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Justice in the 21st Century

Discussions about justice in the
current situation in our society

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EUROPEAN NETWORK OF
POLITICAL FOUNDATIONS

Justice in the 21st Century: Discussions about justice in the current situation in our society

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FOREWORD

This work is a collection of five papers dedicated to the complex concept of Justice.

Examining the issue from different angles, the authors seek to highlight different challenges and obstacles which have arisen in recent times.

The topics covered within these diverse papers range from Justice in a globalized world, the functioning of social networks as autocratically organized spaces, to the creation of unfair tools through the use of biased algorithms and the preservation of spatial justice in autonomous social and cultural centers.

The project is the result of the close cooperation of four political foundations from Slovenia, with the support of the European Network of Political Foundations (ENoP). The successful dialogue of different voices from within a country on a topic as complex as justice highlights the importance and value of political foundations and networks such as ENoP.

Through the European Network of Political Foundations, foundations with different political affiliations came together, exchanged views and combined their efforts to strengthen democracy and the rule of law in their country.

Especially in the highly debated field of justice, projects such as this one can identify the misuse of authority, help empower civil society and contribute to cross-party and cross-foundation cooperation.

DENIS SCHREY | ENoP Network Coordinator

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INTRODUCTION

Justice and fairness are words that appear relatively often in our vocabulary and we use them quite confidently. But once we think about these words as such, their meaning and the concept behind them, we soon find that our ideas on justice and fairness are different and that the principles and values on which they are based are also often contradictory. The history of mankind has always been interested in the question of justice and fairness, yet despite all of the effort invested, we could probably agree that so far, we have not managed to find an answer with which we would all agree or which would universally correspond to all societies. According to Kelsen¹, this happens because this is one of those questions for which resigned wisdom holds true that one can never find a final answer but can merely strive to ask better questions. In general, we could search for an answer about justice and fairness in the starting point provided by Plato who equated justice and fairness with luck, claiming that only a fair person can truly be happy while an unfair person is unhappy. When transferring this concept to an individual level, we can try to understand justice and fairness to mean that the actions of an individual are fair or just if they do not cause injustice to somebody else; when it comes to the social structure, societies must be arranged in a manner that enables all citizens to realise their interests, whereby they must not be in an unequal position due to the circumstances which they could not influence themselves.

The fact that, throughout history, we were unable to find a suitable definition of justice with which everybody would agree is also due to the constant development of society in numerous dimensions. This makes the question of justice and fairness all the more complex since new challenges must constantly be considered which interferes with the organisation of society and mutual relations. Challenges that we are increasingly facing in the 21st century and that we will have to learn how to address are also connected with the field of rapid technological development and digitalisation, as well as to environmental protection and climate change. If they are not suitably

addressed and considered, all these areas also influence justice and fairness in a society, meaning that they have increasingly important consequences on our lives.

The “Justice in the 21st Century” project, of which this anthology is a part, was developed during a period in which we are facing some of the flaws uncovered or deepened in our system by the COVID-19 pandemic, which we will have to address in the recovery period. These realisations, as well as our awareness of them, are an ideal opportunity for us to open a discussion on how we will regulate justice and fairness in our society, how we will provide for equality, etc. In addition, the 50th anniversary of the book “A Theory of Justice” written by John Rawls was commemorated in 2021; this book is one of the fundamental works on the regulation of mutual relations in a liberal social arrangement as we know it today, as it completed a rich collection of discussions on justice which originated in antiquity and were later the basis for the ideas of a social contract. The historically important crossroads represented by the COVID-19 pandemic is an ideal opportunity to ask ourselves: is the concept of justice that we know today still relevant when it comes to sorting out social relationships in the 21st century? What are its flaws? To what should we pay attention in the future? etc. The fact is that modern society has opened up some new challenges that we must consider. These challenges are connected to health, digitalisation, environmental protection, the economy, etc.

Finding inspiration for the implementation of a project honouring the 50th anniversary of the publication of Rawls’s “A Theory of Justice” does not depend on whether we agree with its principles or not, but is mainly connected with Rawls’s idea of finding or developing a systematic political theory which will structure our different intuitions. In 1971, John Rawls wanted to provide with his most famous work an answer to the entrapment of the political theory between utilitarianism on the one hand and a confusion of ideas and principles on the other which he called “intuitionism”, an approach which is

1 Kelsen, H. (2016). What is justice? Ljubljana: IUS Software, GV Založba.

hardly more than a set of anecdotes concentrated on individual intuitions about individual questions;² due to numerous new challenges and relations in society, a similar discussion must also be held today. A discussion on the key questions of the development of modern society

which found itself caught in the middle of numerous processes forcing it to face the fact that it was unprepared to react promptly and is now showing its numerous aspects (social inequality, environmental and climate crisis, paralysed response to the COVID-19 pandemic, etc.).

ABOUT THE PROJECT

The purpose of the “Justice in the 21st Century” project was to shed some light on the current state of affairs in our society and to open a discussion about justice as a concept that regulates relationships in society, its core values and principles according to which it functions. The goal of the project was not to find one common conclusion in the shape of the principles of justice and fairness in the 21st century since we are aware of the challenge that this represents; the goal is the discussion as such, i.e. the creation of awareness about the question of justice and fairness and their systemic addressing. To acquire different perceptions of justice and fairness, individuals who see society and its development from different perspectives and use it to pursue different interests in said society have been actively included in the debate.

The awareness of the importance of including diverse interests and worldviews in the discussion about justice and fairness is also reflected through our partnership in the framework of the project. The project is co-created by political foundations of various political backgrounds, which brings various ideas and views, as well as a high degree of mutual respect, which is of key importance in such discussions. The project is co-created by Progresiva, Association for the Expansion of Political Space (Društvo za širjenje političnega prostora Progresiva) which took over the role of the project holder, the Dr Janez Evangelist Krek Institute (Inštitut dr. Janeza Evangelista Kreka), Institute NOVUM (Inštitut Novum) and the Povod Institute for Culture and the Development of International Relations in Culture (Povod, zavod za kulturo in razvoj mednarodnih odnosov v kulturi). The project is being implemented under the auspices of and in close cooperation with the European Network of Political Foundations.

The experience of such cooperation between four political foundations from Slovenia turned out to be an extremely positive asset throughout the implementation of the project and was also recognised as such among the general public. The maturity that the organisations demonstrated with their cooperation testifies to important shifts when it comes to the operation of political foundations in Slovenia which mainly shows through their professionalism and the veracity they can achieve by including experts from different fields.

In terms of organisation and execution, the project was divided into three phases or activities which complemented and upgraded one another.

2 Kymlicka, W. (2015). *Contemporary Political Philosophy: Introduction*. Ljubljana: Krtina.

In the first phase of the project, two focus groups brought together individuals from various demographic backgrounds with different interests. One of the focus groups was intended solely for young people since they are the ones who will most acutely feel the current circumstances and the decisions that are being adopted today, which is why we focused particularly on them, to hear their points of view and interests. We spoke with the focus groups participants about their perception of the notion of justice and fairness and asked them in what way these should be guaranteed in society, as well as what the key dilemmas were that should have been addressed in society and which values and principles justice and fairness should be based on. The conclusions drawn from the focus groups emphasise the cross-section of values that the participants recognised and mostly also agreed on: freedom, family, equality, solidarity and respect.

The second phase of the project is this anthology, containing articles written by different authors, with the overall theme of justice and fairness in the 21st century. In their respective articles, the following authors share their views and opinions on various aspects of the question of justice and fairness:

Dr. Jernej Pikalo, Chair Professor at the Faculty of Social Sciences of the University of Ljubljana:

Justice in the time of globalisation;

Dr. Dan Podjed, Research Associate at ZRC SAZU:

A more righteous path towards the digital future;

Domen Savič, CEO of the NGO Državljan D:

The unjust digital economy: In the world of the new and beautiful Big Brother;

Dr. Žiga Turk, Chair Professor at the Faculty of Civil and Geodetic Engineering of the University of Ljubljana: For justice without adjectives;

Samar Zughool, MSc, Intercultural Trainer and Project Manager at the Povod Institute:

The value of autonomous social and cultural centres in preserving justice in spatial development during and post Covid19: the case of Ljubljana.

One of the key activities in the framework of the project was the conference “Justice in the 21st Century” which took place on 14 December 2021 in Ljubljana with a direct broadcast online in Slovenian and English. The aforementioned authors discussed different views on justice and fairness during the conference. The conference was moderated by Ajda Pistotnik, project manager and policy researcher in the field of degrowth and financial justice, and it opened a public debate on the question of justice in society, a debate we plan to continue in the future.

We hope that our articles will help you formulate your thoughts about the ways justice and fairness are regulated within society. Maybe total justice and fairness truly are an ideal that can never be achieved but merely approached. However, to get as close as possible to said ideal, we must constantly question it and find answers to numerous questions. We wish you a pleasant reading.



Justice in the time of globalisation



DR. JERNEJ PIKALO

Chair Professor at the Faculty of Social Sciences of the University of Ljubljana

INTRODUCTION

Thinking about justice never goes out of style. The question of just relations between community members has been relevant since the emergence of the first societies when people started thinking about relationships between individuals. Justice is not the same as equality; it means that, pursuant to a social convention, the same operating conditions apply to all members of a community; that the same rules apply to all; and that everyone has the same starting position. Since this is rarely true naturally, the community makes sure that equal opportunity is distributed in the same manner and that the same rules apply to everyone.

Theories of justice are among the most often discussed theories of the 21st century. They are the successors of social contract theories which mostly emerged in the 17th and 18th centuries and gave new meaning to the relationship between the governors and the governed which had to be established anew when the feudal social order transformed into a capitalist order and the divine right of power bestowed upon the kings was no longer self-evident. In the 21st century, theories of social justice mainly deal with justice as the binding element of society which connects the members of societies. They perceive justice as not a merely functional value which also designates the hierarchy of social values. By using the criterion of

justice, they question the correctness or irregularity of the development of individual societies.

Most theories of justice, however, remain methodologically and theoretically limited to nation-states. Thinking about justice takes place at the level of units (nation-states) and not in a broader context, i.e. internationally or globally. Distributive justice is only envisaged in the framework of nation-states, even though we know that due to globality, i.e. the awareness of global interconnectedness, “national” justice is decisively influenced by global circumstances. In the era of globalisation, it is impossible to draw a line between the “outside” and the “inside”, since everything that is outside is simultaneously already inside and vice versa. Methodological territorialism, which was the basis of the reflections of political science throughout the majority of the 20th century, is no longer appropriate for the circumstances emerging in the 21st century, nor for the conditions of globalisation.

In this article, we try to shed some light on the question of justice from the point of view of a dichotomy between the national and the global. How did the reflection on the concept of justice change due to the processes of globalisation? How much is it influenced by the processes of globalisation, de-globalisation and re-globalisation?

GLOBAL GOVERNANCE AND JUSTICE

In the early years of discussions about the relationship between globalisation and the nation-state, it was almost advanced to consider the decline of the nation-state as the response to globalisation processes in certain intellectual circles (Cable 1995, Dunn 1995, Griffin 2003, Horsman and Marshall 1994, Strange 1995). This relationship was considered in a host of government documents, newspaper and academic articles and other literature (see e.g. Crook 1997). The prevailing idea of these documents was that the globalisation of culture, communication and, above all, capital brought us to a point where the nation-state is no longer fully able to execute all its functions in the sense of independently deciding its own fate. An irreversible historical change came about, which influenced the nature and the competencies of the nation-state and continues to do so. In its institutional form from the 18th century, the nation-state was said to be unsuitable for the era of globalisation, which was allegedly demonstrated through its inability to govern its own fate. The modern world is faced with more and more global challenges that are escaping the traditional governance of nation-states. More and more global challenges are escaping traditional segmentation according to political borders of nation-states, from those related to the environment to others connected with migration, transport, epidemiology, technology, etc. New forms of global governance should replace the traditional governance of global questions at the state level with multi-layered governance.

Naturally, those theories of a new global structure of the world were not without response. In the second half of the 1990s, an explosion of academic literature occurred, proving that previous theses on the relationship between the nation-state and globalisation are crude, ideological, artificially created or, in a word, wrong (Hirst and Thompson 1995, Panitch 1995, Zysman 1996). Detailed (also empirical) studies of individual cases were elaborated, proving that the initial ideas were exaggerated and that, despite the processes of globalisation, the state is still maintaining or even reinforcing some of its roles (i.e. when it comes to industrial politics, social system, environmental regulations, military affairs, etc.). The role of

the state has undoubtedly changed, just like globalisation has permeated into every pore of life. On a daily basis, humankind is confronted with new challenges which arise from a new global understanding, the progress in the capitalist method of production, new technologies, new infectious diseases, environmental issues, etc.

Numerous studies state that uncontrolled and undirected globalisation processes do not bring the same development possibilities to everyone (Griffin 2003: 792). Uncontrolled globalisation processes have asymmetrical developmental impacts and therefore a major influence on the assertion and realisation of justice. There is, for example, systematic discrimination regarding the liberalisation of trading of goods which have a special meaning for the development of developing countries. The liberalisation of textile products, food, leather and all labour-intensive products on a global scale develops at a slower pace than the liberalisation of other products (ibid.). This is a method of the exercise of power in the developed countries which particularly harms developing countries that are trying for economic development with the assistance of labour-intensive industries. Political will is the key component for the modulation of globalisation processes as a consequence of steady development on a global scale. If the global political will exists instead of merely individual interests of parts of the world or even countries, globalisation processes can be directed in a comprehensively productive direction. There are numerous ideas on how to govern globalisation processes, from the unilateralism of a hegemonic nature to global governance which is based on global democratic political institutions or even cosmopolitan democracy. The one thing that all the approaches have in common is that they underline the following question: if we are being faced with a global economy and global financial system, why not also organise a global political community which would be tasked with providing global public amenities, thus guaranteeing global justice for all?

In almost two decades, discussions about the global governance of globalisation developed in numerous directions but two main flows exist, the key differences of them being the scope and nature of global governance. Some authors believe that regulative mechanisms for global governance are still rather poorly developed (probably due to the lack of the political will to do so) (cf. *inter alia* Griffin 2003: 789–807) and that there is a great need for a set of global political institutions which would be tasked with providing global public amenities as the basis for global justice. Others believe that global regulative mechanisms already exist (most directly in the form of over 3,600 multilateral agreements which were mainly concluded in the second half of the 20th century) but are rather problematic in nature (since they mainly only deal with economic issues and not also with all the other facets of the human life) (Scholte 2004:1050).

Authors' views also differ when it comes to the conception of the nature of the mechanisms of global governance. Some see similarities in the construction of a system of global governance with the occurrence of mechanisms and institutions of the nation-state. Just like sets of institutions in nation-states provide for public amenities, similar institutional sets should also exist on a global level, providing public amenities in a similar manner (Galtung 2004, Griffin 2003: 789–807). But most believe that governance on a global level is substantially different, which is why patterns cannot simply be transferred from the national to the global level (Scholte 2004: 1052). On a global level, the purpose is not to implement a unitary and centralised government (like with a nation-state), since regulation of global activities is always a poly-centric, multi-level process which includes several pertinent factors which are connected to one another in various manners at a regional, national and supranational level.

It must certainly be said that global governance and the operation of a nation-state are not opposing processes. Global governance functions best at a multi-level, where different approaches on different levels for different challenges are used. Global governance is particularly successful whenever actors from different levels cooperate.

But global governance is facing more important issues than merely the question of suitable levels of responsibility and institutional solutions. It is namely faced with the very basic challenge of the content of justice which should form the backbone for the construction of global political institutions. What should be the moral base for judging the acts and measures in the framework of global governance for it to be just? How should we know which global actions are just and which aren't? Which values are important to achieve justice in a global community and which actions do we wish to assert as human beings? Which moral values of justice do we have to maintain as people?

The process of asserting global justice takes place on several levels.¹ The state still seems to be the main holder of justice, regardless of its changed role in globalisation processes. The state cannot remove itself from its pledge to establish justice with a simple argument that it can no longer accomplish said justice due to globalisation processes.

But justice is not automatically provided, not even at the state level. Historically speaking, no feats of justice were given, all of them had to be won. The thesis which was especially popular after the Second World War, namely that economic development will automatically bring a higher degree of justice, turned out to be unfounded. Economic development in and of itself was not accompanied by a stronger commitment to guarantee justice. Similar principles apply at the global level. Even though globalist (neo-liberal, unreflected) thinking on globalisation constantly emphasises that the standing of global justice will improve due to the pressure of the global civil

1 In this context, global justice is mainly considered as the provision of global public goods and their fair distribution which provides for global social cohesion. Equality, peace, safety, clean environment, etc.

society on the functioning of transnational corporations, this has not happened yet.

But countries themselves are not enough to assert the principle of justice in the time of globalisation. Nowadays, the world is faced with new questions which escape the control and responsibilities of the classical national countries. A great number of things happen in the so-called supranational and transnational globalisation space where classical state-governing instruments have no influence. When thinking about justice, the focus must be shifted from nation-states to global supranational spaces to understand justice as a global norm that does not only depend on the direct will of individual countries. In its nature justice is global and must therefore be applied in a multi-level, multi-dimensional globalisation space. Different (also global) actors must be entrusted with the role of asserting justice on a global scale.

In doing so, justice on a global level cannot only remain on a purely semantical level of desire. Global justice requires multi-level, multi-player actions; ceasing to perform actions that lead to a higher level of justice is the same thing as standing up for injustice.

Justice can be a guiding principle for national and global policy choices. When poorer countries wish or are forced to reduce social security expenditure, thus lowering the level of health, social and educational protection of their citizens, justice can be the ideal that defines the framework guaranteeing that the economic, social and cultural rights of individuals and groups will be respected. It can also be a framework for the functioning of supranational institutions, actors and networks which deal with transnational questions. It can provide a moral principle for institutions, actors and networks based on which they can judge and regulate global processes across all dimensions and all levels – from villages to supranational integration.

Standing for justice as a moral ideal for judging the actions and behaviours of global institutions will provoke a whole host of protests from the proponents of cultural relativism. They will point the finger at the exaggerated influence of the West in directing and governing globalisation. They will point out the differences in the perception of justice and its content. They will prove the difference in the importance of justice for individual societies. Justice, however, should not be considered a closed case but rather a system that is constantly being upgraded. It must be considered a process that is constantly being complemented and upgraded in the form of local, regional, national and supranational experiences.

Only if we consider justice as a process can it be given the possibility to become a universal moral code for the assessment of all actions which originate in a supranational space and escape traditional state control. Multi-level, deregulated and decentralised governance of global issues must be capable of creating global public amenities and equal development for everyone. On the other hand, global institutions must be capable of providing for it. Relying on the fact that market mechanisms will be able to guarantee global assets has already proven to be a problematic strategy in the past, especially during the global financial and economic crisis in 2008–2009 but even more so during de-globalisation before and after the COVID-19 pandemic when all global justice, along with the related solidarity of the distribution of vaccines against COVID-19, failed. Along with innovative political thinking, an organised global political action can achieve a lot in this regard. To do so, we need educated citizens who will be able to understand the new challenges and opportunities of the era we live in. This era is only starting to develop under the influence of the inevitable global processes such as the environmental aspect.

CONCLUSION

Justice as the ethical guideline for the actions of global actors is currently only a wish. But the world will re-globalise after the COVID-19 pandemic and there will be more and more actions escaping the traditional control of countries. If we want democracy to become a method of global governance that will steer and evaluate global actions, we will need more than just a shift of the mode of operation of democracy from the national to the global level. If we only did that, we would encounter the same problems on a global level as we used to on a national

level. Democracy on a global level is not only a matter of technical transfer but also of the new awareness of people in terms of what is globally important for their existence. Thinking about global justice and becoming sufficiently educated for it are therefore two ways in which individuals prepare for a new global conscience. This is a communication of social and civic competencies as a preparation for active citizenship in the global era. It is right to think about what is coming – if nothing else, for our descendants.

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A righteous path towards the **digital future**

DR. DAN PODJED

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INTRODUCTION

The modem started buzzing and screeching, and this lasted for a couple of seconds. White letters on the black display then told me that I was connected to the Internet. Even though it all happened in 1994, I remember it like it was yesterday. Being part of a network that connected computers was a defining moment in my life where I felt unimaginable freedom and possibilities of new dimensions. Naively, I also believed that this network would allow me to create a more equitable society in the metaverse, i.e. virtual universe.

My initial enthusiasm grew as I was browsing the Web and participating in chat rooms such as Internet Relay Chat (IRC) that I got to explore during my studies. In the introduction to my term paper which started emerging as an idea in the late 1990s, when I was reading *Virtual Community* (Rheingold, 1993), I wrote: “By thoroughly studying IRC logs, one can disassemble the communication society into its basic components (language, habits,

structure, etc.) to find out why the ‘virtual way of life’, i.e. virtual reality, is so different from the ‘actual reality’. Could it be that the IRC community is, in some ways, more real than meets the eye?” (Podjed, 2003, pg. 1). In this article, I am circling back to this question and wondering how our ways of life on the Internet have changed while reflecting on the virtual worlds that we are creating for the future. My new question is: can digital environments such as the Metaverse (hereinafter referred to with the general expression “metaverse”) which is being created by the company Meta (formerly known as Facebook) help us create a more righteous society and test new social models? As I explain, there is another possibility on our path towards “digital heaven” which could have been provided by the metaverse; that is, any of the versions of the “digital hell” in which we could inadvertently find ourselves. The road to hell is, after all, often paved with good intentions.

THE DEVELOPMENT OF THE INTERNET: FROM AGORA TO PANOPTICON

From today's perspective, it is clear that Howard Rheingold (1993) was a visionary; in his book, he foretold the social meaning of the Internet in modern times. He wrote that communities in digital environments can be more democratic and fairer than the communities occupying physical space; on the other hand, their apparent egalitarianism can quickly veer towards chaos and anarchy. This is why these communities will, sooner or later, also need control in order to continue existing. In his work, the author also predicted two paths of the development of Internet communities and the World Wide Web which was still very much in its infancy when he wrote his book.

The first path towards the future that Rheingold mentions is the idyllic agora, i.e. a public space known in the poleis of Ancient Greece where discussions were held between more or less equal individuals. The method of communication would have been similar in the digital agora which was an idea that Rheingold developed during his multiannual stint in one of the oldest digital communities, Whole Earth 'Lectronic Link or WELL for short. Created in 1985, it was inspired by the hippie movement which was already in decline at that time and was looking for new ways of self-transformation. In his overview of the development of the Internet and online social networks entitled *From Counterculture to Cyberculture* (2006), Fred Turner provides a detailed description of how and why the representatives of an anti-cultural movement, i.e. the hippies, were so important for the creation of digital communities as a new method of expressing ideas in a "global village" (McLuhan, 1989). According to Turner, the hippies quickly adopted the new medium as an appropriate means to create innovative social models and egalitarian communities, even though it was first created under the initiative of the military industry in the framework of the military computer network decentralisation project. They transitioned their core values from the physical world into a digital one and started creating virtual communities such as WELL.

A darker path to the future announced by Rheingold entails the creation of a digital panopticon. His idea resulted from the design of a unique building imagined in the second half of the 18th century by the philosopher and social

critic Jeremy Bentham (1995) to control the working class, prisoners, students, mental patients and other people that one should keep an eye on at all times. This building, which was never constructed according to original plans, would have looked like a huge concrete ring composed of individual cells. Each of the cells extending over several storeys would have two large windows, one on the outside and one on the inside, for the light to seep through. People could therefore be observed all the time from a high central tower in the courtyard from which every cell would be visible. As later explained by Michel Foucault (1995), this constant observation allows for an automatic authority system. The main trick of a panopticon is the fact that a supervisor who constantly controls the actions of people in the institution is no longer needed after a while. Prisoners, patients, workers, students and other potential inhabitants of this building namely never know when they are being observed by the watchful eye of the supervisor. As a consequence, they change their way of life and start behaving as if they were being constantly observed by an omnipresent eye. This is approximately how Internet communities function nowadays, since people are constantly being controlled by tech giants and other supervisory institutions (to find out more about the panoptic society and new technologies, see Podjed, 2019).

In 2004, when Howard Rheingold held a lecture in the context of the Teleinfos fair in Ljubljana during the presentation of the Slovenian translation of the book *Smart Mobs* (Rheingold, 2003), I asked him where we were headed with our participation in digital communities: towards the agora or the panopticon? Obviously, the answer was not unambiguous and the question itself was also rather rhetorical. Back then, Google was only one of many Internet browsers such as Yahoo!, Lycos, AltaVista, Hotbot, etc.; others were, for example, purely local, such as Najdi.si and Matkurja (in Slovenia). Online social networks were not yet a part of our everyday lives. At that time, the Internet was, in short, a relatively diverse, undefined digital space where individuals and small companies also found their place, and was not only dominated by a handful of corporations that have currently almost entirely filled the digital map.

THE RISE OF NETWORKS

When I was listening to Rheingold's lecture in Ljubljana, I was not aware that 2004 was an important crossroad between agora and panopticon. This was when Facebook was created, emerging after the first burst of networks, numerous of which later withered or stagnated, such as Bebo, Ryze, XING, MySpace and Friendster. Facebook was developed by Harvard students Mark Zuckerberg, Dustin Moskovitz, Chris Hughes and Eduardo Saverin in order to connect friends and colleagues all over the world, thus enabling them to keep in touch. That same year, the network spread from Harvard to the universities of Stanford, Columbia and Yale, and was used by one million people. The year after that, Facebook moved from the university environment to American and international high schools, which increased the number of its users fivefold (5.5 million). In September 2006, the network became available to anyone and the number of users doubled again. The pace of its growth continued in the following years: 20 million users were using it in April 2007, and 50 million in October of that same year. In 2008, Facebook was first presented in Spanish, French and German (up to that point, the platform was only available in English), before moving on to include numerous other languages. Due to its internationalisation, Facebook had 100 million users by 2008; over half a billion users by mid-2010; and three billion users by 2022, of whom approximately two billion are active (to find out more on the rise of Facebook, see Podjed, 2010).

Facebook is currently so omnipresent that the name of this network is used in certain countries around the world, such as Myanmar, as a synonym for the Internet. Instead of going online, they go on Facebook, where they find all the information that they need, including disinformation. How did this mess come to be? Until the middle of the previous decade, most of the people under the supervision of a military government in this country were not allowed access to the Internet or mobile phones. It was only after the liberalisation of the market in 2011 that citizens were suddenly allowed to access telecommunication devices, which caused mass use of mobile phones and also Facebook which was often preloaded to the purchased devices (Asher, 2021). As explained by Sheera Frenkel and Cecilia Kang in their book *An Ugly Truth* (2021), the rapid spread of (real and fake) news through Facebook also fuelled numerous atrocities in Myanmar, including the slaughter of and brutal violence against the Rohingya people in 2017 and 2018 which saw 740 thousand people escape from Rakhine State to neighbouring Bangladesh.

Throughout the world, there are many other similar examples of violence initiated on social media networks, including the attack on the Capitol Building perpetrated in January 2021 by a mob of Trump supporters which happened after adding fuel to the fire through Twitter and Facebook. In the event of such riots, social network owners usually have washed their hands of it while avoiding lawsuits and sanctions. "We are merely a platform used to communicate information and connect people" became a handy answer for the owners and founders of social networks to explain what they (don't) intend to do in the future.

APPARENT ALTRUISM AND CONCEALED EGOISM

The issue isn't only how networks affect people but also their organisational structure. As explained by Frenkel and Kang (2021), Facebook has existed in a strange state of duality and self-contradiction ever since its creation nearly two decades ago: on the one hand, its goal is to connect people throughout the world, and on the other hand, it is trying to use them and their data for its own gain. People trust a huge amount of personal information to this network: from personal records and photos to the films and songs that they like. The authors explain that it is not necessary for this data to stay safe, hidden and private on Facebook. The point of "surveillance capitalism" (Zuboff, 2019) is to drain, process and sell user data as soon as possible and for the highest possible price.

The second main finding of *An Ugly Truth* is that Facebook is nowhere near a democratic system but rather an autocracy with its founder, majority owner and CEO Mark Zuckerberg at the top, flanked by the executive director Sheryl Sandberg. (The other three aforementioned

founders of Facebook faded into oblivion, unnoticed, during the development of the company.) As explained by Roger McNamee, one of the early investors in this network who later became one of its harshest critics, in his book *Zucked* (2019), the organisational structure of Facebook reminds us of a loaf of bread with an antenna sticking out from its top. The bottom consists of a community of more or less equal individuals, while the top is composed of an elite group of individuals who pull the strings. This is why Mark Zuckerberg, the member of the original group of founders who became the "alpha and omega" of the company, can be considered as part of the group of digital overlords, together with other present-day moguls such as Jeff Bezos (Amazon), Elon Musk (Tesla), Larry Page and Sergey Brin (Google), Larry Ellison (Oracle) and Bill Gates (Microsoft). All these individuals who are a part of the top ten richest individuals in the world, according to Forbes, entirely control a key "region" of our everyday lives, i.e. digital worlds in which several billion people spend huge chunks of their time.

SUBMERSION IN THE DIGITAL FEUDALISM

The next step planned by Zuckerberg is the creation of a parallel world or a "metaverse" that people are supposed to immerse into even further than through social networks. In this world, they will work, socialise and have fun while creating new and maintaining past relationships, etc. The metaverse prepared by Meta will obviously be the next step towards what the philosopher David Chalmers (2022), otherwise a proponent of "virtual realism", calls "reality plus". He claims that virtual worlds are just as real as the physical ones – or even more, which is exactly what is disturbing in the context of this discussion.

The worlds into which we will immerse even further and in which we will spend most of our waking hours, just like we currently do with screens, will namely be privately owned. And this is the key question related to justice: how righteous can a society be that exists in a private virtual world, on a platform governed by more or less one single person, with tendencies to become an autocracy or even a new form of feudalism?

As a throwaway comment, I mentioned the possibility of the immersion into virtual worlds being the beginning of digital feudalism in an interview for the Delo newspaper (Kapitanovič, 2021); later, I heard that, almost at the same time, the philosopher Slavoj Žižek and the economist Yanis Varoufakis mentioned the transition towards “techno-feudalism”, which is already underway, during a debate which took place in Cukrarna, Ljubljana (YouTube, 2021). As explained by Varoufakis, one of the differences between a neo-feudal economy and capitalism is that in the context of the former, all power will be held by small elites who will control and contain entire markets. While monitoring the operations of Internet giants such as Facebook, Amazon and Google, Varoufakis finds that, in the future, digital “scenes” created by these elites will, more than ever, cater to the needs and desires of individuals and groups of the selected few.

This is why these actually won't be capitalist free trade markets but rather feudal markets with strict executive control over all activities and transactions. “This is how capitalism ends: not with a revolutionary bang, but with an evolutionary whimper. Just as it displaced feudalism gradually, surreptitiously, until one day the bulk of human relations were market-based and feudalism was swept away, so capitalism today is being toppled by a new economic mode: techno-feudalism,” writes Varoufakis in one of his comments (2021).

Who knows, maybe in the new system, man and his physical existence might become superfluous while his “digital double” will be important and worthy for companies that will use it, direct it and extract data from it (compare Krašovec, 2021).

CONCLUSION

What can we do to prevent a transition to the new yet old social system which is poised to be even less fair than the now-prevailing capitalism? How – if at all – can we stop the transition to digital feudalism where the elites controlling every fibre of our digital daily lives and using the data that we irrationally share even more than before are bound to prosper?

First, we must immediately put privacy at the forefront for it to become a cornerstone of digital democracy. With the boom of networks in the 21st century, the concept of privacy became almost redundant; we started voluntarily sharing data on where we are and what we do, unknowingly spreading them during our everyday activities. The people walking in our footsteps to “sweep up”, collect and process our data are thereby given the power to influence our thoughts, decisions and actions (Veliz, 2021).

How can we change that? Technologies such as blockchain could be used to have people regain control of their own data and start sharing them in a more reasonable manner, or even trade them if they wish to do so. This would turn the business model upside down: instead of having people pay for their own data, technology giants would become the ones paying for them.

Second, countries and international unions (European Union, United Nations, etc.) should become more involved in the control of the power of technological giants that have quite literally outgrown them in this past decade. (The number of “inhabitants” of Facebook, for example, far exceeds the number of inhabitants in the EU, US or even China and India, i.e. the two countries with the highest population). The countries and their inhabitants should have the possibility to co-decide on the future development of these privately-owned platforms which have an important influence on the everyday lives of people and can even provoke social disasters such as the one unfolding in Myanmar.

Third, we must finally stop kidding ourselves and others that what we do in front of our screens or with the assistance of glasses, helmets and other accessories used to access “virtual reality” is merely virtual and therefore not real. We must face “virtual realism” in which events unfolding in the digital world are true, actual and tangible. The same applies to what we see on screens and what we create on Facebook, Twitter and Instagram.

Fourth, on our path towards the future, in addition to the so-called digital transformation which became a popular yet void catchphrase, we should focus on analogue transformation, i.e. creating awareness of the physical reality and the equilibrium between the analogue and the digital in our everyday lives (see, for example, Sax, 2016). In that respect, I must emphasise that the analogue does not exclude the digital but rather provides a meaningful complement, adding a different quality to our existence.

Fifth, we must make sure to not potentiate the prediction by William Gibson, the writer of numerous works of science fiction and the author of the word “cyberspace”, who once said that the future is actually already here but is just not distributed evenly (Gibson, 2003). Now more than ever, we must guarantee uniform and fairer access to technological gadgets, while also allowing everyone to disconnect from technology. This is the only way for us to set off to a new form of democracy without stumbling into one of the dystopian scenarios which are connected to feudalism, totalitarianism, or autocracy.

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The

unjust digital

economy:

**In the world
of the new and
beautiful
Big Brother**

DOMEN SAVIČ

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INTRODUCTION

A fair digital economy is one of the guidelines of the plan of the European Commission up to 2024 with which the European Union is trying to take a step into the future. In the text, “fairness” is understood as an equal approach to technologies and services (“Shaping Europe’s digital future”, undated), while the European Commission also emphasises the protection of privacy of its citizens in this regard.

The representatives of the European Commission underlined these guidelines during the presentation of new legislative proposals when the Executive Vice-President of the European Commission for A Europe Fit for the Digital Age, Margrethe Vestager, said: “We want every citizen, every employee, every business to stand a fair chance to reap the benefits of digitalisation.” (“Shaping Europe’s digital future: Commission presents strategies for data and Artificial Intelligence”, undated).

The myth of a neutral technology poised to take the European Union into the beautiful new world, enabling everyone equal access and fair use, has long been pressured by real life where technology is only as fair as its users and creators. The authors explicitly state that “[w]e have more faith in the devices...than we do in other people [...]” (Gregg, Wilson, 2015).

This is not a one-time issue but a long-term trend that appears every time digital technologies are implemented throughout the world and which currently shows no sign of passing. In their introduction, the report authors write that “[a]lgorithms are neither “neutral” nor “objective” even though we tend to think that they are. They replicate the assumptions and beliefs of those who decide to deploy them and program them. Humans, therefore, are or should be, responsible for both good and bad algorithmic choices, not “algorithms” or ADM systems. The machine may be scary, but the ghost within it is always human. And humans are complicated, even more so than algorithms.” (“Automating Society Report 2020: Introduction”, undated).

THE GHOST IN THE SHELL

Fair access to digital technologies and services is only one part of the digital strategies used by policymakers to enter the world of the digital society where the COVID-19 pandemic showed just how unfair the development policies are and also demonstrated how different our access to technologies actually is.

Globally speaking, more than one third of the world's population does not have access to the gears of the digital economy (O'Halloran, Opp, Rastogi, 2021). According to the authors, the extremely unequal access can be attributed to a lack of technological products and cost inefficiency of access, as well as a lack of the knowledge necessary to use digital technologies and services.

This is not only a question of fairness in enabling access to services and technologies but it also demonstrates the lack of high-quality databases based on fair access. Several researchers have been warning us for several years that "most currently collected databases do not meet the basic quality criteria, which influences the quality of technological solutions developed using this data" (Redman, 2018). Meanwhile, the European Union and countries all over the world are developing an ever-increasing number of algorithm systems tasked with finding new ways of cohabitation with technology and the use of technological solutions for "fair digitalisation opportunities" in the field of safety, work, health, etc.

WARNINGS AND IGNORANCE

Service and tool developers are so far not yet aware of the problem of an unfair digital economy since the "creation of unfair tools" can occur in several tool and service development phases. (Hao, 2019).

Researchers namely find that unfair tools can be created due to wrong research assumptions, poorly collected and selected databases, lack of a social context of the product or service and, finally, our definition of fairness.

Nowadays, we can already observe the consequences of the use of racist algorithms in the American healthcare system where white patients most often find themselves on the list of patients who will need more medical care; in the American judicial system where it was twice as likely for an algorithm to unfairly classify African-American citizens as repeat offenders; or in the field of employment where researchers at Amazon have discovered a biased employment algorithm which opted for male workers more often than for female workers. The issue was the data collected since the algorithm was mainly "learning" from workers' CVs (Shin, 2020). Similar findings have

been discovered by American researchers in terms of an ever-increasing number of automated solutions for the granting of a bank loan, where the colour of one's skin was, once more, unfairly playing the crucial role (Martinez, Kirchner, 2021).

We could say that the difficult functioning of digital economy solutions could be expected from the outset, meaning we must mainly focus on resolving the issue of unfair automated decision-making processes which are based on problematically collected data from databases or other reasons for such decision-making. But this still isn't happening; most solutions for unfair automated systems occur sporadically and not systemically (Sharkey, 2020).

A POLITICAL SOLUTION TO A TECHNOLOGICAL ISSUE

The issue with biased algorithms will not be resolved by technology. Researchers warn that, in order to find the solution, we must turn to the world unmarred by technological determinism because of the way in which bias is embedded into artificial intelligence systems whose owners transfer injustice from the real world. Researchers in that field say that the “culture of silence in the field of discussion about unsatisfactory solutions to algorithmic inequality results in numerous reasons, one of which being the presumption that developers are not responsible for unfair algorithmic solutions if they followed all existing norms and rules when developing them” (Zimmerman, Rosa, Kim, 2019). The issue with this is the presumption that developers of automated decision-making systems do not make decisions when developing them, even though while doing so, they must consciously decide on adding and removing functions that make up the entire automated service or product.

“Of course, we are not saying that developers consciously wish to harm the end-users of the automated solution; the issue is that developers are not aware of all the social contexts in which their solutions will be used,” they add, impressing upon the authors of automated solutions

to take responsibility for their own products. “Authors must be responsible for their automated solutions, simply because they know enough about any possible misuse,” they conclude. Above all, people should be aware of this responsibility in areas with particularly sensitive social groups, such as children. “Algorithms can unfairly direct children towards certain career paths without even knowing how they reached this decision,” researchers warn (Hillman, 2021).

The role of the policymaker in this area is therefore presented as a potential solution to this issue, even though this approach also has its fair share of challenges (“Should the government play a role in reducing algorithmic bias?”, undated). In this regard, we must first separate the role of democratic governments as users of algorithm solutions from the public sector as the regulator and overseer of those same solutions. The analysis of impacts, requirements for transparent operations of algorithm services or promotion of the development of ethical algorithm services could, according to researchers, guide development in the right direction.

SELF-REGULATION OR REGULATION?

In doing so, our key task is to forget, as soon as possible, the self-regulatory framework which, until now, has played one of the leading roles in the regulation of the digital economy in the field of personal and user data, as well as the provision of the ethical development of automated decision-making systems. Current systems which mainly rely on self-regulation have proven to be inefficient several times over. Recent discoveries revealed by the whistleblower Frances Haugen, as well as testimonies from Facebook employees, are the final sign that the days of self-regulation may be numbered. “Employees’ testimonies have shown that there is simply no will for self-regulation when it comes to obviously harmful products and services of this company,” say the experts in their

comments on the testimonies and lack of commitment to resolving issues (“Big Tech’s self-regulation has failed users”, undated). One of the co-regulation suggestions plans public and private partnerships where the state would define broad regulatory objectives in a relevant field, while the implementation of said regulatory framework would be provided by special private companies overseeing efficient control. Some advocates of such a system believe that this would help us out of the Gordian knot of inefficient regulation which is the result of a lack of technological competencies, energy and political unity, as well as a lack of energy and ideological blindness when it comes to efficient self-regulation (Hadfield, 2020).

THE ROLE OF CONSUMERS AND CITIZENS

We must also ask ourselves about the role of the citizen and consumer who play an increasingly important role when it comes to resolving the issue of an unfair IT society. By economically pressuring companies, a consumer can help resolve the supply-demand issue (Janiszewska-Kiewra, Podlesny, Soller, 2020), where the focus should be placed on the values of safety, transparent operations and the development of a cultural framework assisting in the management of automated solutions and large databases.

At the same time, the voices of those who mainly see the solution in the political pressure of citizens against the policymakers, as well as the implementation of a clear legal framework and efficient regulation directing companies towards more responsible development of technology, are also intensifying. “The most common criticism of regulation standing in the way of development is unfounded,” says researcher Sandra Wachter (Klovig

Skelton, 2021). “We must be aware that the purpose of regulation is to promote responsible development.”

Efficient implementation of the rules should also play an important role in terms of the regulative approach. “We must stop putting our trust into the myth of a responsible user who will make responsible decisions in the digital economy,” says Professor Robin Mansell (Mansell, 2021) who further notes that “we must also stop blinding ourselves with the illusion that digital economy systems will reward such decisions, or even allow them.”

We must deal with the myths of digital regulation if we wish to change things for the better in this field. “If we don’t deal with them and if we don’t resolve them, all regulation in the digital economy, as well as the implementation of a fair environment, will ignore the reasons for injustice, which will make their elimination practically impossible,” concludes Mansell (2021).

THE BEAUTIFUL NEW WORLD OF BIG BROTHER

Providing a fair digital economy that will actually reflect the wishes of its creators should therefore juggle several areas at the same time while keeping in mind a common goal – the provision of a fair digital environment for all users.

It is not enough for companies to commit themselves to ethical development only to discover, time and time again, that they do not have the necessary tools or procedures for its implementation, or that they are doing it without being aware of how their automated solutions affect society at large (Donaldson, 2021).

It is hard enough for consumers to pressure private companies or have our political representatives deal with regulatory frameworks while the industry keeps on finding innovative solutions to avoid meaningful, efficient control, and continuously endangering the human rights and privacy of their users (Wang, Zhang, Wang, 2021).

In this field, we will mostly need a change in the economic model of operation of the digital economy which is based on unfair services and tools, and the implementation of a multidisciplinary approach to developing, distributing and correcting the services and tools for the digital economy. For everyone’s sake.

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“

For justice

without

adjectives



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When asked what would have been just, the Nazi Minister of Propaganda said that having Germany win the war would have been the most just. This is a good example of how totalitarian regimes exploit the notion of justice and use it instead of another word which, albeit more appropriate, does not sound nearly as nice and does not evoke the same feelings in people.

Once something is labelled as “just”, any debate is impossible; it is completely unbecoming, after all, to take a stand against “justice”. This prevents deliberation which is the foundation of democracy. We must therefore tread lightly when using the word “just” since its misuse can

soon lead us into the treacherous waters of populism. This article is a contribution to the prevention of the misuse of the word “just” in everyday public and political speech.

Justice is extremely important for people. Evolutionarily speaking, communities are more successful if their members cooperate with one another.² Voluntary cooperation reduces the amount of energy that must be used to coerce people, keep them in check, and resolve disputes.³

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- 1 Life on Earth has been shaped by evolution. Natural selection is the mechanism of evolution – evolution selects characteristics which help a species survive. Evolution did not end with the arrival of *homo sapiens*, nor did the selection mechanism stop when success was no longer only defined by the biological characteristics of a group but also by its culture. Richard Dawkins established that the transmission, mutation and selection of genetic and cultural material (genes and memes) are very similar mechanisms. The biggest evolutionary advantage of *homo sapiens* compared to other living creatures is its brain. Since the brain is biologically determined, it is difficult to change it quickly; it took millions of years for our brain to become more powerful than monkeys’.
 - 2 When we talk about evolution and survival, we are not discussing the brain of one human being but rather the survival of the group within which this human being operates. The progress of the whole of humanity is based on the fact that people cooperated with one another. This was a two-dimensional cooperation. Every new generation has been able to make use of the knowledge collected by the previous generations. We cannot observe this phenomenon in the animal kingdom: animals only know what is innate, and also mimick their parents from time to time. The other dimension consists of cooperating with other members of a family, tribe, country, etc., which has enabled us to specialise, divide labour, and increase our productivity, while also offering us a higher chance of survival. In line with the proverb that two heads are better than one, the communities that were able to convince more people to participate in the cooperation process were more successful.
 - 3 Creating rules, habits and the culture necessary for cooperation was therefore always the key to developmental and survivalist cooperation. Nobody planned for this to happen. The institutions and instruments such as families, tribes, money, property, laws, judges, etc. were created as a result of spontaneous evolution. An extended order, i.e. the order of the culture in which we live, has been created beyond the biological instinct of the people who formed the natural state (described as Rousseau as “heaven on Earth” where a man is an angel to another man, or by Hobbes who said that “man is wolf to man”). God – or, if you prefer, evolution – selected the rules which enable us to survive. These rules were not immutable, static, or set in stone; they did, however, need to be stable enough for evolution to be able to perform a selection and also allow for the possibility of mutations, since this was the only way for improvements and competition to happen. One of the most important tasks of these rules was to set up cooperation or harmony within a group. The better and cheaper the cooperation, the less resources were needed to force or establish order amongst the cooperating participants, which means that more resources were available for activities that increase well-being. If we exaggerate a bit: the less people that there are in the army, in the police force, and in the judicial system, the more food can be produced and children healed so that more children would survive.

People are more likely to voluntarily cooperate with others if they can count on the fact that others will treat them justly.⁴ Considering the evolutionary origins of this concept, the reverse also holds true – what is just is what has been proven to enable us peaceful voluntary cooperation. What our culture understands as “just” is what is useful to be considered as “just” in order for our culture to survive.

As individuals, we evaluate what is just based on four different sources: our innate feelings, our cultured feelings, our theoretical reflections and political propaganda.

The first two types of fairness have been tried and tested throughout our biological and cultural history, while the second two types are invented, have not been tested, and are therefore easily manipulated. The issue of “justice in the 21st century” is that some have been trying to detach it from the first two sources (and mostly the second one) at the expense of new ideas brought forth in the context of the third and fourth types.

INNATE AND CULTURED JUSTICE STOOD THE TEST OF TIME

The innate feeling of justice is the type of justice that proved to be useful in the tribal communities of the Stone Age. Their members practically shared the same genetic material; since they were so alike, this increased the possibility of survival of said shared material. This is where the atavistic aspiration of equality comes from.⁵

In advanced agricultural and industrial societies, the fact that each individual must strive for their own success and for their descendants is becoming increasingly important. This can trigger feelings of envy in others, which is why the religions in these societies have turned envy into sin, in addition to fostering the feeling of justice which states that it is “just” for every individual to get what they deserve.

This is how “justice” was understood by everyone, beginning with Aristotle.⁶ In his work *Nicomachean Ethics*⁷, he says: “Everyone agrees that it is just to have something divided by merit.”

Catechism no. 1928 of the Catholic Church states: “Society ensures social justice when it provides the conditions that allow associations or individuals to obtain what is their due, according to their nature and their vocation.”⁸ What people consider to be “just” depends on what happened in the past, what somebody has already shown and done, and not on what they promise to do in the future.⁹

4 Justice is therefore a feeling that we have when we interact with others. Justice is a characteristic of interaction between people. We treat others justly, or not, while they also treat us justly, or not.

5 The same feelings have been observed in certain animals. During training, for example, a dog notices the “injustice” if another dog receives a treat for an activity that was also performed by the first dog.

6 Hospers, John (1985). *Justice versus Social Justice*, Foundation for Economic Education, January 1, 1985, <https://fee.org/articles/justice-versus-social-justice/>.

7 Aristotle (2002). *Nikomahova etika (Nicomachean Ethics)*, Slovenska matica, 2002, page 161, ISBN 961-213-016-7.

8 The Vatican (2005). *COMPENDIUM OF THE CATECHISM OF THE CATHOLIC CHURCH*, Vatican Archive, 28.6.2005, https://www.vatican.va/archive/compendium_ccc/documents/archive_2005_compendium-ccc_sl.html.

9 Hospers, *ibid.*

We behave justly when we listen to those two voices – the innate and the cultured – on what is just. If we are just, people like to cooperate with us. The higher the

number of such people, the fewer police and courts we need to process injustices, which means that more of us can concentrate on doing something directly useful.

THEORETICAL JUSTNESSES

Values have developed spontaneously, which does not mean, however, that wise men have not been thinking about them. So they asked themselves: what is, for example, justice? They abstracted intuitive feelings into theoretical rules. In the beginning, they were thinking about it in a descriptive manner, by trying to describe what is understood as “just” in their community. This is how Aristotle, for example, thought about justice.¹⁰ Up until the Age of Enlightenment, justice was exclusively understood as the feeling of people that others (individuals or institutions) are treating them justly.

This view on justice derailed so much in the 20th century that Hayek was justified in writing:¹¹ “Indeed, the basic point of my argument – that morals, including, especially, our institutions of property, freedom and justice, are not a creation of man’s reason but a distinct second endowment conferred on him by cultural evolution – runs counter to the main intellectual outlook of the twentieth century.” Leddihn¹² says, even more frankly: “Justice is an irrational ideal. However indispensable it might be for man’s will and action, it cannot be reached by knowledge.”

Blinded by enlightenment and their minds, some thought that they could prescribe what is “just” and find new, better rules than the ones shaped by evolution or prescribed by God. According to the utilitarian understanding, for example, justice is therefore “what brings about the greatest amount of good for the greatest number of people”.¹³ In doing so, said understanding seeks, however, to encompass the evolutionary role of justice – a great amount of good probably enables a great number of people to survive.

In the finest tradition of the arrogance of reason¹⁴, Rawls thought that the sense of justice could be replaced by a theoretical construct. He set up a widely accepted theory¹⁵ of what the social structure should be like in order to be just. Simply put, according to Rawls, a just system is a system where everybody is equal. Inequality is only justifiable if it improves the position of the poorest members of said system. He argued this by saying that such a system would have been chosen by people if they had to select their system from behind the veil of ignorance, i.e. not knowing which position they would be born into.

10 Aristotle, *ibid.*

11 von Hayek, Friedrich (1991). *The Fatal Conceit*, University of Chicago Press, 1991., pg. 52.

12 von Kuehnelt-Leddihn, Erik (1974). *Leftism: from de Sade and Marx to Hitler and Marcuse*. Arlington House, 1974, Chapter 14.

13 Driver, Julia (2014). *The History of Utilitarianism*, Stanford Encyclopedia of Philosophy, <https://plato.stanford.edu/entries/utilitarianism-history/>.

14 von Hayek, *ibid.*

15 Rawls, John (1971). *A Theory of Justice*. Belknap Press of Harvard University Press, 1971.

Rawls moved the understanding of justice, which originally meant the way in which people treat each other, into the field of wealth redistribution in society; now, we almost exclusively talk about justice in the sense of distributive justice. This stems from the fundamental misunderstanding that wealth is created by “society” and that the social contract is therefore tasked to distribute said wealth among people. According to the classical liberal view, wealth is created by individuals; if their cooperation

is free and voluntary, there is actually nothing left to be redistributed since wealth is already distributed based on said cooperation. Classical liberals would not agree that wealth being distributed by the “invisible hand of the market” is distributed in a just manner, since they disagree that justice can be a characteristic of results, i.e. that a certain state can either be just or not. The only thing which is just or unjust is how somebody is being treated by others.

CRITICS OF RAWLS’S THEORY

Rawls’s theory of justice and the social contract built on its premise is widely accepted by the left, the right and the centre. Critics are rare. Nozick¹⁶ criticises Rawls by saying that Rawls’s idea of a just system is impossible. Here is his thought experiment: A just social contract is applied, stuff is justly distributed among people, and we then let people cooperate and trade freely. Some time later, the distribution will not be the same as at the beginning, meaning it will no longer be just, and we will arbitrarily have to take something from someone to give it to someone else.

A similar argument is echoed by Sowell who says¹⁷ that social justice is incompatible with the rule of law where the same rules should apply for everyone in the same way.¹⁸ Hayek establishes that the concept of social justice is incompatible with the market economy.¹⁹

Rotham²⁰ claims that Rawls put a lot of intellectual effort into rationalising envy, i.e. envy toward people who are simply luckier — “the theory of justice originates from a subjective feeling, that is hate towards being lucky”. Bloom²¹ finds that Kant made people equally dignified since they all have the capability of moral judgement, while Rawls crossed out the last part, saying that people are simply equally dignified, full stop. He goes on to say that “John Rawls [has] ... writ[ten] hundreds of pages to persuade men, and proposing a scheme of government that would force them, not to despise anyone.” As if to say that achievements and the behaviour of certain

16 Nozick, Robert (1974). *Anarchy, State, and Utopia*. Basic Books, 1974.

17 Sowell, Thomas (1999). *The Quest for Cosmic Justice*. Free Press, 1999.

18 Said incompatibility can be resolved if the law stops supporting what is perceived as just in society and instead starts defining what is just. The latter is a characteristic of legal positivism, while the former is the definition of law as the art of justice from the Institutes of Justinian where justice is understood as allocating to each individual what belongs to them according to their merit. The issue becomes all the more solvable if the law becomes a tool for the imposition of politics and not for the support of justice.

19 Hayek, *ibid*.

20 Rotham, Nath (2019). *The Attack on Luck*, Commentary, Vol 147, No 2, page 22, <https://www.commentary.org/articles/noah-rothman/the-attack-on-luck/>.

21 Bloom, Allan (1987). *The Closing of the American Mind: How Higher Education Has Failed Democracy and Impoverished the Souls of Today’s Students*. Simon and Schuster, 1987, pg. 229.

people are despicable after all. The mission of the social contract is to provide the same reputation to everyone, regardless of their moral judgment. “Rawls’s A Theory of Justice is the instruction manual for such distribution.”²²

Nozick defends the idea that it is just if the wealth, status and position of an individual are proportional to his effort, capabilities and achievements. At this point, Hayek interestingly agrees with Rawls that this is not possible, and therefore allows for the possibility that the results of work are distributed “unjustly” according to the contribution, value or capability of an individual, i.e. “unjustly” according to “merit”. The difference is that Rawls allows for said injustice if it increases equality, while Hayek sees it as a danger capable of destroying the market order or

catallactics which optimises the distribution of resources according to the needs of people. According to Hayek, it is not unjust for someone to obtain less (or more) on the market for something which would deserve more (or less) according to the merits of said individual²³. It does not make sense to label the market results as “just” and “unjust”, just like it does not make sense to say that it is “just” or “unjust” for lightning to strike someone’s barn or for someone to win the lottery. In the same breath, he says that there is no reason for a government of a free society not to provide protection against severe deprivation in the shape of a guaranteed minimum income, not because it is “just” but because it makes for a more productive society.

FLAWS OF RAWLS’S THEORY OF JUSTICE

Rawls’s theory of justice has at least five objective flaws: At the core of Rawls’s theory is the idea that if there is equality, there is also justice. This is a childish and atavistic view of justice. It seems right that a mother and father love all their children equally and that they are all given ice cream. Equality was also one of the characteristics of tribal communities and was motivated by evolution. The fact that all languages include separate words for equality and justice means that people used to understand them to be two separate concepts.

Rawls’s theory on justice has all of the flaws of social theories. A theory is an abstraction of reality. The theory of justice tries to extract a general rule, which would apply to all cases, from a multitude of transactions and relations which take place in a society and which are individually viewed by people as more or less just. It is entirely possible that, were the abstract rule used to evaluate an actual transaction, the theory would claim it to be unjust while

people would feel that it was just, and vice versa.

Rawls posits that outcomes can be just or unjust. In this way, the position, status or wealth of people can be just or unjust, and not just the transactions. This leads to a situation where Rawls allows us to be unjust in transactions (e.g. taxation) in order to obtain “just” outcomes (e.g. everyone is equal).

The veil of ignorance is a nice intellectual idea, claiming that a just organisation of a society is the one that people would choose without knowing which level of society they would belong to at birth. It ignores, however, that the model people would choose is different from the model that would feel just when living within the said model. If people think that something is unjust, they will not change their minds just because we explain to them that, theoretically, they would find the same thing just if they were operating from outside the veil of ignorance.

22 Bloom, *Ibid.*

23 Lister, Andrew (2013). The “Mirage” of Social Justice: Hayek Against (and For) Rawls. *Critical Review* 25, 409–444. <https://doi.org/10.1080/08913811.2013.853859>.

They are not ignorant, they are knowledgeable. The excuse is that inequality is just if it helps the poor. But this is actually empathy and solidarity, not justice. Deciding from outside the veil of ignorance has another severe drawback. People tend to overestimate danger when they are the ones concerned.²⁴ Had they been ignorant, people would opt for the system which would be safer

than optimal for the development of the community – just in case. We probably all understand that more information yields better results than less information. Evolutionarily speaking, the question is not the survival of an individual but the survival of the group. From behind the veil of ignorance, people would therefore choose a safer and less productive system.

POLITICISATION OF JUSTICE

The fourth type of justice usually appears as political slogans and catchwords and is generally expressed with adjectives: social, environmental, climate, etc. Goebbels would probably have also added national justice. According to Hayek²⁵, “social justice” is “a semantic fraud from the same stable as People’s Democracy”. It is neither social nor is it justice, just like People’s Democracy was neither a democracy nor was it of the people.

Here are the deceits used to market these adjective justices: Justice and equality are being mistaken for one another. This is an echo from the instincts used in the Stone Age. Envy is, once again, a value. Rawls also succumbed to this temptation. Having everyone receive a Christmas bonus may be equality but is not justice since certain people deserved it more than others.

What they perceive as just is something that is actually solidary, compassionate, environmentally friendly, desired, compliant with a certain ideology or otherwise positive. There is a reason that we use different words for different characteristics. Having everyone receive the same amount of food is compassionate but is only just if they deserved it – if this is the quantity that they should get.

The only thing being evaluated as just or unjust are not the actions of people (which is the only justice allowed by extreme liberals such as Nozick) or the actions or rules

of institutions (when it comes to that, Hayek and Rawls agree that institutions can also be just or unjust); they go a step further than Rawls and evaluate the state of affairs and outcomes as just or unjust – i.e. it is unjust that someone has EUR 100 million while others have none.

But since the state or the position of people does not only depend on how other people and institutions treat them, but also depends on good luck, bad luck, natural conditions, the environment, and a whole host of coincidences, setting up a “just” state requires to right the wrongs done to people by cosmos. Thomas Sowell calls it the “quest for cosmic justice”.²⁶ Theoretically, this is impossible to achieve; achieving impossible goals requires infinite violence, and the more we wish to right the wrongs of the universe, the more violence we need.

At the core of the modern relationship of authoritarian regimes toward justice lies the fact that they are willing to be unjust towards people to achieve the supposedly just outcomes. When progressive politics refers to justice, we should be rightly afraid that their actions will be unjust and will require force. Such progressive projects can only be successful in the short term since the use of force is expensive and negatively affects creativity which in turn causes developmental slowdown. This was observed in the downfall of Nazism and Communism, two systems that perpetrated criminal injustices while touting justice.

24 Taleb, Nassim (2017). The Logic of Risk Taking, Medium, Aug 25, 2017. <https://medium.com/incerto/the-logic-of-risk-taking-107bf41029d3>.

25 von Hayek, Friedrich (1991). The Fatal Conceit, University of Chicago Press, 1991., pg. 117–118.

26 Sowell, ibid.

CONCLUSION

Based on what we have discussed in this paper, we should be careful when using the term “justice” in the 21st century, so as to not abuse it by combining it with ideological or political goals. For peaceful and productive cooperation in a society, people need to feel like they are being treated justly. This feeling is not only destroyed by

real injustice but also by a different, forced and made-up definition of justice. A rich theoretical justification of such a definition makes little impression on the sense of justice we have been born with and that our culture has imprinted on us.

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The value of
autonomous
social and cultural
centres
in preserving
justice in spatial
development during
and post COVID-19:
the case of Ljubljana

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INTRODUCTION

The World Health Organization encourages governments to consider NGOs and community groups as essential supporters of the most vulnerable groups that are thus at higher risk during COVID-19 (WHO, 2020, p.3). However, the COVID-19 era has witnessed political violence against autonomous social centres and marginalised groups, such as the attack on women's reproductive rights in Poland (Osiewicz, 2020), the political attack on the LGBTQ+ community in Hungary (Human Rights Watch, 2020), or the police brutality that the City of Ljubljana used to evict the occupants of the Autonomous Factory Rog social

centre in January 2021 (svet24si, 2021). Further, the Ministry of Culture in Slovenia is requesting the eviction of non-governmental organisations that represent various marginalised groups from Metelkova 6, a building owned by the Ministry, located in the Metelkova Mesto Autonomous Social and Cultural Centre (CIVICUS, 2020). These incidents coincided with the stay-at-home instruction and measures restricting assembly. Thus, this research highlights the value of autonomous centres and their occupants in preserving justice in spatial development.

METHODOLOGY

This paper conceptualises a framework combining Rawls's theory of justice (1971) and the politics of nature by Latour (2004) with the self-governance of the commons (Ostrom 1990, pp. 180-183) and the socio-ecological model in preventing violence (Rutherford et al., 2007). It emphasises the resistance against political violence to validate justice in spatial development. We validate the framework to analyse the value of the former autonomous Rog centre, autonomous Metelkova, and the NGOs' resistance against the eviction of the occupants of Metelkova 6 in preserving justice in spatial development in Ljubljana. We use discourse analysis methods to argue justice dimensions between the two concepts of *de facto* and *de jure*.

Conceptualising justice in spatial development based on three aspects: procedure, distribution, and safe places.

Spatial development is defined as "Changes in the distribution of activities in space and the linkages between them through the conversion of land and property." (What Is Spatial Development | IGI Global, n.d.). In this paper, we discuss spatial development in its broader scope that includes but is not limited to spatial planning. Spatial planning tackles the process where state actors are the policymakers (Yoshida et al., 2020); this minimises the power of other actors who directly impact spatial development even if we do not consider them policymakers. We, therefore, study justice in spatial development in terms of changes brought about by autonomous centres and their residents.

Justice in spatial development as a procedure: Rawls (1999, 73-74) differentiated between pure and impure procedural justice. Pure procedural justice refers to equal opportunities in decision-making. If we identify a city as a communal space shared by various users with unequal opportunities to participate in spatial planning, we can argue that this city has a pure procedural injustice. Thus, autonomous social centres that host people with less or no rights in the city are actors to achieve pure procedural justice in spatial development.

Justice in spatial development as a distribution: the "principle of difference" and the "the principle of the original position" in distributive justice (Rawls 1993, pp. 5–6) refer to distributing burdens and benefits with total egalitarianism regarding fundamental rights and assuring that inevitable inequality may occur if it puts the least privileged in better conditions, the inevitable inequalities shall be in positions opened to the least advantaged. We connect this approach of Rawls to the principles of self-governance by Ostrom (1990, pp. 180-183), which refer to the importance of the commons and their communities to self-governance and to Freire's pedagogy of the oppressed (2000, pp. 44-54), which indicates that only people who experience oppression can lead the change toward justice. Thus, the NGOs which resist the eviction of the occupants of Metelkova 6 preserve distributive justice in the autonomous Metelkova Mesto Centre, which is also a common place. We can connect Rawls's principle of original position to Latour's politics of nature (2004), which means that when we distribute fundamental rights, we shall do it using an anti-anthropocentric approach where we also consider non-human actors such as the environment.

Justice in spatial development as a safe space: The socio-ecological model for preventing violence identifies four intervention levels (Socio-Ecological Model, 2020). The third level is "the community", which may consist of autonomous social centres as safe places; the relations developed in the latter prevent violence at the fourth level, "the society". We tackle political violence as the deliberate use of force to achieve political goals. The use of force can intimidate the groups subjected to it physically, physiologically, or by depriving them of their rights (Krug EG et al., 2002, p.25), manifested, for example, as police brutality (Eck et al., 2021), political violence against women's rights (Biroli, 2016) or state violence against the rights of LGBTQ+ community (Human Rights Watch, 2020), or depriving certain groups of their legal status like the former case in the Erasure (Jalušič & Dedić, 2007). Safe spaces are where marginalised groups feel confident that they will not experience any harm

(“Safe Space”, n.d.). Combining this definition with Freire’s pedagogy of the oppressed (ibid), we argue that safe spaces can only exist if the marginalised groups establish and manage these spaces. Autonomous social centres led by marginalised groups are essential to combat

inequalities in spatial development by creating safe places that prevent political violence in society as the fourth level in the socio-ecological model to prevent violence.

THE FORMER AUTONOMOUS FACTORY ROG AS AN ACTOR TO PRESERVE JUSTICE IN SPATIAL DEVELOPMENT:

In January 2021, the City of Ljubljana evicted the occupants of the autonomous Rog centre, which consisted of autonomous groups that had established an alternative place for grassroots activism, critical thinking, art, and culture. Diverse groups occupied the space and created a diverse communal place, an essential element of spatial justice ((sub)urbanite, 2021). The centre opened up a place for socially deprived groups to participate in cultural and artistic events that are not accessible in the city of Ljubljana due to gentrification and client-based policies (Kanellopoulou et al., 2021, p.7). From the distributive approach of justice, Autonomous Factory Rog balanced the unequal distribution of spaces by creating alternative opportunities for the people with less privileged socio-economic backgrounds.

The centre channelled the voices of marginalised groups like asylum seekers who cannot influence the top-down policies that impact their lives. Ambasada Rog, part of Autonomous Factory Rog, is a group of activists, including asylum seekers. They are essential campaigners for the rights of asylum seekers against detention in the centre in Postojna, where some asylum seekers have been detained under inhuman conditions during and post the COVID-19 pandemic (RTV, 2020; Ambasada Rog, 2021). Autonomous Factory Rog was where the least privileged people objected to spatial injustice during COVID-19, seeking pure procedural justice that Rawls identified as a just outcome itself.

Autonomous Factory Rog consisted of an assembly that presented a democratic instrument accessible to all group members (Kanellopoulou et al., 2021, p.18). The accessibility to the assembly demonstrates the self-management approach of communal spaces described by Ostrom to achieve the distributive justice described by Rawls while considering Freire’s pedagogy that the people who face oppression are the only ones who can lead the change towards a just society.

Political attacks on free journalism followed the eviction of Autonomous Factory Rog as a place for free and critical thinking. The Ljubljana editorial office of the newspaper Delo transferred the journalist Mojca Zabukovec from her position because of her article that was critical of the municipal eviction of Rog; the editorial board also manipulated the article before publishing it (Boštic, 2021). A new political attack was launched on free journalism a few months later; the Slovenian State Secretary for National Security, Žan Mahnič, threatened Delo’s Brussels correspondent Peter Žerjavič after he posted a tweet criticising Slovenian Prime Minister Janez Janša’s attack on the German national television broadcaster ARD (European Federation of Journalists, 2021).

According to the socio-ecological model for preventing violence, we argue that the eviction of the occupants of Autonomous Factory Rog, which represented a safe space for free thinking at the community level, led to political attacks in the form of political violence against the right of free journalism at the society level.

METELKOVA MESTO AUTONOMOUS CULTURAL CENTRE AS AN ACTOR TO PRESERVE JUSTICE IN SPATIAL DEVELOPMENT IN THE CITY OF LJUBLJANA:

Metelkova Mesto (Avtonomni kulturni center Metelkova Mesto) became an autonomous centre to resist the State's attempts to transform it from an alternative place for creative and free culture for all to a private client-based centre for profit (Breznik, 2007, pp. 85-87). During COVID-19, the institutionalised spatial development addressed the culture of consumption as vital for economic prosperity; for example, the STA national press agency announced the opening of non-essential shops with a statement from the Minister for Economy encouraging mass consumption as vital for the economy (STA, 2020). In contrast, the autonomous Metelkova Mesto continued to host alternative spaces for exchanging products to minimise mass consumption (All Hand Bazar, 2020). Thus, we argue that autonomous Metelkova Mesto preserves procedural justice through sustainability in spatial development during COVID-19 where the environment is also taken into consideration from an anti-anthropocentric point of view, which corresponds to the original position principle of Rawls integrated with the politics of nature of Latour.

Autonomous Metelkova Mesto consists of community-run clubs of ethnic, gender, and diverse minorities who have created self-managed, safe, creative and open places for all. It is a public yet safe space in terms of the values it holds, and it makes it clear to the public that all kinds of violence and discriminations are prohibited (Flanner, 2018); this is an essential part of Rawls's theory of justice where fundamental rights are granted for everyone and to Ferreira's pedagogy where groups who face discrimination are the ones who lead the change towards justice. Autonomous Metelkova Mesto has a history of ambiguous encounters with the State. The State has constantly tried to gentrify the autonomous cultural dimension of Metelkova Mesto (Breznik, 2007). In accordance with the socio-ecological model of preventing violence, we argue that the State's threats to the autonomy of Metelkova Mesto violate the self-management of a safe space that exists to prevent violence against minorities on the "social level" of the socio-ecological model, which in our case is the city of Ljubljana.

THE NGOS OF METELKOVA 6 RESIST EVICTION TO PRESERVE JUSTICE IN SPATIAL DEVELOPMENT IN METELKOVA MESTO AUTONOMOUS CULTURAL CENTRE AND LJUBLJANA:

We addressed the autonomous value of Metelkova Mesto. In this section, we will elaborate on the most recent encounter between the autonomy of Metelkova Mesto and the State. Autonomous Metelkova Mesto consists of several squatted buildings, community-led clubs, Celica hostel, and Metelkova 6; a building accommodates NGOs that contribute to the alternative cultural scene and represent and support a variety of marginalised groups in the city of Ljubljana. All the buildings are located in a common space which is open to the public and where community-based clubs and self-organised communities hold important alternative cultural, artistic and political grassroots activism events (Culture.si, n.d.).

The Ministry of Culture de jure owns Metelkova 6, and in October 2020, it sent a letter requesting that the NGOs based in this building vacate the place by January 2021. There is a great amount of injustice regarding the letter of eviction sent during the COVID-19 lockdown and related restrictions; this letter came unannounced, and the Ministry did not provide proper justification or alternatives for these critical NGOs that represent and support marginalised groups and provide an alternative cultural scene for the general public (ERA – LGBTI, 2020). However, here we only focus on the injustice of spatial development and its potential consequence for the autonomous scene in the autonomous Metelkova Mesto and the free-thinking and inclusive narratives in Ljubljana.

The particularity of Metelkova 6 relies upon i) the NGOs that reside in it, ii) the space where it is located, and iii) the type of government that wants to evict it. Metelkova 6 is the only building the Ministry of Culture has given to independent artistic and cultural actors. The existence of these NGOs is part of the broader Network for Metelkova Mesto, Peace, and Demilitarisation that founded the autonomous Metelkova Mesto Centre. In March 2020, the SDS party (Slovenska demokratska stranka, SDS) led the new government, and the same ministry that previously

dedicated Metelkova 6 to independent artistic and cultural actors decided to evict the occupants of the building a few months later, simultaneously with the second COVID-19 curfew.

The SDS-led Government also attacked the free media; it proposed a law to increase governmental control over the STA and reduce funds for the public broadcaster RTV Slovenija (Bayer, 2021). In contrast, the NGOs of Metelkova 6 are actors for free-thinking, and they are resisting the ministerial eviction led by the same government (STA, 2020a). Hence, we argue that they preserve the autonomous value of Metelkova Mesto as a place for free-thinking and, thus, according to the socio-ecological model, they prevent violence against free media as a form of free-thinking in Ljubljana.

According to Ostrom's theory of self-management, the location of Metelkova 6 is vital to maintaining the existence of the autonomous Metelkova Mesto as an alternative, public, and self-managed place. The NGOs of Metelkova 6 are part of the history and the autonomous value of Metelkova Mesto for its communities, which represent minorities and free thinkers. We can see the community bound through the support of different communities in the autonomous Metelkova Mesto against the eviction of the occupants of Metelkova 6 (Jalla Jala Akc Metelkova, 2020). Safe spaces and places self-managed by minorities are essential in our framework to maintain justice in spatial development, especially during and post the COVID-19 era when the right of assembly is threatened.

The report published by LEGBITRA in Slovenia presents some concerns of the LGBTQ+ community regarding the political situation where the SDS-led Government is in charge of the COVID-19 measures and the related restrictions. The report addressed some fears that the SDS-led Government may exploit the pandemic and its restrictions to threaten or violate LGBTQ+ rights (Perger,

2021, pp. 20-21). These concerns go hand in hand with our argument based on the socio-ecological model that by resisting the eviction of Metelkova 6, the NGOs who support or represent a variety of minorities, including

the LGBTQ+ community, are preserving justice in spatial development in the autonomous Metelkova Mesto and Ljubljana.

CONCLUSION

Community-based organisations are vital for recovery during and after the COVID-19 crisis. The gentrification of autonomous cultural and social centres coinciding with the restrictions of assembly challenges the community support, especially regarding the support for minorities in the form of free-thinking platforms. Autonomous Factory Rog was an essential place to produce justice in spatial development within itself and in the broader city of Ljubljana; it created alternative cultural and artistic spaces for the least privileged, thus contributing to a just distribution of goods according to Rawls's theory of distributive justice and to the self-governance principles of Ostrom. Autonomous Factory Rog contributed to pure procedural justice of spatial development by channeling unheard voices on unjust policies that impact them; it provided a space where those who experience oppression are the ones who lead the change. Through socio-political discourse analysis and based on the socio-ecological model to prevent violence, we argued that Autonomous Factory Rog was also an essential place to protect free thinking and prevent political attacks on free journalism in Ljubljana.

Autonomous Metelkova Mesto provides an alternative that integrates justice with sustainability, combating the culture of mass consumption and promoting solidarity beyond anthropocentrism; this combines the politics of nature of Latour with Rawls's principle of original position; it is a platform where community-based clubs representing various minorities can build creative, safe, and essential public places in inclusive and just cities. Metelkova Mesto's autonomy nurtures the rights of minorities, critical thinking, and accessibility to culture, art and alternative creative platforms in Ljubljana and beyond.

The NGOs of Metelkova 6 are resisting the ministerial eviction to protect the autonomous value of the common place where the Metelkova 6 building is located. The resilience of these NGOs is essential to maintaining procedural and distributive justice in the city of Ljubljana. The resistance against eviction maintains justice in spatial distribution because it fulfills the original position of justice according to Rawls, which means assuring fundamental rights for free-thinking, alternative culture, and art. The NGOs of Metelkova 6 preserve the autonomous Metelkova Mesto as a self-managed place for justice from the lens of its beholders as community-based organisations led by free thinkers, artists, minorities, and their representatives; this is in line with what Freire pointed out that it is only those who are subjected to oppression who can lead us towards justice. Finally, the NGOs' resistance against eviction from Metelkova 6 not only protects the value of the building or the place where it is located but also contributes to our wider society, resisting to preserve critical thinking, free media, the arts and culture, and minorities' rights for justice and inclusion in an accessible city for all.

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