

Normative and Descriptive Aspects of Social Justice and Welfare: The *Homo Economicus* in a Critical Perspective^a

Aspectos normativos e descritivos da justiça social e do bem-estar: o homo economicus em perspectiva crítica

Oz Solon Chovghi Iazdi^b 

Universidade Estadual do Mato Grosso do Sul, Departamento de Economia, Ponta Porã (MS), Brasil

Abstract: The *homo economicus* is a representative agent built on preferences' axioms and on the notion of utility maximization that is still widely incorporated into economic models. However, there is a vast literature in political philosophy and social psychology showing that human beings act according to different socially shared norms of justice and perceive justice in multiple descriptive dimensions. Based on these contributions, the paper aims to place *homo economicus* in a critical perspective, particularly concerning its (in)ability to represent individuals in situations involving some deliberation about descriptive and normative conceptions of social justice and welfare. It is observed that there is great heterogeneity between normative approaches concerning the degree of incorporation of descriptive aspects of justice. In particular, utilitarianism provides one of the less comprehensive frameworks, while the multidimensional normative perspectives of justice embody distributive, procedural, and interactional dimensions of descriptive justice and propose a broader conception of social welfare

Keywords: Social Justice. Homo Economicus. Social Welfare. Interdisciplinarity.

Resumo: O *homo economicus* é um agente representativo construído com base em axiomas de preferências e na noção de maximização da utilidade, e ainda amplamente incorporado em modelos econômicos. Entretanto, há uma vasta literatura em filosofia política e psicologia social mostrando que os seres humanos agem de acordo com diferentes normas socialmente compartilhadas de justiça e percebem a justiça em múltiplas dimensões descritivas. Com base nessas contribuições, o artigo busca colocar o *homo economicus* em uma perspectiva crítica, especialmente no que diz respeito à sua (in)capacidade de representar indivíduos em situações que envolvem algum grau de deliberação sobre concepções descritivas e normativas de justiça social e bem-estar.

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^b ozsolon@gmail.com



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Observa-se que há grande heterogeneidade entre abordagens normativas no que se refere ao grau de incorporação de aspectos descritivos da justiça. Em particular, o utilitarismo oferece um dos quadros teóricos menos abrangentes, ao passo que perspectivas normativas multidimensionais de justiça incorporam dimensões distributivas, procedimentais e interacionais da justiça descritiva, propondo uma concepção mais ampla de bem-estar social.

Palavras-chave: Justiça social. Homo economicus. Bem-estar Social. Interdisciplinaridade.

JEL: D63. D91. I31.

1. Introduction

Economics has been built on different forms of representing the behavior and thinking of human beings. However, in its neoclassical strand - which stands out within mainstream economics¹ -, men are usually represented as rational agents, built on preferences' axioms and a notion of utility maximization that defines a behavior guided by their objectives or welfare. Such an agent model is defined under the name of *homo economicus*. Given the wide acceptance and sharing of *homo economicus* in the most different thematic areas and disciplines that make up economics, it is not surprising that several proposals for solving contemporary problems and debates depend on the acceptance of its axiomatic assumptions and utility maximization as the optimal criterion of choice, whether on an individual or a social basis². According to Davis (2011), this consequence restricts the scope of public policies to Paretian efficiency, which also limits the potential for developing individual capabilities in contexts of decisions taken in deliberative democracies.

This paper aims to show that *homo economicus* and utilitarianism constitute a limited representation of individuals and social welfare when we admit different viewpoints of social justice and look for a broader set of normative justifications for a critical assessment of the *status quo*. In particular, it is observed that there is a myriad of normative approaches to social justice within political philosophy that are alternatives to the utilitarian conception, as well as a contribution from social psychology that highlights three descriptive aspects of justice (distribution, procedure, and interaction) that are not fully incorporated into

¹The definitions of mainstream economics, neoclassical economics, and orthodoxy are based on Dequech (2007). According to Dequech, mainstream economics is a sociological category "which is taught in the most prestigious universities and colleges, gets published in the most prestigious journals, receives funds from the most important research foundations, and wins the most prestigious awards" (p. 281). Neoclassical economics is "characterized by the combination of the following features: 1. the emphasis on rationality and the use of utility maximization as the criterion of rationality, 2. the emphasis on equilibrium or equilibria, and 3. the neglect of strong kinds of uncertainty and particularly of fundamental uncertainty" (p. 280). Finally, orthodoxy is an intellectual category, and generally refers to what historians of economic thought have classified as the most recent dominant 'school of thought'.

²One of the most prominent examples is behavioral economics. According to McMahon (2014, p. 137): "behavioral economics should be understood as a political economic apparatus of neoliberal governmentality with the objective of using the state to manage and subjectivize individuals - by attempting to correct their deviations from rational, self-interested, utility-maximizing cognition and behavior - such that they more effectively and efficiently conform to market logics and processes. (...) I contend that behavioral economics enacts three components of neoliberal governmentality: positioning the market as a site of truth and veridiction for the individual and the state; regulating what constitutes the objects of political economy and governmental intervention; and producing *homo economicus* (economic human) and diffusing this mode of economic subjectivity across the social terrain".

the *homo economicus* model, as they recognize that, in addition to evaluating results based on preferences, there is an influence of factors such as expectations and emotions. Thus, a contribution of this work is to carry out an interdisciplinary analysis that establishes a dialogue between the normative and descriptive aspects of social justice, allowing the formation of a broader picture of the possibilities in deliberating on justice and social welfare³.

The paper is organized into four sections. In addition to this introduction, section 2 presents the modern understanding of the concept of social justice and introduces its different normative aspects (Utilitarian Justice, Libertarian Justice, Contractarian Justice, Communitarian Justice, Justice as Human Capabilities, Justice as Merit or Necessity) using a typology elaborated by Sabbagh (2001). Section 3 illustrates the descriptive aspects of social justice, distinguishing the dimensions of distributive, procedural, and interactional justice. Finally, section 4 seeks to assemble and discuss a comparative analytical framework by establishing how each normative conception of justice incorporates - or fails to incorporate - the three descriptive aspects of justice and what are their implications on the conception of social welfare, allowing to put *homo economicus* under a critical perspective.

2. The Modern Concept of Social Justice and Its Normative Aspects

The concept of social justice is not static, as its meaning has changed over time. Although notions about distributive justice and property allocation are present in ancient texts, as in the work of Aristotle, Plato, and even in the Talmud, none of them approximates social justice to its modern sense: the invocation of the State as a guarantor that property is distributed throughout society so that all people can be supplied with a certain level of material resources. According to Fleischacker (2004), social justice takes this meaning only after the French Revolution and the diffusion of Gracchus Babeuf's ideas through his 'Manifesto of the Equals' and the thought of the post-Kantian philosopher Johann Fichte.

³ The *homo economicus* is an internalist view of the individual constructed from a methodological individualism in which the formulation of social welfare is based on three characteristics highlighted by Davis (2003): welfarism (the idea that a state of affairs must be judged by the individual utilities in that state), sum-ranking (the idea that individual utilities are additive and count equally), and consequentialism (the idea that states of affairs are judged in terms of their consequences rather than in terms of such matters as rights, duties, and obligations). It will be shown that this framework restricts the scope of moral reasoning and normative analysis on social welfare and justice.

Previously, social justice was related to issues such as the distribution of political rights or acts of charity, in addition to its traditional negative dimension aimed at preventing harm. Thus, Fleischacker presents five premises necessary to arrive at the modern concept of social justice:

1. Each individual, and not just societies or the human species as a whole, has a good that deserves respect, and individuals are due certain rights and protections in their pursuit of that good;
2. Some share of material goods is part of every individual's due, part of the rights and protections that everyone deserves;
3. The fact that every individual deserves this can be justified rationally, in purely secular terms;
4. The distribution of this share of goods is practicable: attempting consciously to achieve it is neither a fool's project nor, like the attempt to enforce friendship, something that would undermine the very goal one seeks to achieve; and
5. The state, and not merely private individuals or organizations, ought to be guaranteeing the distribution. (Fleischacker, 2004, p. 7)

From the meaning of the modern concept of social justice, it is possible to observe in greater detail the gradations and nuances that justice takes on in a diverse set of theories. In particular, Sabbagh (2001) proposes a taxonomy of normative approaches to social justice, differentiating theories that deal with macrojustice from those that deal with microjustice, as well as classifying conceptions into unidimensional and multidimensional. Macrojustice principles are those that guarantee the fairness of the general distribution of a society, whereas microjustice is concerned with fair rewards at the individual level. Principles of macrojustice do not necessarily guarantee fairness at the micro-level, just as a fair distribution at the individual level does not guarantee justice at the macro level. An example of the first case would be the implementation of a fiscal policy that improves society's welfare, albeit at the expense of certain individuals or social groups. An example for the second case would be the implementation of a resource distribution rule defined by the contribution of each individual. In this situation, each would receive in proportion to the result of their efforts, but individuals with external/intrinsic limitations (e.g, illness, disability) would be harmed by this principle, challenging a shared sense of macrojustice in this type of society.

Sabbagh's taxonomy helps organize and think about the contributions of normative and descriptive principles of social justice and is therefore adopted in this paper. The following subsections discuss different normative conceptions of social justice, starting with the one based on *homo economicus*.

2.1 Utilitarian Justice

The utilitarian perspective can be classified as a unidimensional macrojustice principle, as it defines utility as the main human value within society. The concept of utility elaborated by Bentham (2000) has put the search for pleasure or the absence of pain as two sovereign masters of human action, governing not only what people do but also what they should do. Later, the concept was incorporated by John S. Mill but not without some qualitative modifications. According to Sotiropoulos (2009), Mill rejects the quantitative commensurability between different subjective feelings. He excludes substitution and symmetry of pleasure and pain from his economic argumentation. Additionally, Mill differentiates *will* from *desire*, in the sense that the first could be conditioned by habit and could operate independently of considerations of pleasure and pain. Over time, even though commensurability and subjective hedonistic calculation were criticized in debates of ordinality vs. cardinality and amended by revealed preference theory, utilitarianism was still adopted by marginalist and neoclassical economists, gaining wide sharing within economics, especially in orthodoxy.

Regarding the justice dimension, the utility can be understood as an ordinal index of a society's happiness or welfare, allowing individuals to indicate whether they are better or worse off when comparing two or more different situations. Assuming that each individual's utility has equal weight in determining society's total utility (welfare), the prevailing distributive justice criterion is the one that defines the decisions that lead to utility maximization and which exhaust Pareto-efficient exchange possibilities, always establishing a type of cost/benefit calculation. Note that community is nothing more than the sum of each individual defined through preferences and utility functions. When considering the postulates that define a utilitarian welfare function, Harsanyi (1955, p. 311) states that these postulates 'make social choice dependent solely on the individual interests directly affected. They leave no room for the separate interests of a superindividual state or

of impersonal cultural values'. The distribution of income of other people in society only affects the utility of a specific individual if it admits the possibility of external economies and diseconomies of consumption. Thus, it should be noted that utilitarianism is an individualistic and self-centered ethical view, excluding the possibility of emergent values beyond what can be inserted in the axioms of preferences. It is precisely the maximization of each individual's utility that defines the rationality principle of *homo economicus*.

According to Shapiro (2003), Davis (2011), and Sandel (2010), it is possible to make some criticisms of this approach. First, utilitarianism does not respect individual rights by simply aggregating the overall score of happiness without making ethical inquiries about it. Second, it transforms values of a different nature into a single indicator. An extreme example would be the calculation of human freedom in utilitarian terms: would it be fair to keep a few slaves in favor of a great increase in the utility of the rest of the free individuals? Although Sandel (2010) recognizes that John S. Mill has tried to provide a moral basis for individual rights, respecting these rights to achieve some kind of social progress or an improvement in social welfare makes rights hostage to contingencies. Mill also tried to argue that utilitarians knew how to distinguish higher pleasures from lower pleasures, but he can only defend this position by assuming some moral ideal of a dignity independent of one's utility since higher pleasures would not be greater because of individual preferences, rather the opposite: individuals would prefer such pleasures because they are higher by itself.

2.2 Libertarian Justice

The libertarian conception of justice, although not inserted in Sabbagh's (2001) taxonomy, can be defined as a theory that deals with microjustice in a unidimensional way, as it is based on the defense of individual freedom through the perspective of the free markets. Therefore, it can be argued that libertarians are opposed to government regulation in general, rejecting some guidelines promulgated by the modern state: paternalism, reflected in laws that protect people from themselves; the coercive use of the force of law to promote moral convictions or notions of virtue among the majority of the population; the redistribution of income or wealth (Sandel, 2010). The works of Friedrich Hayek, Milton and Rose Friedman, Israel Kirzner, and Robert Nozick illustrate this normative view.

In consonance with Nozick (1974), a fair distribution does not depend on a specific macrojustice conception, such as the determination of an egalitarian income, a process of utility maximization, or equality in meeting basic needs. For him, a fair distribution obeys the freedom to acquire and transfer private property. Specifically, to ensure social justice, it is only important that the source of wealth is legitimate and that property negotiations are legal or the result of voluntary donations. If the illegality of the origin of the capital is proven, reparations or taxation become appropriate, although the author himself recognizes the difficulty in identifying many of the illegal practices carried out in the past. In agreement with Hayek (1967), the idea is spread that the system of private property is the most important guarantee of freedom. Hayek goes further: he highlights that two essential conditions of a free society are the belief in individual responsibility for the results of personal conduct and the approval of a kind of distributive justice by which material rewards are made to correspond to the value which a person's particular services have to his fellows. Likewise, Milton and Rose Friedman (1990) emphasize that freedom is consistent with equality of opportunity but is in conflict with equality of outcomes. For libertarians, there is no role for communitarian decisions upon the ends of material provision, and individual economic freedom is put as the basis for morality.

Kirzner (2016) seeks to justify the discussion of distributive justice based on the 'finders-keepers rule'. According to the author, capitalism is a process of constant discovery, in which entrepreneurs are, at all times, making new combinations of inputs or services and offering them on the market. Thus, just as a person who discovers a shell in the sea has the right to take it for himself, productive success depends on the discovery of an opportunity for profit by an entrepreneur who, in turn, has the right of owning and taking for themselves this new property and the gains generated. As innovative as Kirzner's argument may seem, it is still based on the notion that any gain or innovation arising from market transactions should be understood as an undisputed property of its creator, not subject to partial appropriation and redistribution by the State. In general, all libertarian theories are based on what Vita (2007) calls Locke's fair appropriation clause: an individual becomes the owner of something in common use by 'mixing his work' in it, with work being the activity that transmits the ownership that each

one has of himself to the external resources, generating exclusive rights of possession and use.

Some criticisms can be made of the conception of libertarian justice. The first has to do with defending extreme issues. For example, if each individual owns himself and can transact to obtain his properties on the market, there is, from a libertarian point of view, no impediment to the purchase and sale of human organs or even a situation of consensual cannibalism, in which the individual can sell his own life. Another critical point of libertarian thinking is that it fails to refute the influence that luck has on valuation through the market. Each society in each historical period has patterns of behavior and thought that are socially shared, giving more value to certain things compared to others (Sandel, 2010). As such, it is difficult to argue that there is no element of luck in the fact that the best football players earn much more than the best volleyball players. The defense of market freedom does not have much to say about this kind of difference other than through accepting things as they are today, thus having a bias in defending the *status quo* of the distribution of goods and rights that determine the degree of social welfare.

2.3 Contractarian Justice

Social cooperation and justice achieved through a tacit contract signed by members of a given society originate in the writings of thinkers such as Thomas Hobbes and Jean-Jacques Rousseau. However, as Fleischacker (2004) argues, it is only from Babeuf's pamphlets and Fichte's works that the modern conception of distributive justice takes shape. For this reason, this section is specifically focused on the most influential contemporary contractarian thinker - John Rawls - and on sustaining his thinking through a Kantian ethical basis.

2.3.1 The Egalitarian Liberalism of John Rawls

Egalitarian liberalism is a multidimensional conception of macrojustice. John Rawls (1971; 1974), its most celebrated exponent, argues that social justice is supported by two basic principles: 1) each person has an equal right to the most extensive scheme of basic freedoms, which includes, for example, freedom of political thought and religious beliefs; 2) economic and social inequalities should only exist if they benefit the most disadvantaged individuals in society in some way

(known as the Difference Principle) or if they are related to positions that are open to all citizens. Rawls also defines that the first principle takes precedence over the second, in the event of a situation in which the two conflict.

Based on these two principles, individuals must formulate a social contract from an initial position under a condition that Rawls calls ‘the veil of ignorance’. This means that to decide the distribution of goods and positions in a hypothetical society, each person must carry out a mental exercise based on the assumption that they do not know, at first, what position they will assume in that society (what will be their purchasing power, their political vision, their religious beliefs, etc.). This thought experiment would be a way to secure the fulfillment of the two fundamental principles established by Rawls, guaranteeing an egalitarian macrojustice based on individual freedom.

Although Rawls, like libertarians, emphasizes freedom as a fundamental element in his normative precepts of justice, he denies that meritocracy at the individual level is the best basis for determining social justice, since, for him, market rewards of natural aptitudes are arbitrary from a moral point of view. Therefore, the position of egalitarian liberalism emphasizes the construction of institutions through a social agreement that determines the distribution of resources prudently, without coercion and dependence on individual interests. Additionally, the principle of Paretian efficiency is not adhered to: redistributions may occur that cause harm to individuals if that leads to a welfare improvement for individuals positioned in the worst ranks of society.

Rawls's theory also receives some important criticisms. First, his basis for comparing the social position among individuals is grounded only on what he defines as the possession of primary goods: wealth and income. Second, it does not impose any explicit limits on the extent to which it would be morally acceptable to harm a group of individuals to favor those in the worst social position. Third, his theory excludes from the elaboration of the social contract foreign members of a certain community and beings who are not endowed with a ‘normal’ rational capacity, such as the disabled or animals. Consequently, the rights of these people or beings are not fully incorporated Rawls’ scheme of justice, causing a decrease in welfare as well (Nussbaum, 2006; Sen, 2009). Fourth, the Rawlsian thought experiment could be seen as a not well-structured complex and adaptive choice system, lacking deeper assumptions on path dependency,

rationality, and social identities that would guarantee the adoption of its two basic principles of justice in a particular society (Davis, 2012; Marin; Quintana, 2012). Next, the conception that Rawls has of humanity and rationality is further explored.

2.3.2 Immanuel Kant's Autonomy and Freedom

Kant's (2002) thought provides a line of reasoning that supports his conception of freedom arising from human autonomy and reason, serving as an ethical foundation for John Rawls' theory. Kant's moral analysis supports a unidimensional macrojustice based on this type of freedom. Unlike libertarians, Kant does not believe that freedom is determined by the simple argument that each one owns himself and that freedom is reflected through free choice in the market, because, for him, such freedom is only the satisfaction of a desire we don't choose. He bases freedom on the idea that we are rational beings, deserving of dignity and respect. In this sense, Kant is also opposed to utilitarianism, as he believes that morality is not based on any specific purpose, such as increasing collective welfare. Morality and freedom are based on respect for people as an end in themselves.

According to the Kantian view, the law that we impose on ourselves to act autonomously comes from reason, from the ability to think. And if reason determines people's will in most contingencies, then will become the power to choose regardless of the dictates of nature or inclination, so that the human being is not reduced to a slave of pleasure and pain, as proposed by Bentham. Finally, Kant states that there are two imperatives by which reason can command the will: 1) hypothetical imperatives, which use instrumental reason, that is, to do an action, not for the action itself, but some other purpose; 2) categorical imperatives, which are unconditional, in which an action is good in itself, necessary for a will that is in tune with reason. For Kant, humanity is something that has an absolute value as an end in itself. Thus, rational beings have dignity and cannot be used as a means to carry out arbitrary wills (Sandel, 2010).

As a result of his political philosophy, justice for Kant rests on an imaginary social contract. This is because the principles of justice cannot be based on the interests or desires of a community defined in a constitution. Therefore, the imaginary social contract would be an idea of reason, but it has a practical reality,

as it can force legislators to frame their laws in such a way that they appear to have been created by the unanimous will of a nation. Universal human rights are based on this Kantian conception of human dignity, arising from autonomous freedom, and it is precisely on this conception of rationality and autonomy that Rawls characterizes the participants of his social contract.

2.4 Communitarian Justice

Michael Walzer (1983) proposed a theory of multidimensional macrojustice based on a notion of 'complex equality'. Using a historical and anthropological framework, Walzer argues that equality should be detached from its simple conception, that is, from the notion that the distribution of goods should be done through an egalitarian rule where each person receives the same amount of a given good. Additionally, the author sees as fruitless the attempt to elaborate unidimensional principles of justice.

As stated in Walzer (1983), distributive justice can only be understood if one first understands the shared meaning that a community gives to different social goods (e.g. education, political office, money, security). In this sense, Walzer expands Rawls' list of primary goods to determine relative social rights and positions. He states that each set of social goods has its meaning historically and culturally defined, in addition to constituting a sphere in which only some criteria and distributive arrangements are appropriate.

The main problem for Walzer is that, in general, communities are organized so that one social good is dominant, determining the value of other goods. Whoever owns this dominant good has a high level of power and autonomy within society, exercising a type of monopoly. In capitalism, for example, capital is the dominant good, which can readily be converted into prestige and power. By contrast, in an aristocratic society, birth and family ties exercise such dominance. If this type of dominant good exists and the community is not able to restrict its influence among the other spheres of goods, there will be no distributive justice. Therefore, each sphere of goods should have its own distributive criteria. According to Walzer, converting one good into another when there is no intrinsic relationship between them is an act of tyranny (e.g, converting political power into money).

Within this pluralistic framework of justice, Walzer argues that political power is the most important social good, as it has a dual character. In addition to being equal to other things that people do, value, exchange, and share, it is also the instance that regulates the limits of the distributive spheres of other goods, defining what they are and what they are for. In this way, the community must make an effort so that this domain of political power remains on the frontier of the spheres, not entering any of them. Walzer's argument also results in the principle that it is necessary to recognize the importance of community identity as a primary good since political discussions within each community allow for greater uniformity of understanding of what social goods are and represent.

Inserted in a communitarian vision of justice, Sandel (2010) departs from the Aristotelian notion that justice is teleological and honorific to structure a concept of multidimensional macrojustice. According to the author, to define rights, it is necessary to know what is the *telos* (i.e. the purpose) of the social practice in question, and defining this *telos* means, at least in part, to understand and discuss the virtues that this social practice must honor and reward. As highlighted by Walzer (1983), the communitarian understanding of goods is essential to define their social significance and distribution, also emphasizing the role of politics and democratic debate. Sandel argues that the community, before thinking about the justice or injustice of any practice, must deliberate on the conception of a good life and the virtues it wants to promote.

Using the notion of justice proposed by MacIntyre (2007), teleological communitarian justice admits that human beings are inserted in a narrative journey in which people must ask themselves which story they are part of. This teleological narrative aspect of moral reflection is linked to the condition of membership to a specific community, contesting the assertion that the moral obligations that uphold the norms of justice should only be supported by natural obligations or consent, as postulated by contractarian justice.

Sandel (2010) argues that the narrative explanation conflicts with modern individualism because the latter does not recognize the obligations of solidarity as a category of social responsibility. Unlike natural obligations, obligations of solidarity are particular, not universal, as they involve moral responsibilities that we must have not just towards rational beings, but to those with whom we share a particular history. Additionally, they do not depend on an act of consent, as their moral value

is based on the recognition of the fact that an individual's life story is implied in the story of other members of their community. For example, patriotic pride, historical memory, and the limitations imposed by an immigration policy can only be justified through a communal sense of the virtues, achievements, and obligations of solidarity towards members of that same community.

One of the greatest problems of communitarian justice in establishing solidarity obligations at the level of a national community or of a specific cultural tradition is to introduce rigidity to the possibilities of solving global or intercultural justice problems. For example, trade flows cause policies adopted by a developed country to affect less developed countries. Although the citizens of the developed country have decided that the policy is legitimate for seeking certain community-decided telos, the effects on the welfare of citizens of the poorest country may be excluded from this decision, as they do not share a similar narrative between them and, as a consequence, have no right to demand specific solidarity obligations. Ecological problems are other global concerns that face difficulties if the communitarian conception restricts the sense of obligations to specific national spaces and not to a world community.

2.5 Justice as Human Capabilities

One of the most recently developed normative principles of multidimensional microjustice is that of human capabilities, extensively promulgated by Amartya Sen and Martha Nussbaum. According to Sen (2009), a theory that promotes justice and welfare must be based on public argumentative rationality, impartiality, and a practical sense that seeks to focus on the real problems of societies through relative comparisons of justice and individual achievements. This position breaks with what Sen (2009) calls 'transcendental institutionalism', which seeks firstly to determine perfect and universal just institutions, independently of the particularities of each society. Sen (2009, p. 15) states that 'If a theory of justice is to guide reasoned choice of policies, strategies or institutions, then the identification of fully just social arrangements is neither necessary nor sufficient'. Based on these Sen's conceptions, social achievements are evaluated in terms of the capabilities that people have, taking into account their substantive freedoms. This means that it is not possible to define as fair a type of welfare that considers only relative positions of utility or income of the aggregate of

people in a society: one must seek to assess welfare through the possibility that people have to exercise substantive freedom in their communities by promoting their core capabilities.

The list of these basic capabilities⁴ should be constructed through reasoned public debate that allows for impartial assessments and consideration of arguments from individuals who do not belong to a particular community, which gives a cosmopolitan aspect to this normative principle, unlike the principle of communitarian justice. Both Sen (2009) and Nussbaum (2006) argue that the principle of capabilities denies cultural relativism by accepting that the argumentative public debate must have this global character, promoting political principles for a liberal pluralist society. However, this does not mean that the authors reject the potential that cultural peculiarities have to guide public policies and institutional designs. Nonetheless, when proposing a list of basic human capabilities that seeks to promote a minimum threshold of freedom and welfare to all human beings without exception⁵, they need to reach that threshold regardless of the individual's culture. It is noted that, despite its character fundamentally focused on the distributive results of capabilities, Sen (1997; 2009) does not ignore the importance of justice in decision-making processes of choice. It is also necessary to emphasize the concern that Sen (1977) and Nussbaum (2006) have in stating that individuals cannot be defined merely from preferences and aspirations centered on the pursuit of their own goals or on maximizing their own welfare. Consequently, it is denied the contractarian argument stating that support of social cooperation necessarily takes place through the improvement of welfare that comes from an arrangement of mutual benefits among its participants. The principle of capabilities recognizes the individual as a naturally political being whose morality is not based only on the search for one's benefit, but also on behaviors and duties that could be built on solidary, altruistic, and benevolent bases.

The main problem with the notion of human capabilities is that it is partial, as it does not have much to say about distributive justice among those below the minimum threshold or those above. The only normative concern is to guarantee

⁴ For a list of basic capabilities, see Nussbaum (2006, p. 76-78).

⁵ Including disabled people, foreigners, and even animals.

the minimum set of capabilities for everyone in society, regardless of other distributional issues.

2.6 Justice as Merit or Necessity

In addition to the categories presented above, some unidimensional or multidimensional microjustice theories seek to focus on merit or need. Miller (1991) performs a comprehensive review of theories based on merit, including the notion of justice as merit arising from the concern that Aristotle (2017) had in guaranteeing the political status of the citizens of the polis and which became more sophisticated over the centuries. In his conception, Miller (1999) postulates that merit is relevant to justice. However, he elaborates a multidimensional theory, which resembles Walzer's theory in form. Different from Walzer, instead of starting from the meaning of social goods to determine the principles of justice, Miller builds what he calls three modes of human relationship: solidary community, instrumental association, and citizenship. Each of these modes has a primary distributive principle (need, merit, and equality, respectively) that guarantees social justice to citizens.

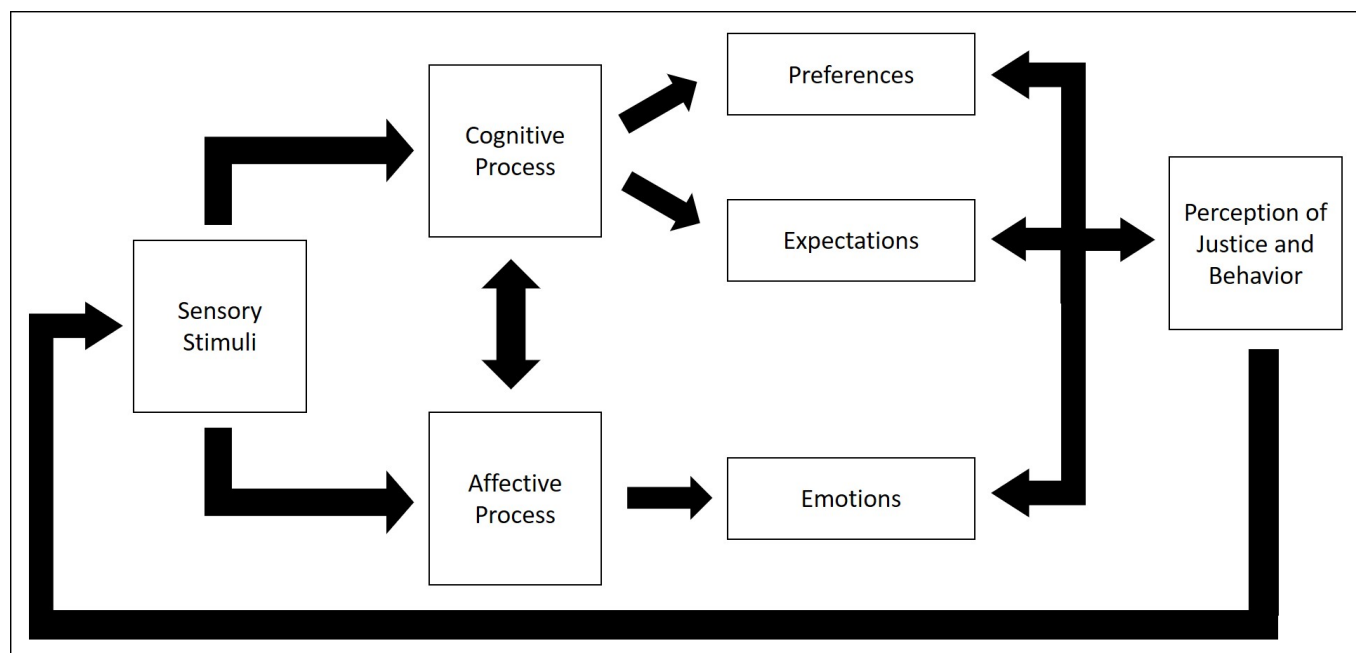
Although the Marxist theory is commonly associated with the view that, in a communist society, the idea of justice is based on the principle 'from each according to his abilities, to each according to his needs' (Marx, 2012), Fleischacker (2004) and Shapiro (2003) argue that distributive justice appears in Marx's theory only concerning the distribution of the means of production in capitalism. The formation of communist society would bring an abundance of goods over which questions of justice would no longer be relevant. Additionally, the authors maintain that for Marx the rule of justice itself was useless, since he was against the conception of individual rights and rejected a moral language because he believed that these moral norms could be easily corrupted. Regardless of the acceptance or not of the Marxist view of justice as a discourse to be avoided or as a distributive norm based on need, theories of justice that are based on merit or need also present weak points, such as the impossibility to respond to the moral arbitrariness of workers who are more rewarded than others in a given time and society, and the implausibility of assuming an overabundance scenario in which there would be no need for any rights regime or distributive concerns.

3. Descriptive Aspects of Justice: Stretching the Analytical Framework

If in normative terms social justice presents a myriad of theories based on the evolution of political and philosophical thought, in descriptive terms it is also possible to highlight at least three dimensions of justice: distributive justice, procedural justice, and interactional justice. These three components describe how individuals behave in response to contingencies in which they are called to deliberate about some aspect of justice. According to Cropanzano *et al.* (2011), descriptive justice treats justice as a subjective judgment about the moral relevance of some event or action, seeking to understand what people believe to be fair, not necessarily linked to what is fair according to some preexisting moral norm.

This empirical investigative paradigm has been developed more prominently in cognitive social psychology and organizational justice literature, especially from the 1970s onwards. Individuals from a given society are inserted in a delimited physical and institutional context, receiving a set of sensory stimuli from the environment that are cognitively and affectively processed, forming certain preferences, expectations, and emotions, which interact with each other. These three elements determine how people think and behave when they must deliberate on what they think is fair or not. This behavioral response generates a new stimulus that can be perceived and processed by another person in future social interactions. The continuous sharing of thoughts and behavioral responses allows for the consolidation of all kinds of norms, laws, and social conventions on the perceptions of justice in a given community, serving as institutions that restrict or enable the dynamics of social welfare construction. This interaction between the individual and the physical/institutional environment can be illustrated by the General Circular Scheme of Perception of Justice (GCS) shown in Figure 1.

Figure 1 – General Circular Scheme of Perception of Justice



Source: author's elaboration.

One can begin to understand the GCS through sensory stimuli, which represent everything that the individual observes from the reality in which he is inserted and the signals he receives from the environment. At this stage, this observation of reality reaches the agent in a raw form, so it will only be useful for the individual after he perceives, categorizes, and interprets this stimulus through the cognitive process and/or the affective process. First, the individual will only pay attention to the stimulus that reaches him if he is able to notice the salience of suggestions and cues that come from his contact with the environment⁶. Thus, he will give greater relevance to a subset of characteristics that make up the stimulus he is receiving. The attribution of meaning to a stimulus is not direct or automatic, nor is it neutral, in the sense that the level of perception of salience depends on past experience and what the individual seeks through his intentions and aspirations.

Stimulus categorization within a group occurs during the cognitive process. This group is formed by other objects, social situations, or interaction patterns, among which some of these elements are used as prototypes or examples to help categorize the information. A relevant example of categorization that relates to the

⁶ Molm *et al.* (2006) show how different types of conflict saliences alter the three levels of perceived justice.

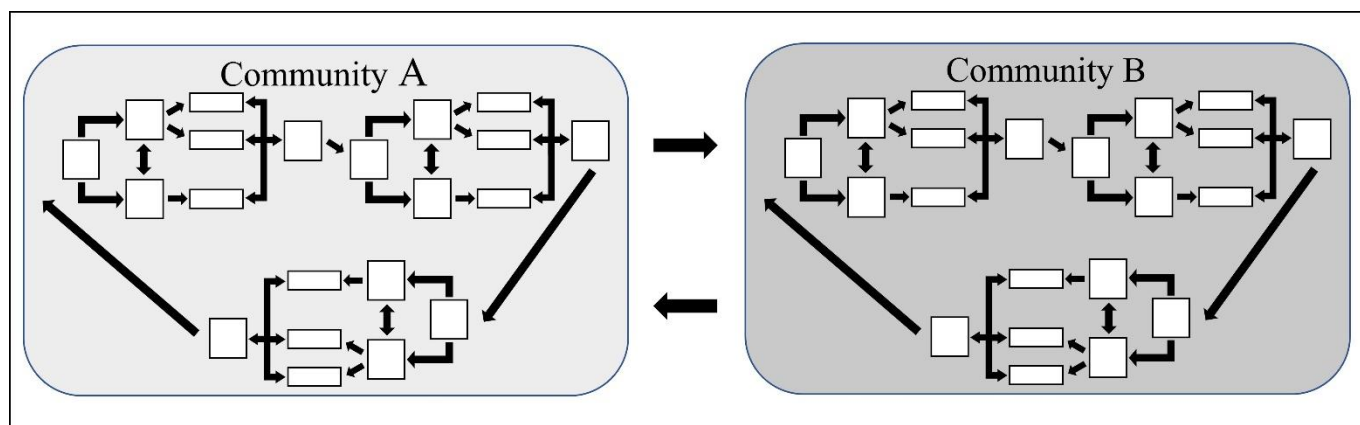
perception of justice is the identification of a situation as being a competitive or cooperative interaction. This categorization activates a group of schemas and scripts. According to Augoustinos and Walker (1995), schemas are mental structures that contain general expectations and knowledge about the world. This can include general expectations about people, social roles and events, and how to behave in certain situations. Individuals use these mental structures to select and process information obtained from the social environment, perform causal attributions, and evaluate intentions after this information is categorized. Scripts, in turn, are a specific type of schema, in which the person has a mental structure that encodes their general knowledge about an activity or a routine event (Bower *et al.*, 1979). Schemas and scripts can be understood as institutions, as they constitute a socially shared system of rules of thought. They allow the activation of specific preferences, expectations, and emotions that will later influence other institutions, such as the norms and conventions of justice (Bicchieri, 2006). These, in turn, provide not only a system of rules of thought but also of behavior.

Although schema and script theory describes a highly cognitive model of how people process social stimuli and information, this model is not incompatible with an affective dimension. This relationship between cognitive and affective processes is demonstrated by the bidirectional arrow that connects the two blocks. Within social cognitive psychology and neuroscience studies, the 1980s and early 1990s marked a period in which there were important studies related to the functioning of cognitive and affective processes. Authors such as Zajonc (1980), LeDoux (1984), and Damásio (1994) have shown that cognition and affection can both be understood as information-processing functions of neural subsystems. Emotions resulting from the affective process interact with preferences and expectations in defining what is perceived as a fair distribution, a fair procedure, or a fair interaction (Pillutla; Murnighan, 1996; Henrich *et al.*, 2001; Sanfey *et al.*, 2003; Gee *et al.*, 2017). This perception, finally, results in a behavioral response from the individual that will become, in turn, a new sensory stimulus in the social environment, starting a new cycle.

On a macro scale, each community forms a specific cluster of GCSs that interact with each other, culturally defining institutions of justice in its three dimensions. Figure 2 shows this dynamic. Although each community cluster makes up its own established institutions of justice, communities can share stimuli with

each other, especially regarding multilateral negotiations, cultural influence, and global issues, such as the distribution of resources and duties to reduce global warming. Stimuli and behavior concerning procedural justice and interactional justice can be shared between communities as well. Next, each justice dimension will be analyzed in more detail.

Figure 2 – Interaction between GCSs and Communities



Source: author's elaboration.

3.1 Distributive Justice

The first dimension of descriptive justice is distributive justice, which is directly linked to the normative aspects of social justice since these, in general, deal directly with the moral and ethical problems of the distribution of goods and rights. Reis (1984) illustrates the complexity of distributive justice when cataloging a list of 17 different rules of distributive justice that individuals apply. It is possible to note that each rule resembles, to some extent, one or more normative views of justice. For example, the rule that ‘a person should do good things for other people regardless of what he will receive in return’ is closely related to Kant's view of recognizing human beings as deserving of dignity, not instruments to reach a particular end. The rule saying ‘people must always receive rewards or benefits in proportion to their contributions’ is directly linked to a meritocratic normative view. However, rules such as the one attesting that ‘the welfare of the group is more important than the welfare of a particular individual’ have a normative root that is more difficult to identify, as it can be explained by the utilitarian view if it is understood that it implies maximizing the combined utility of all citizens, or by a communitarian view, if it is considered that the welfare of the group is defined

from a collective understanding that includes solidarity obligations within a community and which, therefore, cannot be limited to the welfare of a single person.

Experiments with the Ultimatum Game also illustrate the diversity of distributive choices made by those who play the role of proponent or respondent. Assuming the validity of *homo economicus*, the game would present only a strategy profile that would be a subgame perfect Nash equilibrium: the proponent would offer the lowest possible value of the good to be divided between the players and the respondent, on its turn, would accept the proposal, as having some quantity of that good – even if little – would be better than refusing and having nothing. However, experiments (Güth *et al.*, 1982; Roth *et al.*, 1991; Henrich, 2000; Henrich *et al.*, 2001) have shown that, in Western industrialized societies, very low offers (20% or less of the amount to be split) are almost always rejected by respondents. Proponents, anticipating this type of response or acting for reasons that illustrate more egalitarian preferences or even altruism, also do not propose very low offers, offering 40% to 50% of the total amount on average. This evidence strongly attests in favor of certain socially shared norms of justice that induce distributive outcomes not anticipated by the traditional game solution. The experiments also show that culture exerts an influence on the thinking and behavior of proponents and respondents through the formation of different expectations, preferences, and emotions that define various norms of distributive justice. Henrich *et al.* (2001) replicated the Ultimatum Game in 15 small-scale societies spread across 11 different countries. The results showed considerable variation in the mode and average of the offers: the interval of modes varied between 15% and 50% of the total amount, while the range of averages varied between 26% and 58%. The level of rejection of offers also varied a lot, with emphasis on the Au and Gnau societies of Papua New Guinea, which had a high level of rejection of both very low offers (less than 20%) and very high offers (more than 50%). That society shares a social norm of giving and receiving gifts, which creates a commitment to reciprocity if the individual accepts a very high offer. These results indicate that the assumptions of *homo economicus* are not very assertive to illustrate human thinking and behavior in more complex situations, such as those involving some descriptive aspects of distributive justice.

3.2 Procedural Justice

Besides the normative and empirical discussion centered on distributive justice, social psychologists and organizational justice theorists (Thibault *et al.*, 1974; Leventhal, 1976; Folger, 1977) have called attention to another dimension of descriptive justice: procedural justice. This aspect brings to the center of the discussion the procedure or decision-making process for the distribution of goods or rights as an important element in what people perceive as being just (or not) in a given social practice. Thus, regardless of the final distribution of goods or rights, individuals care about how distribution takes place.

By applying a questionnaire to more than 500 households in Switzerland and Germany, Frey and Pommerehne (1993) showed that people, in general, regard the price system as a less fair resource allocation procedure than a procedure based on tradition (first come, first served) or in an administrative allocation, carried out by rules determined by the government. Only a process based on luck was considered more unfair than the market system. Frey and Stutzer (2000) carried out an empirical study and demonstrated that people self-reported greater subjective well-being in Swiss cantons where democratic participation was greater. The authors showed that institutional factors related to increased democratic participation can influence people's happiness more than demographic and economic variables, and, more than that, they estimated that about two-thirds of the increase in well-being comes from what they call a procedural utility, that is not a utility directly related to the results. Thus, it is evident that a procedural focus is incorporated into the social preferences of individuals.

Likewise, expectations and beliefs are also fundamental elements in the perception of procedural justice and its interaction with conceptions of distributive justice. The studies by Alesina *et al.* (2004) and Gee *et al.* (2017) are specific examples in which expectations regarding a type of process (social mobility through meritocracy or luck) that determine a distribution of goods generate a perception of procedural justice in the society. According to Frey *et al.* (2004):

Higher social mobility lowers people's support for redistribution. This, of course, can be interpreted in outcome terms: if the probability that someone will get rich is high, an individual will be less likely to support redistributive policies, because he or she might become a net payer. But social mobility can as well be interpreted in procedural terms: if people see that society offers

equal opportunities, on average and in an objective sense of actual income mobility, they may be less concerned with inequality, because they see social processes as fair. (...) Although the extent of social mobility on average lowers support for redistribution, its effect substantially depends on individuals' fairness perceptions of the mobility process. (Frey *et al.*, 2004, p. 390)

Perceptions of procedural and distributive justice also influence - and are influenced - by emotions. Weiss *et al.* (1999) tried to verify the correlation between four types of emotions (happiness, anger, guilt, and pride), the distributive results of the experiment (whether they were favorable or not to the individual), and the type of process (without bias, with a bias that benefited the individual, or with a bias that benefited the opponent). The experiment showed that the results and the type of procedure affect each emotion in a specific way, and more than one emotion may be aroused in the same situation. The intensity of happiness felt by the participants was determined only by the (positive) result of the task, with no influence from the type of process. Anger, in turn, had a higher mean level of intensity reported in cases where the result had been negative and the procedure with a negative bias. The intensity of guilt had the highest mean for the cases of positive results and procedures with a positive bias. Finally, it was observed that pride had a higher mean intensity for cases of positive results, but the type of process did not have a significant influence. It is concluded that procedural justice interacts with material results and influences the individual's affective processing, later influencing their general perception of justice and their behavior.

The procedural aspects do not enter into the criterion of utilitarian maximization and are considered irrational from the point of view that only the final distributive results should matter to the individual. Additionally, it is ignored that affective processing is relevant to the understanding of economic behavior since it is also characterized as an element of irrationality in the *homo economicus* model.

3.3 Interactional Justice

In the 1980s, Bies and Shapiro (1987) added another descriptive dimension: interactional justice. In essence, interactional justice asserts that people care not only about the distribution of goods and rights or processes and procedures but also about how they are treated by others. Later, Bies (2001)

proposed some refinements to the concept, suggesting that the perception of interactional justice is prompted by at least four elements: excessively harsh evaluative judgments, lack of honesty, violations of privacy, and disrespect. Cropanzano *et al.* (2011) also argue that some authors also include the informational aspect as a relevant descriptive element of interactional justice. There is an evident link between this descriptive dimension and Kant's normative conception, in which people should be treated with respect and dignity, without serving merely as an instrument for specific ends.

Some social interactions that clearly illustrate the concern people have with interactional justice are the act of tipping attendants or giving gifts to other people. From a strictly materialistic point of view, giving gifts without knowing what the other person would like to earn or tipping in places you don't often visit are behaviors that tend to generate inefficiency. However, the acts of giving gifts or tips are well-rooted institutions in most societies and are examples of interactional justice, as people are expected to behave in this way, showing respect, consideration, and dignity. Ruffle (1999) argues that to explain these interactions, it is necessary to abandon a model of a strictly selfish man and incorporate the role that expectations play concerning the feelings generated in social interactions.

Sanfey *et al.* (2003) used a functional magnetic resonance imaging process on the participants of an Ultimatum Game experiment to verify which brain structures were more activated in certain situations. The authors observed greater activity in the anterior bilateral insula (region related to negative emotions) compared to the dorsolateral prefrontal cortex (region related to cognitive processes such as planning and abstract reasoning) in rejected offers, noting the opposite pattern for accepted offers. Additionally, they also noted that rejection of low offers had been significantly higher when the respondent received someone else's offers than when the same offers were made by a computer, indicating a perception of interactional injustice on the part of respondents. Fukuno and Ohbuchi (2003) also found that the perception of interactional injustice and the level of rejection is higher when respondents receive intentionally low offers than when these offers are unintentionally determined, such as by a draw. They also concluded that the size and the level of equality of the offer positively affect the perception of interactional fairness, as well as that an increase in the perception of

this descriptive aspect of justice or the perception of distributive justice increases the acceptance of offers.

4. Synthesis of Normative and Descriptive Aspects of Justice and Their Implications on Welfare

The importance of symbiosis between normative and descriptive aspects has already been highlighted within the organizational justice literature (Weaver; Trevino, 1994; Cugueró-Escofet; Fortin, 2014), but little has been done to broaden the scope of this analysis beyond ethics in organizations. Table 1 represents an effort to synthesize how each normative conception incorporates the descriptive aspects of justice and what are the general implications of these conceptions on social welfare.

Table 1 – Synthesis of Normative and Descriptive Aspects of Justice and Welfare

Normative Conceptions of Justice	Distributive Justice	Procedural Justice	Interactional Justice	Implications on Welfare
<i>Utilitarian Justice</i>	Should be defined by utility maximization	Not relevant. Only final distribution matters	Not relevant. Only final distribution matters	Founded on an abstract conception of utility maximization that is independent of the observance of certain individual rights. The criterion is met through Pareto-efficient exchanges
<i>Libertarian Justice</i>	It must be defined in the individual sphere from the Lockean perspective of fair appropriation, avoiding any externally imposed redistribution	It is relevant only in defining the legitimacy of the process of acquiring private property, which must be done through legal exchanges or voluntary donations	It is not relevant, as long as the treatment that is given to others does not incur disobedience to current laws	Social welfare is a mere aggregation of the individuals' welfare. There must be no external interference with the legal acquisition of property, implying a strong rigidity and acceptance of the <i>status quo</i> .

<i>Contractarian Justice</i>	It must be defined based on the guarantee of individual freedoms and the Principle of Difference, which gives great importance to the norms of equality	It is very relevant in the sense of defining an impartial hypothetical procedure ('veil of ignorance') that establishes the initial distributive conditions	It is relevant because it is based on the Kantian notion of human dignity. However, it excludes foreigners, people with disabilities, and animals	Elevation of equality by ensuring the best possible conditions for members of society who are in the worst positions in terms of income and wealth
<i>Communitarian Justice</i>	Each sphere of social goods has a distributive norm defined teleologically by members who share a narrative sense of community.	It is relevant. The definition of the good to be sought must be achieved through democratic debate and a policy free from tyranny	It is relevant as an acknowledgment of natural obligations (e.g. treating others with respect), but it receives no further attention	It depends on the concept of the good by each cultural tradition but prioritizes the search for social welfare over the achievement of individual preferences, as individuals themselves can only exercise practical rationality and the virtue of justice when understanding their social roles
<i>Justice as Human Capabilities</i>	Must be defined from the list of minimum human capabilities	It is relevant both in the impartial and democratic definition of the list of essential human capabilities and in the conduct of distributive procedures	It is relevant, as it recognizes that every human being, without exception, must be treated with dignity and respect. It even recognizes that we owe respect to other living beings.	The State must guarantee through public policies that each individual reaches a minimum threshold of basic human capabilities. After reaching that threshold, the theory doesn't have much to say about social welfare.
<i>Justice as Merit or Necessity</i>	It must be defined by equity norms	Not relevant. Only final distribution	Not relevant. Only final distribution	Social welfare is a mere aggregation of the individuals'

	(each one receives in proportion to what they contribute) or by individual need	matters	matters	welfare. External interference should only occur to avoid distortions towards individual distributive norms
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Source: author’s elaboration.

It is observed in Table 1 that both utilitarian and merit or necessity normative conceptions do not explicitly incorporate the procedural and interactional dimensions of descriptive justice, leading to a vision of social welfare based only on the aggregation of individual welfare and the promotion of Pareto-efficient exchanges or, in the case of the norm of necessity, the reallocation of goods via the State based on the utopian hypothesis of a situation with no shortage of goods or allocational divergences. In turn, libertarian justice gives a restricted role to the procedural aspect, emphasizing only the duty to ensure voluntary acquisitions and transactions of the property via the market, which also implies an understanding that social welfare is defined based on the individual. All these conceptions share the normative unidimensionality and indicate that the community or the State have a restricted role in terms of the possibility of proposing redistributive policies, which prevents more sensitive changes in the *status quo*. These conditions also reflect that the *homo economicus* model based on utilitarianism is limited in terms of its representative and explanatory power of human actions and aspirations when considering more complex social interactions.

In contrast to normative unidimensionality, multidimensional conceptions better incorporate the descriptive aspects of justice, whether they are related to microjustice or macrojustice. Communitarian justice gives greater weight to procedural justice by promoting public debate on the definition of what will be considered the social welfare to be pursued by a given cultural tradition. Although it does not explicitly incorporate interactional justice beyond the recognition of natural obligations, the understanding that it is necessary to collectively define distributive norms for each social good opens up space for questioning the *status quo*. By recognizing solidarity obligations and a sharing of a communitarian narrative, members of society can support and demand the State to adopt policies that reduce broad historically constructed inequalities and injustices, whether

related to class, ethnicity, or gender. Even so, the communitarian conception presents some difficulty in responding to more global justice problems, as it seeks to sustain that practical rationality and virtue of justice are based on the conception of the good of a nation or a specific culture. Though MacIntyre (2007) states that each culture should be open to reevaluation and criticism of its conceptions, it would be harder, from this normative view, to decide teleologically on problems such as international conflicts over the distribution and use of natural resources or even how to assign economic and social rights and duties to transnational corporations, hampering the possibility of interactions between communities, as it was illustrated in Figure 2.

Finally, the conception of justice as promoting human capabilities and contractarian justice promote more egalitarian distributive norms, explicitly considering interactional justice by stressing the importance of respectful and dignified treatment. The difference is that, while the contractarians have a transcendental institutionalist character based on income and wealth as primary goods and the idea of a cooperative agreement of mutual benefits, the human capabilities have a more practical concern, based on microjustice and multidimensionality of the capabilities. Additionally, the understanding of interactional justice in capabilities ethics is broader, as it does not need the Kantian hypothesis of rationality or being a representative member of society to determine to whom it is due respect. Foreigners, disabled people, and even animals deserve respect. About the procedural dimension, both normative aspects explicitly emphasize the importance of developing participatory, egalitarian, and democratic processes. In the contractarian case, it is postulated that socially accepted and shared principles of justice should be formulated from a position where everyone is under a 'veil of ignorance', free from any moral arbitrariness or a particular conception of welfare. Justice as human capabilities, in turn, believes that the participatory and democratic procedure should be the basis for formulating the list of basic human capabilities. Once this list is defined, society must act and demand from the State the implementation of policies that seek to promote such capabilities. Although it is a normative vision that allows humans to flourish in multiple dimensions, justice as human capabilities does not provide normative guidelines concerning distributive aspects among those below or among those above the minimum threshold. This problem does not occur for the contractarian

conception, which uses as a distributive criterion the lexicographical order for its two basic principles, regardless of the situation to be analyzed.

Unidimensional normative conceptions, by practically restricting the analytical scope of justice to the distributive sphere and limiting the possibilities for changes in welfare, also proved to be less likely to fit the descriptive model of the GCS. In contrast, multidimensional conceptions leave room for sensory stimuli to be observed and categorized cognitively and emotionally both in the distributive sphere and in the procedural and interactional spheres. Consequently, it allows the activation of schemas and scripts of justice that could not be explained through unidimensional conceptions. For example, it would be impossible for a unidimensional conception to explain the emergence of negative emotion and protest behavior in response to the adoption of a dictatorial distributive procedure, even if the material distributive result were the same as it would be in the case of the adoption of a more participatory distributive procedure. A culture in which a democratic distributive procedure script is socially shared will create expectations about the correct way to act in this case, so a violation of these expectations will have negative implications on welfare.

It concludes that there is a wide variety of normative and descriptive conceptions of justice that go beyond utilitarianism and what is provided or explained by the *homo economicus* model, resulting in different implications for social welfare. Although the Kantian conception of dignity has served as the basis for the Universal Declaration of Human Rights and the multidimensional notion of capabilities has contributed to the elaboration of the Human Development Index, these ethical and normative conceptions are still sometimes considered marginal in mainstream economics, especially when looking at the assumptions about aspirations and rationality of its theoretical models. Even though all the normative conceptions of justice analyzed here have intrinsic limitations, those that present multidimensional normative aspects (communitarian justice, contractarian justice, and justice as human capabilities) seem to provide a richer theoretical-analytical framework than unidimensional conceptions - including the utilitarian justice built from *homo economicus* - to understand the formation of thought and behavior of individuals in complex situations and indicate democratic ways to solve social problems, such as extreme distributive inequality. Ultimately, one could still argue in favor of formulating hybrid normative conceptions of justice, although this

task raises questions about theoretical complementarity and incompatibility that go beyond the scope of this paper, but whose relevance can serve as a motivation for future studies.

References

ALESINA, A.; DI TELLA, R; MACCULLOCH, R. 2004. Inequality and Happiness: Are Europeans and Americans Different? *Journal of Public Economics*, v.88, p. 2009-2042, 2004.

ARISTÓTELES. *Política*. São Paulo: Martin Claret, 2017.

AUGOUSTINOS, M.; WALKER, I. *Social Cognition: An Integrated Introduction*. 2 ed. SAGE, 1995.

BENTHAM, J. *An Introduction to the Principles of Morals and Legislation*. Ontario: Batoche Books, 2000.

BICCHIERI, C. *The Grammar of Society: The Nature and Dynamics of Social Norms*. Cambridge: Cambridge University Press, 2006.

BIES, R. Interactional (In)Justice: The Sacred and The Profane. In: CROPANZANO, R.; GREENBERG, J. (Org.). *Advances in Organizational Justice*. Stanford University Press, 2001.

BIES, R.; SHAPIRO, D. Interactional Fairness Judgments: The Influence of Causal Accounts. *Social Justice Research*, v. 1, n. 2, p. 199-218, 1987.

BOWER, G. *et al.* Scripts in Memory for Text. *Cognitive Psychology*, v. 11, p. 177-220, 1979.

CROPANZANO, R. *et al.* *Social Justice and the Experience of Emotion*. Oxfordshire: Routledge, 2011.

CUGUERO-ESCOFET, N.; FORTIN, M. One Justice or Two? A Model of Reconciliation of Normative Justice Theories and Empirical Research on Organizational Justice. *Journal of Business Ethics*, v. 124, n. 3, p. 435-451, 2014.

DAMÁSIO, A. *Descartes' Error: Emotion, Reason, and the Human Brain*. Nova York: Avon Books, 1994.

DAVIS, J. *The Theory of the Individual in Economics: Identity and Value*. Oxfordshire: Routledge, 2003.

DAVIS, J. *Individuals and Identity in Economics*. Cambridge: Cambridge University Press, 2011.

DAVIS, J. Rawlsian Individuals: Justice, Experiments and Complexity. *Journal of Economic Issues*, v. 46, n. 3, p. 729-743, 2012.

DEQUECH, D. Neoclassical, Mainstream, Orthodox, and Heterodox Economics. *Journal of Post Keynesian Economics*, v. 30, n. 2, p. 279-302, 2007.

FLEISCHACKER, S. *A Short History of Distributive Justice*. Cambridge: Harvard University Press, 2004.

FOLGER, R. Distributive and Procedural Justice: Combined Impact of Voice and Improvement on Experienced Inequity. *Journal of Personality and Social Psychology*, v. 35, n. 2, p. 108-119, 1977.

FREY, B.; POMMERHNE, W. On the Fairness of Pricing: An Empirical Survey Among the General Population. *Journal of Economic Behavior and Organization*, v. 20, p. 295-307, 1993.

FREY, B.; STUTZER, A. Happiness, Economy and Institutions. *Economic Journal*, v. 110, n. 466, p. 918-938, 2000.

FREY, B. *et al.* Introducing Procedural Utility: Not Only What, But Also How Matters. *Journal of Institutional and Theoretical Economics*, v. 160, p. 377-401, 2004.

FRIEDMAN, M.; FRIEDMAN, R. *Free to Choose: A Personal Statement*. Boston: Mariner Books, 1990.

FUKUNO, M.; OHBUCHI, K. Procedural Fairness in Ultimatum Bargaining: Effects of Interactional Fairness and Formal Procedure on Respondents' Reactions to Unequal Offers. *Japanese Psychological Research*, v. 45, n. 3, p. 152-161, 2003.

GEE, L. *et al.* Redistributive Choices and Increasing Income Inequality: Experimental Evidence for Income as a Signal of Deservingness. *Experimental Economics*, v. 20, p. 894-923, 2017.

GÜTH, W. *et al.* An Experimental Analysis of Ultimatum Bargaining. *Journal of Economic Behavior and Organization*, v. 3, p. 367-388, 1982.

HARSANYI, J. Cardinal Welfare, Individualistic Ethics, And Interpersonal Comparisons of Utility. *Journal of Political Economy*, v. 63, n. 4, p. 309-321, 1955.

HAYEK, F. *Studies in Philosophy, Politics and Economics*. Oxfordshire: Taylor & Francis Books, 1967.

HENRICH, J. Does Culture Matter in Economic Behavior? Ultimatum Game Bargaining Among the Machiguenga of the Peruvian Amazon. *The American Economic Review*, v. 90, p. 973-979, 2000.

HENRICH, J. *et al.* In Search of Homo Economicus: Behavioral Experiments in 15 Small-Scale Societies. *The American Economic Review*, v. 91, n. 2, p. 73-78, 2001.

KANT, I. *Groundwork for the Metaphysics of Morals*. Allen W. Wood (Ed.). New Haven: Yale University Press, 2002.

KIRZNER, I. *Discovery, Capitalism, And Distributive Justice*. Carmel: Liberty Fund, 2016.

LEDOUX, J. Cognition and Emotion: Processing Functions and Brains Systems. In: GAZZANIGA, M. (Org.). *Handbook of Cognitive Neuroscience*. Nova York: Plenum Press, 1984.

LEVENTHAL, G. *What Should Be Done with Equity Theory?* New Approaches to the Study of Fairness in Social Relationships. 1976.
Available at: <https://eric.ed.gov/?id=ED142463>. Accessed on: Jan. 2, 2022.

MACINTYRE, A. *After Virtue: A Study in Moral Theory*. Notre Dame: University of Notre Dame Press, 2007.

MARIN, S.; QUINTANA, A. Amartya Sen e a Escolha Social: Uma Extensão da Teoria da Justiça de John Rawls? *Revista de Economia Contemporânea*, v. 16, n. 3, p. 509-532, 2012.

MARX, K. *Crítica do Programa de Gotha*. São Paulo: Boitempo Editorial, 2012.

MCMAHON, J. Behavioral Economics as Neoliberalism: Producing and Governing *homo economicus*. *Contemporary Political Theory*, v. 14, n. 2, p. 137-158, 2014.

MILLER, D. Recent Theories of Social Justice. *British Journal of Political Science*, v. 21, n. 3, p. 371-391, 1991.

MILLER, D. *Principles of Social Justice*. Cambridge: Harvard University Press, 1999.

MOLM, L. *et al.* Conflict and Fairness in Social Exchange. *Social Forces*, v. 84, n. 4, p. 2331-2352, 2006.

NOZICK, R. *Anarchy, State and Utopia*. Nova York: Basic Books, 1974.

NUSSBAUM, M. *Frontiers of Justice: Disability, Nationality, Species Membership*. Cambridge: Belknap Press, 2006.

PILLUTLA, M.; MURNIGHAN, J. Unfairness, Anger, and Spite: Emotion Rejections of Ultimatum Offers. *Organizational Behavior and Human Decision Processes*, v. 68, n. 3, p. 208-224, 1996.

RAWLS, J. *A Theory of Justice*. Cambridge: Harvard University Press, 1971.

RAWLS, J. Some Reasons for the Maximin Criteria. *The American Economic Review*, v. 64, n. 2, p. 141-146, 1974.

REIS, H. The Multidimensionality of Justice. In: FOLGER, R. (Org.). *The Sense of Injustice*. Nova York: Plenum Press, 1984.

ROTH, A. *et al.* Bargaining and Market Behavior in Jerusalem, Ljubljana, Pittsburgh and Tokyo: An Experimental Study. *The American Economic Review*, v. 81, n. 5, p. 1068-1095, 1991.

RUFFLE, B. Gift Giving with Emotions. *Journal of Economic Behavior and Organizing*, v. 39, p. 399-429, 1999.

SABBAGH, C. A Taxonomy of Normative and Empirically Oriented Theories of Distributive Justice. *Social Justice Research*, v. 14, n.3, p. 237-263, 2001.

SANDEL, M. *Justice. What's The Right Thing to Do?* Nova York: Farrar, Straus and Giroux, 2010.

SANFEY, A. *et al.* The Neural Basis of Economic Decision-Making in the Ultimatum Game. *Science*, v. 300, p. 1755-1758, 2003.

SEN, A. Rational Fools: A Critique of The Behavioral Foundations of Economic Theory. *Philosophy & Public Affairs*, v. 6, n. 4, p. 317-344, 1977.

SEN, A. Maximization and the Act of Choice. *Econometrica*, v. 65, n. 4, p. 745-779, 1997.

SEN, A. *The Idea of Justice*. Cambridge: The Belknap Press, 2009.

SHAPIRO, I. *The Moral Foundations of Politics*. New Haven: Yale University Press, 2003.

SOTIROPOULOS, D. Why John Stuart Mill Should Not Be Enlisted Among Neoclassical Economists. *The European Journal of The History of Economic Thought*, v. 16, n. 3, p. 455-473, 2009.

THIBAUT, J. *et al.* Procedural Justice as Fairness. *Stanford Law Review*, v. 26, n. 6, p. 1271-1289, 1974.

VITA, A. *A Justiça Igualitária e Seus Críticos*. São Paulo: WMF Martins Fontes, 2007.

WALZER, M. *Spheres of Justice: A Defense of Pluralism and Equality*. Nova York: Basic Books, 1983.

WEAVER, G.; TREVINO, L. Normative and Empirical Business Ethics: Separation, Marriage of Convenience, or Marriage of Necessity? *Business Ethics Quarterly*, v. 4, n. 2, p. 129-143, 1994.

WEISS, H. *et al.* Effects of Justice Conditions on Discrete Emotions. *Journal of Applied Psychology*, v. 84, n. 5, p. 786-794, 1999.

ZAJONC, R. Feeling and Thinking: Preferences Need no Inferences. *American Psychologist*, v. 35, n. 2, p. 151-175, 1980.