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Is this Truly an Idea of Justice?

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At the very beginning of *The Idea of Justice* (Sen, 2009), Amartya Sen points out that the idea of justice has a very strong intuitive appeal, even to young children. Only as we become older do we learn that we have other moral duties beside justice. They include the duty to make things better for people and to avoid making things worse for them. This is undoubtedly a duty; it is generally called the duty of beneficence. But Sen is surely right that the duty of justice makes a psychologically more primitive and stronger appeal to us.

For that reason, people who have a moral argument to make, often make it in terms of justice. That way, they hope to be rhetorically more effective. If you want to get someone to act as she ought, you are more likely to move her if you can say that acting otherwise would be unjust, than if you say only that it would make the world worse.

To appeal to justice is natural, but it carries a risk. Your argument from justice will be effective only if it is convincing, and some appeals to justice are unconvincing. I shall take as an example a claim that was made by the utilitarian philosopher William Godwin (1793) in his major work *Political Justice*. I shall test out his philosophy on an example that I have adapted from *The Idea of Justice* (Sen, 2009, pp. 12–15). Suppose I have created a fine flute for myself. But suppose you are a better flautist than I am. If you had the flute, your playing would bring more pleasure than mine would to the people around us. According to Godwin, the fact that you can do more good with the flute than I can means that you have a right to it. When you have a right to something, it is an injustice to withhold it from you. I am therefore acting unjustly if I do not give you the flute.

But that is implausible. I made the flute for myself, so how could you possibly have a right to it? As a utilitarian, Godwin would have been more convincing if he had not made his claim in terms of justice. He did not have to say you have a right to the flute. The true appeal of utilitarianism is to the moral duty of beneficence, not justice. Godwin should simply have said it would be better if the flute belonged to you, and that is why you should have it. Why did he instead appeal to justice, and even call his book *Political Justice*? Perhaps for rhetorical effect: perhaps he wanted to tap into the instinctual power of the idea of justice?

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One of the world's most pressing problems is climate change. We ought to take steps to slow it down, but that is not primarily for reasons of justice. To be sure, there are reasons of justice. Our present emissions of greenhouse gases are already harming people elsewhere in the world, and we are doing those people an injustice. Climate change raises other issues of justice too. The cost of reducing emissions has to be shared among the world's presently existing people. How it should be shared is an issue of justice. But by far the most important reason why we ought to slow climate change is that climate change will damage the quality of life of people who will live in the future. This is a much more significant reason than the harm we are doing to presently living people, important though that is. It is much more significant just because climate change will do much more damage in the future than it is doing in the present.

It is doubtful that this damage to the quality of future lives constitutes an injustice to future generations. I shall mention two reasons to doubt it: a metaphysical one and an empirical one. The metaphysical reason is the so-called 'non-identity problem', which was brought to prominence by Derek Parfit (1984) in *Reasons and Persons*. Take a person who is alive 150 years from now. Suppose her life is not very good, because we, the current generation, have allowed climate change to go unchecked. Could she claim we have done her an injustice? Could she say she had a right to a better life, which we denied her by emitting greenhouse gases profligately?

Had we instead taken the trouble to reduce our emissions, we would have lived lives of a different sort. For one thing, we would have travelled about less by car and plane. Our social lives would have been different. Consequently many people would have found different partners. They would have had babies with different partners, and sometimes with the same partner but at different times. Consequently, their babies would have been different people. A couple of generations later, almost the entire population of the world would have consisted of different people.

So almost certainly the person we are speaking of, living 150 years from now, would not have existed at all had we taken the trouble to reduce our emissions. It is therefore not plausible that she had a right to a better life, which we violated by emitting greenhouse gases. Had we not emitted those gases she would not have existed at all. We simply could not have given this person a better life by emitting less gas. So it is not plausible that we violated a right of hers by not doing so.

That is the metaphysical reason for doubting that our emissions do an injustice to future generations. The empirical reason is that we are actually doing rather a lot for those generations. We are adding to the world's stock of many important resources, which they will be able to use to improve their lives. We are adding vastly to the stock of human knowledge, and we are adding to the stock of material resources too, from works of art and architecture to economic infrastructure. We are indeed seriously damaging the natural environment that will surround our successors. But despite that, our successors may well be better off, on balance, than we are, as a result of the

resources we leave them. If they are, although we are damaging their lives in one way, we are more than making up for it in other ways. That makes it hard to claim that our emissions constitute an injustice to those people.

Neither of these reasons for doubt amounts to an incontrovertible argument. But suppose that, by emitting greenhouse gases, we are indeed doing no injustice to future generations. Would it follow that it is morally permissible for us to emit those gases? Of course not. Our emissions make the world worse than it would otherwise be. Even if future people will be better off than us, we ought to reduce our emissions, for the reason that doing so will make the world a better place.

That is the reason given in the Stern Review of *The Economics of Climate Change* (Stern, 2007) for urgent action to slow climate change. Stern argues that the great benefit we can achieve by taking action very much outweighs the sacrifice we must make to do so. He makes his moral case on grounds of benefit, not justice. He appeals to the duty of beneficence. I think that is the right case to make.

In *The Idea of Justice*, Sen argues for a particular approach to justice. He opposes the approach he calls 'transcendental theory' and associates with the contractualist tradition. Instead he favours a comparative approach, which is concerned with making particular improvements rather than with searching for an ideal society. He offers social choice theory as one manifestation of it.

I also very much favour the comparative approach. However, I am not convinced Sen is really offering us an idea of justice in his book. Social choice theory, for instance, is not normally presented as a theory of justice. Sen is looking for particular ways to make the world better. Not all those ways necessarily make it more just. If we concern ourselves with improving justice only, we shall miss some of the most important improvements we can make. For instance, we shall miss the need for urgent action to slow climate change.

Appealing to beneficence is less rhetorically powerful than appealing to justice. But in cases where the appeal to justice is unconvincing, it is beneficence we must appeal to.

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