Texto para Discussão Nº 12 – Novembro 2008

Discussion Paper No. 12 – November 2008

Essential educational achievements as the currency of educational justice

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This version: 20/10/2008

Abstract: How can we define justice in education? To do so rigorously requires making some important methodological choices. In this article, we focus on the most basic of them, namely the choice of the "currency of educational justice". We start by recalling some difficulties associated with a standard welfarist approach. Then we review non-welfarist alternatives and raise the possibility of adopting a segmented-justice view. We end up defending an "educationist" approach, in which the relevant currency of justice turns out to be "essential educational achievements" an attribute which simultaneously is a relevant functioning and a potential determinant of capabilities.

Key words: education, theories of justice, education fairness, normative economics

JEL classification: D63, I21

1. Introduction

Turning our education system into a more equitable one is a social goal which would be advocated by most observers, inside or outside academia. However, are we sure we know what an equitable education system mean? Can we go beyond common sense and define educational justice in a rigorous way?

The issue is complex, suggesting the route of a multi-disciplinary approach. A promising strategy consists of investigating theories of distributive justice – developed by political philosophers and normative economists – trying to understand how they can help us shed light on the specific field of education. Such strategy is put forward by a prominent normative economist working in the related field of justice in health, in which he recommends combining recent "advances in the systematization of the analysis of justice on the one hand", and "in the rather technical sub-field of the measures of unjust inequalities on the other hand" (Kolm, 2002).

According to Sen (1992), Cowell (1995), or Lambert (2001), evaluating distributions requires making three main choices, regarding the:

- *Focal variable or attribute*: also called "currency of justice" by political philosophers, or "relevant space" by economists;
- *Aggregation and/or evaluation procedures*: used to compare distributions of a given currency of justice; also called "focal combination" or "social welfare functions";
- *Reference group or unit of analysis*: the relevant geographic or demographic unit for comparing distributions of an attribute.

Although there are of course overlaps between these three domains, such sub-division of the larger issue is useful to organize the reasoning. We limit our focus essentially to the first point in this article, which is organized as follows. Contextualizing the topic, section 2 contains an account of the main assumptions usually employed by economists, explicitly or implicitly, when undertaking normative analyses. In section 3 we discuss difficulties associated with the standard welfarist approach, as well as some reasons justifying a shift to a non-welfarist one. In section 4, non-welfarist alternatives are briefly commented and the possibility of segmenting justice is raised. While in section 5 we defend an *educationist* perspective, in section 6 we move on to make the case for restricting the currency of justice to *essential educational achievements*. Section 7 concisely concludes.

2. Contextualizing 'social evaluation': the crucial assumptions

Modern normative economics is mainly about describing fair social states, or ranking different social states according to their degree of fairness (Fleurbaey, 1996). But if we want to compare social states and rank them, what set of criteria should guide us? In this section, we discuss some assumptions which are frequently used in economics and which serve as reference points in the remaining of the article.

Economists often compare end-states (or achievements or outcomes), regardless of the process that conduct society to a given situation. No intrinsic value is given to the *causes* leading society to some particular situation – they matter only to the extent that they have relevant impacts on end-states. Various end-states may matter when a society is evaluated, such as the set of material holdings its individuals possess; the set of characteristics composing their health status; their set of educational outcomes (their skills, their certificates etc.); the quality of the natural environment; individuals' security; and so on. Indicator functions, possibly individual-specific, could aggregate the relevant end-states, and summarize the "quality" of a given society.

The general indicator function mentioned above often takes the particular form of a utility function, $u_i\{\cdot\}$, which amounts to adopting <u>welfarism</u>. For our purposes, the importance of including welfarism into the picture is twofold. First, utility functions are supposed to represent individuals' *subjective* preferences over end-states or achievements. Second, assuming welfarism means that any information which is not reflected on individuals' welfare is *ignored*. For example, given that an individual chooses a good *x* and that this choice provides him the utility level $u_i\{x\} = u^*$, it does not matter whether that individual had only that good *x* available or whether he was free to choose among a set of goods; the only relevant information is u^*. Freedom only matters instrumentally to the extent that it provides more utility (i.e., more welfare) to the individual. But, generally, we cannot be sure of the existence of a systematic impact of an individual's freedom on his utility level.

Economists frequently restrict even more the social quality evaluation set, especially in empirical analysis, where specific utility functions are adopted. One common step is to assume individuals are <u>self-centered</u>, meaning that an agent's utility function contains arguments referring exclusively to that very agent. For example, my own expenditures set is an argument of my utility function, but my fellow citizen's is not.

According to the requirements – usually formal ones – of each particular model or empirical study, more is needed: (i) assuming a "representative consumer" (or homogeneity): considering that all individuals have the same utility function; and/or (ii) using some observable variable to reflect, to some extent, individuals' utilities. The typical proxy is income, which can be exchanged, without distortions, against any other commodity.

Through the gradual imposition of such assumptions, the set on which a society is evaluated, in a certain sense, shrinks, and information is ruled out of it (e.g., freedom). In particular, depending on which assumptions one is ready to accept, the definition of the educational optimum will differ. For concreteness, suppose the social planner has egalitarian concerns. On the one hand, two individuals may reach the same level of welfare while having different levels of educational achievements. On the other hand, two individuals with the same educational achievements may have very different levels of welfare. Given that neither equal educational outcomes imply equal welfare, nor equal welfare implies equal educational outcomes, what kind of equality should such an egalitarian social planner search for: equality of educational achievements or equality of utility levels?[1]

Where should the process of imposing restrictions on the social quality evaluation set stop? Particularly, if we are looking for a description of the educational optimum, which assumptions should be legitimately accepted or imposed? Which of them shrink too much – and inappropriately – the social quality evaluation set? What currency of justice is better suited to deal with educational justice matters?

3. The welfarist benchmark

Suppose we assume: focus on end-states, welfarism, and self-centeredness. Suppose also (for the moment) that individuals' utilities are measurable and interpersonally comparable. Finally, suppose that the conditions which are required for the second welfare theorem to be valid break down. Since it is not possible to reallocate initial endowments in such a way that any Pareto-efficient allocation can be reached, it is not possible to partition "equity" and "efficiency" into two separate and distinct problems. Under such conditions, defining a social optimum necessarily requires taking simultaneous decisions concerning equity and efficiency, as stated by

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[1] Similar dilemmas would be faced by non-egalitarian social planners too.

Atkinson & Stiglitz (1980), who claim that "both [are] subsumed on the objective of maximizing social welfare", according to the inequality aversion parameter of some objective function.

In such a framework, we could make use of a broad class of social welfare functions (SWFs), within the boundaries of the welfarist perspective, which is widespread in economics. Different SWFs describe different normative positions in the specific form of *social preferences in the space of utilities*, providing different ways of resolving the equity-efficiency trade-off. Certain normative viewpoints reflect criteria and objectives that have a correspondence – sometimes an indirect one – with this or that theory of distributive justice. More practically, by means of SWFs, it is possible to rank distributions of welfare of different societies, or of a given society in different points in time. They provide, in fact, a useful device for aggregating and evaluating distributions of welfare (the second step in the task of assessing distributions, cf. introduction).

Focusing on end-states and *assuming self-centeredness* in educational issues does not differ much from doing so in the general case: an end-state (or an educational outcome in the particular case) is valued according to the benefit it provides to its holder. Assuming *welfarism*, in turn, is a more delicate issue, among other reasons because the relationship between educational variables and individuals' welfare is intrinsically multi-fold.

When we restrict our analysis to a welfarist framework, important choices would have to be made regarding what the most appropriate description of the relationship between education, income, other relevant variables, and welfare is. Particularly, the role of education in generating current and future well-being, and the complementarities between education and other goods in that process, would need to be addressed, a task that could be accomplished in different ways, such as: (i) relying on empirical evidence, (ii) making specific choices depending on the nature of the problem under scrutiny, (iii) turning to a reasoned argumentation or a consistent formal model. However, although useful in other contexts, we do not believe the welfarist framework is the most suitable one for dealing, neither with social evaluation in general, nor with educational justice in particular.

3.1. Conceptual difficulties: defining, measuring, and comparing utilities

There are controversies on the very definition of utility. A utility function has at least three different interpretations: (i) the classic one: they indicate individuals' happiness; (ii) the choice-based one: they express individuals' level of satisfaction of (informed and rational) preferences, (iii) the social-welfare one: they are a normative tool for theoretical modelling, such that ethical restrictions are imposed (i.e., to assume the utility function has certain properties) and conclusions are derived. Definition (ii) could be seen as a variation, or a refinement, of definition (i), both of which possessing a more concrete, substantial, meaning than definition (iii).

As for definitions (i) and (ii), there are well-known difficulties related to the measurement of utility and the interpersonal comparison of utility levels. They are not of much concern if one is interested in building economic models intended to serve as tools to understand particular aspects of reality. For example, one could adopt the definition of utility as a normative tool (definition (iii) above), assume it has some properties (e.g., it is measurable and comparable) and derive implications, to social welfare, of different allocations of education. However, such approach is not satisfactory for more concrete and practical issues, especially for real-world policy matters, and the conceptual problems described here do become of great concern.

Although it seems to be impossible to expect the invention of a reliable "intertemporal utilometer", the measurement of happiness is a topic which has seen a revival in economics lately (e.g., Blanchflower & Oswald,

2004; Frey & Stutzer, 2005). Whilst interesting in itself and useful for investigating a number of relevant issues, we are not convinced that a subjective metrics such as happiness would be suitable as the basis of policy making in a series of spheres, including education, for reasons explained below.

3.2. Fundamental difficulties: the monopoly of subjectiveness

There is no accurate utility information available; there is no uncontroversial way to obtain it; we are not even so sure about what it is. Even if the conceptual problems were solved – for example, if it became possible to collect reliable and accurate information on each individual's utility level – more fundamental problems regarding welfarism would remain. The strongest critiques on welfarism essentially contest two interlinked implications: (a) that non-utility information is ignored, and (b) that every variable which impacts on utility is assumed to be relevant.

With regards to (a), we already mentioned that if we assume welfarism, freedom matters only to the extent that it provides more utility to the individual. However, observers from different schools of thought consider that freedom is so important that it must be attributed some value independently of its impact on welfare.[2] And that is also true for other intangible values such as individual and collective rights, emancipation, self-respect, autonomy etc.

Even more tangible elements, such as the possession of some material holdings - say, shelter, clothing, food etc. - matter to an extent which is not adequately captured by utility information. The classical example of "entrenched deprivations" or "*cheap preferences*" is that of slaves who adapt to their condition up to the point of being happy or satisfied with a situation which is in fact miserable from any objective viewpoint, due to the fact that they are not entitled to any of the intangible or tangible goods listed above. The same might happen to individuals in situations of serious material deprivation, or to groups of people (e.g., ethnic groups) whose social achievements are consistently lower than those of other groups. It does not matter how bad their situation is objectively, these individuals or groups might still be quite happy or satisfied, for example, because of deep religious faith. However, it does not seem reasonable to ignore all kinds of non-utility information (e.g., whether people have a minimal set of material holdings) and to focus social evaluations and policies on people's 'cheap happiness' or 'cheap satisfaction'.

As for (b) above, welfarism gives absolute priority to utility of individuals, assuming it summarizes all relevant subjective information concerning their well-being. Utility functions might depend on material resources (say, income), but also on personal preferences, aspirations, beliefs and desires. At a first sight, its respect for peoples' diversity - that is, for their own, sovereign, preferences, aspirations, beliefs and desires - constitutes a great strength of welfarism, as opposed to paternalistic views that would impose to individuals the goodness of specific commodities. However, this respect may lead to embarrassing implications, whenever questions are raised upon the legitimacy of some preferences, aspirations, beliefs, and desires. For example, besides the problem of adaptation to bad situations, such as those of entrenched deprivations mentioned above, preferences may be problematic because they may include patterns of behaviour society is not willing to accept. Conceding to people's subjective desires such a key role implies having to deal with the inverse of "entrenched

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[2] See, for example, Rawls (1971), Nozick (1974), Sen (1992), Van Parijs (1995), and Laslier et al. (1998).

deprivation", namely, "*expensive tastes*". Some individuals might develop so sophisticated preferences that society would have to spend substantial efforts (funds) just to make sure they are sufficiently happy or satisfied.[3]

There are other difficulties associated with the assumption that every variable which impacts utility should be relevant. Some individuals may virtually be "*pleasure-machines*" (Nozick, 1974), such that every single dollar allocated to them generates a large amount of utility, what would ask for a policy giving them absolute priority with respect to other individuals. It is difficult, on moral grounds, to adhere to that. Finally, another critique can be raised, which holds only for the classical definition of utility,[4] namely the fact that people might have inaccurate beliefs due to the possession of inaccurate information - and that might lead them to make *bad choices*. While a modest amount of paternalism could arguably prevent individuals from choosing badly, paternalism is definitely incompatible with welfarism.

To sum up, welfarism requires social quality to be evaluated in terms of *individuals' utility*, that is, according to individuals' own preferences, aspirations, beliefs, and desires, and the extent to which individuals are happy or satisfied. Individuals' material holdings, as well as their degree of freedom, entitlement of rights, emancipation, self-respect and autonomy can also be valued, but only through their effects on welfare, and not *per se*. While utility may express individual welfare to a certain extent – with the conceptual and fundamental caveats already mentioned – it is difficult to defend it as a good basis for judging social quality and for designing social policies; unless if we are willing to base important (objective) choices a society has to make on a contestable (subjective) psychological metrics, with a great risk of tolerating, among others, the serious problems of cheap and expensive preferences.

4. Non-welfarist alternatives

If we reject taking utility as the appropriate currency of justice, what could be used instead? Particularly, what would be an appropriate currency of educational justice? It is possible to provide some substance to the indicator function without having to employ a utility function. A series of alternatives have been suggested in a literature, which can be unified under the label of "non-welfarist" or "post-welfarist",[5] and that include, among many others: Rawls (1971), Dworking (1981a,b), Sen (1985), Cohen (1989), Arneson (1989), Fleurbaey (1995), Van Parijs (1995), Roemer (1998). While each one works in a different space, they share a willingness to avoid the difficulties of welfarism. Using the more general term (Roemer's), an "advantage function", $a_i\{\cdot\}$, would play the role utility functions play in the welfarist setting. Non-welfarist perspectives, instead of SWFs, would employ Social Advantage Functions (SAFs).

4.1. Primary goods

A major non-welfarist approach has been developed by the political philosopher John Rawls (1971), whose theory of "justice as fairness" is a response to the welfarist conception of the good society, which prevailed as a dominant view among political philosophers and economists until the 1960s. Trying to reconcile concerns for equality, liberty, and efficiency, Rawls derives two principles of justice which lead him to claim that a just

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[3] Both cheap preferences and expensive tastes are potentially severe in countries presenting extreme inequalities, such as Brazil.

[4] Since definition (ii) assumes people make *informed and rational* choices; and definition (iii) is flexible enough to accommodate critiques of this kind.

[5] Terms used by Maguain (2002) and le Clainche (1999), respectively.

society is one that assigns the highest possible level of "primary goods" to the group of worst-off individuals (i.e., the "maximin" rule), provided that a certain level of liberty for all is guaranteed. Primary goods are those which every rational individual would want, under appropriate conditions, whatever his or her conception of justice, and whatever his or her life plan.[6]

Rawls' theory of justice has been referred to by economists in a very simplified form, underrating the complexities and minutiae of his work. The version that has been spread out in economics limits itself to assuming society should maximize, not an index of primary goods available to the worst-off individual (or group), as Rawls defended, but instead his (or their) welfare level. The maximin criterion in such case would be conveniently expressed by a SWF with an extremely high aversion to inequality. Analogously, an alternative would consist of taking educational achievement as the attribute, and the social objective would consist of maximizing educational achievements of the individual (or group) whose educational achievements is the lowest in the society. However, Rawls firmly rejects the possibility of interpreting his theory in the spaces of utilities, well-being, education or health status. The space of primary goods - which *does not include education* - is the appropriate one according to him.

Clearly, when we turn from welfarism to the (true) theory developed by Rawls, the currency of justice shifts from a subjective measure (utility) to an objective one (a set of primary goods). The problems related to the subjectiveness of utility vanish away when primary goods replace utility - for example, information not related to individuals' welfare can now be taken into account in the evaluation of society. The drawback is that the virtues related to the subjectiveness of utility also vanish away. Individual preferences are taken into account only to the extent that they do not clash with the two principles of justice, but in fact Rawls imposes, so to speak, not only that primary goods are the attributes to be valued, but also that they must be valued equally by all individuals. As argued by Sen (1992), Rawls does not take sufficiently into account the diversity of human beings and assumes that all individuals can benefit equally from a given set of primary goods, although "equality of primary goods can go hand in hand with strong inequalities in actual freedoms enjoyed by different people".

Another difficulty concerns the procedure to be employed in order to aggregate different primary goods into one single index, which creates obstacles to concrete policy implementation.

4.2. Functionings and capabilities

While Rawls built his work as an alternative to welfarism, Amartya Sen built his own theory trying to go beyond: welfarism, Rawls's "justice as fairness", and libertarianism.[7]

Sen's "central idea is to see the basal space [i.e. the currency of justice] in terms of what people are able to be, or do, rather than in terms of the means they possess", in a clear contrast with both Rawls' primary goods and welfarists' utility. Moreover, while admitting that freedom is very important, Sen tries to do better than the libertarians, who neglected too much the social consequences of the requirements and constraints their theory imposes. Sen (1985) proposes to use the *ingredients of quality of life* as the currency of justice, by means of two

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[6] Primary goods are the following ones: (a) basic liberties, (b) freedom of movement and choice of occupation, (c) powers and prerogatives of offices and positions of responsibility, (d) income and wealth, (e) self-respect.
[7] Libertarianisms responds to welfarism challenging the latter's focus on end-states, and suggesting to care about procedural variables such as liberties and rights. We do not discuss it here, because it does not seem to be insightful with regards to education. For different accounts of libertarianism, see Atkinson & Stiglitz (1980), Fleubaey (1996), Sen (2000), Williams & Cookson (2000), Arnsperger & Van Parijs (2000).

core concepts: (i) *functionings*: doings and beings that, taken together, constitute the quality of life; (ii) *capability*: the set of functionings from which a person can choose.

In the debate over the appropriate currency of justice, one important contribution of Sen consists of trying to reconcile the advantages of both objective and subjective approaches, placing his theory in a somewhat intermediary position between welfarism and Rawls's approach. Sen puts forward an objective currency of justice, and in this respect, he joins Rawls, and opposes welfarism. Sen also takes some distance from Rawls, for functionings are valuable objective *achievements* of individuals (and not *means to achievements* such as Rawls' primary goods). Moreover, while primary goods are defined by Rawls himself, and are to be evaluated according to a scale which is fixed across individuals, Sen's functionings are to be defined by each society. More importantly, Sen leaves room for individuals' diversity, since each individual may convert means (say, primary goods) into ends (quality of life) in a different fashion. Roughly speaking, as compared to functionings, utilities are "too subjective" and primary goods are "too objective".

Sen does not limit the analysis to actual achievements (functionings), but takes into account the real opportunity to accomplish what people value (capabilities). He makes clear that both are expressed in the same space (that of functionings), in which functionings are points, and capabilities are sets. Although focusing on capabilities would be the first-best, he admits that measuring a capability set is not an easy task, and he is enthusiastic about empirical applications focusing on functionings, not only because these are feasible (second-best) applications, but also because in any case, functionings constitute "a much finer basis of evaluation of the quality of life and economic progress than various alternatives more commonly recommended, such as individual utilities or commodity holdings" (Sen, 1992: 53).

4.3. Macro-, meso- or micro-justice?

Just as it would be insightful to analyze different SWFs in relation with education (cf. section 2), it would be even more instructive to analyze the relationship between different SAFs and education, given that they do not present some of the problems of welfarism. For example, since Rawls does not classify education as a primary good, it would be interesting to understand the impacts of education on the individual advantage function derived from Rawls' theory (whose argument is the set of primary goods held by each individual), and consequently on a SAF derived from the Rawlsian conception of justice (that is, a maximin of individuals' indices of primary goods). Alternatively, one could study the relations between education and SAFs defined by other "non-welfarist" observers.

As in the welfarist case, some important choices would also have to be made in non-welfarist approaches in order to set up the appropriate description of the relationships between education, income, other relevant variables, and advantages. With the exception of Sen - who admits a plurality of approaches, and acknowledges the autonomous importance of each functioning (more on that below) -, most SAFs mentioned here would tend to consider education simply as one ingredient that can contribute more or less to social justice, via its impacts on individual advantage functions. In other words, all of them adopt - implicitly or explicitly - an integrated, or general-justice, perspective. Kolm (2002) defines this view as one which cares about "macrojustice", which concerns "basic rights of a society and the resulting global distributive justice". *However, defining the appropriate level at which justice is to be assessed is not a theoretically settled issue*. While according to

Fleurbaey (1996), an essential element of any theory of economic justice is its "extent or field of application", he admits that in this respect there is not yet an appropriate device that allows us to determine the adequate extent or field of application of a given economic theory of justice.

Kolm (2002) distinguishes three levels of justice: (i) *macrojustice* (cf. above), (ii) *mesojustice*, concerning "issues which are specific but widespread, important both intrinsically and in volume, and which elicit policies that can affect almost everybody" - justice in health and education would be put in this category, (iii) *microjustice*, which concerns particular, very local, situations where issues of justice are raised (say, resource allocation in a hospital or school).

If the individual utility functions, in order to become more general, have been restated to become advantage functions, they would have to be restated once again in order to express a mesojustice view, if such level of justice turned out to be the appropriate one. To be sure, the social quality evaluation set would have to be split into a series of subsets, and specific normative principles would have to be established in order to regulate the distribution of particular advantages in each subset.

The attribute, in the educational sphere, could be educational outcomes (e.g., skills, certificates etc.); in the health sphere, it would be health-status variables; and so on. The particular sphere that interests us here is of course the educational one, and we shall label such an approach an "educationist" one.[8] "Social educational functions" (SEFs) would have to be employed in order to aggregate and evaluate educational outcomes across a given population: $\hat{e} = f\{E_i\}$, where $\hat{e}$ is a measure of society's "social valuation of education" or "educational advantage", given by an aggregation/evaluation function, f, defined over individuals' educational outcomes, E_i.

5. The educationist approach

We now examine more carefully what is at stake when education is taken as the currency of justice, and thus when a segmented justice approach of justice is adopted.

The first step is to concisely explain why we reject input approaches to fairness in the educational sphere. The problem is that the education production technology is complex, such that even if monetary inputs (e.g., school resources) were *uniformly* distributed to all students of a given population, the outcomes of these students would certainly still be quite *unequal*. They would probably be *unfair* if such inequality was caused by factors which are not under control of the individuals, such as their family background, for example.

It is thus necessary to go beyond an input approach, and turn the attention to *outcome equity*. In the educational sector, such *end-state variables* could take the form of an individual's total years of schooling, or the certificates she has obtained, or the score she gets in a particular test. In any case, selecting either test scores or any other educational outcome variable as currency of justice in principle implies we also adopt *self-centeredness*, since each individual is assumed to value only her own educational achievement, independently of that of her classmates' or her fellow citizens'.

5.1. Conceptual pros and cons

Educational outcomes can be a *reasonably objective* currency of justice. They can be more accurately measured (e.g., in terms of schooling years or points in a test) than utility and than advantages such as

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[8] The term "educationist" is adapted from Schneider-Bunner (1997), who uses the term "healthist" to refer to a health-status-based approach.

"freedom", "extended resources", or "opportunity for welfare", and compared across individuals. Taking such currency of justice saves us from some difficulties faced by cardinal welfarism. Indeed in a welfarist framework, weighing losses and gains of a given policy is unfeasible, since in actuality it is impossible to compare across individuals subjective attributes such as utilities.

In an educationist approach, instead, it is possible to assess and compare the scores of students in achievement exams, to know more or less precisely the years of schooling or the highest schooling level attained, or to obtain at least rough measures of other educational outcomes. Even what we could interpret as the "ultimate educational outcome", at least from a strictly economic perspective, namely, individuals' earnings, is also measurable and comparable.[9] The difficulties related to measuring attributes, and to comparing them across individuals, do not pose so many obstacles for educationism.

It is possible to, in a sense, "measure utility", by adopting the classical definition of utility and working with happiness as the attribute, as already mentioned. As a metrics, happiness and some kinds of educational outcomes share similar limitations: it is not reasonable to claim pupil A "knows twice as much" as pupil B just because the former scores 600 in the PISA exam and the latter scores 300, just as one cannot say individual C is twice as happy as individual D (i.e., restricted comparability). Besides, in both cases, the scale on which variables are measured is artificially constructed, as opposed, for example, to a monetary scale.[10] Having said that, while happiness has the drawback of being a strictly subjective variable, scores reflect an objective knowledge, or set of skills. For example, knowing how to solve an algebraic operation reflects an objective knowledge a person has, and not a subjective mental state. And this and other small bits of knowledge can be aggregated in order to express the skills a person possesses.

There is a *potential flexibility* in the definition of what educational outcomes are to be chosen as attributes of justice. At least in principle, many kinds of skills can be evaluated through an educational certification system, and not only one's literacy or numeracy skills. The assessment can be extended to skills that are typically important in today's life, such as the knowledge of English as a foreign language, or computer literacy (Van Parijs, 2004). By adopting an educationist approach, we do not restrict ourselves *a priori* to attributing value only to strictly academic achievements, but there is room for a wide array of skills to which a given society decides to grant priority, in contrast, for example, with pre-determined primary goods.

Finally, educational outcomes *can presumably accommodate non-welfarist and non-consequentialist concerns*. It is acknowledged that traditional welfarist approaches have difficulties in taking into account non-welfarist and/or non-consequentialist objectives such as freedom, emancipation (e.g., of women or ethnic groups), self-respect and autonomy - except to the extent that they impact a person's utility function. Educational outcomes qualify not very controversially as a relevant functioning. But would more educated people have a larger capability set than less educated people? While we acknowledge this is a controversial issue, we tend to believe more educated people not only would be capable of "being" more and "doing" more (i.e., achieving

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[9] The difference between measuring income in an educationist approach and in a welfarist approach is that in the former we do not assume that income is a proxy for individuals' (subjective) welfare, but rather that it is merely one of the various (objective) educational outcomes.

[10] It makes sense, though, to say that a person has completed twice as much schooling years as another. Moreover, years is not an artificial scale.

more functionings), but also of making more and better choices. While a minimal level of education is required for a person to be minimally free, emancipated, autonomous, self-aware, and respect herself, a higher level of education would very likely enlarge the extent to which these objectives are achievable.

5.2. Is educationism in conflict with macrojustice?

One major drawback of segmented justice, according to Kolm (2002), would be the risk of incurring in Pareto inefficient situations: "an equal allocation of each of several goods is generally Pareto inefficient because people have different tastes". For example, individual A might prefer to have more education and less health, whereas individual B might want exactly the opposite, and the achievement of equality in health and education separately may be sub-optimal in the Pareto sense. Both Kolm (2002) and Tobin (1970) believe this problem can be attenuated by partitioning the bundle of consumption in the particular fields at stake between those which are substitutable with other goods and those which are not. For example, in health issues, the former could be represented by drugs used for comfort, while the latter would be basic health care needs that are used to keep one alive: "the case where health can uncontroversially be considered in isolation is when it matters with priority" (Kolm, 2002). In the case of basic health needs, treating justice in health as an autonomous separate entity is unlikely to produce (morally relevant) Pareto inefficient allocations. The drugs used for comfort, in turn, could arguably be dealt with within the framework of income distribution, that is, as a general justice problem. Obvious analogues in education are basic (compulsory) schooling which is not substitutable with other goods, and post-compulsory education, which is substitutable.

But then, how would a segmented justice approach inform us on how to choose, for instance, between how much of basic education and how much of basic health? What to do when faced to such trade-offs? *While recognizing the status of the theoretical challenge embodied in such point, we question its relevance for most practical matters*. In situations of extreme misery, priority should be defined as ensuring the most basic necessities are provided - shelter, security, basic health, etc. - such that the trade-off is elusive. In sufficiently developed countries, basic necessities of life are ensured, so that resources are abundant enough for social planners to *simultaneously care about* justice in basic health and justice in basic education, with relative budgets defined according to some practical (democratic) procedure. In countries placed in an intermediary level of development (where both situations of extreme misery and abundance coexist), the trade-off would be more pressing, but also in this case, supplying more basic functionings would be granted priority.

More generally speaking, we could fear that some ranking of functionings would need to be established somehow, such that macrojustice would return - through the back door - to the very core of the analysis. Two paths can be taken in order to respond to that. Firstly, it is indeed possible to rank a certain number of social states, recurring only to ordinal rankings. For example, when calculating the HDI, if two countries perform equally well in terms of health and income, but one of them performs better than the other in terms of education, the former will rank better than the latter, even without an explicit ordering of the three functionings which compose the HDI (that is, without explicitly solving the macrojustice problem). Moreover, *incompleteness* can be seen as a normal feature of normative evaluations: "Both well-being and inequality are broad and partly opaque concepts. Trying to reflect them in the form of totally complete and clear-cut orderings can do less than justice to the nature of these concepts. There is a real danger of overprecision here" Sen (1992: 48).

Secondly, in a reasonable range of contexts and situations, practically some share of the budget is assigned to the minister of education, another to that of health, and so forth. Segmented justice would not allow us to say much about the fairness of a particular partition of the overall budget, but would be expected to guide us on how to fairly partition specific budget shares, such as the educational one. We also quote Sen here, who defends a *plurality* of approaches when it comes to evaluate inequalities: "Indeed, pluralist proposals make up much of practical ethics, even though descriptive homogeneity evidently appeals to many moral philosophers (utilitarians among them)" (Sen, 1992: 132).

Indeed, *people ordinarily think in a 'segmented way', that is, they intuitively want justice to be made in different sectors or aspects of life, and such concerns are not necessarily irrational or wrong*. Tobin (1970), for example, diagnoses that the widespread tolerance of Americans towards general inequality is "tempered by a persistent and durable strain of (...) *specific egalitarianism*" (his emphasis). While the economist may be 'instinctively' tempted to want to provide people with cash income through tax-and-transfer schemes, he claims that an economic rationale can also be employed to acknowledge and justify that some particular kinds of inequalities are more severe than others. He reminds us, for instance, of economic models that have been warning us about the limits of income redistribution, a result which paves the way for focusing on the distribution of specific goods.

Other arguments supporting a particular attention to specific inequality can be found in the strand of the public finance literature devoted to the study of the pros and cons of in-kind versus cash transfers. Gasparini & Pinto (2005) review three classic *arguments in favour of in-kind transfers* - merit goods (individual consumption of some valuable specific goods would be too low under cash transfers); more efficient redistribution, under specific conditions (already mentioned in the previous paragraph); market failure (sub-optimal consumption, especially due to externalities). A fourth argument, closer to "real-world debate" according to them, is added: equality of opportunity (public intervention in markets such as educational and of health care, for example, in order to reduce the dispersion in the consumption of education and health care, which determine future life opportunities of individuals).

Walzer (1983) goes further. Not only he claims that people are not necessarily wrong to think in a segmented way, but he also defends it is indeed *the correct* approach to justice. His seminal book published in 1983 contains a radical defence of segmentation of justice. Each sphere of justice (education, health, labour market etc.) produces a different kind of good, for different users, and the principles that should regulate the distribution of goods must be specific to each sphere. He rejects a unified conception of justice, and believes that the only general principle that has to be respected at the society's level is that of non-interference of one sphere into the other.

Another reason for not opposing segmented justice *a priori* is related to *feasibility and tractability*. Fleurbaey (1996) says that "feasibility is a practical value that is worth to be taken into account in the assessment and in the definition of justice". According to Kolm (2002), attaining macrojustice might be too difficult a task, and so pursuing justice in particular aspects or sectors may be a useful intermediary strategy for ultimately enhancing society's macrojustice. Although less ambitious than welfarists' and most non-welfarists'

conceptions of (macro)justice, an educationist approach may be easier to handle in empirical studies and for policy-related issues. And the same might be true for specific goods such as health care, housing, and others.

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Summing up, we can say that segmenting justice is not, in itself, necessarily an irrational instinct or a misplaced reasoning. On the contrary, it may turn out to be a useful way of downgrading complex problems (e.g., achieving macrojustice) into simpler ones (e.g., achieving justice in different spheres). Mesojustice objectives might make sense as independent, autonomous, objectives. Alternatively, under particular technical conditions, or provided some appropriate partitions are undertaken (i.e., between substitutable and non-substitutable goods), segmenting justice objectives can even be compatible with more standard macrojustice objectives (even with Pareto-optimality).

6. The case for focusing on essential outcomes

Serious objections can be raised against educationism. First of all, objective attributes have their own problems, as mentioned before, such as overlooking the diversity of human beings (e.g., different people might make different use of educational outcomes) and assuming that all individuals can benefit equally from a given set of the attribute (here, of educational outcomes), which is not necessarily accurate. Related to that objection is the one saying educationism is too paternalistic or not democratic, given that some third party (the state, the scholar, the policymaker) decides, in the place of children or their parents, that education is valuable for them.

In addition to the arguments supporting a particular attention to specific goods (cf. previous section), we believe these important objections can be addressed. Firstly, one can partition the schooling process in such a way that the respect for human diversity is fully preserved for a subset of an individuals' schooling life. An educationist policy-maker could state, for example, that society must make sure that all citizens will attain a minimal level of educational outcomes (e.g., acquiring basic literacy and numeracy skills), whereas going beyond such level is a personal choice, dictated by each person's aspirations or preferences (Fleurbaey, 1996; Trannoy, 1999).

Secondly, another partition can be designed which is possibly orthogonal to the first one: subdividing the (potentially infinite) set of subjects / skills into a subset of essential ones (e.g., mathematics, reading, basic scientific knowledge, English as a foreign language, and basic computer skills) and a subset of complementary ones (e.g., other academic skills, artistic skills, athletic skills, rhetoric skills, etc.). According to each society's priorities, the educationist policymaker would confine his attention to the essential subjects - those which every person needs in order to live well in contemporary world - and ignore the other ones, which are not of concern of educational justice, and regard the private sphere of individuals.

With appropriate partitions of the schooling process, the critiques on paternalism would be confined to the initial levels of the schooling process and to the essential subjects in the relevant unit of analysis. Initial levels of the schooling process are basically attended by children, who cannot be considered as fully autonomous citizens, capable of taking informed and rational decisions. Children's outcomes depend strongly on the behaviour adopted, and the decisions made, by their peers, parents, teachers and other school staff, and the educational authorities (e.g., decisions concerning education resource allocation). For these reasons, "consumer sovereignty"

of children should not be taken for granted, and because of that some degree of paternalism might be tolerated, and even recommended.

Moreover, the partition of the educational process into essential and non-essential subjects (or skills) neutralizes the critiques on the non-essential subjects. The latter are taken to be substitutable, ordinary goods, which means that each individual is absolutely free to decide which amount he prefers to consume of them. As for the essential subjects, it is difficult to claim they are not of paramount importance (i.e., a merit good), firstly *per se*, and secondly as the ingredients for any other social goal people might set for their lives. If this is true, it should not be a problem to assume them to be non-substitutable, and some degree of paternalism would, again, be justified. Schooling systems, as they function now, with compulsory attendance laws, are already paternalistic, and yet this fact is not vigorously contested.

7. Conclusions

Trying to contribute to a large on-going research endeavour of designing a conceptually rigorous and empirically useful definition of educational justice, we have discussed some issues related mainly to the first of the three main choices that have to be made when it comes to evaluating distributions of an attribute.

As a result of the reasoning developed here, we have set the currency of justice to be "essential educational outcomes", an attribute which simultaneously is a relevant functioning (achievement) and a potential determinant of capabilities (freedom to achieve).

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