

“Justice as Reciprocity” Reexamined in the Context of Catastrophe

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1. Introduction

Hannah Arendt said that “It is not human beings but concern for the world which comes to the fore as central to politics” (Arendt, 2005, p. 106). In this paper which aims at re-conceptualizing “justice as reciprocity” in the lights of catastrophe, I want to borrow this statement and, adding the idea of being “concerned by the world”, construct the following statement:

We have a concern for the world and You are concerned by the world.

We usually find that there is something unsatisfactory about dichotomies, for example, public or private, liberation or oppression, altruistic or egoistic. One could even say that science has developed by first establishing sharp and powerful dichotomies for understanding the miscellaneous phenomena and then destroying them to approach the reality of the world. If that so, to separate “we” and “you” is also unsatisfactory and more rightly I should say “we have a concern for the world and we are concerned by the world”, which means, “having a concern for the world” and “being concerned by the world” are two inseparable aspects of our existence.

Actually, the basic idea of “the Convention on the Rights of Persons with Disabilities” which has been adopted by the UN in 2006 is the slogan, “nothing about us, without us”¹⁾. This quotation indicates that policies in which persons with disability “are concerned by the world”, for example, affirmative actions against cumulated discriminations or reasonable accommodations in schools, offices and so on for persons with disability, have been established through their “having concern for the world”.

Arendt calls the person who has a concern for the world an “author”, “the author of demonstrable events in the world” (Arendt, 2005, p.105). If we call the person who is concerned by the world “recipient”, policies for persons with disability as “recipients” should be first of all designed by persons with disability as “authors”. This is because they are the witnesses and the experts on the disadvantages they suffer. These rightly significant statements have become mainstream through the continuous movements of persons with disability in each country.

Nevertheless, this paper separates this phrase in two parts: “we have a concern for the world”. And, “you are concerned by the world”. It is not because we regard “you” as “a creature who merely behaves differently in different situations …and who “can ultimately be brought under control”

(Arendt, 2005, p.105). It is because, I would like to remark the “we” who have a concern for the world and the “you” who are concerned by the world do not and should not necessarily coincide. And furthermore, we should avoid making these two matters being conditional to each other such that, for example, “if you have a concern for the world, you can be concerned by the world” or “if I am concerned by the world, I will have a concern for the world”. We should avoid imposing individuals to be “authors” as a conditional means to be “recipients” and vice versa.

Let me expose briefly the structure of my presentation. First, I will illustrate the essential difficulties of serious mental illness as an example of catastrophe. Next, I will examine the reach and the limit of a kind of theory of justice, so-called distributive justice including “justice as fairness” proposed by John Rawls. To examine it, I will use a general framework which has been developed by neo-classical welfare economics. Lastly, I will introduce an alternative idea to “justice as fairness”, the idea of “justice as public reciprocity” (which is not a little different from “retributive justice”).

2. Serious Mental Illness

Here is a question from a psychiatrist.

When we must decide on some treatments which are unpleasant for patients, we tend to hesitate and to “see how things stand for a while”. Especially when the patient refuses, it gives us an excuse not to pursue that course of action and delay the time of decision. Serious accidents happen in those occasions. The loss due to delaying the decision is irrecoverable. Suppose that the time of a person can be represented as a line, the time of persons with schizophrenia must be drawn as a broken line, there is no period in between and the conclusion is reached immediately. Thus, when it comes to schizophrenia we must begin treatments much earlier than is usually expected (Hiruta, 2007, 243-244) .

This doctor had the experience that one day after delaying the decision to see how things stood for a while, the patient committed suicide. Here we can recognize a common characteristic of catastrophe which we have argued today. The distortion of the axes of space and time, a severe cut of ordinary and non-ordinary, and that “even though the looks should be similar”, we cannot extend “the previous figure of him” to his future any longer. Mona Waso, a psychologist who has a son with schizophrenia describe that: “We mourn not only for the person who was, but also for the person who would have been and now never will be. We do not get over such grief; we get used to it” (Waso, 135) .

Perhaps, we cannot get used to it fully. The storm of fear and grief arrives again and again. However, even if it is so, “we” ourselves can wake up in the next morning. And when we wake up, the sun must rise and a regular time must begin to pass however terrible dreams may have

occupied our minds. But the victims of catastrophe do not have such an awakening and time passing. Waso adds:

“There is a lot of agony, and no one to blame. Our entire culture is prejudiced against mentally ill people, and much is lacking in our system of care. The ultimate enemy, however, is the illness” (Waso, 266). “Tragedy happens, and we seldom have the control over it that we would like. So the best we can do is to revise and redefine our coping skills, keep the faith, and keep on trucking. We can develop a healthy respect for our limitations and a trust in being able to survive” (Waso, 197).

The conclusion she reaches after long deliberations is somewhat commonplace. Yet it represents some voices of individuals who have survived and kept living catastrophes. Furthermore, there is a hint which suggests how we should convert our idea of justice in the context of the theory of justice. Keeping this in mind, before proceeding further, I want to, first, examine the reach of the conception of “justice as fairness” or “justice as equity”, using the framework of welfare economics in the next section.

3. Justice as fairness

One of the reaches of “justice as fairness” developed in welfare economics is “equity throughout life span” (equity regarding the whole life of individuals) not in each time spot of an individual life. Firstly, look at figure 1. Suppose individual 1 is poor and individual 2 is rich in the present. Then, neo-classical economics focuses on, first, the intra-personal transfer which is done within the lifetime of each individual, how much he consumed in the past, how much he consumes now and how much he transfers to the future. And as long as the lifetime total income is similar among different individuals, inequality observed in the present is not regarded as injustice which requires a social remedy, since inequality in the present may only reflect the difference of individuals’ time preferences. Rather, economics regards it as injustice if individual 2 is merely required to transfer to individual 1 in this situation. Yet, even in this situation it regards as justice such

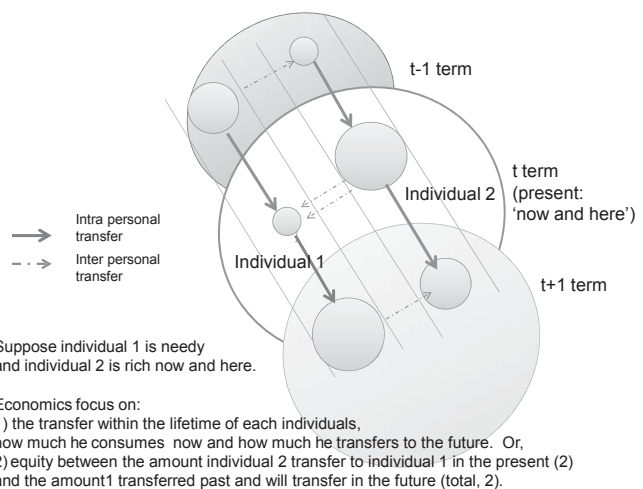


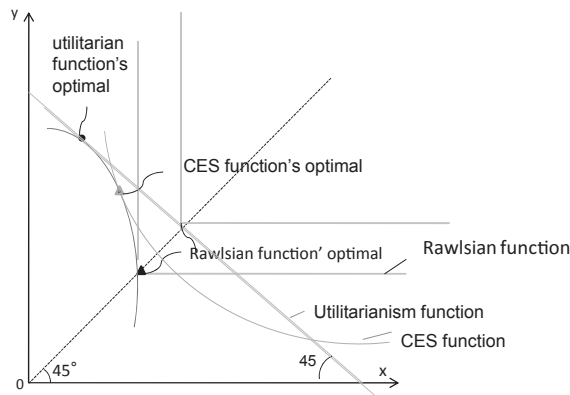
Figure1: not inter-personal transfer but intra-personal transfer or equity

(made by author)

transfers which are symmetrically done in the different time spots, for example, a transfer from individual 2 to individual 1 in the present and a transfer from individual 1 to individual 2 in the past or that in the future. If the amount of inter-personal transfer is equal between them, it is not a matter of injustice.

Secondly, in the intermediate texts of micro economics, the concept of “social welfare function” which takes a form of “CES function” (the constant elasticity of substitution function) is introduced. The CES form of social welfare function is a general framework which can treat various kinds of conceptions of distributive justice, one pole of which is the Utilitarian principle and another is the Rawlsian principle (“the difference principle”).

In figure2, for example, the difference between the Utilitarian principle and the Rawlsian principle is represented in the curves, the elasticity of which represents marginal substitutions in each level of x and y . Let me illustrate. Plot the benefits (utilities) of two individuals 1 and 2 on each axis x and y . Individual 1’s benefit increases as he moves to the right, while individual 2’s benefit increases as she moves upward. Any point in the space encircled by axis x and axis y represents a combination of a certain level of benefits which individual 1 and 2 have. Because of the restriction of the resource, the total amount of benefits, the so-called “possibility frontier” is supposed to be given, therefore, in order to increase the benefit of individual 1, the benefit of individual 2 must be decreased, that is, there is a trade-off relationship between them.



$$V = [\delta x^{-\rho} + (1-\delta)y^{-\rho}]^{-\frac{1}{\rho}}, \text{ where } -1 < \rho < \infty,$$

Rawlsian function: $\rho \rightarrow \infty$ δ : weight coefficient of x and y , ρ : substitution coefficient of x and y

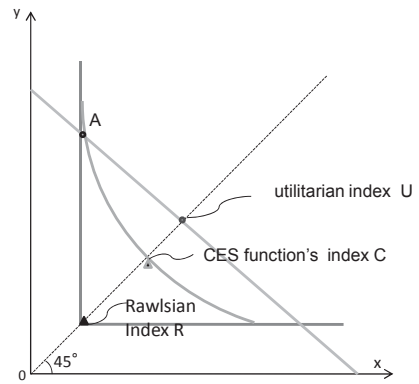
Utilitarian function: $\rho \rightarrow -1$ Thus, distribution depends on δ , ρ and x/y

Figure2: which points should be regarded as just distribution?

- *Utilitarian treats all points similarly if the sum is equal
 - *Rawlsian treats all points similarly if the min is equal
 - *A CES treats all points similarly if the substitution rate is constant
- (made by author)

Suppose, first, that the possibility frontier is shown as an inverse proportional line at an angle of 45°. The Utilitarian welfare function can choose any point on this line as optimal. The Rawlsian welfare function, in contradistinction, chooses the intersection of this line at 45 degree, a point in which the benefits of both individuals are equal as optimal. Suppose, second, that the possibility frontier is represented as the curve kinked in the left side. Then, the Utilitarian welfare function chooses a point which distributes benefits to individual 2 more than individual 1. In contrast, the Rawlsian again chooses a point in which the benefits of both individuals are full equal as optimal. A general CES type of social welfare function which is in between the Utilitarian and the Rawlsian chooses a less unequal distribution than the Utilitarian and less equal one than the Rawlsian.

What is at stake here is that the CES form of social welfare functions proposes a general framework of distributive justice which includes both the Utilitarian welfare function, the Rawlsian welfare function and other social welfare functions between them. The spirit of “Atkinson’s welfare index” which is proposed by Antony Atkinson as a devise for “measurement of equality” is similar with the CES form of social welfare function. For example, in figure 3, the degree of inequality of point A is estimated by the Utilitarian much higher than the Rawlsian. As Sen points, surely economics has contributed to “justice as fairness” by proposing a general framework which clearly figures the various conceptions of distribution justice beyond mere technical contributions.



**Figure3: Atkinson Welfare Index:
To what point in the line of full equality the actual distribution is regarded to be equivalent?**

(made by author)

However, there is a crucial limit to the formulation of distributive justice summarized by welfare economics, which is closely related to the essential limit of Rawls's original idea of “justice as fairness”. Rawls starts his argument with the device of the “original position”, where every individual are fully symmetrical in their positions and equally given one vote to express his opinion. It is certain that the difference principle gives the priority to the least advantaged but who are the least advantaged is determined within a model. It assumes a world in which the position of each individual is fully interchangeable with that of any other individual depending on alternative policies. It is clear that such an assumption does not correspond to the reality of the world where catastrophe may happen.

Yet, if the device of the “original position” represents a kind of epistemic condition of “impartiality”, a symmetrical point of view, which all parties should satisfy, there is room that additional information which may substantively extend the model can be added. For example, on the basis of “impartiality” there is nonetheless room for parties to agree to an asymmetrical

treatment of individuals, giving more weights, for example, to persons with disabilities in aggregating individual evaluations on social policies which are crucially related to them. As Gotoh (2012) shows that a series of Amartya Sen's work including the conception of "positional objectivity" (Sen, 2002) and the comparative approach to justice (Sen, 2009) is useful to extend the Rawlsian theory of justice²⁾.

The figure 4 illustrates asymmetric valuations of distributive justice where different weights are assigned to individual 1 (x axis) and 2 (y axis). An inverse proportional line at an angle of 75 represents a Weighted Utilitarian welfare function which gives individual 1 the twice weights as individual 2. Similarly, a Weighted Rawlsian welfare function which gives individual 1 twice weights as individual 2 is written in the left hand. Gotoh and Yoshihara (2012) formulate a social choice procedure such that plural disadvantaged groups in which individual capabilities are supposed to be comparable are given preferential weight in the aggregation process.

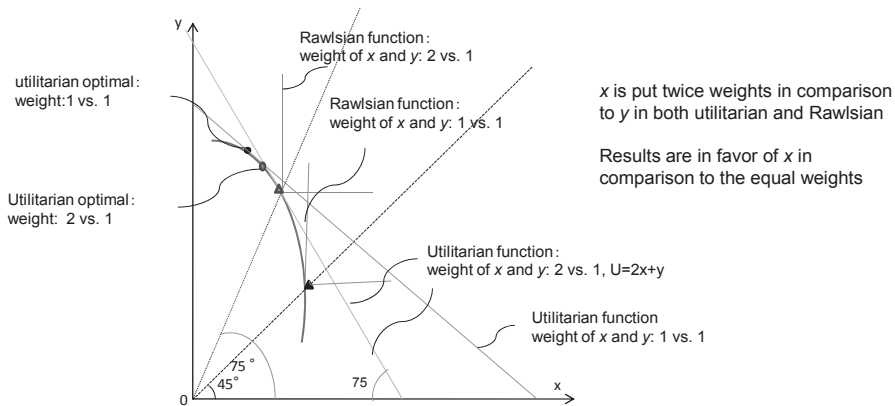


Figure4: Putting different weights to individuals initially based on certain reasons
(made by author)

4. From "Justice as Reciprocity" to "Public Reciprocity"

Having confirmed the possibility to broaden the reach of "justice as fairness" so as to permit asymmetrical treatments among individuals without infringing the condition of impartiality, the further question is what the foundation of asymmetrical treatments is. What kinds of idea of justice can be adopted in the context of catastrophe and justice? This is a central question of this paper. Here I introduce the conception of "public reciprocity" (Gotoh, 2009), the original idea of which is "justice as reciprocity" proposed by Rawls (1971b), using five pictures.

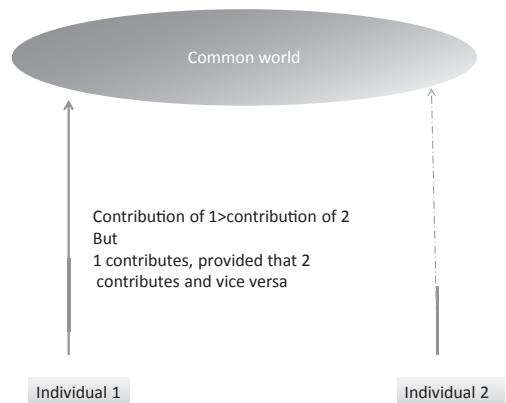
The first three pictures express "public reciprocity" from an economic perspective. The first picture shows a conception of "reciprocity" which is assumed to take place between individuals, both of who do contributions, but whose contributions are not symmetric, in other words, if it can be measured rightly, where the ratios between contributions and certain factors such as true talents or efforts are asymmetric. This is called "*Reciprocal relationship through recognition of a*

certain equality in actions or in expectation of actions among individuals who work and provide” (Gotoh, 2009,).

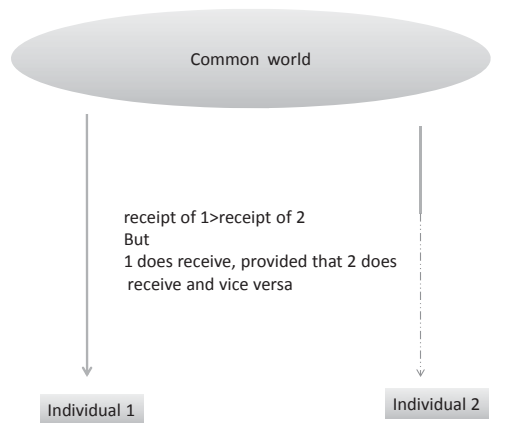
The second picture expresses “reciprocity” between individuals where there is asymmetry in what they receive, that is, if it can be measured, the ratios between what they receive and certain factors such as true needs or efforts are also asymmetric. This is called “*Reciprocal relationship through recognition of a certain equality in actions or in expectation of actions* among individuals who are needy and receive” (Gotoh, 2009).

The third picture put up these two pictures into together. The arrow on the left expresses that contributions are equally done by all but the amounts of contribution are different, the arrow on the right expresses that all equally receive but the amount they receive are different. For example, an individual may contribute much when he can work but may receive little when he needs, while an individual may contribute little when he can work but receive much when he needs. In this situation if we only regard persons only as “individuals as individuals”, it is difficult to recognize the existence of “reciprocity” in this asymmetrical, unequal distribution. But what if instead we regard persons as “positions” which are represented by a certain bundle of parameters?

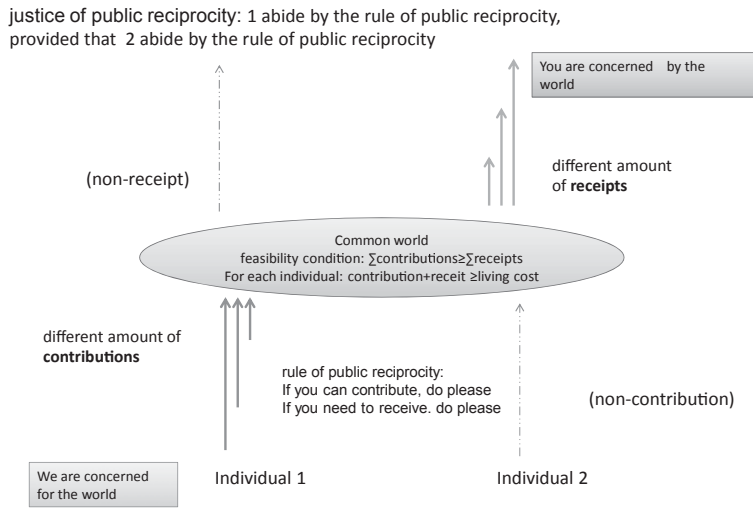
Each person takes a position now and here in society. It is an actual position, which is historically or culturally characterized and cannot be interchanged with another. But the same time it permits us to argue that if we would take your position, we cannot refuse to receive like you and if you would take our position, you cannot refuse to contribute like us. This kind of reasoning is a form of logic which not only departs from “justice as fairness” but also departs from rational calculation of probability under uncertainty. Yet if we can admit a sense of reciprocal relationship here and can set up a public rule to implement this type of distribution, can’t we recognize a kind of reciprocity here? That is to say “*Reciprocal relationship under law* among all individuals including



Picture1: Reciprocity among individuals with different amount of contributions



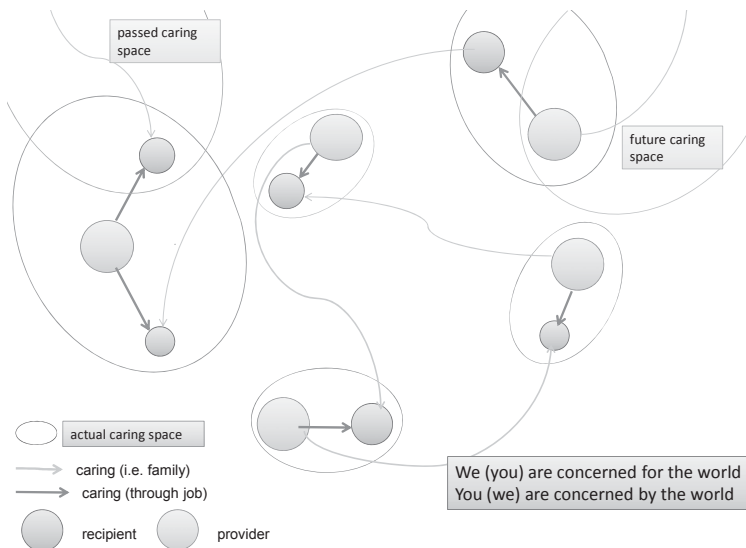
Picture2: Reciprocity among individuals with different amount of receipts
(made by author)



Picture3: Reciprocity among individuals who contribute and/or receive
(made by author)

those ‘who work and provide’ and those ‘who are needy and receive’ can be realized” regardless the precise ratio between contribution and benefit of each individual.

The fourth picture expresses “public reciprocity” from a sociological perspective. Each person who can, cares for other persons by providing through his job, while the connection with close persons who are cared for by others holds at least in his heart. The resources including time and energy, which are used for jobs, are limited and may be exhausted by the end of the day, but

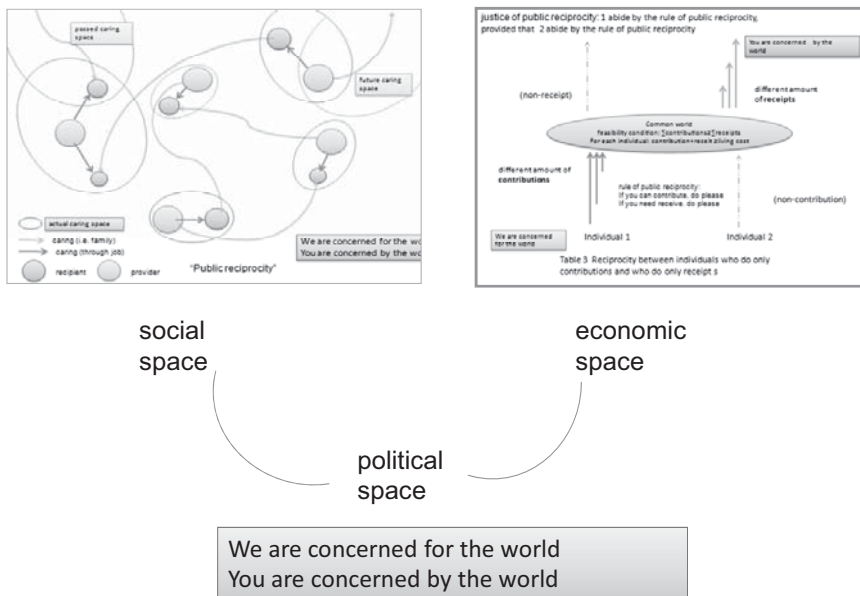


Picture 4: “Public reciprocity” in sociological space
(made by author)

affection or concern for close persons may not be exhausted. It can continue after one’s job is over and even after such persons could have passed away and may exist even before such ‘intimate person’ is born.

Jobs are represented here as nodes which combine individuals’ activities of producing goods and services. Jobs make it easy for an individual to ask others who can, to care for his ‘intimate persons’, and simultaneously put him at ease to be asked, if he can, to care others’ ‘intimate persons’. Yet again there are persons whose close persons are cared for by others but he himself cannot have jobs. Besides, there are persons who have passed away with a fortune. Can’t we recognize a kind of reciprocity in this world?

The fifth picture expresses “public reciprocity” in political space, where “political” here means a “concern for the world” as Arendt said, and the “world” here includes “public reciprocity” in economic space as well as “public reciprocity” in sociological space, lastly “concern” means here “to evaluate and believe”. In summary, “public reciprocity” in political space represents an “evaluation and belief for the world” where persons are actually provided for or cared for, and actually contributing and caring. If persons have this last picture themselves and can expect others to have it also, can’t we recognize a kind of reciprocity in this world? The recognition of public reciprocity in political space can support the realization of “public reciprocity” in economic space and sociological space. Conversely, the recognition of “public reciprocity” in economic space and sociological space can confirm “public reciprocity” in political space. They are nested in one another.



Picture5: Public reciprocity in political space
(made by author)

5. Concluding Remark

Instead of summarizing this paper, let us conclude by citing another passage from Waso's book.

Our common agony is that we can do so little to alleviate the terrible sufferings of people with severe mental illness. ... the tortures of hallucinations, the failure to connect with people, and the anxieties, desperate isolation, and loneliness of people with SMI (serious mental illness: the meaning noted) take a staggering toll. There are things we can do, however, and one of these is to remain loyal for the long haul. The place in our hearts is as big as ever, though we often do not know what to say or do. But we have not abandoned, you, beloved, and we never will (Waso, 9).

In the beginning of this paper, I cut off the two phrases, to avoid such a short connection that you are concerned by the world if you have a concern for the world. Yet, that does not deny the connection which lies between you and we. Actually, you and we are connected via the world. "You" are concerned by the world for which we have a concern. We have a concern for the world by which you are concerned. We hope, sincerely hope: "you" who have suffered and kept living catastrophe can believe this connection.

Notes

- 1) See; "It (the convention) takes to a new height the movement from viewing persons with disabilities as "objects" of charity, medical treatment and social protection towards viewing persons with disabilities as "subjects" with rights, who are capable of claiming those rights and making decisions for their lives based on their free and informed consent as well as being active members of society"(United Nations Enable, <http://www.un.org/disabilities/default.asp?id=150>)
- 2) See, Gotoh, 2012, mimeo.

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