogues of Plato* (ed. E. Hamilton and H. Cairns), Pantheon Books:: New York. [Includes the classic *The Republic* in which justice is understood as doing that to which one is naturally suited, with Reason as the proper governor of society and the soul.]

Polanyi, Karl (1944/2000), *The Great Transformation*, 315 pp. Boston:: Beacon Press. [This canonical study lays bare the violent transition from pre-market village society to free market capitalism in which the "natural and social life substance is annihilated".]

Radhakrishnan, S. and Moore, C. (1957), *Sourcebook in Indian Philosophy*, 683pp. Princeton:: Princeton University Press. [This is a definitive and comprehensive collection of the primary sources of Indian philosophy and "dharma" from pre-historic ages to the 20<sup>th</sup> century.]

Rawls, J. (1967), *A Theory of Justice*. 542pp. Cambridge Mass:: Harvard University Press.[This is the recognized definitive work of the twentieth century in political philosophy and justice, using a contractarian model with a "veil of ignorance" over one's own faculties and conditions of life as the guarantor of the construction of a just society by individual reason seeking the best for oneself not knowing the position one will be in.]

Reid, G.B.R. (2007), *Biological Emergences:: Evolution by Natural Experiment*, 517pp. Cambridge Mass:: MIT Press.[This work by a biologist explains how the "autocatalyzing" organism is a coordinating system which reduces infinite interactive possibilities to predictable pathways of homeostasis but is sufficiently flexible to allow for emergence of new types of life, "evolution by natural experiment".]

Rorty, R. (1989), *Contingency, Irony and Solidarity*, 289 pp. New York:: Cambridge University Press. [With his earlier *The Mirror of Nature* (1979), this work is the most prominent text of the anti-foundationalist movement in philosophy, denying any common standard of truth or value].

Rousseau, Jean-Jacques (1984), *Discourse on the Origin of Inequality* (trans. M. Cranston), 182 pp. Harmondsworth, Middlesex:: Penguin Books [Published in 1755 seven years prior to the Social Contract, Rousseau conceives human beings in the natural state before private property, division of labor and vain desires corrupt and alienate them.]

Rousseau, Jean-Jacques (1968), *The Social Contract* (trans. G.D.H. Cole), 100 pp. Harmondsworth, Middlesex:: Penguin Books [Rousseau's best known but widely misunderstood work featuring the grounding idea of 'giving the law to oneself' to resolve the conflict between individual freedom and state law, with citizens choosing "the common interest" to constitute the "general will" of democratic government.]

Russell, Bertrand (1983- ), *Bertrand Russell:: Collected Papers*, 29 vols. London:: Allen and Unwin. [Includes Russell's prolific corpus of philosophical and public works, including his many irreverent popular essays and books which lucidly expose and rout well-entrenched beliefs and dogmatic assumptions on major social issues from sexual morality to nuclear-arms. He regretted twentieth-century philosophy's wide abandonment of "understanding the world itself, that grave and important task which philosophy throughout has hithertopursued"].

Samuelson, Paul and Nordhaus W.D. (2005), *ECONOMICS*, 784 pp. New York:: McGraw-Hill. [The standard global reference text and classic of contemporary economics in which the title assumes equation to economics as such and to justice by implication when the preface invokes the imperative to "spread the gospel of economics anyway we can".]

Sartre, Jean-Paul (1972), *Critique of Dialectical Reason*. 2 Vols. London:: Verso Books. [Sartre's major work (after his earlier 1953 classic of existential phenomenology, *Being and Nothingness*), which seeks to synthesize individual existential choice with Marxian dialectical reason.]

Schopenhauer, Arthur (1818/1957), *The World as Will and Representation*, 3 vols. London:: Routledge. [This is Schopenhauer's definitive work, the classic "pessimistic philosophy" in virtue of its depiction of cosmic life as a round of blind desire, competitive struggle and suffering which leads reason to "denial of the will to live" itself for the quietude of absolute detachment.]

Searle, J.R. (1995), *The Construction of Social Reality*, 238 pp. New York:: Free Press. [Searle argues clearly for the irreducibly symbolic and rule-governed character of objective human reality not possibly explicable by physical particles and fields of force.]

Sen, A (1998), *The Possibility of Social Choice*", 37pp. Trinity College, Cambridge:: Nobel Lecture [This lecture provides an incomparably rich documentation of the literature on social choice, demonstrating there is no conception of social choice in received social science or philosophy other than as an aggregation of individual choosers.]

Singer, Peter, *Animal Liberation:: Man's Inhumanity to Animals* (1983). 302 pp. Wellingborough, Northamptonshire:: Thorsons Press. [The definitive work by the best known advocate of animal rights, Singer deploys utilitarian ethics and the pain-reduction principle to argue against the standardized cruel abuse of domestic animals in factory food production as implicitly unjust.]

Smith, Adam (1776/1966), *An Inquiry into Nature and Causes of the Wealth of Nations*. 2 vols. New York:: A.M. Kelley. [This is the founding work of "the moral science" in which Smith describes a linchpin of capitalist-market justice:: "Every species of animals naturally multiplies in proportion to the means of their subsistence, and no species can ever multiply beyond it. But in civilized society it is only among the inferior ranks of people that the scantiness of subsistence can set limits to the further multiplication of the human species: and it can so in no other way than by destroying a great part of the children".]

Solomon R.C. and Murphy M.C. (eds), *What is Justice?* Oxford:: Oxford University Press, 350pp. [This is the most comprehensive set of readings on justice available, moving from biblical sources to competing contemporary justice theories.]

Spinoza, Baruch (1985), *The Collected Works of Spinoza* (ed. E. Curley), 7 vols. Princeton:: Princeton University Press. [Spinoza's most studied work, the *Ethics* is a deductive system modelled on Euclid's definitions, axioms and theorems in which God or infinite substance is conceived as the rational system of the universe in its thinking and extended modes and infinite attributes which can be better (more adequately) or worse (less adequately) comprehended. His concept of the true "self interest" of the individual as this consciousness opposes contemporary conceptions of self-maximization.]

Taylor, Charles (1989), *Sources of the self:: the making of the modern identity*, 601pp. Cambridge, Mass.: Harvard University Press. [Taylor's magnum opus, it is classified as falling within the "communitarian" school of justice for its grounding in historically developed social relations and moral character in opposition to abstract liberal atoms maximizing self benefits.]

Thoreau, Henry (1965), *Walden, and other writings*. 732 pp. New York:: Modern Library. [Thoreau's writings affirm a life of harmonious simplicity and awakens in Nature and explains opposition to war and tax policies by non-violent civil disobedience.]

Vlastos, G. (1962), "Equality and Justice" in (ed. R.B. Brandt), *Social Justice*, (pp. 31-72)Englewood

Cliffs, NJ. USA. [A very well developed essay by a scholar of Greek philosophy who considers ideas of justice according to need, worth, merit, work, and agreements.]

Walzer, M. (1983), *Spheres of Justice:: A Defence of Pluralism and Equality*, 380pp. New York:: Basic Books. [This is Walzer's most famous work, advocating autonomous spheres of goods against monopolistic dominance.]

Weisbrot, M., Baker, D., and Rosnick, D. (2006). "The Scorecard on Development:: 25 Years of Diminishing Progress", *International Journal of Health Services* 36,2:: 211-234.[Scientific identification of the pattern of degrading human life systems during market-system globalization.]

Whitehead, A.N. (1938), *Modes of Thought*, 172 pp. New York:: Macmillan [Whitehead's most well known lectures on his "process philosophy" which conceives Nature as "alive", "feeling", "purposing" and ever "creative" in energy flows as opposed to "dead" and "inert"].

Wilson E.O. (1984) *Biophilia* (157 pp.) Cambridge Mass:: Harvard University Press. [Eminent entomologist, a pioneer of sociobiology, proposes the "biophilia hypothesis" of an innate "affinity with nature ingrained in our genotype" to explain why humans care for other species.]

Wittgenstein, Ludwig (1968), *Philosophical Investigations*. 260 pp. New York:: Macmillan. [This work leads what philosophers have come to call "the linguistic turn" in which notions of justice disappear into language games.]

Wollheim, R. (1984), *Thread of Life*, 288 pp. Cambridge Mass:: Harvard University Press. [A Freudian philosophical critique of the "thread of life" of an individual in which the roots of moral obligation and values respectively are reduced to persecution and depressive anxiety.]

World Commission of the Environment and Development (1986). *Our Common Future*, New York:: Oxford University Press.[ This famous work endorses "five to ten times" more commodity system "growth" with no life standards of "sustainable development".]

M.E. Zimmerman, J.B. Callicott, J.Clark, G. Sessions, K. J. Warren eds. (1998). *Environmental Philosophy:: From Animal Rights to Radical Ecology*. 490 pp. Prentice Hall:: London. (The most critically wide-ranging text in the field of philosophy of the environment with articles by such well-known figures as Thomas Berry, Aldo Leopold (the pioneer of the Land Ethic), Arne Ness (definitive account of Deep Ecology by the founder), Carolyn Merchant (defining excerpts form *The Death of Nature*), James O'Connor (leader of socialism and ecology movement), Tom Regan, Peter Singer, Paul Taylor (animal rights), Gary Snyder (bio-regionalism), and the editors (covering such fields as ecofeminism and social ecology).

### **Biographical Sketch**

**John McMurtry** holds his B.A. and M.A. from the University of Toronto, Canada and his Ph.D from the University of London, England, and has been Professor of Philosophy at the University of Guelph for over 25 years and University Professor Emeritus since 2005. He is an elected Fellow of the Royal Society of Canada, and his many articles, chapters, books and interviews have been internationally published and translated.