

# WHAT CAN ETHICS LEARN FROM ECONOMICS?

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## Abstract

Against traditional economic theories, Sen's alternative methodology to address issues of justice helps us not only to argue that economics is not an ethics-free science but also to rethink about our transcendental search for solutions on ethical issues. For a reasonable theory of justice, Sen argues, an identification of a perfect social arrangement is neither sufficient nor necessary. His argument is that identifying 'perfect' justice and comparing imperfect social states are analytically disjointed. To identify and address patent injustices in our world, we must prioritise comparative reasoning rather than transcendental reasoning. Comparative approach retains ideals, envisions targets, and engages ranking of different alternatives. Yet, we argue that Sen offers no explicitly systematic exposition of ideal theories.

**Keywords:** Justice, transcendentalism, comparative justice, economics, ethics, ideal theory, non-ideal theory, Amartya Sen

## 1. Introduction

Is economics an ethics-free zone? Some economists of the twentieth century have often been concerned with making their field free from all normative elements including ethical aspects. This is, they argue, to offer economics as a value-free or ethics-free science. Lionel Robbins, for instance, argued to keep economics and ethics separate: "Economics deals with ascertainable facts; ethics with valuations and obligations."<sup>1</sup> We, however, hold that it is very hard to conceive economics as an enterprise free of all values. Economics as a science has no separate source of normativity apart from ethics. Amartya Sen argues that "modern economics has been substantially impoverished by the distance that has grown between economics and ethics."<sup>2</sup> Mainstream economic theories identify rationality of human behaviour with internal consistency of choice and with maximisation of

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<sup>1</sup>Lionel Robbins, *An Essay on the Nature and Significance of Economic Science*, 2<sup>nd</sup> ed., London: Macmillan, 1935, 148-49.

<sup>2</sup>Amartya Sen, *On Ethics and Economics*, New Delhi: Oxford University Press, 1987, 7.

self-interest. Human beings are not ‘rational fools’ to be motivated only by self-interest.<sup>3</sup> Every economic action involves balancing of various self-interests, interests of others and of the aspects of context in which one lives, which clearly demand ethical foundations.<sup>4</sup>

In his recent work, *The Idea of Justice*,<sup>5</sup> Sen argues that philosophers have something to learn from economists. Philosophers’ question “What is a just society?” according to Sen, leads them to develop “transcendental conceptions of justice” that aim to provide the blueprint of a perfectly just social arrangement. However, if the goal is “identification of patent injustices on which reasoned agreement is possible,” a transcendental conception of justice, he argues, is neither sufficient nor necessary.<sup>6</sup> We argue that the transcendental approach that is common in contemporary moral philosophy can learn some important elements from the comparative approach that is central to economics and social choice theory. Ethics should not be construed as the search for a transcendental model of a society.

Our arguments are two-fold: (a) an exercise of practical reason that involves actual choice demands a framework for comparison of justice for choosing among the feasible alternatives and not an identification of a possibly unavailable perfect situation that could not be transcended. So if all normative political judgements concerning justice involve a choice, no transcendental theory would be needed; and (b) the redundancy claim does not involve rejection of ideals, abstractions and theorising. Yet it rejects identification of a perfectly just social arrangement. In other words, we argue that Sen rejects a ‘monological’ approach of the transcendentalists in contrast to a ‘dialogical’ approach to justice, which he wants to defend. He, however, does not downplay the role of ideal theories and conceptions.

## **2. Approaches to Justice: Transcendental and Comparative**

Sen thinks that there is a widespread misunderstanding concerning the subject matter of a good theory of justice. In contemporary political

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<sup>3</sup>Amartya Sen, “Rational Fools: A Critique of the Behavioural Foundations of Economic Theory,” *Philosophy and Public Affairs* 6 (1977), 317-44.

<sup>4</sup>For a detailed exposition of this theme, see my article “Authentic Development and Responsibility in Economics,” in *Schumacher Reconsidered: Advances in Responsible Economics*, ed. Hendrik Opdebeeck, Oxford: Peter Lang, 2012, Chapter 5.

<sup>5</sup>Amartya Sen, *The Idea of Justice*, London: Penguin Books, 2009. Hereafter this work will be abbreviated as IJ.

<sup>6</sup>Amartya Sen, *Development as Freedom*, Oxford: Oxford University Press, 1999, 287.

philosophy, discussions of theories of justice are predominantly focused on a central question: “what is a just society? This question of the contractarian tradition is “neither a good starting point” nor a plausible “end point” for a useful theory of justice (IJ, 105).<sup>7</sup> According to Sen, what characterises the transcendental approach is first, it concentrates its attention on what it identifies as perfect justice, rather than on relative comparisons of justice and injustice, and second, in searching for perfection, it concentrates primarily on getting the institutions or a sovereign state right, and it is not directly focused on the actual societies that would ultimately emerge (IJ, 5). This social contract approach was pioneered by Thomas Hobbes in the seventeenth century, and later supported by European Enlightenment thinkers including Jean-Jacques Rousseau, John Locke and Immanuel Kant. Sen believes that this approach has been the strongest influence in the analysis of justice even in our own times. This approach imagines a social contract: a hypothetical contract concerning social organization that the people of a sovereign state can be imagined to have endorsed and accepted. This “transcendental institutionalism” is followed by John Rawls, Robert Nozick, Ronald Dworkin, David Gauthier and others. Sen argues that the nature of the society that would result from any given set of institutions must depend also on some non-institutional features, such as the actual behaviour of people and their social interactions (IJ, 5-6).

## 2.1. Pitfalls of Transcendental Approach

Sen finds two major problems with transcendentalism. The first concerns “the *feasibility* of finding an agreed transcendental solution,” for there may be no reasoned agreement among members of a community on the nature of the ‘just society,’ even under strict conditions of impartiality and open-minded scrutiny (IJ, 9). Criticising Rawls’s transcendental approach, Sen argues that we cannot be certain that we will reach reasonable agreement on one unique set of principles of justice given the context of the plurality

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<sup>7</sup>Amartya Sen, “What Do We Want From a Theory of Justice?” *Journal of Philosophy* 103, 5 (2006), 215-18; “Economics, Law, and Ethics” in *Against Injustice: The New Economics of Amartya Sen*, eds. Reiko Gotoh and Paul Dumouchel, Cambridge: Cambridge University Press, 2009, 39-54; “The Place of Capability in a Theory of Justice” in *Measuring Justice: Primary Goods and Capabilities*, eds. Harry Brighouse and Ingrid Robeyns, Cambridge: Cambridge University Press, 2010, 243-45; “Values and Justice,” *Journal of Economic Methodology* 19, 2 (2012), 101-108. Sen uses ‘transcendentalism’ and ‘transcendental institutionalism’ interchangeably.

of reasons for justice. Rawls also, indeed, thinks that citizens may “differ as to which conceptions of political justice they think most reasonable.”<sup>8</sup> This concession, however, does not allow Rawls to say much about how a particular set of institutions would be chosen on the basis of a set of competing principles of justice. Put differently, there are diverse ways of leading a just life, and this is a mark of human freedom. There is a real difficulty, therefore, in determining what a perfectly just social arrangement would be. Thus Sen argues that such agreement is neither sufficient nor necessary for achieving agreement on how to render a current state of affairs more just.

Social justice, Sen holds, is intrinsically plural in character: it is “genuinely plural, and [includes] sometimes conflicting, general concerns that bear on our understanding of justice” (IJ, 57). This deep pluralism in the demands of justice is strongly reflected in his story of the flute and the three children. Anne, Bob and Carla are quarrelling over which of them should get a flute, and each appeals to a different ground of justice. Anne claims the flute on the ground that she is the only one of three who knows how to play it; it would be quite unjust to deny the flute to the one who can actually play it. Bob argues that he should have the flute by pointing out that he is the only among the three who is so poor that he has no toys of his own. Carla claims the flute by arguing that she was the one who ardently worked many months to make it. An economic egalitarian may support Bob, who is the poorest among the three, in order to reduce gaps in the economic means among the three children. A libertarian may support Carla’s argument, since she is the maker of the flute. A utilitarian hedonist may support Anne by arguing that her pleasure is likely to be greater because she is the only one who can actually play the flute. It is difficult to dismiss any of these claims as foundationless. All three demands are based on seemingly reasonable conceptions of social arrangements and principles that should govern the allocation of resources. As Sen writes, it is not only that “theorists of different persuasions, such as

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<sup>8</sup>Rawls also discusses the difficulties in reaching a unique set of principles to guide institutional choice in the original position in his later works. See *The Law of Peoples*, Cambridge: Harvard University Press, 1999, 137; *Justice as Fairness: A Restatement*, ed., Erin Kelly, Cambridge: Harvard University Press, 2001, 132-34. Rawls wants first to construct a “public framework of thought” and then, in this framework, allow for different interpretations. Sen, by contrast, wants first to ask what we owe to others as a matter of justice and then, on the basis of practical reasoning and discussion, to determine what justice requires.

utilitarians, or economic egalitarians, or labour right theorists, or nonsense libertarians [...] would each argue for totally different resolutions,” but also that each theorist may recognise that there is some validity to the other claims (IJ, 13). Similarly, it is not just that the interests of the three children differ, but that “the three arguments each point to a different type of impartial and non-arbitrary reason.” We cannot easily imagine the existence of “any identifiable perfectly just social arrangement on which impartial agreement would emerge” (IJ, 12-15). Many contemporary political theorists who follow the social contract model believe that there is ultimately some single and unified answer to the question of what social justice requires. In this they fail, Sen claims, to recognize the plurality and diversity of values. The non-availability of an agreed-upon transcendental solution due to plurality of reasons for justice, however, does not make it impossible to find some relational comparative conception of justice. Pluralistic conceptions of justice do not necessarily assume uncertainty in policy making, but only makes more difficult the task of political thinking.

The second problem Sen identifies with transcendentalism concerns “the *redundancy* of the search for a transcendental solution” (IJ, 9). Transcendental theories of justice imagine a perfectly just situation; a possibly unavailable perfect situation that could not be transcended or improved. Sen, by contrast, thinks that an exercise of practical reason that involves an actual choice demands a framework for the comparison of various conceptions of justice and for a choice among the feasible alternatives. Problem with the transcendental approach arises not only from the feasibility of finding an agreed transcendental solution, but more from the non-existence of an identifiable perfectly just social arrangement. “If a theory of justice is mainly to guide reasoned choice of policies, strategies or institutions,” or if our goal is to identify patent injustices on which reasoned agreement is possible, he argues, “then the identification of fully just social arrangements is neither necessary nor sufficient” (IJ, 15). We shall analyse the *redundancy claim* in greater detail under §3.1. Apart from these deficiencies, Sen argues that transcendental theories explain only a “spotless justice” and maintain a “relational silence,” meaning an absence of any comparative implications (IJ, 99).

## 2.2. Towards a Comparative Reasoning

In contrast to the transcendental approach to justice, comparative reasoning is the starting point in economics and in social choice theory. Sen’s

criticism of transcendental theories has two goals: first, positively, to prioritise a comparative approach to justice; and second, negatively, to put in question the need for transcendental theories in relation to comparative theories. Sen argues that we must change our focus from “what is a just society?” to a new question, “How can the justice of the present state of affairs be improved?” This investigation is based on another approach that Sen calls “realization-focused comparison” (IJ, 97). Champions of this approach, Sen considers, Adam Smith, Marquis de Condorcet, Jeremy Bentham, Mary Wollstonecraft, Karl Marx, and John Stuart Mill, were mainly interested in “comparisons of societies that already existed or could feasible emerge” (IJ, 7).<sup>9</sup> Sen considers social choice theory – the aggregation and ranking of collective preferences for the making of judgements about different social alternatives – as the main contemporary heir of this tradition. To judge what justice requires of us, here and now, we need only the ability to compare relative justice. We need to focus on the actual realizations and accomplishments and actual behaviour of people rather than on establishing what we imagine are the right institutions and perfect justice. In this way it is a more “inclusive concept,” including both the importance of particular institutions and the quality of the consequences they generate.<sup>10</sup> As Sen argues, “Investigation of different ways of advancing justice in a society (or in the world) or of reducing manifest injustices that may exist, demands comparative judgements of justice.”<sup>11</sup>

A comparative approach to justice aims to individuate improvements in justice with the help of a social choice theory-based aggregation of individual rankings of alternative social scenarios and proposals for improvement. Sen argues that “the answers that the transcendental approach gives – or can give – are quite distinct and different from the type of concerns that engage people in discussions on injustice and justice in the world” (IJ, 96). Our main concern must therefore be to remedy injustices such as iniquities of hunger, illiteracy, torture, arbitrary incarceration, and

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<sup>9</sup>Sen’s categorization of theorists of justice may be questionable. Sen regards Hobbes as the pioneer of the social contract approach and as less interested in the actual behaviour of people than in institutions. Yet one could argue that Hobbes’ account of the necessity of institutions of political authority is based on an analysis of how people behave under conditions where such institutions are absent. Similarly, Marxist communism can hardly be said to aim at ‘improving’ the present state of affairs, or ‘removing’ manifest injustice. I do not enter into these discussions here.

<sup>10</sup>Sen, “Value and Justice,” 105.

<sup>11</sup>Sen, “What Do We Want from a Theory of Justice?” 217.

medical exclusion. The defender of a transcendental theory can retort that these are cases where we hardly need to do any political theory at all, precisely because all reasonable theories of justice agree that they are unjust.<sup>12</sup> But Sen would respond that what is persistently needed is the “removal of manifest injustice” on which reasoned agreement is possible (IJ, 7).<sup>13</sup> To do this, we do not need a transcendental theory. We can have political theorising, yet need not be, what Karl Popper calls “utopian social engineering,” an identification of ideal state.<sup>14</sup> To climb the highest

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<sup>12</sup>Ronald Dworkin, *Justice for Hedgehogs*, Cambridge: Harvard University Press, 2011, 477; Adam Swift and Stuart White, “Political Theory, Social Science, and Real Politics” in *Political Theory: Methods and Approaches*, eds., David Leopold and Marc Stears, Oxford: Oxford University Press, 2008, 51-52; Christian Schemmel, “Sen, Rawls – and Sisyphus,” *Indian Journal of Human Development* 5, 1 (2011), 203.

<sup>13</sup>Critics like Saju Chackalackal argue that if people could reach at a reasonable agreement on the elimination of manifest injustices, “why not we aim at the same agreement with regard to the ideal understanding of justice through public discussion.” See “In Defence of Theoretical Ethics: A Critique on Amartya Sen’s *The Idea of Justice*,” *Journal of Dharma* 35, 4 (2010), 378. This criticism is not convincing due to two reasons: First, reasonable people continue to disagree on the nature and the exact demands of a perfectly just society. Yet this will not preclude an agreement that major improvements can be made in reducing injustice through elimination of remediable outrages such as needless hunger and starvation, removable illiteracy, correctable insecurity, or the prevalence of torture. Second, perfectly just social arrangement is not available. A transcendental approach for a non-available utopia will land us in the remote exercise of looking for a black cat in a dark room that may or may not be there at all.

<sup>14</sup>In his popular work *The Open Society and its Enemies*, New Jersey: Princeton University Press, 1950, 154-64, Popper makes an important distinction between “utopian” and “piecemeal social engineering.” Utopian social engineering demands that we must determine our ultimate political goal, or the Ideal State, before taking any practical action in politics. Accordingly, “only when we are in possession of something like a blueprint of the society at which we aim, only then we can begin to consider the best ways and means for its realisation, and to draw up a plan for practical action.” This approach reminds us of the priority of transcendental normative theory. Piecemeal social engineering, by contrast, supported by Popper’s arguments, instead of designing for the ideal state, focuses on “the greatest and most urgent evils of society, rather than searching for, and fighting for, its greatest ultimate good.” The piecemeal engineer can reach a “reasonable agreement” of great number of people fighting against manifest injustices than the fight for establishment of some ideal state (154-55). This idea strongly resembles in Sen’s writings (opening words of IJ), when he says that “what moves us, reasonably enough, is not the realisation that the world falls short of being

mountain within range, Sen thinks, we do not need to know that Everest is the highest mountain in the world, but rather only which mountains are within range and how to compare them to each other. Similarly, we need not talk about the greatest or most perfect picture in the world in order to choose between two specific alternatives. Hence, Sen concludes that “there would be something deeply odd in a general belief that a comparison of any two alternatives cannot be sensibly made without prior identification of a supreme alternative” (IJ, 101-02). Reducing poverty would constitute progress towards justice even without ultimately knowing what principles of justice people would agree to in a perfectly just social arrangement. If we make a grand division between the ‘just’ and the ‘non-just,’ as a transcendental theory of justice aims to do, this would leave the society on the ‘non-just’ side even after some reforms. Are there not some manifest injustices that are more patent than others? In a comparative perspective, Sen argues, we can see such reforms as justice-enhancing changes.<sup>15</sup> This is because a comparative approach ranks alternative social arrangements, according to whether some social arrangement is ‘less just’ or ‘more just’ than another. Sen rightly argues that comparative questions are inescapable for any theory of justice because they give “guidance to public policy or personal behaviour.”<sup>16</sup> According to the capability approach, we may compare different distributions of capabilities in order to judge the advantages held by different individuals.

Sen relates the transcendental and comparative approaches to an old distinction made in Sanskrit between ethics and jurisprudence. Two different words in classical Sanskrit, *niti* and *nyaya*, stand for justice. The term *niti* is used mainly to indicate an organizational property and behavioural correctness, whereas the term *nyaya* stands for a comprehensive concept of realized justice. *Nyaya* is more discursive than *niti*, which follows a more definitive and consequence-independent reasoning (IJ, 210-14). As discursive, the former, *nyaya*, takes up a comparative weighing of available positions and looks for better and more acceptable consequences or realizations in personal and social life, rather than merely concerning itself with a transcendental view of justice. Sen cautions against all temptations to reduce *nyaya* to just a rigid consequential outcome that ignores the significance of social processes,

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completely just – which few of us expect – but that there are clearly remediable injustices around us which we want to eliminate” (IJ, vii).

<sup>15</sup>Sen, “What Do You Want from a Theory of Justice?” 217.

<sup>16</sup>Sen, “The Place of Capability in a Theory of Justice,” 244.



efforts and conducts. In his broad consequentialist approach, Sen does not downplay the importance of the “reasoning underlying deontological concerns” (IJ, 22). He explains a *nyaya*-based approach as “a full characterisation of realisations [which] should have room to include the exact processes through which the eventual states of affairs emerge” (IJ, 24). In other words, this approach does not involve a process-independent view of consequences, but rather argues that an appropriate understanding of social realization must take the more comprehensive form of a process-inclusive account.<sup>17</sup>

One may doubt whether this comparative approach of the capability theory is able to provide answers to transcendental questions. For transcendental approach is based on an assumption that a systematic disciple of a theory of justice must be a complete one. Sen argues that “a systematic and disciplined theory of reasoned evaluation” need not be “totalist,” with a built-in capacity to compare every pair of alternatives. An assessment of social justice need not take a “totalist” form (IJ, 103). It seeks productive directions for reform rather than full optimality. It may be easier to identify areas in need of improvements, or at least areas to be preferred on the basis of several criteria. An analogy may be useful here. Imagine that we see two peaks, each disappearing into the clouds such that we have no way to say which is higher. Neither has been surveyed. A transcendental theorist may be stunned, but a relational reformist may secure some agreement that we should proceed up a path that leads to the col separating two peaks. The col will definitely be higher than our starting point.<sup>18</sup> We do not need a perfect idea of their heights to make our travel possible. Our lack of a perfectly complete idea of the state of affairs in this case is not a hindrance to our journey. Transcendental theories of a Rawlsian derivation regard incompleteness as a failure; a sign of the unfinished nature of the exercise. Yet incompleteness, on Sen’s account, is not a problem, but rather a part of the process of reasoned evaluation. Justice is “a work in progress.”<sup>19</sup> We cannot anticipate every novel conflict that will require further elaboration, discovery and interpretation. In the same way, our theories and values must be regarded as revisable (IJ, 106, 242). Several reasons may contribute to the incompleteness of a theory, including gaps of

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<sup>17</sup>Sen, “Maximization and the Act of Choice,” *Econometrica* 65, 4 (1997), 745-79.

<sup>18</sup>A. B. Atkinson, “Public Economics after *The Idea of Justice*,” *Journal of Human Development and Capabilities* 13, 4 (2012), 529.

<sup>19</sup>David Schmitz, “Nonideal Theory: What It Is and What It Needs to Be,” *Ethics* 121, 4 (2011), 783.

information, pluralism of values, conflicting claims on equity considerations, and so on. Despite this apparent ambiguity, we can reach a reasonable agreement that there are social failures involved in the failure to address problems of persistent famines, access to medical care, basic food and clothing. These injustices call “urgently for remedying” (IJ, 104).

Even if every person had a complete ranking of the possible social arrangements and if all people could reach an agreement on standard forms of justice, Sen argues, incompleteness would still arise if distinct persons continued to assess this ranking and agreement differently. Transcendental theories may bracket out an individual’s vested interests and personal priorities by applying the device of the ‘veil of ignorance.’ Yet there may remain differences concerning how each assesses “social priorities, for example in weighing the claims of needs over entitlement to the fruits of one’s labour” (IJ, 104). Both incompleteness in individual evaluation and incomplete congruence in individuals’ assessments, Sen argues, make it a hard task to reach judgements in matters of social justice. Yet this incompleteness does not hinder the making of comparative judgements about justice; we may reach an agreement on “pairwise rankings” and evaluate how to enhance justice and reduce injustice.<sup>20</sup> This is also called a “relational approach” to justice (IJ, 104-05).

The main concerns of traditional economic theories in the history have been with questions of rationality, such as ‘internal consistency’ of choices or the ‘completeness’ of evaluation. Subsequently ethical considerations that could contradict these rationality requirements have been exported outside economic models. Internal consistency of choice requires “inter-menu correspondence,” that means, “relating choices from different subsets to each other.”<sup>21</sup> Completeness requires an evaluation that compares all pairs of social states and ranks each as better, worse, or indifferent. As long as these conditions of rationality are satisfied, the model is taken to be morally neutral, whatever results it may bring. As long as it does not contradict the conditions of rationality, any ethical consideration whatsoever can be introduced regardless of its plausibility. Sen redefines rationality as a discipline of thinking, or systematic use of reason, which reflects, as well as revises, an individual’s goals, values,

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<sup>20</sup>Sen, “Incompleteness and Reasoned Choice,” *Synthese* 140, 1/2 (2004), 43-59; Isaac Levi, “Amartya Sen,” *Synthese* 140, 1/2 (2004), 61-67. Pair-wise ranking is a tool that helps us to identify preferences and hence to reach at an agreement on most important needs and concerns of the people.

<sup>21</sup>Sen, *Rationality and Freedom*, Cambridge: Harvard University Press, 2002, 122.

strategies, and motivations in view of relevant information.<sup>22</sup> To accept external viewpoints including ethical criteria that might constrain the individual’s interest is neither irrational nor outside of the requirements of rationality. Likewise, the aspect of incompleteness, in either individual or social preference never implies a deficit of rationality. Rather, “systematic guidance to reasoned decisions can come from incomplete ordering that reflect unsolved conflicts.”<sup>23</sup> Incompleteness is not a failure in an economic theory. Rather it suggests the existence of diverse values that may potentially conflict each other and hence deserve attention. If our goal is to identify an “ideally just society,” we need a totalist approach. We do not need this as we do not aspire for a perfectly just social arrangement, but want to avoid “patent injustice” which needs a relational approach to justice. As Sen argues, “welfare economics has always been concerned with comparative rather than transcendental questions, no matter whether the subject matter has been policy choice or institutional choice.”<sup>24</sup> What philosophical theories of justice need to learn from economics, argues Sen, are the joys and difficulties of comparing. Social choice theory, for instance, compares and ranks social states in relation to one another as less just, or more just. This opens a space in which we can rationally evaluate different situations and judge of their urgency. In comparative reasoning, identification of perfectly just system is “irrelevant.”<sup>25</sup>

### 3. Objections and Claims

Sen makes two charges against the transcendental approach: the insufficiency charge and the non-necessity charge. These charges amount to two important claims: a priority claim and a redundancy claim, respectively. The insufficiency charge is based on an assumption that the kind of full specification of a perfectly identified institutional and social arrangement sought by the transcendental approach is not sufficient for guiding and making comparative evaluations on justice. The non-necessity or redundancy charge is based on an assumption that this kind of identification of fully just social arrangement is not necessary for a comparative approach to justice. The priority claim explains that we need to shift our priorities from transcendental theorising towards thinking about justice-enhancing changes. Sen holds that political philosophers

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<sup>22</sup>Sen, *Rationality and Freedom*, 19.

<sup>23</sup>Sen, *Rationality and Freedom*, 468.

<sup>24</sup>Sen, “Economics, Law and Ethics,” 48.

<sup>25</sup>Sen, “Economics, Law and Ethics,” 51.

should be centrally concerned with making comparative judgements of justice in a way inspired by the social choice tradition. The redundancy claim explains that we do not need a perfectly identified social arrangement in order to make comparative judgements on justice. As this claim is widely misunderstood, many critics have complained that it is mistaken.<sup>26</sup> We argue that Sen does not make a *general* redundancy claim, but rather a *specific* claim concerning the non-necessity of a transcendental theory for comparing alternatives. His objection lies in doing theories in the Rawlsian sense where transcendentalism and institutionalism brought together in a theory of justice. Sen however recognises that “an ‘ideal theory’ may often be helpful in understanding the underlying ideas that even a practical theory of actual decision making may utilize.”<sup>27</sup>

An ideal theory proposes an idealization of a particular situation, which entails some unique characteristics in that it identifies some perfectly just set of institutions and perfectly just society. This theory may not offer any immediate or workable solutions to the persistent problems in a society. Ideal situations and full compliance are assumed, full knowledge is supposed, and ideal institutional patterns are framed in order to offer an ideal theory. Non-ideal theories, by contrast, are formulated to make feasible recommendations concerning the questions of justice that are both “achievable and desirable.” While Sen defines the role of comparative theories as that of identifying possible ways of advancing justice, he implicitly distinguishes not between transcendental and comparative theories of justice in general but between transcendental theories and a specific subset of comparative theories, namely those that rank *viable* societal arrangements.<sup>28</sup> Insofar as ideal theories of justice are neither reasonably imaginable and nor politically feasible in practice, Sen’s categorisation of transcendental theories will also place them into the category of ideal theories, whereas comparative theories will fall into the non-ideal category. Sen does not oppose all the theoretical

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<sup>26</sup>Ingrid Robeyns, “Ideal Theory in Theory and Practice,” *Social Theory and Practice* 34, 3 (2008), 341-62; “Review Symposium on Amartya Sen’s *Idea of Justice*: Are Transcendental Theories of Justice Redundant?” *Journal of Economic Methodology* 19, 2 (2012), 159-63; Schemmel, “Sen, Rawls – and Sisyphus,” 197-210; Evan Riley, “Against Sen against Rawls on Justice,” *Indian Journal of Human Development* 5, 1 (2011), 211-21; Chackalackal, “In Defence of Theoretical Ethics,” 369-92.

<sup>27</sup>Sen, “Values and Justice,” 106.

<sup>28</sup>Zofia Stemplowska, “What’s Ideal about Ideal Theory?” *Social Theory and Practice* 34, 3 (2008), 324-25.

investigations of Rawls, Dworkin and other ideal theorists. His criticism is not against ideal theories as such, or against idealisations or abstractions,<sup>29</sup> but mainly against identifying a perfectly just social arrangement or institution. Sen thinks there are serious problems in the present-day “overpowering concentration on institutions” as opposed to the lives that people are able to lead (IJ, xi).

### 3.1. Reconsidering the Redundancy Claim

Sen cites two objections raised against the redundancy claim by Ingrid Robeyns. First, he cites Robeyns’s claim that “a number of basic injustices do not need ideal theory in order for us to understand and agree that they concern gross injustices,” yet “many cases of injustice are complex and often subtle.”<sup>30</sup> We thus find it more difficult to identify and analyse cases of complex injustice than cases of basic injustice. In other words, judgements on “the comparison of *complex* cases of injustice implicitly or explicitly do refer to ideals of justice.”<sup>31</sup> Robeyns offers the case of gender justice in liberal societies as an example of a complex case. In many of these societies, she thinks, citizens believe that gender justice is fully realised. To analyse a claim of perfect injustice, she argues, we need a transcendental theory of justice.

Yet this objection to the redundancy claim is not convincing, which becomes apparent once we note that Sen’s redundancy claim is an analytical proposition. Consider Sen’s analogy: To show that a certain state of affairs X is comparatively unjust, we merely have to show that there is another feasible alternative Y (whether or not ideal) that is less unjust than X. We need not invoke some quite different alternative, say Z,

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<sup>29</sup>Onora O’Neill makes a unique distinction between abstraction and idealisation. An abstraction is a generalisation, without being a false assumption about the world. An idealisation is also a generalisation, but one based on false assumptions. Non-ideal theorists, according to her, defend ideals that rely on abstraction, whereas ideal theorists rely on idealisation. See “Abstraction, Idealisation and Ideology in Ethics,” in *Moral Philosophy and Contemporary Problems*, ed. J. D. G. Evans, Cambridge University Press, 1987, 55-69. We do not assume this conceptual distinction in our analysis. Idealisation is a possible move within theories and hence we cannot accept idealisation as a sensible way of distinguishing between ideal and non-ideal theory. We do hold, however, that there can be good and bad idealisations. Idealisations are also forms of abstraction. Theory construction requires that we use these abstractions.

<sup>30</sup>Robeyns, “Are Transcendental Theories of Justice Redundant?” 160.

<sup>31</sup>Robeyns, “Are Transcendental Theories of Justice Redundant?” 160-61, emphasis in original; “Ideal Theory in Theory and Practice,” 345-46.

as the very ‘best’ social arrangement and we need not raise the question of whether X is less unjust than some ideal state Z. This means that appreciating a particular state of affairs does not directly involve the idea of an ideal state (IJ, 101). When we compare some states of affairs X and Y, we implicitly relate each to some ideals of justice that may be composed of different elements, though never to a perfectly ideal state. This general analytical proposition is valid irrespective of whether the cases of injustice are basic or complex. Can we specify certain pre-conditions that will certainly bring about a perfectly just world with respect to gender relations? We think we cannot. Two reasons for this seem apparent: (a) It is not feasible to look for universal agreement on transcendental principles in a world where there exists a plurality of conceptions of perfect gender justice. Different people may argue that the present divisions are not truly just, without agreeing on any one formula for achieving an ideally just division of opportunities or decisional powers. (b) To demonstrate the unjust nature of social or economic divisions between genders, it is not necessary to persuade people to agree on what “the perfectly gender just world” would look like.<sup>32</sup> One can, for instance, quite independently of such a perfect conception, say that the ideal of gender equality is better realised in Belgium than in Afghanistan. To persuade people to agree on a single ideal state of gender equality might, I suspect, even privilege some particular ideological group.<sup>33</sup>

The second argument against Sen’s redundancy claim operates at two levels: (a) Non-transcendental theorising guides our justice-enhancing policies and actions, and Robeyns thinks that “non-transcendental theorising of justice *entails but is not limited to* the comparative approach to justice.” She argues: “non-transcendental theorising of justice also includes theorising on how to weigh different principles of justice, or theorising on what to do if in the long run we can achieve a more just state, but whereby this requires sacrificing one generation for the sake of the following generations.” This observation leads her to argue that non-transcendental theories of justice require a transcendental theory. (b) Robeyns argues that in order to make a reasonable decision on a particular

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<sup>32</sup>Sen, “A Reply to Robeyns, Peter and Davis,” *Journal of Economic Methodology* 19, 2 (2012), 175.

<sup>33</sup>Charles Mills, a radical proponent of non-ideal theory in the justice debate, for instance, argues that ideal theory is not only irrelevant and useless but also ideological and therefore potentially dangerous. See “Ideal Theory as Ideology,” *Hypatia* 20, 3 (2005), 165-84.

issue, we need to consider different feasible paths. A reasonable decision requires, she believes, a vision of our “ultimate goal, that is, a transcendental principles of justice.”<sup>34</sup>

We do not think that a transcendental theory by *itself* necessarily entails features of non-transcendental theorising, which guide our policies and actions on justice. As Sen argues, a transcendental theory cannot be a “conglomerate theory,” resolving transcendental and comparative issues simultaneously (IJ, 67). However, a transcendental theory can extend to non-transcendental theorising in the style of Dworkin.<sup>35</sup> A non-transcendental theory may employ ideals, abstractions, and ideal theories, yet there is a difference between “ideals of justice” and the “identification of ideal states.” Ideals of justice may motivate us to aspire to higher goals, whereas the identification of ideal states demands a transcendental conception of a perfectly just social arrangement. Robeyns seems to defend the latter. Democracy, for instance, is a great ideal. Yet we may not have a single transcendental conception of a democratic state. Each culture and society may interpret democracy differently. To pursue a better democracy, we do not need an imaginable identification of a perfect democracy, which by its nature does not exist. In other words, a transcendental route is not necessary for comparative reasoning. It is not necessary to identify an ultimately “just social state” to decide on a better or more feasible path. Robeyns, by contrast, subscribes implicitly to Rawls’s claim against non-ideal theories, namely that they lack an ultimate target.<sup>36</sup> Robeyns imagines a complete “navigation map” which, she believes, can enable us to reach a perfectly just social arrangement. Yet it seems clear that such a utopia is not required for a relational theory of justice. Apart from that, “every theory simplifies, just as every map does, and for the same reason.” We cannot draw a map without choosing what to leave out, and a good abstraction isolates what is most relevant to successful navigation. Sen does not oppose this kind of idealization.<sup>37</sup>

Robeyns’ dilemma is something like the following: on the one hand, she wants to prioritise comparative theories over transcendental theories, but on the other hand, she finds it difficult to do without some

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<sup>34</sup>Robeyns, “Are Transcendental Theories of Justice Redundant?” 160-61, emphasis in original.

<sup>35</sup>Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality*, Cambridge: Harvard University Press, 2000, Part II.

<sup>36</sup>Rawls, *The Law of Peoples*, 90.

<sup>37</sup>Schmidtz, “Nonideal Theory: What It Is and What It Needs to Be,” 776-77.

identification of an ideal “social state” in making comparisons of justice. Such identification is necessary, she thinks, to serve as an anchor for making right judgements in matters of comparative justice. Her search for a ‘methodological basis’ for a non-ideal theory thus seems to end up forwarding arguments for a transcendental identification of ideal states.<sup>38</sup> Sen, by contrast, stresses that the procedure of democratic ideal is an adequate methodological basis for making judgements about justice. Robeyns wants to fix where “the *endpoint* of the journey lies.”<sup>39</sup> Identification of an endpoint is typically a characteristic of transcendental theories, yet it seems clear from Sen’s analysis that justice has no endpoint. We can have only the possibility of bettering justice in particular situations. Sen’s distinction between an “optimal set” and a “maximal set” in economic theory is useful to explain this point. An optimal set means choosing a “best” alternative among the feasible options. To get a maximal set requires “choosing an alternative that is not judged to be worse than any other.”<sup>40</sup> Optimization is quite unnecessary for maximisation. If our goal is to describe an ideally just society, then comparison should include every alternative and lead to an “optimum.” However, if it is to avoid “patent injustices,” we do not need to identify the “optimal set.”<sup>41</sup> We must aim at progressive reform rather than transcendental optimality.

### 3.2. Targets-Role of a Theory

Someone could argue that a course of action that appears to advance justice will not succeed in achieving that goal unless we know what that long-term goal is. We do not think that an ideal theory is needed to define our targets and goals. Sen holds, as we have seen, that we need not know how high Everest is if our goal is to compare lesser mountains (IJ, 101). John Simmons responds, “we can hardly claim to know whether we are on the path to the ideal of justice until we can specify in what that ideal consists.” Employing the Everest analogy, Simmons concludes that “which of the two smaller peaks of justice is the higher (or more just) is a judgement that matters conclusively only if they are both on equally feasible paths to the highest peak of perfect justice.”<sup>42</sup> On Simmons’

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<sup>38</sup>Robeyns, “Ideal Theory in Theory and Practice,” 348-49.

<sup>39</sup>Robeyns, “Ideal Theory in Theory and Practice,” 345.

<sup>40</sup>Sen, *Rationality and Freedom*, 160.

<sup>41</sup>Sen, *Rationality and Freedom*, 181-82.

<sup>42</sup>A. John Simmons, “Ideal and Nonideal Theory,” *Philosophy and Public Affairs* 38, 1 (2010), 34-35.



reading, Sen is claiming that, although justice is the highest peak on a hilly terrain, we need concern ourselves only with local gradient climbing. For so long as we climb, we reach the highest peak sooner or later. Simmons opined that blindly groping for local high ground is as likely to lead away from Everest as toward it. Some immediate steps may not be improvements towards justice, but rather conversely may lead us further from our target. Simmons thinks that even if Sen is right that we do not need ideal theories to play the urgency role, we need them to play the target role.<sup>43</sup> If we take this interpretation, then clearly Simmons is right and Sen is wrong, yet this analogy could be misleading. Sen, however, is making a different argument here. For Sen, “the terrain’s outstanding landmarks are injustices: pits in an otherwise featureless plane.”<sup>44</sup> Justice has no peak-form; all we need to know are the pits. As Sen states, “the greatest relevance of the idea of justice lies in the identification of patent injustice, [...] rather than in the derivation of some extant formula for how the world should be precisely run.”<sup>45</sup> There is no perfectly identified destination to arrive at, such as Everest.

Justice is not a place we pursue and which we hope to reach. Sen considers that identifying perfect justice and comparing imperfect social states are analytically disjoined. Our targets can be short-term or long-term. Indeed we do need to know what goal our journey is directed towards. A target need not be an ideal state, and it may be revised at any time by means of practical reasoning. As James Tully rightly points out, our focus must be more on “practices of freedom” than on “settled forms of justice” or perfectly identified just institutions.<sup>46</sup> For this, we must concentrate more upon sustaining a permanently critical attitude toward uncovering particular modes of oppression than upon some articulation of transcendental institutions and rules of right governance.

#### 4. Interface of Economics of Justice

Justice, for Sen, is a relational concept, and this in two senses. First, we cannot answer the question of justice without relating it to other normative concepts such as liberty, equality, reasoning, democracy, etc. Second, the

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<sup>43</sup>Simmons, “Ideal and Nonideal Theory,” 5-36.

<sup>44</sup>Schmidtz, “Nonideal Theory: What It Is and What It Needs to Be,” 774.

<sup>45</sup>Sen, *Development as Freedom*, 287.

<sup>46</sup>James Tully, “Political Philosophy as a Critical Activity” in *What is Political Theory?* eds., Stephen K. White and J. Donald Moon, London: Sage Publications, 2004, 97-98.

idea of justice can be relative, given that people have different conceptions of a just society. As Sen's parable of flute and three children suggested, this conception may at least be utilitarian, egalitarian, or libertarian. Taking practical reasoning as a means to develop a comparative approach to justice, Sen maintains that the transcendental approach is not helpful. Critics may argue that such a post-modern approach lacks a proper foundation.<sup>47</sup> Yet such an objection seems to be based on an assumption that one must identify a perfectly just society in order to take a comparative route. Neither we nor Sen subscribe to such a view. The foundations of a comparative approach are persons living in a community, and their capabilities. Sen's notions of capabilities and freedoms imply an ontology of a relational society. Within a relational conception of society, a particular capability is the outcome of the interaction of an individual's capacities and position relative to others in the society. To understand the relative position of an individual in a society, we do not necessarily need a transcendental model. Hence, comparative judgements about justice, as Sen says, "have to take on board the task of accommodating different kinds of reasons and evaluative concerns" of a society (IJ, 395). Instead of neglecting or reducing various competing theories, therefore, Sen sees a kind of complementarity among various positions that clamour for prominence. For such an approach to justice, there is no need to investigate the ontological objectivity of ethics (IJ, 41).

Although Sen vindicates and prioritises the comparative approach, he does not altogether reject ideal theory. His main objection concerns the bringing together of transcendentalism and institutionalism in a single theory. We can have a transcendental theory, he thinks, that focuses on social realisations. Similarly, we can have institutional assessments in comparative perspective (IJ, 6). But every identification of transcendental institutions must be avoided. In an Aristotelian spirit, Sen thinks we must consider seriously the nature and requirements of practical reasoning in order to think clearly about the subject of justice. But the modernists hold that world can only be explained in terms of a set of relatively self-contained abstract principles.<sup>48</sup> Sen rejects this view. Take the story of the flute and the three children. None of their claims is sufficient to determine who ought to get the flute. Hence, we should instead approach the subject

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<sup>47</sup>Chackalackal, "In Defence of Theoretical Ethics: A Critique on Amartya Sen's *The Idea of Justice*," 369.

<sup>48</sup>John B. Davis, "The Idea of Public Reasoning," *Journal of Economic Methodology* 19, 2 (2012), 169-72.

of justice by asking how people reach agreement over what they regard as not just, not begin by asking what justice *per se* requires. Sen gives priority to methodological reasoning in his approach to the subject of justice. Thus in contrast to the ‘monological’ approach of the transcendentalists, Sen promotes a ‘dialogical’ approach to justice.<sup>49</sup>

We may agree with Sen that finding a theoretical standard of perfect justice is a chimerical goal. Robust disagreement is part of the landscape of debates on this issue. Sen does not wholly dismiss ideal theory in favour of practical theory. He believes that “an ‘ideal’ theory may often be helpful in understanding the underlying ideas that even a very practical theory of actual decision making may utilize.”<sup>50</sup> Yet Sen offers no explicitly systematic exposition of ideal theories. He imagines a capability-fostering institutional design as his ideal theory. The ability to reason and interact that gives us the power to engage in public reasoning and discussion enhances the relevance and reach of agency freedom. This aspect of freedom plays an important role in understanding Sen’s conception of justice. This does not mean that all people will undertake these activities of reasoning and interacting. Sen recognises that a theory of justice that is based on practical reasoning is not free from controversies (IJ, xvii). As Kwame Anthony Appiah has rightly objected, “in adopting the perspective of the individual reasonable person, Sen has to turn his face from the pervasiveness of unreason.”<sup>51</sup> If any ideal theorising deserves similar objections such as this, it seems clear that Sen’s idealisation is not an exception. In response to this evaluation, Sen argues that the engagement of unreasoning takes place not entirely without reasoning, but rather exhibits a reliance on “defective reasoning.” He

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<sup>49</sup>To put this point differently: Political realists draw on Bernard Williams’ “bottom-up” approach and argue that we must start from where a given society *is* and only then ask how best to address actual problems of justice, rather than starting from general, universal and monological principles. In contrast to this approach, some follow a “top-down” methodology, according to which we must first specify an ideal state in order then to elaborate a non-ideal theory. They believed that we cannot develop non-ideal theory without first working out an ideal theory and, hence, take a transcendental route to realize non-ideal theory. See Bernard Williams, *In the Beginning Was the Deed: Realism and Moralism in Political Argument*, Princeton: Princeton University Press, 2005, 61.

<sup>50</sup>Sen, “Values and Justice,” 106.

<sup>51</sup>Kwame Anthony Appiah, “Sen’s Identities” in *Arguments for a Better World: Essays in Honour of Amartya Sen*, vol. 1, eds. Kaushik Basu and Ravi Kanpur, Oxford: Oxford University Press, 2009, 488.

subsequently proposes that “bad reasoning can be confronted by better reasoning” (II, xviii, 48-49). In this way, he engages comparative assessments in the case of reasoning. This is not to deny the far-reaching role of the emotions and the passions, but to prioritise reason over passion.<sup>52</sup> We cannot imagine that societies all over the world have become deliberative-democratic in order to achieve a more just order, as Sen argues. In this way, ideals, good idealisations, and ideal theories are all implicitly part of Sen’s theory as well.

## 5. Conclusion

Our world is not a value-free zone. Yet non-commensurability of values and schools of thought make us panic. People may differ on what kind of life one must lead, what can or cannot do, and what can or cannot be. This does not hinder us to reach a definitive decision. Rather this plurivocity demands prioritisation and weighing of distinct concerns. Our disagreements may be removed through reasoning or redefined by new convictions. Justice is an ideal with many faces. Sen prioritises a comparative approach to justice (*nyaya*) over any identification of a perfectly just social arrangement (*niti*). Concerning the redundancy of the transcendental approach, Sen remarks that an exercise of practical reason that involves actual choice demands a framework for comparison of justice for choosing among the feasible alternatives and not an identification of a possibly unavailable perfect situation that could not be transcended. So if all normative political judgements concerning justice involve a choice, no ideal theory would be needed.

We argue that the economists’ approach to justice and injustice through the comparative route is significant, rather than remaining confined by the moral philosophers’ usual preference for the transcendental approach. Sen’s purpose should not be confused as a practical short-cut that dispenses with the need for sophisticated theory. Rather the making of a comparative judgement is a necessary feature of practically reasoned social reform. Our exploration for an unavailable ideal state would not only distract our attention from actually existing injustices but also to maintain a theory that conserves the status quo.

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<sup>52</sup>Thomas Nagel makes a strong defense of reason in his *The Last Word*, Oxford: Oxford University Press, 1997, 101-12.