Rawls' influence and counter-influence on Sen: post-welfarism and impartiality

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Working Paper

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Abstract:

Rawls has been a constant reference for Sen both to overcome welfarism and consider impartiality. In this paper, we try to identify Sen's paradoxical relationship to Rawls' work: a mix of inspiration, reshaping and departure that has evolved over time. The dialogue between both authors emerged in the late sixties, while Sen was working on a constructive social choice theory by overcoming the taboo of interpersonal utility comparisons and introducing equity criteria. To this end, Sen greatly benefited from Rawls' insight as his proposition for a "*weak equity axiom*" (Sen, 1973, 1974) attests, inspired by Rawls' difference principle. Sen then developed an important criticism of what he calls *welfarism*, partly induced by Rawls too.

In the eighties, Sen came up with a capability approach centered on individual life potentialities, rather than utility or primary goods. While it has often been perceived as a mere extension of Rawls' theory of justice, it has to be acknowledged that, at the same time, Sen developed a critical criticism of Rawls' device of "the original position" to ground a theory of justice. It led him toward a concept of "trans-positional objectivity" as a better basis for choosing the relevant dimension of individual advantage and the principles of justice to apply. *The Idea of justice* gives a final and decisive inflexion to his position *vis-à-vis* Rawls: Sen (2009) finally clarifies his conception of a comparative theory of justice that radically departs from Rawls' (1971) transcendental and institutionalist one. Not only Sen disagrees with Rawls' view of impartiality, but he refuses the social contract perspective to provide an underpinning for a theory of justice.

Key-words:

Sen, Rawls, Interpersonal utility comparisons, post-welfarism, positional objectivity

Category: D63, B31, B41

Selected references:

[1] Sen A.K. (1974) "Rawls versus Bentham: An Axiomatic Examination of the Pure Distribution Problem", *Theory and Decision*, 4 (3/4), 301-309.

[2] Sen A. K. (1979) "Personal utilities and Public Judgements: Or what's wrong with welfare economics?", *Economic Journal*, 89 (355), 537-558.

[3] Sen A. K. (1980) "Equality of what?", *in* : McMurrin, (1980), *The Tanner Lectures on Human Values*, 1, University of Utah Press & Cambridge University Press, 197-220.

[4] Sen A. K. (1993) "Positional Objectivity", *Philosophy and Public Affairs*, 22 (2), 83-135.

[5] Sen A. K. (2009), *The Idea of justice*, The Belknap Press of Harvard University Press, Cambridge Massachusetts.

Rawls' influence and counter-influence on Sen: post-welfarism and impartiality
Muriel Gilardone[1]

Rawls has been a constant reference for Sen both to overcome utilitarianism and later *welfarism* and to consider impartiality and justice. In this article, we try to identify Amartya Sen's paradoxical relationship to John Rawls' work: a mix of inspiration, reshaping and departure that has evolved over time. The dialogue between both authors has emerged in 1968, while Sen had the opportunity to teach a joint course on "social justice" together with Rawls and Arrow at Harvard. Sen was at that time very busy with his work for a constructive social choice theory, aiming at establishing "*a relationship between the objective of social politics and the preferences and aspirations of the members of a society*" (Sen, 1970a, p 1). Sen tried to propose another social choice perspective than Arrow's one which focused on ordinalism and the so-called independence of irrelevant alternatives – avoiding any interpersonal utility comparisons. To this end, he has greatly benefited from Rawls' insight as his proposal of a "weak equity axiom" (Sen, 1973, 1974) attests, inspired by Rawls' difference principle. Sen (1977, 1979a, 1979b) then developed an important criticism of what he calls *welfarism*, partly induced by Rawls too, and understood that he was not going to the right direction by seeking a better theory of justice in the form of "*a compromise between Bentham and Rawls*" (Sen, 1974).

In the eighties, Sen (1980) came up with a capability approach to evaluate individual advantage, and by extension social situations, with respect to individual life potentialities, rather than incomes or resources. It has often been perceived as a mere extension of Rawls' (1971) theory of justice as equity, which only novelty concerned the nature of individuals' advantage and Sen's refusal to propose prescriptive principles. However, we want to show that Sen's first presentation of his capability approach is at the source of many misunderstandings of his own approach, which is fundamentally distinctive of Rawls' one. Indeed, it has to be acknowledged that Sen (1980, 1982a, 1983, 1993) developed at the same time a strong criticism of Rawls' view of impartiality that led him toward a concept of "trans-positional objectivity" as a better basis for social judgments.

The Idea of justice (Sen, 2009) gives a final and decisive inflexion to his position *vis-à-vis* Rawls: Sen's intellectual enterprise can now be understood as an assumed will to replace

Rawls' theory of justice. It considerably changes the perception one could have of his work and ambition. Sen finally clarifies what is a theory of justice for him in a way that radically departs from the Rawlsian way: a comparative, and not a transcendental, theory of justice. In this light, Sen's incomplete perspective does not mean anymore an unaccomplished theory of justice. As we intend to show by a precise analysis of Sen's use of Rawls' ideas since the early seventies, this ambition did certainly not exist from the beginning but has progressively grown up and is not so surprising if one takes an adequate note of Sen's critical writings towards "the original position". For our demonstration, we have divided the paper in four parts: 1. Maximin/leximin *versus* "difference principle"; 2. "Basic capabilities" *versus* utilities / "primary social goods"; 3. "Positional objectivity" versus "the original position"; 4. A comparative approach of justice *versus* a transcendental theory of justice. This examination of Rawls' influence and counter-influence on Sen's work allows a better understanding of the meaning and scope of Sen's contribution to justice theories, by flying in the face of many accepted ideas regarding his capability approach.

1. Maximin/leximin *versus* "difference principle"

When Sen and Rawls met in the late sixties on the occasion of a joint course on "social justice", Rawls had a manuscript which would later become his book *A theory of justice* (Rawls, 1971) and Sen was working on his *Collective choice and social welfare* (Sen, 1970a), the ambition of which "*was to make social choice theory more constructive, more able to deal with issues of justice or injustice, equality or inequality*" (Baujard, Gilardone, Salles, 2011). Sen remembers the beginning of their dialogue as follows:

> *[…] I benefited as much from Rawls' criticism of my own manuscript, which he read from beginning to end, as I was also from reading his own book and my conversations with him saying "why do you say that? Why do you say this?" He told me why he thought that I was mistaken in worrying about it and so on.*
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> *[…] by that time, Arrow and I were parting company because I was taking a different way of thinking of interpersonal comparisons; I never had great problems with it. Arrow tended to think, I think even now probably, that there's something wrong somewhere about it. By the way, John Rawls also was unsympathetic with the idea of interpersonal comparison of utility, whereas he was sympathetic with primary goods comparison index. So anyway, I differ from both in this respect. That became clear also in the seminar in 1968; I was the only defender of interpersonal comparisons.* (*Ibid.*)[2]

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[2] Thinking about this debate more than 40 years later, Sen acknowledges that "*Rawls was unsympathetic with the idea of interpersonal comparison of utility*" and that he was a defender of primary goods comparisons. But until 1979 Sen considers as "Rawlsian" to maximize the welfare of the worst off person – welfare being grasped in terms of *utility* and not *primary goods*.

Indeed, Sen (1970b, p. 393) writes "*Judgements about social welfare are intimately connected with possibilities of interpersonal comparability of individual welfare in the usual form such judgements take*". In this article, he tries to break the taboo of interpersonal utility comparisons that appeared in normative economics since Robbins' attack in 1938[3] and the powerful influence of positivism – the consequences of which are for Sen the concentration on Pareto optimality and the elimination of certain types of questions from the formal literature on welfare economics. Sen (*Ibid.*, p. 395) deplores that Robbins made no distinction "*between* some *comparability and* total *comparability of units*" and tries to provide a rigorous presentation of a possible framework of interpersonal comparability. At that time, he distinguishes two kinds of interpersonal comparisons: 1. The comparison of the *sums of individual welfare levels* for distinct alternatives, as under utilitarianism; 2. The comparison of the welfare levels of the "*worst off*" individual in the respective social states, inspired by Rawls' criteria of justice (*Ibid.*, p. 393). In the first case, the "*origins*" of the individual welfare functions – who is concerned by a function – make no difference as they get subtracted out in pairwise comparisons, whereas they are crucial in the second. In contrast, cardinal measures of individual welfare levels – welfare units – are necessary in the first case and redundant in the second as the only information needed is absolute levels of welfare. Anyway, in this article, Sen remains exclusively concerned with *aggregating* individual welfare measures and with individual welfare units comparability – developing a continuum of intermediate assumptions between full comparability and no comparability at all. Since his purpose is aggregation, he does not need to refer to Rawls' criteria of justice.

However, in his 1974 paper "Rawls versus Bentham: an examination of the pure distribution problem", Sen compares and contrasts the decision rules yielded respectively by what he calls the Rawlsian "maximin" conception of justice and by classical utilitarianism. The context is this time a pure distribution problem, typified by the following question: how to justly divide a cake among *n* persons. According to Sen (1974, p. 302), the utilitarian rule (UR) is to maximize the sum of individual welfares; the simplest version of the Rawlsian maximin rule (MR) is to maximize the welfare of the worst off person; and the lexicographic version of the Rawlsian maximin rule (LMR) is to follow MR, but if the worst off persons in the two distributions are equally well-off, then to maximize the welfare of the second worst

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[3] In this famous article, Robbins upholds that propositions involving interpersonal comparisons of utility could not be verified by observation or introspection, so that they cannot be taken as "scientific". He finds a precious help in Jevons writings: "*I see no means," Jevons had said, "whereby such comparison can be accomplished. Every mind is inscrutable to every other mind and no common denominator of feeling is possible.*" (Robbins, 1938, p. 637).

off person, and so on[4]. To compare these decision rules, Sen proposes to examine them to the light of three axioms – to see whether they satisfy or violate them: the symmetry preference axiom[5], the weak equity axiom[6] and the joint transfer axiom[7]. As Sen puts it, the first one stands in favour of a reduction of inequality if the persons have identical needs; the second one demands that a person who is more deprived in non-income respects should not be made to receive less income as well; the third one suggests that an inequality increasing transfer (from k to j) can be outweighed by a sufficiently large inequality decreasing transfer (form i to j) – trade offs are permitted. The result is that neither of the rules can satisfy all three of the axioms, but "*choice rules do exist that satisfy all three […] minimizing a standard measure of inequality, viz., the Gini coefficient, is such a rule*" (*Ibid*, p. 306).

In both cases – the *Rawlsian maximin conception of justice* and *classical utilitarianism* –, Sen shows that some essential aspects of distributional welfare judgments are omitted: Rawls leaves out questions of welfare differences, utilitarianism leaves out questions of welfare levels. The contrast and the respective omissions can be easily seen if it is asked:

"*Under what circumstances should a transfer of income from person* i *to person* j *be recommended under the two approaches? Under UR, such a transfer should take place if and only if the welfare* gain *of* j *is greater than the welfare* loss *of* i *from the transfer. Under MR, it should take place if and only if* i *has a higher* level *of welfare than* j *who is the worst off person […].*" (*Ibid*., p. 308)

Sen considers that Rawls' interest for welfare levels, as opposed to the exclusive concern with marginal gains and losses of utility units, is relevant but goes too far in that direction:

"*Given the powerful hold that utilitarianism has had on thinking on public policy for centuries, it is understandable, and in most ways entirely welcome, that Rawls has concentrated totally on the other half of the information set. But a more complete theory is yet to emerge.*" (*Ibid.*)

Sen's proposal is thus to pay attention to the ranking of welfare levels without concentrating exclusively on the welfare levels of the worst off persons only – which is a kind

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[4] This rule is called "leximin" – "for brevity" – since Sen (1976, p. 251)

[5] *If everyone has the same welfare function, then any transfer from a richer man to a poorer man, which does not reverse the inequality, is always preferable.* (Sen, 1974, p. 302)

[6] *If person* i *is worse off than person* j *whenever* i *and* j *have the same income level, then no less income should be given to* i *than to* j *in the optimal solution of the pure distribution problem.* (*Ibid.*)

[7] *It is possible to specify a situation in which* j *is [slightly] better off than* k *(the worst off person), and [strongly] worse off than* i*, such that some transfer from* i *to* j *[sufficiently large], even though combined with a simultaneous transfer [sufficiently small] from* k *to* j*, leads to a preferred state than in the absence of the two transfers.* (*Ibid.*)

of compromise between Rawls and Bentham. His "weak equity axiom" is presented as *"an example of a partial rule that is not extremist in the sense in which MR or LMR are, but which uses the same type of information as the Rawlsian criteria"* (*Ibid.*). But the last sentence of the article – "But a more complete theory is yet to emerge" – seems to announce further developments to come.

Sen (1976, p. 255) raises another question that makes the problem more complex: what are we supposed to aggregate? He identifies at least two cases: 1. individual interests – e.g. self-centered preferences –; 2. judgements on what should be done – e.g. views on the right public policy. In the first case, Sen considers reasonable to take *leximin* as a solution. Moreover, he suggests that *"the contrast between giving priority to the welfare ranking of the worst off person as opposed to the welfare ranking to the person who 'gains more' […] is a contrast between two alternative approaches to dealing with interest conflicts"* (*Ibid.*). In a context of judgement aggregation, solutions cannot be thought in the same way and indeed this is not a problem which *leximin* can sensibly address. Consequently, *leximin* is not a good solution to the social choice problem as envisaged by Arrow[8]. Nevertheless *"the criticism of utilitarianism is not thereby wiped out"* (*Ibid.*, p. 259) and Sen recalls *"Rawls' (1971) own conclusions about his theory: (i) "it is not a fully satisfactory theory", and (ii) "it offers… an alternative to the utilitarian view which has for so long held the pre-eminent place in our moral philosophy"(p. 586)"*. While Sen acknowledges that Rawls was referring here to his theory of justice as fairness in its broad form, he considers that "the observations seem to apply specifically to *leximin* as well", that is to Sen's own (re)interpretation and narrowing of Rawls' theory.

From 1977, Sen starts to develop a criticism of what he calls "*welfarism*", beyond utilitarianism:

"The general approach of making no use of any information about the social states other than that of personal welfares generated in them may be called "welfarism". I would argue that (i) welfarism as an approach to social decisions is very restrictive, and (ii) when the information on personal welfare is itself limited, it can be positively obnoxious." (Sen, 1977, p. 1559)

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[8] In Arrow's conception, individual preferences are orderings of each social state that are grounded not only on the direct consumptions they can get, but also on the commodities distribution in each state. As orderings of voters can be influenced by equity standards, it is more appropriate to view them in terms of individual values rather than individual tastes. The title of his book – *Collective choices and individual values* – is quite clear on that point. However, the difference seems not so sharp to Arrow.

According to Sen, *leximin* and utilitarianism are two examples of welfarist approaches and one way of seeing the limits of them is in terms of their ability "*to accommodate some of the general principles or values that have been widely acclaimed*" (*Ibid*.). The main principles examined by Sen to show that they can conflict with *welfarism* are those of liberty and equality. While we can easily refer to Rawls' theory of justice and its two principles of justice to view how liberty and equality can be apprehended outside a welfarist approach, it is not the way chosen by Sen. Rawls is rarely mentioned and, when he is, it is in a quite allusive and marginal way. For example, in a footnote, Sen (1977, p. 1560) refers to Rawls (1971) and Nozick (1973) for two alternative approaches to the issue of liberty – *i.e.*, approaches that do not justify their prior interest for liberty on welfaristic grounds. But for his demonstration, Sen prefers at this time showing that Marx's and Nozick's systems "*share a rejection of welfarism, and relate social evaluation to historical information (e.g. dated labor in the case of Marx; past savings and inheritance in the case of Nozick)*"(*Ibid*.).

Concerning the issue of equality[9], Sen keeps on linking the name of Rawls with the *leximin* or *maximin* approach and proposes now some powerful criticisms of it. First, Sen (1977, p. 1555) shows that while "*[i]n a two-person conflict, the Rawlsian rule of giving priority to the interests of the worse off is appealing […] The appeal of the Rawlsian rule may be thought to be much weaker in n-person conflict where the interest of one may go against the interests of everyone else (perhaps a billion of them!)*". It is what is called in social choice theory "the Rawlsian "dictatorship" of the worst off" – a special case of "positionalist" dictatorship due to a combination of ordinal level comparability and the independence of irrelevant alternatives (*Ibid*., p. 1550).

Second, even if the *leximin* approach was accepted – in spite of its quite disputable moral consequence –, it is, as said before, still welfarist. This interpretation of Rawls' approach is thus quite limited for the treatment of egality:

"*If […] egality is defined not in terms of welfare but some other characteristics, e.g., income, wealth, education, or treatment before the law, then welfarism may, in fact, be unable to accommodate even egality.*" (*Ibid*., p. 1561).

In fact, it is not so much Rawls' perspective that deserves such attacks but the way economists, and Sen in particular, have interpreted it in the context of social choice theory. It is only in 1979 that Sen starts to show a better understanding of Rawls' ideas. In "Utilitarianism and welfarism" published in *the Journal of philosophy*, Sen (1979a, p. 465,

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[9] Actually, Sen (*Ibid*. p. 1561) calls it "*the issue of* egality".

underlined by us) finally acknowledges – in a footnote – that *"It may be important to mention here that, although Rawls considers the claim of the minimum element of utilities as against that of total utility, his "difference principle" focuses directly on the minimal availability of "social primary goods" and not on minimal utility as such."*. However, he continues to state that a kind of egalitarian considerations can be accommodated *"with the utility-based version of the Rawlsian difference principle"* (*Ibid.*, p 471, underlined by us). Indeed, this interpretation of Rawls' difference principle was used to replace one characteristic of what Sen calls "outcome utilitarianism", defined as a combination of *welfarism* and sum-ranking. Sum-ranking means that "*one collection of utilities is at least as good as another if and only if it has at least as large a sum total*" and it is obviously "*insensitive to the inequality of utilities*" (*Ibid.*, p. 468). The "Rawlsian *leximin*" can thus be seen as a response to this utilitarian insensitiveness to inequality, although its nature is not fully satisfactory.

In another article published on the same subject, but in *the Economic journal*, "Personal Utilities and Public Judgements: or what's wrong with welfare economics"[10], Sen (1979b) clarifies and summarizes many ideas he has been exploring for a decade. First, Sen (1979b, p. 546) evokes ordinal utility comparisons, like *"Rawls's (1971) 'maximin' interpreted in terms of utilities"*, as a way out of Arrow's impossibility theorem. But, he stresses that "*[t]his makes the 'worst off rank' something like a dictator, and though it is not a personal dictatorship, it is possible to argue that it is a rather extreme approach*" (*Ibid.*). Second, Sen (1979b, p. 548) argues that "*some moral principles are formulated without making any use of utility information at all, e.g. 'equal pay for equal work', 'non exploitation', etc. and it is easy to demonstrate that these principles would conflict with welfarism*". Among these non-welfarist principles, Sen this time ranks Rawls' difference principle:

"*Even Rawls' (1971) 'difference principle' in his theory of justice, in which a person's disadvantage is judged in terms of his access to 'primary social goods', and not in terms of utility as such (as in the apocryphal version popular among economists), will clash violently with welfarism.*" (*Ibid.*, underlined by us)

Third, among the many ways of avoiding the impasse of social choice theory, "*dropping welfarism is one, using a richer utility information is another*" (*Ibid.*, p. 554). While until this article, Sen confined to the second possibility by distinguishing the poor from

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[10] In this article, Rawls is thanked at the same time as Kenneth Arrow and Maurice Dobb "for stimulating discussions over a great many years on the subject […]" (Sen, 1979b, p. 537)

the rich and attempting to give priority to the interests of the former[11], he seems here to militate for a radical departure from *welfarism*:

"*[Welfarism] remains a very limiting constraint even when the utility information is very rich […]. This can be brought out by explicitly considering such issues as liberty, discrimination, exploitation, or entitlement to social security. The underlying principles tend to give non-utility information a role of its own (in addition to any relevance it might have as determinant of – or as surrogate for – utility data).*" (*Ibid.*)

The Tanner lecture of may 1979, "equality of what?" (Sen, 1980), will be the first time that Sen proposes a non-welfarist approach of interpersonal comparability. And, in this context, he opens a real discussion with Rawls, based on a more faithful reading of his criticism of utilitarianism.

2. "Basic capabilities" *versus* utilities / "primary social goods"

In his 1979 Tanner lecture, Sen examines three particular types, or so-called types, of equality that are utilitarian equality, total utility equality, and Rawlsian equality. The originality of this lecture, compared to Sen's previous articles, consists in his demonstration: "*all three have serious limitations, and that while they fail in rather different and contrasting ways, <u>an adequate theory cannot be constructed even on the combined grounds of the three.</u> […] I shall try to present an alternative formulation of equality which seems to me to deserve a good deal more attention than it has received, and I shall not desist from doing some propaganda on its behalf.*" (Sen, 1980, p. 197, underlined by us). Sen does not think anymore that a good proposal to assess equality would be a kind of compromise between the Rawlsian and the utilitarian perspectives – e.g. paying attention to the ranking of welfare levels without concentrating exclusively on the welfare levels of the worst off persons only – like in his 1974 article. Indeed Sen leaves out the "weak equity axiom" he had tried to use within this format. Moreover, Sen does not define anymore *maximin* as a Rawlsian criterion and presents it as a conventional alternative to utilitarianism used in social choice theory in a context of total utility equality[12]:

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[11] In particular, Sen shows that Arrow's (1951) axiomatic makes it impossible to aggregate the conflicting interests of the poor and the rich, by giving priority to the interest of the poor – as it is not possible to identify him either in terms of utility or non-utility information.

[12] The choice here is between two cases of non-equal distributions – total utility being the same, i.e. there is total utility equality. It is considered that something more has to be said so that they could be ranked in way that incorporates equity standards.

"Another distinguished case is the criterion of judging the goodness of a state by the utility level of the worst-off person in that state - <u>a criterion often attributed to John Rawls.</u> (Except by John Rawls! He uses social primary goods rather than utility as the index of advantage, as we shall presently discuss.) One can also take some other function of the utilities - other than the sum-total or the minimal element."* (Sen, 1980, p. 205, underlined by us)

In fact, as seen earlier, *maximin* is often not enough to reach a complete ranking of social states. Indeed, the lexicographic version of the maximin rule, *leximin*, is much more common in social choice theory:

"Here the goodness of the state of affairs is judged by the level of utility of the worst-off person in that state; but if the worst-off persons in two states respectively have the same level of utility, then the states are ranked according to the utility levels of the second worst-off. If they too tie, then by the utility levels of the third worst-off, and so on. And if two utility distributions are matched at each rank all the way from the worst off to the best off, then the two distributions are equally good." (*Ibid.*, p. 206)

Anyway, it is now obvious for Sen (*Ibid.*, p. 208) that *leximin* is fairly questionable:

"Just as utilitarianism pays no attention to the force of one's claim arising from one's disadvantage, leximin ignores claims arising from the intensity of one's needs. The ordinal characteristic that was pointed out while presenting the axiom of utility equality preference makes the approach insensitive to the magnitudes of potential utility gains and losses."

Aside from its indifference to "how much" questions, *i.e.* the intensity of needs, Sen reminds that *leximin* also has little interest in "how many" questions – paying no attention at all to the number of people whose interests are overridden in the pursuit of the interests of the worst off. Again, he points out the problem of the exclusive concern with utility data that makes both utilitarianism and *leximin* an inadequate response to the question of equality. As the problem is now identified as *welfarism* in both approaches, it is quite natural to dismiss the idea of a combination of the two for a better approach – even if they differ sharply in their respective use of utility information.

Consequently Sen carries on his demonstration of what is wrong with *welfarism*. To this end, he now makes an important use of Rawls' arguments to expose the limits of this general and common approach for equality judgements, acknowledging the strength of Rawls' *"critiques in terms of liberty and equality"* (*Ibid.*, p. 201). For instance, Sen (*Ibid.*, p. 210-11, underlined by us) quotes Rawls (1971, pp. 30-31) explaining why utilitarianism was not a good approach to justice to reveal one aspect of the obtuseness of *welfarism*:

"In calculating the greatest balance of satisfaction it does not matter, except indirectly, what the desires are for. We are to arrange institutions so as to obtain the greatest sum of satisfactions; we ask no questions about their source or quality but only how their satisfaction would affect the total of well-being. . . . Thus if men take a certain pleasure in discriminating against one another, in subjecting others to a lesser liberty as a means of enhancing their self-respect, then the satisfaction of these desires must be weighed in our deliberations according to their intensity, or whatever, along with other desires. . . . In justice as fairness, on the other hand, persons accept in advance a principle of equal liberty and they do this without a knowledge of their more particular ends. . . . An individual who finds that he enjoys seeing others in positions of lesser liberty understands that he has no claim whatever to this enjoyment. The pleasure he takes in other's deprivation is wrong in itself: it is a satisfaction which requires the violation of a principle to which he would agree in the original position."

What is at stake in this attack of *welfarism*, and *a fortiori* utilitarianism, is "*the lack of "parity" between one source of utility and another*" (Sen, 1980, p. 211[13]). Indeed:

"Welfarism requires the endorsement not merely of the widely shared intuition that any pleasure has some value - and one would have to be a bit of a kill-joy to dissent from this- but also the much more dubious proposition that pleasures must be relatively weighed only according to their respective intensities, irrespective of the source of the pleasure and the nature of the activity that goes with it." (*Ibid.*, underlined by us)

And for the first time, Sen (*Ibid.*, pp. 214-215) examines Rawls' (1971, pp. 60-65) proposition to focus on "*primary social goods*" rather than utility:

"These are "things that every rational man is presumed to want," including "rights, liberties and opportunities, income and wealth, and the social bases of self-respect."[…] These are "things that every rational man is presumed to want," including "rights, liberties and opportunities, income and wealth, and the social bases of self-respect." […]

Since advantage is judged not in terms of utilities at all, but through the index of primary goods, expensive tastes cease to provide a ground for getting more income. Rawls justifies this in terms of a person's responsibility for his own ends."

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[13] The term "parity" is borrowed to John Stuart Mill (1859, p. 162): "*there is no parity between the feeling of a person for his own opinion, and the feeling of another who is offended at his holding it; no more than between the desire of a thief to take a purse, and the desire of the right owner to keep it. And a person's taste is as much his own peculiar concern as his opinion or his purse.*"

For Sen, Rawls' conception of individual advantage has the virtue of escaping from one particular difficulty with *welfarism*: as objective criteria of well-being can be directly accommodated within the index of primary goods, the problem of parity between pleasures from different sources is no more a bias for judgement. Indeed, the question of pleasures is out of the framework, what counts is the source of pleasure, and they "*can be discriminated on the basis of the nature of the goods*" (Sen, 1980, p. 214). In this context, *leximin* can be applied without being criticized as giving priority – *i.e.* more income – to "*people who are hard to please and who have to be deluged in champagne and buried in caviar to bring them to a normal level of utility, which you and I get from a sandwich and beer*" (*Ibid.*). Consequently, the important advance of Rawls' index of primary social goods is that it avoids the dependence of tastes and subjective features, making room for responsibility towards each individual's own ends. Judgements of well-being and equality can now be based on certain objective factors, like being or not being hungry, cold, or oppressed.

However, while Sen acknowledges the merits of Rawls' approach of individual advantage, he raises one major drawback:

"*If people were basically very similar, then an index of primary goods might be quite a good way of judging advantage. But, in fact, <u>people seem to have very different needs</u> varying with health, longevity, climatic conditions, location, work conditions, temperament, and even body size (affecting food and clothing requirements). So <u>what is involved is not merely ignoring a few hard cases, but overlooking very widespread and real differences.</u> Judging advantage purely in terms of primary goods <u>leads to a partially blind morality.</u>*" (*Ibid.*, pp. 215-216, underlined by us)

Sen criticized Rawls for his indifference to "hard cases" – like disabilities, special health needs, physical or mental defects – on the pretext that they "*distract our moral perception by leading us to think of people distant from us whose fate arouses pity and anxiety*" (Rawls, 1975, p. 86; quoted by Sen, 1980, p. 215). For Sen, not only this attitude amounts to stating such cases have no moral relevance at all[14], but the problem is much more widespread than Rawls tends to think because of human diversity. In the same way utilitarianism loses his normative appeal for distribution questions because of its unrealistic hypothesis of identical individual utility functions, Rawls' theory of justice is far less

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[14] It can be noticed that Sen's violent attack against Rawls here is toned down in the republication of "Equality of what?" in his 1982 book. Indeed, he adds a footnote to apologize for the possible misleading character of his suggestion: in fact, Rawls proposes to *postpone* the question of hard cases, and to *ignore* it at all. Nevertheless, he persists in saying that the question cannot be postponed and must be included in a theory of justice like the one Rawls is proposing. (Sen, 1982b, pp. 365-366)

appealing as it is intended for people with identical needs[15]. This leads Sen to go even further in his criticism of Rawls' conception of individual advantage as he ends up accusing Rawls of "*fetishism*":

"*[…] there is, in fact, an element of "fetishism" in the Rawlsian framework. <u>Rawls takes primary goods as the embodiment of advantage, rather than taking advantage to be a</u> relationship <u>between persons and goods</u>. Utilitarianism, or leximin, or - more generally - <u>welfarism does not have this fetishism</u>, since utilities are reflections of one type of relation between persons and goods.*" (*Ibid*., p. 216, underlined by us)

Interestingly, Sen seems to be less categorical than Rawls in his rejection of *welfarism*. He underlines *welfarism*'s insufficiency, but does not consider this approach as totally irrelevant. For him, Rawls has been too far in the opposite direction of *welfarism* and fails in considering excluded information such as the absence of exploitation or discrimination, or even people's unequal needs. Instead, Sen (*Ibid.*, p. 218) finally proposes a theory based on "*basic capabilities*" defined as "*a person being able to do certain basic things*" like "*the ability to meet one's nutritional requirements, the wherewithal to be clothed and sheltered, the power to participate in the social life of the community*". He justifies this new informational basis by its capacity to capture a notion of urgency and directly integrate "*hard cases*" in the analysis, in contrast to *welfarism* or primary social goods approach:

"*If it is argued that resources should be devoted <u>to remove or substantially reduce the handicap of the cripple</u> despite there being no marginal utility argument (because it is expensive), despite there being no total utility argument (because he is so contented), and despite there being no primary goods deprivation (because he has the goods that others have), the case must rest on something else. I believe <u>what is at issue is the interpretation of needs in the form of basic capabilities</u>.*" (*Ibid.*)

While it is necessary for Sen to ground equality judgements on objective criteria, social primary goods are too good-centered and say nothing concerning what liberty they offer to human beings. On the opposite, utility focuses too much on "*the psychological side of the story*", whereas there does exist "*non-psychological effects of goods on people*" like malnutrition (Sen, 1982, p. 30). According to Sen, what Rawls was aiming at by proposing his index of social primary goods would be better served by referring on people's basic capabilities: he made a mistake by focusing "*on income rather than on what income does, on the "social bases of self-respect" rather than on self-respect itself, and so on*" (Sen, 1980, p.

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[15] Arrow (1973) had already pointed out this failure of Rawls' theory of justice as equity.

219). Consequently Sen's first presentation of his capability approach (*Ibid.*, pp. 218-219, underlined by us) is basically responsible for an interpretation of it as an extension of the Rawlsian approach of justice:

"*The focus on basic capabilities can be seen as <u>a natural extension of Rawls's concern with primary goods</u>, shifting attention from goods to what goods do to human beings. [...]*"

However, Sen admits that the choice of a new conception of individual advantage for equality evaluations – "*for that part of it which is concerned with needs rather than deserts*" (*Ibid.*, p. 220) – does not fully resolve the problem, all the more that he views it as "*a partial guide to the part of moral goodness that is associated with the idea of equality*" (*Ibid.*). First, there still exists "*the problem of indexing the basic capability bundles*", which is, "*in many ways, comparable with the indexing of primary good bundles in the context of Rawlsian equality*" (*Ibid.*, p. 219). Second, there is the issue of weighting the different capabilities within the index. Third, an index of basic capabilities provides a *dimension* to focus on, in no case a decision rule like *leximin*, the utilitarian rule or the weak equity axiom are to the utility dimension or Rawls' difference principle to the primary social goods index. In this regard, Sen considers that "[t]*he main departure is in focusing on a magnitude different from utility as well as the primary goods index*" (*Ibid.*, p. 220) and seems to be open to various applications:

"*Basic capability equality corresponds to total utility equality, and it can be extended in different directions, eg., to leximin of basic capabilities. On the other hand, the index can be used also in a way similar to utilitarianism, judging the strength of a claim in terms of incremental contribution to enhancing the index value.*" (*Ibid.*)

Fourth, "basic capability equality" is *not* considered by Sen (*Ibid.*) as "*the sole guide to the moral good*", as there could be other morally relevant claims to take into account for equality judgements, but also in other types of moral judgements of social states. The important innovation that constitutes the basic capability dimension has largely overshadowed this statement qualification. Indeed, this last point has often been left out by commentators, which explains a so-called reversal of Sen's position towards his capability approach:

"<u>*I have to rescue myself by saying I'm not a capability theorist*</u> *[...] I have great interest in capability, I had a role in leading the discussion in the contemporary political philosophy, but <u>I don't think you can have a theory of justice based on capability only, there is no way</u>*". (Baujard, Gilardone & Salles, 2011, underlined by us)

3. "Positional objectivity" versus "the original position"

To deal with the first two problems listed above, Sen suggests that Rawls' approach of justice is an avenue to explore, but in replacing primary social goods by basic capabilities:

"While Rawlsian equality has the characteristic of being both culture-dependent and fetishist, basic capability equality avoids fetishism, but remains culture-dependent. Indeed, basic capability equality can be seen as essentially an extension of the Rawlsian approach in a non-fetishist direction." (*Ibid.*, p. 219)

In fact, this suggestion seems to contradict other parts of the article, and indeed is, according to us, at the source of many misunderstandings of Sen's own approach, which is obviously distinctive of Rawls' one. We'll now show that these two sentences have certainly created an ungrounded expectation *vis-à-vis* Sen's development of his capability approach: a real replacement for Rawls' theory of justice as equity, providing aggregative or prescriptive principles and a clear view of what should be in capability bundles.

To understand why Sen puts us on the wrong track when he suggests that his approach *"can be seen as essentially an extension of the Rawlsian approach"*, it is worth studying his doubtful position towards Rawls' procedure to justify his theory of justice – whether the choice of primary social goods instead of utility dimension, or the choice of justice principles. While Sen agrees with Rawls' rejection of *"the welfarist no-nonsense counting of utility irrespective of all other information"* (*Ibid.*), he disagrees with Rawls' way of doing it. As could be noticed in a previous quotation of Rawls[16], the philosopher vindicates his rejection of *welfarism* by reference to its non-acceptability in "the original position": in that position, *"persons accept in advance a principle of equal liberty and they do this without a knowledge of their more particular ends"* and for example, a pleasure taken from other's deprivation would be considered thus as wrong in itself, which is not the case within *welfarism*.

Sen sees with a very critical eye the device of "the original position" to define justice principles, or the dimension to be chosen to assess individual advantage. He puts forwards at least two reasons, which can be summarized by a lack of certainty of its implication and a lack of realism:

"I must confess that I find the lure of the "original position" distinctly resistible since it seems <u>very unclear what precisely would be chosen in such a situation</u>. It is also <u>far from obvious that</u> prudential choice under as if uncertainty <u>provides an adequate basis for moral judgment in unoriginal, i.e., real-life, positions</u>." (*Ibid.*, p. 201, underlined by us)

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[16] See pp. 10-11 in this article.

According to Sen, in "real-life" positions, people could easily see the problem of *welfarism* just by reference to another prior-principle that could be "*the irreducible value of liberty*" (*Ibid.*, p. 211). Moreover, he underlines that "the original position" has generated very different results, leading to utilitarianism in John Harsanyi's work or another radically different approach in Rawls' *Justice as fairness*.

Rawls (1971) indeed uses the same device as the contemporary utilitarian Harsanyi to find which principles of justice should be chosen: a hypothetical situation in which the so-called "*veil of ignorance*" deprives individuals of "*certain morally irrelevant information*" such as "*their place in society, their class position or social status, their place in the distribution of natural assets and abilities, their deeper aims and interests, or their particular psychological makeup*" (Rawls, 1974, p. 141). But, in contrast to Harsanyi's conclusion[17], the postulated situation of *as if* ignorance people do not lead to choose the principle that average utility is to be maximized. Not only utility would be dismissed for not being a morally relevant dimension, but the maximization rule would not stand anymore. And yet, Rawls considers everyone put in "the original position" will reason in the same way: "*Any agreement reached is unanimous and there is <u>no need for vote</u>*" (*Ibid.*, underlined by us). In this context, "*two principles that express a democratic idea of justice*" would emerge:

"*1. Each person has an equal right to the most extensive scheme of equal basic liberties compatible with a similar scheme of liberties for all.*

2. Social and economic inequalities are to meet two conditions: they must be (a) to the greatest expected benefit of the least advantaged members of society (the maximin equity criterion) and (b) attached to offices and positions open to all under conditions of fair equality of opportunity." (*Ibid.*)

The fact that two authors like Harsanyi and Rawls end up with two radically distinctive perspectives from almost the same departure point is, for Sen, a sign of something wrong in it. At least, Rawls' belief in a unanimous agreement when people are put in "the original position" – if it is conceivable at all – is obviously questionable. Anyway, Sen refuses to engage in "the original position" avenue and considers necessary calling on other principles related to what people live and perceive in their specific real positions. Indeed, already in his

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[17] This contrast can partly be explained by Harsanyi's additional assumption that ignorance be interpreted as *equal probability* of being anyone. According to this probability conception, Harsanyi (1953, p. 434) considers that "the cardinal utility concept of welfare economics [is] very closed to the cardinal utility concept used in the theory of choices involving risk". Consequently, he concludes that a rational and morally acceptable social welfare function must be built on the principle of the maximization of average utility. See Harsanyi (1955, 1975, 1977)

1979 Tanner lecture, he rather suggests that the preferences of individuals, in real-life position, could serve as a basis to reach a partial ordering in case of "*broad uniformity*", while "*supplemented by certain established conventions of relative importance*" (Sen, 1980, p. 219). This social choice approach is envisaged for the choice of basic capabilities to put into the index, "*but any application of it must be rather culture-dependent, especially in the weighting of different capabilities*"(*Ibid.*). This was Sen's first vague attempts at defining how objectivity should be envisaged for justice matters.

Interestingly, in the eighties, and even further in the nineties, Sen develops an original reflection on what objectivity for social evaluations is. While it is usual in normative economics, or in moral philosophy, to refer to an impartial observer for global judgements on a society, Sen considers the evaluator as an individual rooted in a society, a culture and influenced by his specific position. In no case, impartiality can be understood for him as "neutrality" or "*a conception of the world from nowhere*" to use an expression of Nagel (1980, p. 115[18]) that Sen often quotes. On the contrary, it would *arbitrary*, and not be *impartial*, to assess an individual situation or a social state in excluding straightaway the agent relative judgement.

Surprizingly, in his first writings on objectivity, Sen (1982a, 1983) takes a stand in a debate with Williams (1973), Nozick (1973) and Nagel (1980) who, for diverse reasons, blame consequentialist ethics for not taking into account the agents' relative values. In this context, Sen (1982a, p. 33) claims the "*possibility of using consequence-based evaluation combined with an evaluator-relative outcome morality [...] distinguishing that package from consequentialism*". Indeed, he takes up the three authors different arguments to prove that "*[c]onsequentialism cannot [...] make much room for agent relative action judgements associated with deontology, tie aims, aimed tie respect, and integrity responsibility*" (*Ibid.*, p. 31).

Anyway, Sen (*Ibid.*, p. 33) takes this opportunity to discuss the possibility of diverse valuations of social states within a moral theory and, thus, the assumption that moral principles should emerge from unanimous agreements:

"*It is easy to entertain the suspicion that an evaluator-relative outcome morality must be an internally contradictory one: how can* i *and* j *morally value a given state* x *differently*

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[18] In May 1979, Thomas Nagel is also invited to deliver Tanner Lectures and he chooses to present ideas on "The Limits of objectivity". They are published in the same book as Sen's "Equality of What?". In 1986, Nagel publishes a book clearly titled *The View from Nowhere*.

within *one consistent moral theory? The inadmissibility of evaluator relativity within one moral theory can be based on two propositions:*

> *(1) Interpersonal differences of moral valuations of the same states must indicate contradictory moral beliefs;*

> *(2) No moral theory should endorse the holding of contradictory moral beliefs.*"

Concerning point 2, Sen does not deny the fact that evaluator-relativity involves contradictory beliefs, and for that reason, needs to be disputed in a fruitful way. Concerning point 1 now, he proposes an interpretation of interpersonal differences of moral valuation that is quite different from a moral beliefs contradiction. Indeed, he explores "*the possibility that they are coherently interpretable as "positional" statements, reflecting the view of the state from the position of the evaluator*" (*Ibid.*, p. 35). In doing so, he tries to get the discussion on the evaluator-relative judgements out of "objective-subjective dichotomy". Considering evaluator-relativity as deriving from the "*positional interpretation*" implies admitting "*position relativity*", which in turn "*entails evaluator relativity only to the extent that evaluators differ from each other in their respective positions*" and not "*by virtue of their being* different evaluators" (*Ibid.*, p. 36).

While Sen proposes a positional interpretation of the evaluator judgement, he nevertheless admits "*the substantive possibility that some things may be valuable or disvaluable from every position (starvation or acute suffering no matter to whom it occurs, for example, being a moral disvalue for every evaluator)*" (*Ibid.*, p. 37). However, what is important to him in acknowledging the positional interpretation of every moral judgement is that it "permits *categories of moral thoughts not admissible in more traditional formats*" (*Ibid.*) and he does not seize the exact scope of such a proposition yet.

His Strorr Lectures on objectivity at Yale University in September 1990 is the opportunity for Sen[19] to define more precisely what he understands by "*positional objectivity*":

"*What we can observe depends on our position vis-à-vis the objects of observation. What we decide to believe is influenced by what we observe. How we decide to act relates to our beliefs. Positionally dependent observations, beliefs, and actions are central to our knowledge and practical reason.*" (Sen, 1993, p 126).

This "*parametric dependence of observation*" (*Ibid.*) is, according to Sen, essential to the nature of objectivity in epistemology, decision theory and ethics and has some far-

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[19] In 1993 Sen publishes an article based on these Storr lectures in *Philosophy and Public Affairs*, as it was the case for his former reflection on "*evaluator relativity*" (Sen, 1982a, 1983).

reaching consequences in questioning "*the tradition of seeing objectivity in the form of invariance with respect to individual observers and their positions*" (*Ibid.*). While the name of Rawls does not appear at all in Sen's article, it aims indirectly at criticizing Rawls' conception of impartiality in the form of judgements from "the original position". Indeed, this conception of impartiality suits perfectly Nagel's way of defining a "view from nowhere" that corresponds for Sen to the above-mentioned questionable tradition:

"*A view or form of thought is more objective than another if it relies less on the specifics of the individual's makeup and position in the world, or on the character of the particular type of creature he is*". (Nagel, 1986, p. 5; quoted by Sen, 1993, pp. 126-127)

Nagel's definition amounts in fact to the same idea that is behind Rawls' "veil of ignorance". For that reason, we can easily consider that Sen's criticism towards the "view from nowhere" holds also for "the original position". Indeed, Sen (*Ibid.*, p. 127) highlights the tension between that conception of objectivity and "*the inescapable positionality of observations*". The difficulty of Sen's perspective is due to the apparent contradiction in terms when he uses the expression "positional objectivity", or in the idea of taking into account culture for objective assessments. First, we have to clarify that positionality is very different from subjectivity in Sen's view; second taking into account culture does not mean cultural relativism for him.

Concerning the first point – positionality is not subjectivity –, Sen considers that objectivity would be better defined as a "*view from a delineated somewhere*" (*Ibid.*) but a "*view of no one in particular*" (*Ibid.*, p. 129), rather than a "*view from nowhere*", which means that it has to be "*both position-dependent and person-invariant*". Indeed, "*Objectivity may require interpersonal invariance when the observation position is fixed, but that requirement is quite compatible with position-relativity of observations*" (*Ibid.*). According to this definition, it is possible to ensure that an observation or a judgement is objective by checking "*whether such an observation could be reproduced by others if placed in a similar position*" (*Ibid.*). In this sense, positionality concerns the parametric data of every observation, whereas subjectivity is clearly a challenge to objectivity. Among the different types of positional parameters that are not quirks of mental attitudes or psychology, and which can be shared by different individuals, Sen (*Ibid.*, p. 127) mentions "*any condition that (1) may influence observation, and (2) can apply to different persons*". This includes: "*being myopic or color-blind or having normal eyesight; knowing or not knowing a specific language; having or not having knowledge of particular concepts; being able or not able to*

count" (*Ibid.*). The difficulty here is to bring out the relevant positional parameters that influence an observation or a judgement in a decisive way.

Consequently Sen seems to believe in the determinist idea that any individual observation can be entirely explainable by an adequate specification of the positional parameters vis-à-vis the observed object. In other terms, if *every* parameter were to be revealed, then the observation should be fully understandable by anyone, and in a sense *objectivized*. This point leads us to the second distinction that has to be made to avoid a potential misunderstanding of Sen's conception of objectivity: taking into account culture does not mean cultural relativism. Culture is *part of* the parameters that have to be brought out and in no case can fully express an individual's position. The demand that *every* parameter has to be revealed to objectivize an observation theoretically removes any suspicion of cultural relativism. The problem, of which Sen is conscious, relates to the difficulty of staking out all the parameters that often leads to mention only one or two parameters – frequently the fact of belonging to a particular society or culture –, which is clearly insufficient. To illustrate his idea that *culturally* influenced reading of *social* phenomena, when exclusive, are misleading, Sen (*Ibid.*, pp. 138-140) gives an example taken from gender studies: "*belief in women's inferiority in particular skills may be statistically associated with living in a society that partly or wholly reserves those skilled occupations for men, giving little opportunity for women to establish their ability to perform these jobs. Let us call such a society an S* society. Is this belief […] objective form the position of members of that S* society […]?*". Answering yes to this question would demand to ignore other positional parameters – like not knowing what happen in other societies – and consider a society as a whole – without any internal criticism, but a uniform viewpoint that is in fact "*an establishment view or a majority opinion*" (*Ibid.*). To deny the objectivity of such a belief in women's inferiority in particular skills, Sen considers that we have to 1) acknowledge the underspecified character of the position "*living in society S**" and 2) not take the dominant viewpoint as the only one in society S*. Sen indeed admits that internal criticisms from skeptics or dissenters always carry more weight than "*alien critique*", even if they are influenced by foreign authors.

Sen's demonstration is thus that judgements are unavoidably "position-based", which is quite different from mere subjectivity or cultural relativism. While it is a critical point to acknowledge, it does not mean that scientific reasoning has to be based on one position only. On the contrary, Sen pleads for what he calls "*trans-positional assessment – drawing on but going beyond different positional observations*" (*Ibid.*, p. 130). He indeed claims a "*need for comparing and assessing different points of view, diverse observations, and distinct*

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conclusions in any given society" that "*cannot be eliminated by the dubious assumption of dissentless uniformity […] or the majority opinion*" (*Ibid.*, p.140). A "trans-positional" scrutiny would certainly "*demand some kind of coherence between different positional views*", but it "*can lead to a broader understanding that makes sense of the respective (and possibly divergent) positional observations*" (*Ibid.*). To clarify this last point, Sen appeals to a notion of "objective illusion" from the Marxian philosophy. This notion "*related to beliefs that are formed on the basis of a limited class of positional observations […] [and] – false as they may be – could nevertheless have been derived objectively in the absence of access to other positional scrutiny*"(*Ibid.*, p. 133). For his purpose, Sen applies it to interpret systematic illusions and persistent misunderstandings in a context of gender, and not class, inequality analysis. The "*share tendency*" by men and women "*not to notice the systematic deprivation of females vis-à-vis males*" and the fact that "*inequalities within the family tend to survive by making allies out of the deprived*" is, for Sen (*Ibid.*, p. 136), a typical case of objective illusion that has to be brought to light by a trans-positional assessment.

However, as the evaluator, or the "*scientist*", is also influenced by his or her own positional features. Indeed, there is no way out to the fact that "*the observer and the observed both belong to the world in which we live, and so do the observations themselves*" (*Ibid.*, p. 129). In other words, objective assessments cannot be detached from reflexive observations of the observer or the observed. But in giving a positional interpretation to judgements and observations, Sen opens the possibility for these judgements and observations to evolve – which is the only way that public reasoning and deliberation make sense. Consequently, the ability to reason "*trans-positionally*", and not "*from nowhere*" or "*from the original position*", depends greatly on the aptitude both to invoke "*rival concepts and competing lines of construction*" (*Ibid.*, p. 130) and make them "*positionally objective by some appropriately thorough specification of positional parameters*" (*Ibid.*, p. 136). Some views could then appear to be "objective illusions" while others more appropriate to consider a situation.

4. A comparative approach of justice versus a transcendental theory of justice

Not only the debate between Sen and Rawls did not start with the article "Equality of what?" (Sen, 1980), but what is at stake in this debate goes further than the mere nature of individuals' advantage – "*the metric of justice*" as Robeyns and Brighouse (2010) call it – or whether there must be pre-established prescriptive principles or not for the distribution of

those advantages[20]. Indeed, there was a difficulty to understand why Sen deliberately left his approach incomplete, and thus never proposed a real replacement for Rawls' theory of justice as many commentators expected. In contrast, Martha Nussbaum has developed what could be seen as an alternative theory of justice in terms of capabilities, defining a universal list of capabilities, and it has become current to interpret their differences with regard to their respective specialty domains. Nussbaum's capability approach finds its roots in Aristotelian philosophy and the research of what a "good life" is, whereas Sen's work is rooted in normative economics, and more precisely in social choice theory. It was considered as the explanation of his focus on the right procedure to draw up a list of capabilities, rather than on the list itself. Sen's ambition was above all supposed to be an attempt to make evolve orthodox economic theory in redefining its concepts, broadening its methods and shifting its object from utility to capability, in no case as an attempt to replace Rawls' "theory of justice as equity". His last book clearly contradicts this common interpretation, as well as does Sen's claim of not being a "capability theorist".

Indeed *The Idea of Justice* – "*in memory of John Rawls*" (Sen, 2009, p. iv) – ends the dialogue with Rawls in quite surprising way. While Sen's readers were expecting a book that would collect the philosophical side of his work and disclose his immense debt toward John Rawls – surprisingly it is not exactly the book announced seven years earlier[21]. *The Idea of justice* comes to offer a new perspective and a very different interpretation of Sen's enterprise. His aim is not only to break the deadlock in which economists are since Arrow's monograph (1951). Sen clarifies here that he also speaks to philosophers. His approach intends to renew normative economics, but political philosophy as well, proposing another way than the Rawlsian way to apprehend justice[22]. Calling economic orthodoxy into question is not enough; Sen envisages calling philosophical orthodoxy into question too.

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[20] Contrary to what some commentators have asserted, like Pellé (2006, p. 2): "*the main difference between Sen and Rawls lays in the different purpose their theory are built for. Sen's focus is on the notion of the advantage, or the opportunity of people. His main concern is to evaluate advantage or well-being of people and not to construct o theory of justice which implies a principle that can rule the way in which resources, understood in a very broad sense, are divided into members of a community.*"

[21] In fact it seems that Sen followed what Rawls advised him: writing a veritable book to clarify what would be a theory of justice for him, instead of a mere collection of articles. That is why it took him several years and why Sen has dedicated *The Idea of justice* to John Rawls. (See Gilardone, 2010, p. 709)

[22] We notice that Sen still hesitates to clearly call his approach a "theory of justice" and present in the book a "*particular understanding of the theory of justice*" (Sen, 2009, p. 5). Unsurprisingly, he chose to title the book *The Idea of Justice*, confirming his refusal to identify his proposal with a conventional theory of justice: complete, prescriptive and directly applicable. For Sen, the requirements of a theory of justice are precisely to bring reason into play in the diagnosis of justice and injustice, and reason differs accordingly to circumstances, places and people involved.

He advocates a comparative approach of justice that is a radical departure from a theory of justice in its accepted meaning, considering the moral principles to apply as a matter of social choice to be constantly renewed. It is thus a radical departure from John Rawls' theory of justice: his approach does not propose a complementary approach to Rawls' one, but competes against Rawls' theory of justice as equity (1971). This is a striking statement for those who have confined to his writings on capabilities, and especially because of Sen's (1980) own and well-known presentation of this concept. But, for those who know his other writings, especially those on objectivity we have just commented, it can be seen as a natural development of his views and aspiration.

The introduction of *The Idea of justice* (Sen, 2009) is unequivocal: Rawls belongs to a tradition Sen calls "*transcendental institutionalism*" (as well as R. Dworkin, R. Nozick, D. Gautier); Sen belongs to a tradition of "*realization-focused comparative approaches*". Both traditions have emerged in the Enlightenment period, but radically differ in their way of reasoning and in their object of reasoning. The first one was led by Hobbes and particularly developed by Locke, Rousseau and Kant; the other was pursued in various ways by Smith, Condorcet, Wollstonecraft, Bentham, Marx and Mill, among others. The first examines the nature of "*the just*" in order to find the perfect institutions; the other compares different social realizations and tries to find some criteria for an alternative being "*less unjust*" than another. The first one is pure abstraction; the other is grounded on experience and observation. While comparative approaches to which Sen refers to are considerably more modest, they are thought as more efficient to reduce injustice.

The distinction between the two approaches is, for Sen, very deep. He identifies two problematic aspects of "*transcendentalism*": "*feasibility*" and "*redundancy*" (Sen, 2009, p. 9). Sen (*Ibid.*) carries on and extends his criticism of "the original position" as a starting point for an acceptable theory of justice: "*there may be no reasoned agreement at all, even under strict conditions of impartiality and open-minded scrutiny (for example, as identified by Rawls in his 'original position') on the nature of the 'just society'*". This means that it may be not possible (*feasibility* aspect) to reach a reasonable agreement on a unique set of principles of justice[23]. According to Sen (*Ibid.*, p. 10), it cannot be presumed that "*there is basically only one kind of impartial argument, satisfying the demands of fairness, shorn of vested interests*".

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[23] Sen (2009, p. 10) gives one example of possible disagreement: "*on the exact comparative weights to be given to distributional equality, on the one hand, and overall or aggregate enhancement, on the other*". Indeed, the lexicographic maximin rule pinpointed by Rawls is one formula among many available that might compete for impartial attention

Besides, it would generally prove to be neither useful (*redundancy* aspect) if it leads to the identification of an "*unavailable perfect situation that could not be transcended*". In Sen's view, it is more relevant to identify feasible alternatives, and then choose among them on the basis of practical reason.

Moreover *institutionalism* is also problematic; arrangement-focused view of justice is neither necessary nor sufficient to ensure justice. The importance of institutions is not denied by Sen, but their role is only instrumental: (1) they can directly contribute to develop people's capability to do and to be according to what they have reasons to value; (2) they can facilitate our capacity to examine values and priorities in creating opportunities for public debate. In no case, institutions alone – or institutions combined with "*corresponding ideal behavior*" as in "*Rawls' attempt at getting to a perfectly just society*" (*Ibid*., p. 412) – can be the only thing to look at in the pursuit of justice. What is important is the impact of arrangements on actual individual behaviors and capabilities, on the lives people can lead.

Consequently, Sen ruins the entire strategy of transcendental institutionalism and "*the elaborate exploration of Rawlsian social justice, which proceeds step by step from the identification and establishment of just institutions*" (*Ibid*., p. 11). Nevertheless, Sen (*Ibid.*,p. 42) admits that "*there is some merit in summoning the ideas of John Rawls and his analysis of moral and political objectivity*". Indeed, he draws inspiration from Rawls on one point – one among the five proposed by Rawls (1993, pp. 146-148) –: "*a conception of objectivity must establish a public framework of thought sufficient for the concept of judgement to apply and for conclusions to be reached on the basis of reasons and evidence after discussion and due reflection.*" This point cannot but strengthen Sen's idea since the 1960's according to which value judgments not only can be discussed, but can evolve through discussion[24]. Sen (*Ibid.*) adds another important quotation of Rawls: "*To say that a political conviction is objective is to say that there are reasons, specified by a reasonable and mutually recognizable political conception (satisfying those essentials), sufficient to convince all reasonable persons that it is reasonable.*"

However, Sen does not define what "*reasonable*" means for the philosopher. It would have been interesting to remind that "*reasonable persons*", for Rawls (1993, p. 49), "*are not moved by the general good as such [altruism] but desire for its own sake a social world in which they, as free and equal, can cooperate with others on terms all can accept. They insist that reciprocity should hold within that world so that each benefits along with others.*" The

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[24] See Sen (1967) for example.

reasonable is consequently "*public*" – as opposed to "*private*" – in the sense that "*we enter on an equal footing the public world of others and [...] we think we are ready to offer or to accept [...] equitable terms of collaboration with them*" (*Ibid.*, p. 53). Actually Sen (*Ibid.*, p. 43) considers "*all of us are capable of being reasonable through being openminded about welcoming information and through reflecting on arguments coming from different quarters, along with undertaking interactive deliberations and debates on how the underlying issues should be seen*". It is not necessary for him to insist on this category of "*reasonable persons*" which leads to exclude straightaway those who would not be. Rather, he prefers envisaging objectivity, and therefore what would emanate from reasonable persons for Rawls, as what tends to survive opened and informed public debate.

In fact Sen shares with Jürgen Habermas the idea of a procedural approach, but since it imposes also a lot of precise requirements as for public deliberation, he thinks that it does not differ from the strategy of reasoning offered by Rawls – ignoring thus all debates which have opposed these two authors. It is also quite surprising to read (*Ibid.*, p. 42) that Sen draws "*both on Putnam's and Rawls's analyses, but do not explore further the specific issues on which their differences rest*". This difference concerns the recourse to universal principles, which the pragmatist tradition rejects while Rawls does not hesitate to use it while linking them to an inquiry into the peculiarities of every particular ethical problem. In this respect, Sen is closer to Putnam than to Rawls given his determination since 1967 to show that alleged universal principles, whether in normative economics or in moral philosophy, can very well not receive a general approbation in all contexts. And the distance with Rawls is all the more firm that Sen (*Ibid.*, pp. 44-45) associates him to a notion of "*closed impartiality*", contrasting with another called "*opened impartiality*" associated to Adam Smith (1790) way of thinking: "*While Rawls's primary focus seems to be on variations of personal interests and personal priorities, Adam Smith was also concerned with the need to broaden the discussion to avoid local parochialism of values, which might have the effect of ignoring some pertinent arguments, unfamiliar in a particular culture.*"

What Sen holds from all these authors is the necessity of a reasoned scrutiny from different perspectives to give an objective character to ethical and political convictions – a "*trans-positional objectivity*". To this end, Sen sees in the "*impartial spectator*" imagined by Smith the means for each one to think about his own sentiments and actions' motives, by removing himself from his own natural station and endeavouring to view them as at a certain distance from oneself. The longer the distance is, "*the most complete lesson of self-command*" will be learnt (Sen, 2009, p. 125). But the longer the distance is, the more difficult to put

oneself in position of other people and imagine how they are likely to view our sentiments and motives it is. Here comes the decisive part of discussion and point of view's confrontation. And Smith's "*open impartiality*" – involving taking note of what is seen by 'the eyes of the rest of mankind' – is certainly even more necessary today in our present globalized world. At least, this is a useful argument for Sen (*Ibid*., pp. 140-145) to consider global justice, including issues like stopping terrorism across borders or thinking about human rights or economic crisis. In Sen's opinion, "*open impartiality*" can have significant scope and power in such debates forcing to think seriously about what can be done, rather than proceeding as if societies did not owe anything to each other:

"*Open impartiality, through such devices as the Smithian impartial spectator, has insights to offer on this difficult subject. Relations between different countries or polities are omnipresent in an interdependent world, and operate in interactive ways. John Rawls himself, among others, has addressed this question specifically in the context of justice across borders through his proposal of 'the law of peoples', which invokes a second original position between representatives of different polities (or 'peoples'). […]*

[…] With some oversimplification […] the two 'original positions' can be seen as being respectively intra*national (between individuals in a nation) and* inter*national (between representatives of different nations). Each exercise is one of closed impartiality, but the two together cover the entire world population.*" (*Ibid*., p. 140)

According to Sen, Rawls' attempt to address global justice amounts to "*one global exercise of social contract for the entire world*" and is, once again, "*deeply unrealistic*" (*Ibid.,* pp. 140-141). However, there is no need to invoke a hypothetical global social contract to recognize that obligations can fall "*on anyone who is in a position to help*" (*Ibid.,*p. 144). Sen's conception of open impartiality "*allows different types of unprejudiced and unbiased perspectives to be brought into consideration, and encourages us to benefit from the insights that come from differently situated impartial spectators*" (*Ibid*.). In contrast to the social contract perspective, he considers nevertheless that the principles which survive such scrutiny cannot be a unique set. In other words, Sen admits the simultaneous co-survival of rival principles after public debate, even in the context of closed impartiality, and consequently expects reasoned decisions to come from incomplete orderings. To back up this possibility for unresolved conflicts, Sen (*Ibid.*) refers to the recent literature in social choice theory "*which allows 'relaxed' forms of outcomes (such as partial orderings)*" and made clear that "*social judgements are not rendered useless or hopelessly problematic just because the evaluative process leaves many pairs unranked and many conflicts unsettled*".

Clearly, what is crucial for Sen's comparative approach to justice is the procedure that leads to a social decision or judgement: "*An appropriate understanding of social realization has to take the comprehensive form of a process-inclusive broad account*" (*Ibid.*, p. 24). We can sum up his theory as follows: a comprehensive search for social agreements through (potentially incomplete) rankings of alternatives that can be realized, based on public reasoning. The importance of public debate is related to Sen's faith in people's capacity to reason and scrutinize their own decisions, as well as those of others. And as discussion evolves over time, context or people involved in, Sen opts for the social choice approach rather than the social contract's one.

The possibility of choice, whether individual or collective, does exist only on the basis of this kind of deliberation, and with an acknowledgement of value and interest conflicts. Deliberation does not indeed necessarily entail a coincidence of interests or priorities, but it can highlight a disproportion of advantages according to some shared values. This statement requires surmounting divisions of class, gender, rank, location, religion, community, and other established barriers with which injustices are often linked. And from this statement, along with "*an objective analysis of the contrast between what is happening and what could have happened*" (*Ibid.*, p. 389), can emerge "responsibility". Undeniably, when disadvantage is clearly stated within a public and opened framework of though, it is then very hard to act as if one doesn't know.

Interestingly, Sen (2009, p. 64) reiterates the criticism towards Rawls' way of seeing individual advantage and keeps on thinking capabilities are a better dimension: "*the fit between a person's holding of primary goods and the substantive freedoms that the person can in fact enjoy, can be very imperfect, and that this problem can be addressed through focusing instead on the actual capabilities of people*". Sen (2009, p. 19) puts forward two significant departures that can be brought about by focusing on capabilities: "*First, human lives are then seen inclusively, taking note of the substantive freedoms that people enjoy […]. There is also a second significant aspect of freedom: it makes us accountable for what we do.*" And to the extent that what we do are chosen actions, Sen (*Ibid.*) leaves room for responsibility, and even for "*deontological demands*" or duty.

However, he also reiterates and develops his reservations *vis-à-vis* his own concept of capabilities. First, he considers that capabilities define only one aspect of freedom and does not reveal in an adequate way the "process aspect" of freedom (*Ibid.*, p. 295). Indeed, the evaluation of capabilities remains an evaluation of results, because capabilities represent the opportunities that citizens enjoy – their freedom of life at various levels (having enough to

eat, being able to participate in the social and economic life or to appear in public without shame, etc.). Consequently, it must be completed with an evaluation of the justice of the procedures which can be used by the citizens. An adequate theory of justice has to take into account both the equity of the processes and the equity of the essential opportunities which the persons can enjoy. Sen (*Ibid*., p. 296) illustrates this first point by giving the example of the generally better longevity of women, in other words their relatively better capability to live long. This statement could lead to pay more medical attention on men, but it would violate the requirement of equity in the procedures. Sen considers in this respect that priority must be given to the equality of access to healthcare and not to the equality of opportunity to live long, and thus brings to light the tensions which can arise between the process aspect of freedom and capability.

Secondly, the classification of the social alternatives in terms of capabilities can never be complete because of the plurality of aspects and tensions which can exist. For example, there can be tension between two aspects of freedom: the freedom of well-being and the freedom of action. And Sen (2009, p. 316) insists that "[w]e have to consider both the freedom of action and the nature of the consequences and outcomes to have an adequate understanding of liberty". Even if one decides to focus the evaluation on one of these two aspects, he points out that it will be difficult to reach an agreement on the weighting of the various capabilities identified as important: is it more relevant to evaluate the freedom of action, or the ability to read and write or to show itself in public without shame? In some cases, the approach's inherent incompleteness and ambiguities will not be a problem for distinguishing situations of obvious inequality, but sometimes it will be impossible to end in a clear evaluation. For that reason, it will sometimes be necessary to introduce other criteria.

Finally, some rival reasonings can have a role to play for ethical reasons in the evaluation of social situations, in particular those which relate to the distributional choices. Sen refers in this respect to the discussions about the status of efforts and the rewards that should be associated with labour. It can be very relevant for Sen to consider seriously these issues, and the underlying one of exploitation, in normative theory and practice.

Conclusion

Comparing Sen and Rawls approaches to justice, according to a common interpretation that demands a theory of justice to include precise aggregative and redistributive principles, entails to consider Sen's approach as unaccomplished. But reasoning this way amounts to position it within a contractualist approach or a comprehensive

perspective of what the good or the just is, which is clearly not Sen's viewpoint. As often, Sen tries to change the road and shift the reflection of established traditions. His contribution to theories of justice is generally perceived as exclusively centered on individual advantage, with a will to focus on individual capabilities rather than utility or primary goods. However, he goes much further and *The Idea of justice* has clarified his ambition and the scope of his previous reflection on objectivity which had not been fully seized.

In fact, it is not so surprising if we remember with Majumbar (1998, p. 2860, underlined by us) how Sen had concluded his 1970 book, *Collective Choice and Social Welfare*:

"*He had the feeling that <u>the pure systems of collective choice analysis</u> that then existed <u>did not seem to him to be the most useful systems to study</u> and that he had been concerned with the study of "impurities" of one kind or another, for example, partial interpersonal comparability, partial cardinality of the utility measure, restricted domains of choice, intransitive social indifference, incomplete social preference and so on. […] <u>He found these impurities more relevant for both "institutions" and "framework of thought".</u> It is not that once a strong resolve is made in the mind the rest is routine. Human mind is not made that way.*"

Sen has indeed been faithful to his original methodological perspective: seeking out the impurities that both economic and philosophical theorization abhors. His treatment of justice couldn't be resolved by one question – "what is just?" – and pure concepts of justice were necessarily to be seen as redundant and useless. Concerning the procedure, there are two major disagreements with Rawls. First, Sen refuses the Rawlsian idea of "veil of ignorance" aiming at allowing individual judgements regardless of individual position. Second, Sen is skeptical about the assumption that, if "the original position" were conceivable, there would be a unanimous choice of a unique set of 'two principles of justice' in a hypothetical situation of primordial equality.

Sen's background in social choice theory has played a critical part in his way of considering social decisions, but he champions an ethics of democracy that goes far beyond a mere possibility for vote. Individual preferences still have some interest – unsurprisingly given Sen's attachment to democracy – but the only preferences to count are those which consider the other and are built with the other, through deliberation. He refuses the "disengaged tolerance" that has dominated normative economics in the twentieth century and has permitted to avoid reasoning and discussion about conflictive positions. He would rather

refer to John Stuart Mill's idea of "a government by discussion", according to which the success of a democracy depends on the extent to which people's voices can be heard.

The social contract tradition has, according to Sen, such serious limitations in providing an underpinning for a theory of justice that it ultimately serves as a barrier to practical reason on matters of justice. In contrast, his social choice approach is, in its deepest ambitions, incomplete so that it forbids any doctrinal closure. And for good reason: it is influenced by a political philosophy of deliberation, a moral philosophy based on needs and an empirical approach of social and economic facts. In other words, Sen denies the possibility for an issue to be totally and definitively understood and the idea of a policy that could make the future fully mastered. But he believes that we have to acknowledge our human aptitudes for reason, argue, sympathize and cooperate to strengthen the general pursuit of justice. Lastly, Sen's obsession for enlarging the accessibility of his work must be understood as the will to sustain public debates and to create a dialogue between scientists and the population at large.

References

Arrow Kenneth J. (1951), *Social Choice and Individual Values*, Cowles Foundation For Research, Yale University.

- (1973), "Some Ordinalist-Utilitarian Notes on Rawls' Theory of Justice", *Journal of Philosophy*, 70 (9), pp. 245-263.

Baujard Antoinette, Gilardone Muriel and Salles Maurice (2011), "A conversation with Amartya Sen", *Social Choice and Welfare*, forthcoming, video excerpts online: http://www.unicaen.fr/recherche/mrsh/forge/4611

Gilardone Muriel (2010), "Amartya K. Sen: *The Idea of Justice*. The Belknap Press of Harvard University Press, Cambridge, Massachusetts, 2009, 468 pp", *Social Choice and Welfare*, 35 (4), pp. 709-720.

Harsanyi John C. (1953), "Cardinal Utility in Welfare Economics and the Theory of Risk-Taking", *Journal of Political Economy*, 61 (5), pp. 434-435.

- (1955), "Cardinal Welfare, Individualistic Ethics, and Interpersonal Comparisons of Utility", *Journal of Political Economy*, 63 (4), pp. 309-321.

- (1975), "Non linear Social Welfare Functions: Do Welfare Economists Have a Special Exemption from Bayesian Rationality?", *Theory and Decision*, 6 (1/4), pp. 311-332.

- (1977), "Non-linear Social Welfare Functions: A Rejoinder to Professor Sen", in : R. E. Butts, J. Hintikka, (eds.), *Foundational Problems in the Special Sciences*, Dordrecht, D. Reidel, pp. 293-296.

Majumbar Tapas (1998), "Amartya Sen in search of inpure welfare economics – finding new space", *Economic and Political Weekly*, Vol. 33, No. 45 (Nov. 7-13, 1998), pp. 2860-2862.

Mill John Stuart (1859), *On Liberty*, Boston: Ticknor and Fields, 2nd ed., 1863.

Nagel Thomas (1980), "The Limits of Objectivity", *in* : S. McMurrin, (ed.), *Tanner Lectures on Human Values*, Vol. I, S. Salt Lake City, University of Utah Press et Cambridge, Cambridge University Press, pp. 76-139.

- (1986), *The View from nowhere*, Oxford, Clarendon Press.

Nozick Robert (1973), "Distributive Justice", *Philosophy and Public Affairs*, 3 (1), pp. 45-126.

Pellé Sophie (2006), "Two conceptions of justice: between Sen and Rawls", *6th International Conference on the Capability Approach*, 29 August - 1 September, Groningen, Netherlands, on line: http://www.hd-ca.org/pubs/6_5_Pelle.pdf

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

- (1974), "Some reasons for the maximin criterion", *The American Economic Review*, 64 (2), pp. 141-146.

- (1975), "A Kantian Concept of Equality", *Cambridge Review*, February, 96 (2225), pp. 94-99.

- (1993), *Political liberalism*, New York: Colombia University Press.

Robbins Lionel (1938), "Interpersonal Comparison of Utility", *The Economic Journal*, Vol. 48., n° 192, Dec., pp. 635-641.

Robeyns Ingrid, Brighthouse (2010), "Introduction: Social Primary Goods and Capabilities as Metrics of Justice", *in*: Brighouse & Robeyns (eds), *Measuring Justice*, Cambridge University Press, pp. 1-13.

Sen Amartya K. (1967), "The Nature and Class of Prescriptive Judgements", *The Philosophical Quarterly*, 17 (66), pp. 46-62.

(1970a), *Collective Choice and Social Welfare*, Advanced text books in economics, North Holland, reedit. 1979.

- (1970b), "Interpersonal comparisons and partial comparability", *Econometrica*, 38(3), pp. 393-409.

- (1973), *On Economic Inequality*, Oxford, Clarendon Press.

- (1974), "Rawls versus Bentham: An Axiomatic Examination of the Pure Distribution Problem", *Theory and Decision*, 4 (3/4), pp. 301-309.

- (1976), "Welfare inequalities and Rawlsian axiomatics", *Theory and decision*, 7 (4), pp. 243-262.

- (1977), "On Weights and Measures: Informational Constraints in Social Welfare Analysis", *Econometrica*, 45 (7), pp. 1539-1572.

- (1979a), "Utilitarianism and Welfarism", *Journal of Philosophy*, 76 (9), pp. 463-489.

- (1979b), "Personal utilities and public judgements: Or what's wrong with welfare economics?", *The Economic Journal*, 89 (355), pp. 537-558.

- (1980), "Equality of What?", *in*: McMurrin Sterling, (ed.), (1980), *The Tanner Lectures on Human Values*, Vol. 1, S. Salt Lake City, University of Utah Press et Cambridge, Cambridge University Press, pp. 197-220.

- (1982a), "Rights and Agency", *Philosophy and Public Affairs*, 11 (1), pp. 3-39.

- (1982b), *Choice, Welfare and measurement*, Oxford, Basil Blackwell, and Cambridge Mass., MIT Press.

- (1983), "Evaluator relativity and Consequential Evaluation", *Philosophy and Public Affairs*, 12 (2), pp. 113-132.

- (1993), "Positional Objectivity", *Philosophy and Public Affairs*, 22 (2), pp. 83-135.

- (2002), *Rationality and Liberty*, The Belknalp Press of Harvard University Press

- (2009), *The Idea of justice*, The Belknap Press of Harvard University Press, Cambridge Massachusetts

Williams Bernard, (1973), *Problems of the Self*, Cambridge, Cambridge University Press.