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**EXPLORING THE LINKS BETWEEN SOCIAL JUSTICE AND
MULTIDIMENSIONAL POVERTY ANALYSIS: A RAWLSIAN
APPROACH**

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Exploring the links between social justice and multidimensional poverty analysis: a Rawlsian approach

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Abstract. One of the main debates around multidimensional poverty assessment concerns the degree of arbitrariness used to inform poverty analysis. Which dimensions matter and who should be selecting them are questions that repeatedly raise issues of ethics and legitimacy. We hold that, in order to justify normative decisions in support of poverty assessment, the latter has to be addressed as a social justice question. We propose a reconceptualization of multidimensional poverty analysis starting from John Rawls' seminal work on the conception of justice by (i) reviewing the most influential philosophical frameworks for analysing social justice; (ii) showing that Rawls' principles of justice can frame investigations on multidimensional poverty in constitutional democracies; and (iii) analysing the idea of an overlapping consensus to show that the scrutiny of national Constitutions can serve the purpose of unambiguously informing empirical poverty analyses as they undoubtedly convey people's value judgements and public shared ideas.

Keywords: Multidimensional poverty; Social justice; Constitutional approach; Dimensions selection; Overlapping consensus

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Introduction

One of the main debates around multidimensional poverty assessment concerns the degree of arbitrariness used to inform poverty analysis. Which dimensions matter and who should be selecting them are questions that repeatedly raise issues of ethics and legitimacy. Although it is true that the lack of agreement on what a good life is can be viewed as a symptom of the vitality of a pluralistic society, when it comes to evaluating life standards to support justice-enhancing institutions and policies, finding a certain degree of consensus is necessary. Such a consensus, in turn, requires a prior definition of what is ‘just’.

In this paper we hold that, in order to justify normative decisions in support to poverty assessment, the latter has to be addressed as a distributive justice question. Particularly, we propose a theoretical framework for reconceptualising multidimensional poverty analysis starting from Rawls’ theory of justice. Developed throughout the second half of the twentieth century, John Rawls’ seminal and extensive work on the conception of justice (Rawls 1971, 1985, 1988, 1993, 1999a, 1999b, 2001) has changed the face of moral and political philosophy. His theory of justice, most renowned as ‘Justice as Fairness’, has influenced scholars and thinkers not only in the field of political philosophy, but also in law, political sciences, sociology, welfare economics and in humanities in general.

The paper is structured as follows. Section 1 offers a review of some of the most influential philosophical frameworks for analysing social justice. Section 2 is dedicated to Rawls’ main ideas on Justice as Fairness by exploring his theory of justice. In Section 3 we introduce a proposal for a new conceptual framework to analyse multidimensional poverty in constitutional democracies based on Rawls’ conception of justice: (i) first, we show that Rawls’ principles of justice (1971, 1999a) can be used to frame an investigation on multidimensional poverty and social inequalities in the case of constitutional democracies; (ii) then, we introduce the proposed multidimensional metric of justice – i.e., Rawlsian social primary goods; and (iii) finally, drawing on James’ (2005) suggestion for a constructive interpretation of constitutional norms and Burchi et al.’s (2014) work on well-being analysis on political grounds, we demonstrate that, through the scrutiny of national Constitutions and their judicial interpretations, the concept of overlapping consensus (Rawls 1993) can serve the purpose of informing empirical analyses on multidimensional poverty in democratic societies as it undoubtedly conveys people’s value judgments and public shared ideas. Concluding remarks are relegated to Section 4.

1. The concept of social justice

Over the last decades, many theorists and philosophers have tried to establish how to evaluate whether the setting of a society is just or not. Which parameters count, what state of things has to be

investigated in order to dissipate this matter, are questions at the heart of the debate and discussions in favour or against different approaches continue to exist.

Justice is indeed a highly contested concept. There is no conventionally accepted definition of it and different theories provide a variety of elements of discernment and justification (Robeyns 2009). As pointed out by Miller (1999), discussing about justice is essentially debating on how “the good and the bad things in life should be distributed among the members of a human society.” (Miller 1999, 1) For this reason, social (or distributive) justice theories cover a broad spectrum of moral and political issues and seek to define the content of just principles for the distribution of benefits and (non-punitive) burdens.² Barry and Matravets (2005) identify four main schools of thought in contemporary academic literature on theories of justice. According to the first school of thought, conventionalism, what is due to each person is given by the laws, the customs and the shared understandings of the society of which the person is member. The earliest statements of conventionalism are traceable in Plato’s *Republic*, where Socrates’ interlocutors state that justice – intended as giving a person her due – is dictated by conventions that were prevailing in contemporary Athenian society. More recently, Walzer (1983) has offered a modern version of the conventionalist thought affirming that every social good, like health care or political rights, has an appropriate criterion of distribution that is related to how that good is understood by the society. As a matter of fact, it is not undisputed whether such a conception of the good would give rise to just distributions. Relying exclusively on conventions and shared understandings to evaluate social arrangements could theoretically perpetuate or even exacerbate unjust customs, like inequalities based on ascription at birth (Barry and Matravets 2005). It is not unreasonable to think that accepting systems of law as unquestionable could lead to grossly unfair practices in certain communities, while others may be able to reject them on the basis of values and ideas that are available to that particular society.

The second school of thought, teleology, uses the most common justification of any set of laws, conventions or practices: it argues that these are conducive to the advancement of some form of ultimate good that people – and, by extension, their institutions – lean towards. According to this view, justice is the ordering principle through which a society pursues the good (Barry and Matravets 2005). As recalled by Robeyns (2009), utilitarianism, natural law theory or Aquinas’ Christian philosophy are examples of this way of approaching the concept of justice. Aquinas, in particular, gave a definitive Christian form to this principle already available amongst the Greek Stoics and in Cicero’s thought (“*De Republica*,” c. 54-51 BC). It is therefore not essential to conceive the good as having a religious premise, though the teleological account of the good necessarily relies on an external source.

According to Barry and Matravets (2005), this very characteristic of depending on an external source

² As Robeyns (2009) recalls, although justice is a property ascribed to both individuals and societies, theorists of justice tend primarily to discuss the justice of social arrangements, that is, of social institutions broadly defined. Conversely, justice as an individual virtue is sometimes regarded as a matter of ethics rather than political philosophy. The terms ‘social justice’ and ‘distributive justice’ are generally used interchangeably.

represents the major problem of teleology. Social arrangements are hardly justifiable if they are only verifiable in terms of their compliance with a higher, ‘unchanging’ moral order, like God’s authority. With this regard, utilitarianism (first pioneered in its classical formulation by Jeremy Bentham in 1789 and John Stuart Mill in 1861) proposes a secular teleological alternative in that it conceives human institutions as just only if they are apt to pursue the ultimate human good, i.e., human well-being, more often depicted as ‘happiness’ or ‘utility’. As Sen and Foster (1997) recall, utilitarianism has been widely used in economics for social judgments, notably by Marshall (1890), Pigou (1920) and Robertson (1952). However, different people can reasonably have different notions of utility, which might also be conflicting with each other. The solution utilitarians propose is then to bring the plurality of human interests together in a social aggregate that has to be maximized (the total or average utility). Following this line of reasoning, justice corresponds to those social rules whose strict observance is essential for the furtherance of the utilitarian end (Mill 1861) and any arbitrary departure from them is not for the general greater good. However, it is hard to imagine how such a way to intend justice can effectively work in pluralistic societies. Irrespective of how faithfully social aggregate utility represents individual utilities, every person will always justify social arrangements according to her personal notion of justice. Furthermore, it might also be the case that single unjust arrangements ultimately are for the greater, general good. Hence, a teleological conception of justice cannot be easily defended, as it evokes a generally-accepted external source imposing on all a particular idea of the good with which individual, competing ideas of the good would find it difficult to peacefully coexist.

The third school of thought – justice as mutual advantage – goes back to the social contract tradition initiated by Rousseau in 1755 to affirm that the rules of justice can be derived from the rational agreement of each agent to cooperate with others to promote their own self-interest. If it is true that people are not motivated by the belief in a greater, shared idea of the good, then a resulting way of intending justice is representing it by a set of constraints, which is more advantageous to each individual than the unrestrained pursuit of one’s ends (Barry and Matravers 2005). The problem in this tradition arises because social rules that are explicitly intended to constrain the pursuit of self-interest can only hold if the bargaining power and relative strengths of the parties are well-balanced. Barry (1995), for instance, stresses that in justice as mutual advantage rules are no more than truces between moments of instability caused by either changes in the balance of power between the sides or non-compliant behaviours. The established set of rules would only go to everyone’s advantage if each person complies with them, although there still can exist reasons for individuals to maximize personal interests by breaking them.

The fourth school of thought, i.e., egalitarian justice, shares with justice as mutual advantage the contractarian roots, adding the important insight of considering every person in the society – though moved by different beliefs and concepts of the good – as deserving to be treated with equal moral

worth and respect. It is by cooperating under conditions of perfect equality among each other that citizens can ensure a greater good for the society as a whole. What kind of equality – whether of outcome, entitlements or resources – the citizens should be enjoying in concrete is the matter at the heart of the many disagreements among philosophers belonging to this school of thought (among others, Rawls 1971; Nozick 1974; Barry 1995; Van Parijs 1995; Scanlon 1998; and Roemer 1998). Robert Nozick (1974), for instance, develops an ‘entitlement theory of justice’, depicting a fully voluntary society where people cooperate on terms that do not violate anyone’s rights. These rights are inviolable and ‘acquired’ in the first place: they constitute the kind of entitlements citizens are born with and are essentially rights on holdings and property. From such a starting point, the just pattern of distribution is the one resulting from transfers among citizens (either voluntary ones or appropriations that do not leave anyone worse off). Van Parijs (1995) proposes an approach related to initial material entitlements as well, arguing that societies should approach as far as possible a condition in which each person has an equal opportunity to fulfil her life plans. Conversely, John Rawls (1971, 1999a) finds his solution in providing people with initial equal basic liberties and fair opportunities for all. A social setting would then be considered as just if it ensures an initial distributive scheme where social and economic inequalities are tolerated if and only if they are to the benefit of the least advantaged. Rawls’ theory of justice, which we will further elaborate on in the next Section, requires that social rules are chosen from free citizens from a position of ‘ignorance’ about their own interests. This would be the only way, in Rawls’ view, to guarantee that everyone abides by fair rules of cooperation and that self-interests do not prevail during the bargaining. Other liberal egalitarian authors, like Barry (1995) and Scanlon (1998), propose a different conception of the nature of people’s participation to the agreement process. To them, it is not necessary to assume that citizens are unaware of their identities to ensure a fair outcome, provided that they are motivated to seek agreement on terms that nobody could reasonably reject. Another way to think about this matter is to propose that people are treated in such a way that they reach equality of outcome. Roemer (1998), for instance, thinks that members of a society can be divided into categories according to some criterion associated with advantage or disadvantage like, say, ethnicity or gender. Equality of opportunity would then be achieved if citizens belonging to each ‘type’ finished up with the same distribution of some valued goods (e.g., access to formal education).³

Social justice and equality are thus profoundly related in liberal egalitarian theories, even if not always at the level of material inequality. The fundamental requirement is that people should be treated as moral equals, often irrespective of the equality of outcome (Robeyns 2009). John Rawls is considered the leading author of the school of liberal egalitarianism and his contribution in *A Theory of Justice*

³ Roemer (1998) takes the example of dividing Americans into two types, black and white, and shows that, even under such a simple categorization, the purpose of achieving equality of, say, earnings for each type would require to spend much more resources on blacks’ education than on whites’. It is not made clear, though, how ‘types’ should be defined (Barry and Matravers 2005).

(1971) is regarded as the landmark of the 20th century for social justice.

2. John Rawls' theory of justice

2.1 Justice as Fairness

In *A Theory of Justice* (1971) Rawls first constructed his principles of justice as the ground for a liberal society. He was motivated by the belief that, despite its many strengths, the dominant utilitarian tradition provided deficient moral foundations for democracy, reason why it should be overcome. With this aim in mind, Rawls developed a liberal, egalitarian, moral conception that he called 'Justice as Fairness', designed to explicate and justify the institutions of a constitutional democracy (Freeman 2005).⁴

Rawls' reasoning originates from the fundamental question on how to find such terms of societal cooperation that everyone could be mutually advantaged to abide by. He begins with a normative conception of persons, whom he describes as free, equal, rational and endowed with a moral capacity of sense of justice (Freeman 2005). Then he describes the 'basic structure of society' as the totality of societal institutions and practices, "the way they fit together into one system and how they assign rights and duties and shape the division of advantages that arises through social cooperation." (Rawls 1993, 258) The way the basic structure is organized is crucial to Rawls, because it is the expression of those social rules that will influence people's lives in the first place – that is, social justice.

To set these 'fair rules of the game', Rawls develops the idea of an impartial social contract, supposing that citizens are asked to decide upon them from an abstracted point of view that he calls the 'original position'. It is from this position of total unawareness of their own specificities – natural abilities and talents, social backgrounds and particular historical circumstances – that they will rationally set principles that meet the moral conditions for a just society: behind a 'veil of ignorance', Rawls affirms, no one will have the possibility to vote in favour of rules that benefit individuals or socio-economic categories that share their personal characteristics or their notion of the good (Rawls 1971, 11). On the other hand, what these individuals know is that there exist certain all-purpose means that are essential to the achievement of their good. These are those social primary goods that "every rational man is presumed to want" (Rawls 1971, 54): rights and liberties, powers and opportunities, income and wealth, and the basis of self-respect.⁵ By choosing fair terms of agreement, the citizens would secure their equal status and independence and acquire an adequate share of the social primary goods needed

⁴ In *Political Liberalism*, Rawls specifies that, unless otherwise stated, he would use expressions like " 'constitutional democracy' and 'democratic regime', and similar phrases" interchangeably (1993, 11).

⁵ Rawls assumes that the parties in the original position are presented with a list of all known feasible conceptions of justice and consider them in pairwise comparisons. The parties are rational, in that all utilize effective means to secure their ends, and are motivated by their interests. The parties are also assumed to be rationally prudent (with zero time-preference), mutually disinterested (of limited altruism) and without envy (Freeman 2005).

to pursue freely their conceptions of the good (Freeman 2005). Principles of justice reached in such way will be chosen under conditions of actual freedom and equality and will therefore endure and be respected by all.

That of the original position is a purely hypothetical “expository device” (Rawls 1971, 19), built up to justify the bargaining process. Rawls uses it as an expedient to obtain a critical distance from the biases engendered by social institutions – that sometimes provoke envy, resentment, false consciousness and alienation in members of the community – and to build those moral conditions deemed necessary for the resulting choice to be fair (Richardson 2006). Specifically, through this thought-experiment Rawls shows that principles of justice that people would fairly agree upon substantially diverge from utilitarian ones. In his critique to utilitarianism, Rawls affirms to find it striking that the way the sum of satisfactions is distributed among individuals does not matter in the utilitarian view of justice, according to which the only right way to distribute the means of satisfaction (whatever these are: rights and duties, opportunities and privileges, and various forms of wealth) is that which yields the maximum fulfilment. Society must allocate them so as to achieve this maximum if it can, but in itself no distribution of satisfaction is better than another (Rawls 1971).⁶ Rawls is harshly judgemental with regard to the utilitarian idea that society is to be arranged as to maximize aggregate utility or expected well-being: he complains that, from an utilitarian standpoint, legislator’s decisions are not much different in nature from an entrepreneur’s who decides to maximize her profit. Therefore “[...] the correct decision is essentially a question of efficient administration. This view of societal cooperation is the consequence of extending to society the principle of choice for one man. [...] Utilitarianism does not take seriously the distinction between persons.” (Rawls 1999a, 24) Conversely, when the parties are in the original position, the veil of ignorance deprives them of any awareness about their preferences and personal commitments, reason why they would not choose to maximize their utility (nor the average level of utility in society), but rather to abide by fair terms of cooperation, possibly at the expense of their own interests, in order to pursue a just social system.

The principles of justice that guide this social system are two and state as follows:

1. “Each person has the same indefensible claim to a fully-adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.”
2. “Social and economic inequalities are to satisfy two conditions: (2a) first, they are to be attached to offices and positions open to all under conditions of fair equality of

⁶ In *The Methods of Ethics*, Henry Sidgwick (1874) elaborates on utilitarians’ capacity to address the issue of how to distribute happiness among the people, acknowledging the fact that this question is often overlooked, let alone ignored, in expositions of utilitarianism. He states, “it is practically important to ask which way of distributing [the] quantum of happiness is the better. The utilitarian formula seems not to answer this question; it needs to be supplemented by some principle of just or right distribution of the happiness that is in question. Most utilitarians have tacitly or explicitly adopted the principle of pure equality, as given in Bentham’s formula: ‘Everybody to count for one, and nobody for more than one.’ This seems to be the only principle that doesn’t need a special justification, because – as we saw – it must be *reasonable* to treat any one man in the same way as any other if there’s no apparent *reason* for treating him differently.” (Sidgwick 1874, 416)

opportunity, and (2b) they are to be to the greatest benefit of the least-advantaged members of society.” (Rawls 1971, 266)

The first principle addresses the essentials of the constitutional structure (Rawls 1993). Equal basic liberties mentioned in it include political liberties, freedom of speech and assembly, liberty of conscience and freedom of thought, freedom of the person (both psychological and physical), the right to hold personal property, and freedom from arbitrary arrest and seizure. These liberties are ‘basic’ in that they have priority over everything else: their equality cannot be infringed, even at the cost of possible limitations to opportunities or wealth of the least advantaged. In fact, the statement of Rawls’ principles follows a priority rule (Rawls 1999a, 220), holding that the principles of justice are to be ranked in lexical order: the first principle is prior to the second and, within the second principle, the first part has priority over the second one. This precisely means that equal basic liberties apply equally to all citizens and no violation of these liberties can ever be justified or compensated for by greater social and economic advantage (Rawls 1971). The second principle is divided in two parts: the first one holds that the social structures that shape the distribution must do so by satisfying the requirements of fair equality of opportunity. The last part of the statement introduces the so-called ‘difference principle’ (or the *maximin* rule), which requires the society to look out for the least well off.

The maximin rule can be seen as a general rule for making choices under conditions of uncertainty (Richardson 2006): during the bargaining, the parties will be directed to select the kind of distribution of social primary goods where the minimum place is higher than the minimum place in any other alternative. Individuals know that primary goods do not *coincide* with their conception of the good, so they are not what people ultimately care about. They rather are considered as versatile means that facilitate the pursuit of one’s life plans, reason why, in deciding how to distribute them across the society, they will choose to cautiously lean towards a fair distribution of them. An uneven distribution of social primary goods will only be admissible if it is to the advantage of the less fortunate.

2.2 Stability and political constructivism

Rawls’ later work has been dedicated to clarify how pluralistic society can find a stable political legitimacy despite the coexistence of different conceptions of the good. In *Political Liberalism* (1993) he showed how, through the political constructivist method, a democratic citizenry is able to build a political conception of justice around a fund of implicitly shared ideas and principles (Rawls 1993, 14) and to secure an orderly reproduction of society from one generation to another.

The issue of stability was first introduced in *A Theory of Justice* as an integral part of Justice as Fairness. According to Rawls, the stability of the institutions called for by a given set of principles of justice – that is, their ability to endure over time and to restore themselves after temporary departures from the just arrangement – is a key feature those principles must have (Richardson 2006). It is however in

Political Liberalism that he definitively addresses the issue of political stability and legitimacy in a society where “opposing and irreconcilable religious, philosophical and moral doctrines” coexist (Rawls 1993). Rawls acknowledges that in a free society citizens can reasonably disagree about what the good life is or they may have disparate worldviews. He takes it as a fact that pluralism is a permanent feature of liberal and non-oppressive societies. Democratic citizens can be thus profoundly committed to different conceptions of what is right and wrong, yet in a given society only one law can exist. How can they peacefully and durably cooperate under a legitimate use of coercive political power? This question raises two fundamental issues: the first one is that of legitimacy and the second one concerns stability.

The problem of legitimacy can be exemplified by asking how any particular set of basic laws can legitimately be imposed upon a pluralistic citizenry (Wenar 2013). Rawls’ solution is in his conception of citizens of a democratic society, whom he considers as reasonable and willing to live in a society where political power is legitimately used. In such a society, individuals cooperate with each other, propose and abide by acceptable rules and honour them even when this comes at the expense of their own interests. Still, reasonable pluralism *per se* is not sufficient to guarantee that people having different comprehensive moral doctrines will obey the same coercive political power. Rawls therefore identifies the one source of fundamental ideas that can play the role of focal point for all in the ‘public political culture’, defined as “the political institutions of a constitutional regime and the public traditions of their interpretation, including those of the judiciary, as well as historic texts and documents that are common knowledge.” (Rawls 1993, 13-14) The political conception of justice of a pluralistic society is thus the expression of its public political culture and its values are embedded in the political institutions and their writings. Rawls’ idea is that, whenever political power is exercised in accordance with a political conception of justice, everybody will legitimate its coercive use.

To address the stability issue, Rawls introduces the notion of ‘overlapping consensus’ (Rawls 1993, 15), consisting of all the reasonable opposing views of the good likely to persist over generations. An overlapping consensus is not a mere consensus on accepting certain authorities or on complying with certain institutional arrangements “founded on a convergence of self- or group interests.” (Rawls 1993, 147) Rather, it is a common ground, a shared political conception of justice that gains the support of all citizens no matter what conception of the good or particular worldview they might have. Hence, in an overlapping consensus citizens support the same basic laws, even if they do so for different reasons that pertain to their own worldviews (Wenar 2013). This is what in the end makes societal arrangements stable. The political conception is thus thought of by Rawls as a freestanding ‘module’ that can fit into any comprehensive doctrine and is supported by individuals from within their own perspectives. Stability, in turn, is ensured by the fact that those who affirm the various views supporting the political conception will not withdraw their support of it in case, for instance, the

relative strength of their comprehensive doctrine in society increase and eventually becomes dominant.

3. A Rawlsian framework for multidimensional poverty analysis

As pointed out by Atkinson (1987), in Rawls' extensive work poverty as such seems to play no role. In fact, economists have usually presented the Rawlsian difference principle as maximizing the welfare of the least advantaged, but this is in no way related to a particular income or subsistence level. It would not be significant that people had more or less than a certain poverty line; all that would matter would be their rank order. Even though the concept of poverty does not appear in his wide literary production, Rawls' theory of justice offers a point of view that is attractive for the researcher who approaches a distributive justice question. We propose an interpretation of Justice as Fairness to show that:

- (i) it can be fruitfully applied to frame and unambiguously inform an empirical analysis on multidimensional poverty for liberal constitutional democracies; and
- (ii) it can be used to guide the researcher in making interpersonal comparisons on the basis of the distribution of diverse social primary goods among citizens.

3.1 Informing multidimensional poverty assessments in constitutional democracies

Our first claim is that, through the first principle, Justice as Fairness allows determining whether a social system is just and identifies liberal constitutional democracies as the ideal field of application for an ethically sound investigation on multidimensional poverty.

As abovementioned, according to Rawls a society is just when it secures basic liberties and rights for all citizens. Such a society is also regulated by a just Constitution (Rawls 1999a), which is the expression of a stable consensus among the citizens that is reached through a constructivist process. Justice as Fairness is built upon the idea that principles of justice that go to everyone's advantage are to be worked out from a viewpoint of an initial situation of equality, where each person is fairly represented. Ideally, the equal representation of the original position is transferred to the constitutional process, and the Constitution can be regarded to as the social contract of primary importance in a given democratic regime. As discussed in Section 2, in a pluralist society citizens can reasonably disagree about what the good life is or they may be profoundly committed to different religious, philosophical or moral doctrines. However, they still have reason to hold a constructivist position in order to find an overlapping consensus on one specific political conception that everyone abides by and that is the expression of values and ideas latent in the public political culture. Following this line of reasoning, we might affirm that the Constitution is conceivable as the highest-order system of rules where the

overlapping consensus manifest itself.

Constitutional norms define societal functionings and protect basic liberties, limiting at the same time the clash of different political beliefs and the expression of self- or group interests, with the overarching goal of fostering advancements in human life. It is in these norms, as well as in “the public traditions of their interpretation” (Rawls 1993, 13-14), that social values and principles are embedded and find a stable political legitimacy from one generation to the next. In light of this, we argue that holding a Rawlsian perspective leads us to correctly address a multidimensional poverty investigation in democratic regimes. By assuming that societies whose fundamental values and shared ideas are reflected in their very institutional and political settings are those regulated by democratically conceived and longstanding Constitutions, we can study distributional issues from a multidimensional standpoint while limiting the possibility of incurring in arbitrary normative choices. Multidimensional analyses unescapably require the researcher to take decisions on a plurality of aspects, from the number and the nature of dimensions or indicators to be included, to cut-off levels and functional forms. Constitutional democracies, we hold, offer an ideal field of application for multidimensional studies of distributive justice in that their political and institutional settings and traditions unambiguously convey the content of the social contract that, as free and equal persons, their citizens have agreed upon. This enables us to identify a proper informative basis – i.e., constitutional norms and their judicial interpretations – to look for the information needed for analyzing distributive justice from a multidimensional standpoint.

3.2 A metric of justice: the social primary goods

Our second claim originates from the analysis of the last part of Rawls’ second principle of justice, namely the difference principle, which allows determining whether a social system is fair, that is, whether it guarantees an equal distribution of social primary goods among the citizens. The difference principle introduces the possibility of making interpersonal comparisons in the Rawlsian framework: evaluating people’s relative position in terms of distributive justice is thus conceivable, and it is made on the basis of people’s command over diverse social primary goods – i.e., “all social values – liberty and opportunity, income and wealth, and the social bases of self-respect – (that) are to be distributed equally unless an unequal distribution of any, or all, of these values is to everyone’s advantage.” (Rawls 1999a, 54)

Social primary goods are a plausible answer to the problem of finding a practical public basis for interpersonal comparisons, especially in pluralistic societies where citizens have conflicting comprehensive doctrines. We maintain so for two main reasons. The first one lies in their capacity of supporting advancements in human life no matter what idea people have of the good. Following Rawls’ arguments (1993), whenever a problem of social justice arises, a well-ordered society will be able to fix

it by resting on a public understanding about (i) the kind of claims that citizens can make to their political institutions and (ii) how such claims are to be supported. Though it is reasonable to expect that, against different conceptions of the good, individuals would tend to make different kinds of claims, whenever society is organized around a political conception that is independent of any particular comprehensive doctrine – and therefore is the focus of an overlapping consensus – primary goods can offer an unanimous metric for justice evaluation.

The second reason is that Rawlsian social primary goods are a broad set of goods different in nature; hence, they satisfy the need for a broadening of the evaluation space in distributive analyses. Moreover, Rawls admits that the basic list of multiple ‘goods’ abovementioned could be extended, if proved necessary, to include other goods, as for instance leisure time or mental states like freedom from physical pain (Rawls 1993).⁷

3.3 The Constitutional Approach to dimensions selection

Once that the field of application – i.e., constitutional democracies – and the metric of justice – i.e., social primary goods – have been defined, Rawls’ constructivist method can be exploited also to determine how to make normative choices (dimensions, indicators, weights and cut-offs) in support of an ethically sound investigation on multidimensional poverty in democratic regimes. In order to do this, we have followed Burchi et al.’s (2014) suggestion for a Constitutional Approach to well-being dimensions selection to derive a methodology that can be easily applied to every liberal constitutional democracy.

The method consists in deriving information on people’s values through a ‘constructive interpretation’ (James 2005) of the constitutional law. In democratic regimes, the Constitution can be considered as the public document that, above all others, historically represents a common consent on a Nation’s values. Elaborating on such document, it is possible to extrapolate information on those social primary goods that serve as a reliable metric for multidimensional analyses of distributional issues in pluralistic societies. Burchi et al. (2014) propose to follow precisely this logical path, although they do so by combining Sen’s (1985, 1999) capability approach and Rawls’ constructivist method with the hope to derive a political justification for the selection of relevant capabilities. Though different in scope, their contribution to a constructive interpretation of the Constitution is of particular interest for us, as it aims at identifying ethically sound dimensions of human flourishing that are intrinsically valued and publicly justified (Burchi et al. 2014).

The conceptual framework for analysing multidimensional poverty in constitutional democracies is depicted in Figure 1: it shows the logical phases (ovals) that guide the definition of the field of

⁷ With regard to the expansion of the list of basic primary goods, Rawls recommends to use caution by conducting “a careful study of the circumstances.” (Rawls 1993, 182) The idea of including leisure time in an index of primary goods is taken from Musgrave (1974), while mental states are considered in Scanlon (1991).

application for an ethically sound multidimensional poverty analysis, along with the features that characterize each phase (rectangles). Diamonds identify the methods used in support of the conceptualization, while circles identify inputs and outputs of the concept map.

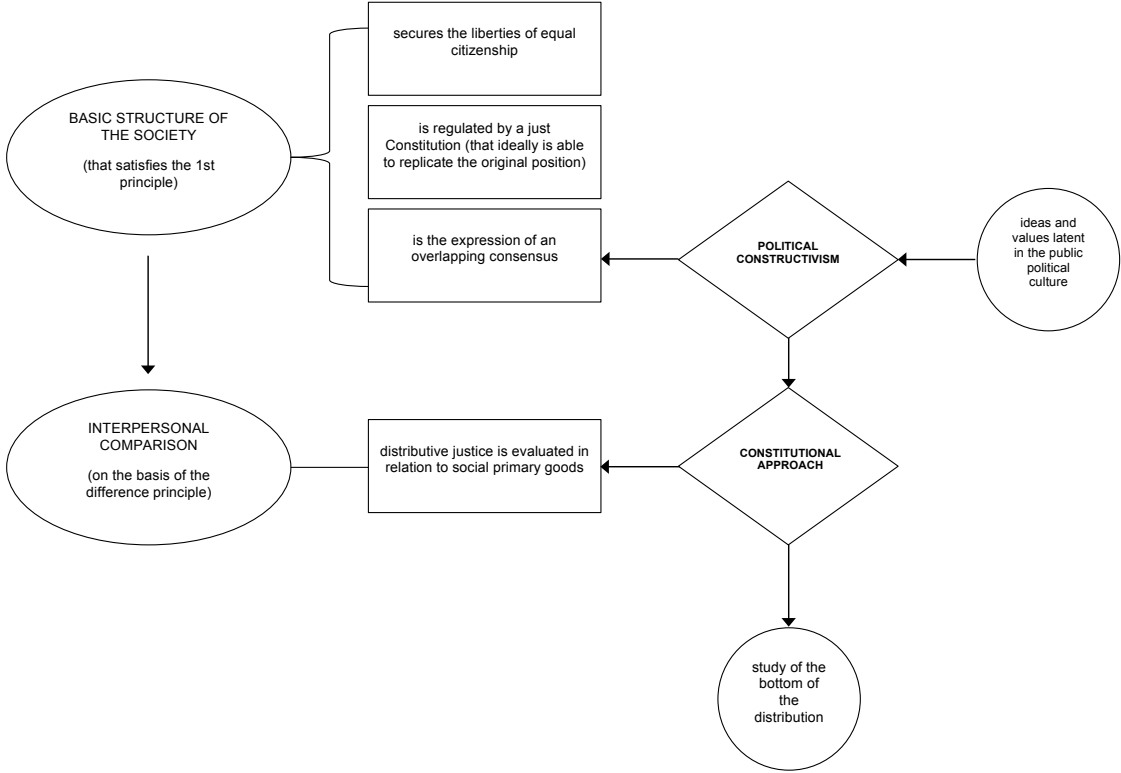


Figure 1. A Rawlsian conceptual framework for multidimensional poverty analysis in constitutional democracies.

4. Concluding remarks

In this paper, we have studied the possibility of using conceptual instruments offered by contemporary theories of social justice to address a multidimensional poverty question for high-income countries. Among others, John Rawls’ liberal egalitarianism proves to be particularly suitable to serve this purpose. Drawing on the social contract tradition, his theory, also known as Justice as Fairness, assumes that free and equal persons can agree upon terms of cooperation that everyone could be mutually advantaged to abide by. In Rawls’ view, even if moved by conflicting conceptions of the good, citizens will have reason to establish social rules that guarantee equal basic liberties for all, equality of opportunities and a fair distribution of certain social primary goods that every rational person is presumed to want. These goods include liberties, rights, opportunities, all-purpose means, like income and wealth, and the social bases of self-respect, and represent the informative basis to make interpersonal comparisons. Rawls holds as well that, despite the coexistence of a multiplicity of comprehensive doctrines, in pluralistic societies citizens can agree on societal arrangements that are

stable and politically legitimate. Starting from ideas and values latent in the public political culture, they create, through a constructivist process, an overlapping consensus around a fund of public shared ideas, which manifest themselves in political institutions and their writings. Constitutions, which are social contracts of primary importance, can be interpreted as a formalization of such an overlapping consensus. They are also generally stable enough to represent a reliable informative source to be exploited for the identification of societal systems of values that citizenry continues to agree upon in the course of time. Constitutional democracies can thus be considered as an ideal field of application for studies on distributive justice from a multidimensional standpoint and primary goods can serve as a metric for justice-enhancing evaluations. It is on such theoretical grounds that we have adopted a Constitutional Approach to inform empirical multidimensional poverty analyses. By looking at Constitutions and their judicial interpretations, a two-fold objective can be reached: (i) embedding public reasoning in normative choices that inform the assessment, making it ethically sound and publicly justified; and (ii) minimizing the level of arbitrariness in making those choices.

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