

THEORIES OF JUSTICE: SOCIAL CONDITIONING AND  
PERSONAL RESPONSIBILITY IN ROEMER'S CONTRIBUTION

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# Theories of justice: social conditioning and personal responsibility in Roemer's contribution<sup>1</sup>

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## Abstract

We deal with a question that is central in a theory of justice, that of social conditioning and personal responsibility.

Roemer's attempt to separate the latter from the former, in order to circumscribe redistributive public policy, is of the utmost interest but has significant limitations.

One such limitation has to do with the way in which assessment of personal responsibility can take place, which is empirical and uncertain and is thus open to errors with unacceptable consequences.

A second limitation of Roemer's analysis regards the fact that he does not consider the question of the 'environment' in which personal responsibility develops, and the incentives arising from the basic architecture of society.

In addition, not only self-responsibility but also social responsibility, i.e. responsibility towards other people, should be taken into account.

**Keywords:** theories of justice, social conditioning, personal responsibility, welfare state.

**JEL codes:** D60, D63, I30.

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## 1. Introduction.

The topic of justice has been raised since the emergence of social organisation and has been a matter of policy prescriptions at least since Aristotle. In the last three decades theoretical reflection has taken new interesting directions with reference to both autonomous analytic developments and practical reasons, such as the (founded or unfounded) need to reshape the welfare state. A reflection on existing theories of justice can be useful for both theoretical and practical purposes.

The concepts of social conditioning and individual (personal) responsibility play an important role in theories of justice. They are an essential junction of social sciences since Montesquieu.

The former has been the concern of social scientists, at least after the first appearance of modern socialism and then Engels' and Marx's 'scientific socialism'.

As to the concept of personal responsibility, Fleurbaey (1995b: 683) argues that 'economists have long since understood that, unless one is willing to accept big efficiency losses, equality cannot be achieved because the agents have some influence over their own outcomes...Political philosophers argue that equality is not desirable in the first place for exactly the same reason(:)... equality would deny responsibility'.

However, it was not until the beginning of the eighties that the concept of personal responsibility assumed an explicit and central role in theories of justice. It was Dworkin (1981a, 1981b) who brought this concept to the fore in the discussion of theories of justice, reaching the conclusion that individuals must be 'compensated' only for aspects of their situation for which they are not responsible, not for those (including preferences) for which they can be held responsible.

Subsequent discussion has first concerned the definition of aspects of personal situations that must be considered as the responsibility of the individual (see, among others, Arneson, 1989; Cohen, 1989). In addition, an algorithm has been proposed to separate personal responsibility from social conditioning and serve as a guide to social policy (see, in particular, Roemer, 1995, 1996, 1998, who has introduced a formal equality of opportunity principle).

Roemer's principle, apparently very ingenious, leads to critical considerations that may be interesting not only from an economic viewpoint but also in other areas, e.g., with respect to the current debate on guilt and penalty, which has gained new momentum under the influence of neo-determinism and tends to underscore not only social but also biological conditioning of human actions.

As far as practical economic questions are concerned, the principle of equality of opportunity can have important implications with respect to the reform of the welfare state. The welfare state has been the object of heavy criticism since its establishment precisely with regard to its inconsistency with the principle of personal responsibility. Under the pressure of financial constraints this criticism has recently acquired new emphasis, and a shift from universal supply of benefits to benefits calibrated on the basis of some indicator of personal responsibility (e.g., workfare) has been advocated.

In this short note we focus on abstract questions, although some space will be devoted to implications for reforming the welfare state and other economic institutions. In section 2 differences between theories of justice are explained in terms of visions. In section 3 we consider the influence of the initial economic and social position on individuals' outcomes. The role of personal responsibility is the subject of section 4. Section 5 presents John Roemer's suggestion for isolating personal responsibility from social conditioning.

Sections 6 and 7 critically discuss Roemer's proposal. The final section presents our conclusions.

## 2. Theories of justice and visions.

Theories of justice differ essentially because of different visions, i.e., the intertwining of value judgements and analytic elements concerning the way human 'systems' work (from an economic, social, psychological and biological point of view).

Differences in the system of value judgements are thus one of the two causes of divergences in theories of justice. This seems to be the focus of both Bobbio (1999)<sup>3</sup> and Hayek (1960)<sup>4</sup>. Without falling into an unfounded and sterile relativism, we can however think that the difference in value judgements is not such as to lead someone to be egalitarian and another to be anti-egalitarian. As noted by Sen (1992: 2-3), all ethical theories tend to be egalitarian in some 'space', at least in order to gain social plausibility and acceptance<sup>5</sup>. Differences in value judgements – and analytic models as well – tend to lead to a difference in 'focal' variables, i.e. the 'space' in which equality is advocated (income, wealth, 'success', happiness, capability, liberty, rights, etc.). Because of the diversity of personal characteristics, equality in one space would tend to imply inequality in another space. Therefore, different views, all supporting equality, but in different spaces, will have practical consequences that are very different: very unequal positions in one space can be associated with equal positions in another space.

A second reason for diversity in concepts of equality derives from the different models of economic systems (more generally, of human behaviour) that one relies on: any such model emphasises different causes and/or effects of inequality. Diversity in analytic models of human behaviour interacts with each person's final value judgements, thus leading us to choose different spaces for equality.

Since we are specifically interested in questions of personal responsibility and social conditioning, we will limit our analysis to the set of spaces of 'outcomes', neglecting other aspects of individual positions such as rights and liberties. With reference to outcomes, different visions about equality will then imply different income, wealth, 'success', happiness or capability for different people.

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<sup>3</sup> Bobbio claims that the distinctive feature of 'the left' consists in its favourable view of the ideal of equality (Bobbio, 1999: 61). However, this author – in the same vein as Sen (1992) – relates different positions on equality to the diversity of the characteristics of individuals: 'The fact ... is (that) men ... are equal in some respects and different in others' (Bobbio, 1999: 61). In addition, egalitarians start from the 'conviction' that inequalities are mostly social in origin (Bobbio, 1999: 60). Bobbio seems then to explain positions on equality also with reference to facts or beliefs about facts, in addition to value judgements.

<sup>4</sup> Hayek (1960: 88) makes it clear that his conception of equality is based on two postulates: the first is that 'no man ... possesses the capacity to determine conclusively the potentialities of other human beings and that we should never trust anyone ... to exercise that capacity'; the second has to do with the fact that 'the acquisition by any member of the community of additional capacities to do things which may be valuable must always be regarded as a gain for that community'. Behind the latter there are not only value judgements (with reference to the phrase just quoted, acceptance of the Pareto principle), but also factual judgements on the relevance of material incentives and the pressure to acquire positions of excellence within the society, the necessity to experiment innovations, etc. (Hayek, 1960: 42 and elsewhere).

<sup>5</sup> The need to ensure social plausibility is intrinsic to the concept of ethics and justice: to adopt a moral point of view is to adopt a point of view which is 'just', i.e. 'justifiable for everyone' (Veca, 1986: 17, 56). Social plausibility does not imply unanimity, especially because the heterogeneity of individuals implies that the consequences of different principles of justice will be different for each individual.

In any case, apparently anti-egalitarian doctrines, such as Hayek's, are anti-egalitarian in the space of outcomes (income, wealth, satisfaction, functionings) or of needs, not in that of rights, at least for a specific definition of them (Hayek, 1960: 131, 144). Bobbio, before Sen but less clearly, also holds the view that the problem of equality refers to its object (Bobbio, 1979: 14). Bobbio (1999: 54) reaffirms his previous position.

Let us first consider two examples of the different effects of inequalities on social outcomes, following different models of the working of an economic system. According to Hayek, inequality plays a positive role in a free-market society. In order to progress, even a socialist system should imitate a 'free society' by intentionally creating inequalities. Innovation, in fact, derives from diversity and inequality: on the one hand, these provide the means to sustain the costs of innovation and experimentation; on the other, they constitute signals and incentives for the worse-off to change the direction of their efforts or to intensify them (Hayek, 1960: 42-53; 1976). In such an analytical model, equality of outcomes in no way ensures progress, and the only possible type of equality is that of rules.

By contrast, endogenous growth theory suggests that redistribution from the well-off to the worse-off could have a positive effect on growth. It would in fact remove some of the factors limiting learning, research and development, human capital formation: imperfect information, the influence of social factors operating in vicious circles, budget constraints and imperfections in financial markets (Aghion, Caroli, García-Peñalosa, 1999).

With reference to the different causes of inequality in individual outcomes - as emphasised by different analytic models - the following three have been indicated:

- 'resources', determined by the existence of social institutions, i.e., classes, groups, markets, governments, etc.; more generally, one can think - following Rousseau or Marx - that different individual outcomes are explained, at least to some extent, as the result of a 'social lottery' (Veca, 1998: 10) or as the influence of social institutions on material resources, information available for individuals and even their preferences;
- the existence of different 'talents' or initial 'natural' endowments (talent or natural defects), giving rise to the 'natural lottery' emphasised by some liberal visions, beginning with Locke<sup>6</sup>;
- differences in 'will', in the sense of effort or care (as a consequence of differences in responsibility) exercised by individuals, emphasised by various philosophical positions and religions as well as by liberal-democratic reformists.

In analytic terms, individual outcomes,  $O$ , can be expressed as a function of factors controlled by social institutions (resources),  $r$ ; talents,  $t$ ; will, i.e., factors for which individuals are responsible,  $w$ :  $O = O(r,t,w)$  (Fleurbaey, 1995a: 26)<sup>7</sup>. Outcomes can be expressed in terms of different variables, wealth, welfare, advantages, capabilities, etc.

### 3. Social conditioning of individual positions and the welfare state.

The attention of some social scientists - although expressed in a variety of positions - has traditionally been focused on the influence of society on individual positions: a number of factors other than personal responsibility (the impact of society as a whole, membership of a particular class or social group, initial income and wealth, the influence of other specific persons) explain (and constrain) each individual's final position. An individual's choice and the level of his or her attainments are thus limited or denied by social conditioning; in other words, a person has neither negative nor positive liberty.

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<sup>6</sup> The influence of fate (accidents, contingencies and the like) on individuals, after their birth, could be compared to that of their initial natural endowments, even if social factors can have a different impact on each. We prefer, however, not to consider the effects of fate, since they are not central to our analysis. For the same reason we also give little attention to inequality arising from the natural lottery.

<sup>7</sup> The precise definition of the factors on which individual outcomes depend and the ways to distinguish such factors vary according to different authors (Fleurbaey, 1995a: 26). For instance, we have defined 'will' as factors for which a person can be deemed responsible, since he controls such factors. Will could alternatively be defined as a person's goals and ambitions. We have adopted the former definition in order to emphasise personal responsibility.

In short, factors belonging to  $r$  have been emphasised both in their autonomous impact on actual outcomes and in the role that social reforms can have in achieving equity.

From the latter point of view, justice can only be accomplished in one of the following ways<sup>8</sup>: i) by eliminating class divisions or any kind of ‘social oppression’<sup>9</sup>; ii) through social reforms tending to reduce or eliminate income and wealth inequalities; iii) through compensation of differential non-responsible characteristics<sup>10</sup>.

With specific reference to ii) and iii), those – like Rawls (1971) – who look for ‘constitutional’ rules of justice for equally talented individuals or think that most differences between individuals depend on social conditioning (not on different talents or different effort or other factors) will suggest compensation of differences in the initial endowment of resources, equality in the initial wealth or the maximisation of the position of the person who is worse off. Those who also take account of differences in ‘talents’ – like Dworkin (1981b), Roemer (1985) – tend to suggest equality of the ‘extended bundle’ ( $r,t$ ), not compensating an individual for preferences he identifies with, which the individual should be deemed responsible for. Those – like Arneson (1989), Cohen (1989), Roemer (1995, 1996, 1998) – who assign a pre-eminent role to effort or care (as a manifestation of responsibility) will advocate ‘equality of opportunities’, in the sense of equality of ‘choice sets’ across individuals, with no consideration of outcomes.

The welfare state is one of the main institutions for pursuing redistributive objectives (as well as efficiency: see Barr, 1998). In liberal-democratic reformism (with an accent on the democratic aspect of the architecture of the modern state) the welfare state takes a universalistic role as an instrument of social cohesion. It is an expression of the rights of citizenship, of membership in a *polis*. Its construction has Kantian roots.

In recent years a number of events have produced a crisis of the welfare state that threaten its very existence or at least its universalistic nature even in developed countries (Acocella, 1999). Threatened as it is in developed countries, the universalistic feature of the welfare state can hardly extend itself from *polis* to *cosmopolis* (Veca, 1998: 20): access for immigrants is denied or questioned; introduction of a ‘social standard’ (labour standard) tends to pursue protectionist aims more than a global extension of egalitarian objectives.

Some of the proposed lines of reform of the welfare state that seek to reduce public expenditure<sup>11</sup> are based on theories of justice that emphasise personal responsibility. We turn to these now.

#### 4. Personal responsibility.

In a universalistic welfare state there is no room for personal responsibility: monetary and in-kind transfers are due to everyone, largely or totally (according to different

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<sup>8</sup> Specification of remedies obviously varies according to visions.

<sup>9</sup> Elimination of class divisions was notoriously advocated by Marx. Overcoming any kind of social oppression has recently been the concern of Anderson (1999).

<sup>10</sup> Fleurbaey (1995b: 686) suggests the ‘principle of compensation’ as a name for the principle suggesting that ‘a handicap in non-responsible characteristics elicits a bonus in resources, and an advantage calls for a penalty in resources’. The difference between this view of equality – called ‘luck egalitarianism’ – and equality, for all law-abiding citizens, of access to the social conditions of their freedom (‘democratic egalitarianism’) is stressed by Anderson (1999).

The issue of who – the society or individuals – should compensate for harm done to a person by other persons is dealt with by Steiner (1997, 1999).

<sup>11</sup> A non-universalistic redistribution can apparently require a lower amount of transfers and public expenditure, while having the same result on income inequality as a universalistic one, simply because benefits would be limited to the poorest. However, available evidence shows that income distribution is more uneven precisely in those countries that adopt basic social security systems: the Gini coefficient ranges from 0.29 to 0.33 in such countries, whereas it varies from 0.22 to 0.29 in countries with a universal social security system.

proposals and practical applications) irrespective of the responsibility shown - in terms of preferences acquired or effort provided - by each individual.

Some authors (e.g., Barcellona, 1998) think that a part of the oscillations in the pendulum of History depends on the extreme character of some positions. Widespread opposition to redistribution and the welfare state could thus be explained, at least to some extent, as a consequence of the failure to consider personal responsibility or, more generally, individual specificities<sup>12</sup>. In particular, neglect of personal responsibility appears to be of particular relevance, since responsibility 'devolves from the western view of the value of individual freedom'.

The principle of personal responsibility states that a person should bear the consequences of all the factors  $w$  being under her control<sup>13</sup>. He would be accountable for his conduct to society, which should operate no corrective policy to make him better off. Schemes of natural reward should operate freely and people will achieve a better outcome only by taking appropriate decisions or possessing good talent<sup>14</sup>.

The principle of personal responsibility has long been advocated by many social scientists. It is really a part of conventional wisdom and has a long tradition and wide acceptance (Goodin, 1998: 103). However, it has found a non-marginal place in political philosophy and welfare economics only recently. As Fleurbaey (1995b: 686) puts it, 'responsibility is seldom explicitly mentioned in welfare economics, and it seems reasonable to say that with traditional welfarist criteria, such as utilitarianism or leximin, there is very little room for responsibility'. Responsibility has been brought to the forefront of analysis by Dworkin (1981a, b), who considers a question initially raised by Rawls (1971) and then elaborated by Sen (1980), that of the object of equality, i.e., the *equalisandum*.

Dworkin argues against equality of welfare across individuals. Equalising welfare would raise, on the one side, the problem of involuntarily cultivated 'cheap' tastes and, on the other, that of voluntary cultivated 'expensive' tastes. In both cases it would be unfair, since less would be given to people with little demand whereas more would be given to people asking for more. Society should tend to equalise some kind of advantage to individuals, in so far as such advantage is the result of circumstances for which individuals are not responsible. The possibility of a differentiation in individual positions should be admitted for circumstances for which individuals are responsible.

Arneson (1989) and Cohen (1989) take Dworkin's analysis further. While accepting the idea of giving a role to personal responsibility, these authors tend to specify the *equalisandum* more precisely ('opportunity for welfare' for Arneson; 'access to advantage' for Cohen). Sen (1992: 148) does not go into a detailed analysis, but is in favour of taking account of personal responsibility: if someone wastes his 'opportunities and ends worse off than others, it is possible to argue that no unjust equality may be involved'<sup>15</sup>. This is consistent with choosing capabilities (as opposed to achieved functionings) as the *equalisandum*.

Finally, Roemer (1995, 1996, 1998) deals with questions of implementation of the principle of personal responsibility, 'going beyond abstract argument about the ideas of

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<sup>12</sup> Other such aspects are gender, age, handicaps as well as other features that cannot easily be expressed in objective terms. Whether or not responsibility is the most important individual specificity is a matter of legitimate discussion.

<sup>13</sup> Ripstein (1999: 292) suggests, however, the inadequacy of referring to a simple notion of control in detecting personal responsibility: 'Questions about control gain their interest against the background of views about the reasonableness of the other options a person faces ... Almost everything can be represented as within a person's control ... It is inappropriate to require people to make ... difficult choices...not because they cannot make them, but because the burdens of choice...are unreasonable', i.e. higher than anyone else's.

<sup>14</sup> This corresponds to the 'principle of natural reward', introduced by Fleurbaey (1995b: 685).

<sup>15</sup> In considering personal responsibility relevant for justice, appropriate consideration is given by Sen to availability of information, possession of abilities and absence of social conditioning as a basis for understanding and intelligently choosing from among the real alternatives (Sen, 1992: 149).

choice and circumstance' (Steiner, 1999: 27). In the next sections we will consider these and, more generally, connections between personal responsibility and social conditioning.

The principle of personal responsibility is at the basis of meritocracy referred to 'application' or 'effort' as distinct from 'talent' (Barrotta, 1999: 19; see also Mason, 2001).

It can be invoked not only for its intrinsic value, but also for its instrumental value, i.e. for the positive effects that responsibility can have on production, especially in a dynamic perspective (Schmidtz, 1998: 12)<sup>16</sup>. From the latter point of view, recognition of individual responsibilities would introduce in the economic system the production incentives that are at the basis of the efficiency principle and reduce or eliminate moral hazard.

The central position of the principle of personal responsibility in the philosophical debate has given theoretical support to a line of reform of the welfare state that tends to ignore claims of people with expensive tastes and consequent 'irresponsible' individual behaviour as far as consumption or labour supply are concerned. For example, people who are tobacco- or alcohol-dependent should be denied health care for diseases related to smoking and drinking; unemployed people showing little propensity to accept a job should be denied unemployment benefits (and possibly other public transfers)<sup>17</sup>.

## 5. Personal responsibility and social conditioning.

The principle of personal responsibility ignores *per se* any social component of individual choices.

This principle, associated with some view of equal opportunity (in the sense of 'levelling the playing field')<sup>18</sup>, seems to be more acceptable from the perspective of those who stress the influence of social conditioning on individual outcomes, since at least initial differences in material conditionings would be taken into account and eliminated (see section 3).

The basic idea of the equal opportunity approach is that the outcome that any individual can reach by exercising some effort,  $w$ , should be the same as for other individuals exercising the same effort. This can be obtained by allocating resources  $r$  in such a way as to compensate differences in individual talents,  $t$ . In practice, outcomes will be different for different individuals, simply because each person exerts a different will,  $w$ . Such differences in individual outcomes should not be compensated, because they emerge from different personal responsibilities.

The principle of personal responsibility introduced by Dworkin in Roemer's interpretation takes account of social conditioning in individual choice and leads to a version of equal opportunity – the *equal opportunity principle* – apparently consistent and open to applications<sup>19</sup>. Roemer innovates on previous formulations of equal opportunity mainly by dispensing with a direct measure of effort and estimating the ethically relevant notion of effort by the relative position of the individual within a 'type' (Fleurbaey, 2001: 131-2). In fact, Roemer suggests that individuals be held responsible only for their 'negative' preferences, beliefs or conduct (e.g., smoking) in excess to the median of the social group to

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<sup>16</sup> More generally, institutions based on the principle of personal responsibility tend to minimise 'the probability of being left behind', preventing the insurgence of unsatisfied needs (Schmidtz, 1998: 6-7).

<sup>17</sup> We do not intend to state a relation of causality between the introduction in philosophic analysis of the principle of personal responsibility, on the one hand, and critiques of the welfare state and proposals to reform it, on the other. On the contrary, we hold that the two events are largely independent.

<sup>18</sup> The other possible meaning of equal opportunity is that of 'non discrimination'. This second meaning can be thought of as deriving from a specific interpretation of the first meaning (Roemer, 1998: 1).

<sup>19</sup> Fleurbaey has effectively criticised the equal opportunity approach as being 'empty, inefficient, unfeasible' (Fleurbaey, 1995a: 27) from a general point of view. Steiner (1999) sees equal opportunity theories as a special case of 'left-libertarianism'. In this note we focus our attention and criticism on the specific version of the equal opportunity approach – the equality of opportunity principle – introduced by J. Roemer.

which they belong ('type'). This group determines the 'circumstances' of class, ethnic group, gender, education, etc. that are beyond the control of an individual, while influencing her beliefs, behaviour and outcomes. Roemer then suggests assigning public transfers to various individuals in such a way as to eliminate the influence of types and equalise achievement levels across types for individuals exercising the same degree of personal responsibility (see, in particular, Roemer, 1998: 10-11). This requires transfers different from one type to another<sup>20</sup>. Since the degree of responsibility within each type is different from one person to another, the individual whose behaviour has been more (less) responsible will receive higher (lower) transfers.

Let us consider a specific question of public choice, that of health transfers, in the light of Roemer's version of the principle of equal opportunity.

A person's health is the joint result of individual 'effort' and social 'circumstances'<sup>21</sup>. Individual effort consists of behaviour appropriate to avoiding disease, e.g., not smoking. Social circumstances, such as ethnic group, religion, profession, literacy, etc., determine types. Thus one type can be represented by 'black, Protestant individuals who grew up in working-class families, with parents who had only an elementary school education, who had three or more siblings, who are healthy, mentally and physically, and whose IQ's measure between 95 and 105' (Roemer, 1996: 242). Roemer (1998: 43-53) suggests the adoption of a system of health insurance premiums that are a function both of one's type and one's effort in such a way as to equalise premiums across individuals when social circumstances (the influence of types) prevail in the decision to smoke, whereas in the case where individual factors prevail premiums will be highly differentiated among individuals.

Can we accept this attempt to consider both personal responsibility and social conditioning (and separate one from the other)? What are its practical consequences, in particular for the welfare state?

One should carefully reflect on the type of society that would result from Roemer's proposal. It is certainly ingenious and interesting, and the attempt to make the individual responsible can be appreciated. However, the scales of justice would be too micrometric, i.e. calibrated in a way that appears excessive<sup>22</sup>. If one 'freely and deliberately makes the slightest mistake that can put (him) in a very hazardous situation, a society complying with equal opportunity (especially in Roemer's version of the theory) will quietly let (him) die...(O)ur ethical intuition may lead us to consider that the scale of penalties must not be so harsh. It seems that however criminal and stupid his behaviour may have been, there is a limit to the kind and amount of suffering he should endure. Our society cures its criminals when they are injured, because this kind of physical penalty is not considered appropriate. In the light of this example, the equal opportunity principle looks rather primitive' (Fleurbaey, 1995a: 40-1)<sup>23</sup>.

In particular, with reference to Roemer<sup>24</sup>:

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<sup>20</sup> Roemer thus suggests the contemporaneous application of the principle of natural reward and the principle of compensation (in the terms of Fleurbaey, 1995a)

<sup>21</sup> The reader should recall that, for simplicity's sake, we decided to disregard the influence of the 'natural lottery'.

<sup>22</sup> In some way Roemer's proposal recalls tests to ascertain deserving poor according to the Poor Laws or responsibility for accidents in the workplace on the basis of tort law at the beginning of the 20<sup>th</sup> century.

For a different line of criticism of Roemer's proposal see Granaglia (2001: 283-4).

<sup>23</sup> Fleurbaey does not specifically refer to Roemer's proposal. We have added the specific reference to Roemer to the quotation.

<sup>24</sup> In the following pages we refer to Roemer explicitly. However, some of our critiques also hold for other authors that focus on responsibility as accountability, in particular when we consider conduct of people highly dependent on social positions of individuals concerned. There are certainly situations like that imagined in Arneson (2000: 348) of different groups of people in a park in need of being rescued who have exercised a different level of responsibility. However, to our mind the most important decisions – or at least those of interest in this note – refer to situations where the

- a) the theory explaining the emergence of types and, more generally, the underlying theory of human behaviour are missing;
- b) very refined and complex empirical methods must be available to detect the relevant social types, in the absence of a theory of the sort indicated under a);
- c) the classification of types is in any case static and uncertain;
- d) the assignment of merits and faults cannot but take past actions into account and these are not always a good indicator of future behaviour;
- e) personal responsibility has different meanings in different societies, depending on whether a competitive or co-operative environment prevails;
- f) the attribution and control of personal responsibility along Roemer's lines is more suitable for a competitive environment than a co-operative one, where being responsible can emerge – sometimes in the long run – as a result of the type of society;
- g) personal responsibility refers to the individual concerned or to others. One can show little responsibility towards oneself, while being responsible towards the community one belongs to. The latter aspect of responsibility is completely overlooked in Roemer's analysis.

## 6. Is it possible to detect personal responsibility?

Let us examine in detail the problems raised under a), b), c), d) of the previous section.

There is no theory underlying the formation of types in Roemer's analysis. It is indeed left to policymakers to decide. Detecting types could indeed be possible on the basis of existing social theories. These could give us suggestions to be tested empirically. An abstract determination of types is of fundamental importance for the methodology of social sciences and history. It was the object of study in particular of John Stuart Mill and French and Italian positivists in the 19<sup>th</sup> century. It is however extremely difficult. That explains why at present (and most likely in the future) social research seems to be unable to provide a theory general enough as to explain the whole social dynamic (in particular, the influence of classes, groups, biological factors, education, family, etc. on individual behaviour). Only such a general theory could control *fully and with certainty* individual behaviour (and/or outcomes) for positive or negative social conditioning, leaving the pure component of personal responsibility as a residual.

We need just such a general theory in our case. Purely empirical or probabilistic criteria, even if possible, would not be enough, for the reasons we will state shortly. It must be noted that what we need is a deterministic social theory clarifying the role of all factors relevant for the behaviour of the median individual of each 'type' and, in any case, for the outcomes of each one of them. As a matter of fact, divergences of actual behaviour within a type should depend only on the different exercise of personal responsibility by each individual. The 'morass of the free will problem', in Cohen's (1989: 935) terms, is however unlikely to be drained, just because we do not have such theory. In addition, as Hild and Voorhoeve (2002: 2) argue, 'typing and the relative effort metric conflate the factors for which we do and do not want to hold individuals responsible, whenever these factors are statistically correlated'.

Let us consider smoking. Knowing the probability of disease (or death) from smoking is not enough. What we need to know is whether and to what extent individual behaviour can be explained in terms of social (or biological or other) circumstances not under the person's control and whether these interact with individual behaviour. In the absence of that any incentive scheme would be impossible or would not correspond to a principle of justice.

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individual's conduct can be attributed to exercise of personal responsibility, on the one hand, or to social conditioning, on the other.

A theory explaining human behaviour in terms only of biological or social factors would invalidate the assumption of Roemer's criterion according to which 'deviations' of an individual's behaviour from her type's median depend on a 'free' and responsible choice of the individual. This would be the case if, for example, extreme versions of behavioural theories based on birth order held<sup>25</sup>.

Moreover, let us suppose that there are both social and individual components explaining a person's conduct and outcome, but that some of them are unknown. Then the possibility of misrepresenting personal responsibility arises. In the case of smoking not all the social factors having an impact on individuals' conduct are known. Hild and Voordoeve (2002: 8-10) consider the case where advertising campaigns by cigarette makers are targeted at individuals who smoke less, thus inducing a rise in their smoking consumption. If this fact is unknown to the social analyst or policymaker, the possibility of a misrepresentation of types arises just because one social conditioning factor is omitted.

In addition to considerations based on the theory of types, what appears today to be an expression of 'irresponsibility' of an individual must be a lasting feature of that individual if Roemer's criterion is to have an application in critical social decisions such as those involving questions of life or death. How can the welfare state deny curing people who are less responsible than their median type, considering the possibility that after the cure people could become more responsible, having understood the foolish nature of their previous behaviour?<sup>26</sup> For similar reasons positive and negative externalities created by a person should not be disregarded in assessing his or her merit from a social point of view.

The dynamics of individual behaviour and social systems also raises difficult questions regarding the definition of personal responsibility. The difficulty of developing a deterministic and dynamic social theory makes it impossible to assess personal responsibility.

This argument cannot be easily dismissed. Roemer is fully aware of the possibility of misrepresenting personal responsibility (Roemer, 1998: 28). In particular, developments of science – he maintains – can have the consequence that actions that formerly appeared to be matters of personal responsibility come to be seen as due to 'circumstances' beyond the person's control (Roemer, 1995: 4). In addition, the process of arriving at the set of circumstances used to characterise types would be a contentious one, and society should decide through some political process what it wishes to deem 'circumstances' beyond individual control (Roemer, 1998: 8-9)<sup>27</sup>.

The theoretical and practical consequences of this argument are significant.

The impossibility of assessing personal responsibility exposes any analysis to errors (see Franzini, 1997). Such errors, such as those in diagnosis, may be of two kinds: positive and negative. In the case under examination, public transfers would be denied to a responsible person (or a tax would be imposed), if an error of the former kind occurred, whereas an irresponsible person would be granted public help or be exempted from taxes if an error of the latter kind occurred.

The impossibility of eliminating errors in the assessment of personal responsibility is a decisive argument in favour of the universal supply of welfare state provisions and raises the question of the factors affecting personal responsibility: instead of considering personal responsibility as given (or responsive only to compensation in the terms of Roemer) and

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<sup>25</sup> Such theories explain personality and social positions of individuals in terms of this factor (see Sulloway, 1997).

<sup>26</sup> For a similar argument see Fleurbaey (1995a: 41).

<sup>27</sup> The difficulties encountered by Roemer in assessing the social factors that concur with personal 'effort' in determining results are not new. The same difficulties were faced by those social scientists, such as Quetelet in France, Goettingen in Germany and Gabelli in Italy, who in the 19<sup>th</sup> century tried to make use of statistics to define the general laws of human behaviour in each society that could guarantee ethical foundations for legislation.

trying to separate it from social conditioning, the factors that are at the root of such responsibility need to be discussed and become the lever for fostering responsible conduct.

## 7. The meaning and roots of personal responsibility.

The questions under e) and f) of section 5 refer to the environment in which personal responsibility ‘matures’. The relevance of economic and social institutions for the formation of individual preferences (or will) – on which responsibility ultimately depends – has been emphasised by few economic studies, but is a well-established feature of reality<sup>28</sup>.

Here we briefly emphasise that there are differences between ‘competitive’ and ‘co-operative’<sup>29</sup> institutions in terms of their effects on personal responsibility.

The former type of institution is typical of a society where market capitalism dominates. The latter is more common in a society with a large and universal welfare state.

If the term ‘responsible’ is intended not, generically, as ‘aware of consequences’ (which would correspond to the concept of ‘fully informed’), but as ‘answerable for his behaviour’ in terms that can be material or immaterial, external or internal, the question of incentives appropriate to avoid the sanction arises. Such incentives can be material or immaterial.

Capitalism is an institution that typically generates material incentives, since it introduces a correspondence between behaviour and rewards. A question that should be further analysed regards the nature and size of non-material incentives in a capitalist economy and their possible relation with those of a material nature, which could be ensured by some ideology or religious credo<sup>30</sup>.

Non-private institutions, such as the state and non-profit organisations, tend to generate non-material incentives, although not exclusively or in all circumstances<sup>31</sup>.

An issue on which we currently have only scattered analysis and evidence is whether, to what extent and in what circumstances individual material incentives in a capitalist society in which markets predominate over other institutions are more effective than those that can develop in a society which may possibly be based on capitalism but which assigns a more important role to institutions other than the market and, associated with such institutions, different principles, such as co-operation, social cohesion, solidarity, reciprocity and, consequently, different incentives<sup>32</sup>.

If, at least in some cases, material incentives were no more effective than immaterial ones, the question of personal responsibility would need to be examined from quite a different perspective from Roemer’s. Personal responsibilities exogenously given and known with certainty (after having controlled for the influence of types) could no longer be detected. One should instead look for the social institution (or for a set of social institutions)

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<sup>28</sup> A rather recent review of the cultural consequences of markets and other economic institutions, in particular in terms of endogenous preferences, can be found in Bowles (1998).

<sup>29</sup> There are, obviously, a number of intermediate situations, e.g., reciprocity (see Fehr, Gächter, 2000).

<sup>30</sup> Protestant ethics, for example, tends to ensure consistency between the former and the latter.

<sup>31</sup> Collective choice institutions – the state, in particular – could even ensure ‘continuation of market behavior by other means’ (Levine, 1998: 117).

<sup>32</sup> See Goodin et al (1999) for a recent partial attempt to empirically test the different behaviour of individuals living in institutions founded on different values. Bowles, Gintis (2000) stress the importance of the ‘norms’ of the community to which an individual belongs for his behaviour. Identification with some social group and role, commitment to some shared goal give a good account of people’s behaviour in a number of circumstances (Gilbert, 1989). Fehr, Gächter (2000) report results of experimental economy in favour of non-material (as opposed to material) incentives, in terms of employment relationships, labour productivity, production of public goods, social norms. There may be conflict between different kinds of incentives: in some cases material incentives even ‘crowd-out’ non-material ones, as in the case of the so-called NIMBY projects (prisons, incinerators, landfills and the like; see Frey, 1997). The economics of reciprocity is the object of a number of studies (among more recent ones there are Kolm, 2000, and Gérard-Varet, Kolm, Mercier Ythier, 2000). For recent contributions on the role of values in explaining economic behaviour, see Ben-Ner, Putterman (1998).

that could foster personal responsibility, and such a search would probably lead to institutions with significant co-operative elements.

This does not mean that the principle of responsibility should be considered irrelevant. It should instead be given a high non-material content. In addition, one should prefer creation of opportunities to incentives (or threats or ‘thoffers’, i.e. threat-offers: see Goodin, 1998: 180).

Creation of opportunities takes on special relevance with respect to certain questions about the architecture of the welfare state: in a situation of high unemployment it is pointless – at least in the aggregate - to make some transfers conditional on registration for work or job training or participation in job search programs. As an example, benefits that are conditional on participation in retraining programmes could only be given to a fraction of the unemployed when the number of the latter exceeds vacancies. Making such transfers conditional on retraining can be similarly ineffective when the number of retrained workers is higher than vacancies for the new qualification.

The principle of responsibility underlying workfare can thus be accepted only with this proviso, which greatly limits its applicability.

The last question raised in section 5, that under g), refers to personal responsibility towards oneself and others. The latter may arise because social ties (the sense of being part of a community) can be so strong as to generate moral incentives for each person to contribute to the well-being of society, in some cases even with some personal sacrifice<sup>33</sup>. In fact, there may be situations where one is irresponsible towards oneself while being responsible towards others. By contrast, there are also situations of the opposite kind. Social valuation of personal responsibility in the two sorts of situation should obviously be different. Were ‘social responsibility’ (in the sense of responsibility towards the community) to be given a higher weight than ‘self-responsibility’ (in the sense of responsibility towards oneself), the former situations should be valued positively, while the latter should be assessed negatively.

This way of dealing with personal responsibility could be helpful in evaluating the behaviour of those who are better off<sup>34</sup>. There is no doubt that these would not be the main object of an analysis of responsibility with reference to the benefits of the welfare state. However, their responsibility toward ‘the community’ could be of interest when examining the fairness of the existing income distribution, granting production transfers, etc. Acceptance of this concept of responsibility would, however, most likely lead to a radical reform, if not the subversion, of the economic and social order based on the market.

For similar reasons positive and negative externalities created by a person should not be disregarded in assessing his or her desert from a social point of view: creation of positive externalities by an individual could in fact be a manifestation of ‘social responsibility’, whereas creation of negative externalities can be thought of as an act of ‘social irresponsibility’. According to Fleurbaey (1995a: 37), externalities make it impossible even to identify one individual's choice set until another individual's choice has been made. Such an identification is, however, crucial to equalising opportunities, since this involves equalising choice sets across different individuals.

## **8. Conclusions: responsibility and individuality.**

In this note we have dealt with a question that is central in a theory of justice, that of social conditioning and personal responsibility.

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<sup>33</sup> An important contribution on social responsibility is offered by Carens (1981, 1986).

<sup>34</sup> A similar point has been raised by Steiner (1999: 28-9). He emphasises that equal opportunity theories are inconsistent when they suggest applying the personal responsibility principle only to people who do harm to themselves and not to people who do harm to others.

Roemer's recent attempt to isolate the latter from the former could be the basis of eligibility for welfare state benefits and/or for contributing to the public finances.

Roemer's analysis is of the utmost interest but also has significant limitations. One such limitation has to do with the way in which the assessment of personal responsibility takes place, which is empirical and uncertain, i.e. it may lead to mistakes in the attribution to 'types' and, in any case, in detecting personal responsibility. The unavoidable nature of errors is thus a significant argument in favour of a universal welfare state.

A second limitation of Roemer's analysis regards the fact that he does not consider the question of the competitive or co-operative environment in which personal responsibility matures and the associated question of the kind of incentives most appropriate for its formation.

In addition, one cannot ignore the fact that personal responsibility has numerous aspects: it refers to the person involved or to other people. One can be responsible towards oneself, but not towards others and viceversa. Not only self-responsibility but also social responsibility (i.e. responsibility towards the community) should be taken into account.

Finally, responsibility is only one aspect of an individual. Other aspects could also be considered in deciding justly. Budget constraints for the welfare state could be satisfied in a number of ways, not only by giving priority to personal responsibility in discriminating among people.

There is then no apparent way to take account of responsibility in practice, at least if responsible is taken to mean 'accountable'. A different meaning for the same term could instead be adopted. This would in fact be the case where responsibility is meant as 'authority as well as duty to take some decision' (Fleurbaey, 1995a: 44)<sup>35</sup>. Such a concept of responsibility would correspond to the first 'face' of responsibility according to Watson (1996), which is different from the idea of responsible as 'accountable': the latter, in fact, includes the reactive attitudes of society to someone's conduct<sup>36</sup>. The concept of responsibility as capacity to choose ends and conduct involves shifting from the concept of 'factor-selective egalitarianism' to one of 'outcome-selective egalitarianism'. Outcome  $O$  becomes a vector whose components are the various outcomes (or 'functionings' in Sen's sense): health, living standards, education, etc. For some of these outcomes social institutions will be held responsible, i.e., will be given authority to decide (to obtain equality across individuals). For some other outcomes individuals will be given authority to decide, to the total exclusion of other institutions. As a consequence of individual decisions individual outcomes will be different. Inequalities will then result for which society is, however, not responsible in any way.

There are two major problems with this concept of responsibility. One is how to locate the boundary between individual outcomes that are an object of social concern and decision and individual outcomes that remain in the sphere of private concern and decision. This problem must be solved through public debate, but consideration should be given not only to the instrumental value of choice but also to its intrinsic significance (Scanlon, 1988, quoted by Fleurbaey, 1995a: 48).

The other problem originates from concern with incentives. Even if individuals will bear many of the consequences of their conduct when they are given the authority and duty to take some decisions, there is a sense in which society should try to lay down incentives for people to help themselves, avoid waste, etc., and more generally to act in order to achieve better personal as well as social outcomes. Social institutions could then be entrusted with the task of devising and implementing material and immaterial incentives, even if little or no punishment will ensue from 'irresponsible' choices. A universal welfare state can play a role

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<sup>35</sup> A position similar to that of Fleurbaey has been expressed by Anderson (1999).

<sup>36</sup> The topic of responsibility is widely discussed among contemporary philosophers. A survey of recent work on moral responsibility is given by Fischer (1999).

in laying down a social safety net based on an idea of solidarity (not charity) among the members of a community, which can help people to achieve both efficiency and dignity.

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