Empirically Informed Theorizing about Justice and Distributive Justice Reasoning among Asians

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Abstract
Although some philosophers who are committed to applying the method of wide reflective equilibrium to theories of justice have already argued that evidence from the social sciences should inform theorizing about distributive justice, it remains unclear how or whether evidence on the impact of sociocultural factors on patterns of reasoning about just distribution should similarly be considered. Neither David Miller, John Rawls, or his followers, consider the work done by social psychologists on patterns of distributive justice reasoning among subjects from different parts of Asia. In this paper I fill the foregoing gap by closely examining what it means to be committed to empirically grounded theorizing about justice while being sensitive to sociocultural factors that affect distributive justice reasoning such as a deep and ongoing concern about interpersonal harmony and an overall relational orientation. I argue that although considering these sociocultural factors have both theoretical implications for a theories of justice that endorse the method of wide reflective equilibrium and a potential for practical recommendations on policy. More specifically, I briefly discuss how some of the evidence from social and cross-cultural psychology can be used for promoting the conditional cash transfer program in the Philippines.

Keywords: Justice, Distributive Justice, Reflective Equilibrium, Cross-Cultural Psychology

Introduction

Although philosophers have been developing and arguing for empirically informed accounts of distributive justice nobody has considered and outlined the implications of empirical evidence which show that distinct patterns of reasoning about distributive justice has been observed in populations from Asia. The relevant evidence is mostly from social psychology, developmental psychology, and cross-cultural and comparative psychology. Here I discuss such evidence and make a case for an empirically grounded theorizing about distributive justice that is sensitive to sociocultural factors.

Reflective Equilibrium and the Commitment to Empirically Informed Theorizing About Justice

Let us look at a prominent methodological commitment in developing a theory of justice that requires consideration of empirical evidence. The method of wide reflective equilibrium, which was established by John Rawls (1971, 1974) and developed further by Norman Daniels (1996), requires us to work towards coherence among our moral principles, judgments about the world, and *best current understanding of the world* (emphasis supplied). The idea is that the best account of justice would only emerge after an extended deliberative process in which beliefs about judgments on specific cases, reflectively endorsed principles of distribution, and all relevant facts about the way humans think and behave are examined, clarified, and revised to arrive at a maximally coherent position. Such a procedure requires working back and forth between general principles and specific judgments while at the same time examining relevant empirical evidence and associated theories from the natural and social sciences. It is the latter part of the procedure that is more directly connected to developing an empirically grounded account of justice.

Although David Miller (2001) criticizes aspects of Rawls's deployment of the method of wide reflective equilibrium he argues that philosophers must pay more attention to empirical evidence when they develop a normative theory of justice. According to Miller, "The aim is to achieve an equilibrium whereby the theory of justice appears no longer as an external imposition conjured up by the philosopher but as a clearer and more systematic statement of the principles that people already hold (Miller 2001, p. 51). The chief difference is this: whereas Rawls talks about arriving at an equilibrium point from the point of view of an individual, Miller explicitly takes on the point of view of a community. He says that only taking on the narrow perspective of a single individual would render it nearly impossible to do something very important: to see whether a judgment that one makes is shared by others and to discover the basis of any difference of opinion (Miller 2001, p. 55). Miller seems to be right on this point, not least because consideration of our best current understanding of the world ought to importantly include the ways in which views on justice held by different individuals converge and differ.

Before moving on to the next section it is worth noting an important warning from Adam Swift (1999) who argues that public opinion does no straightforwardly justify any principle of just distribution. Swift concedes the relevance of public opinion by saying, "what people think (and what they can be reasonably expected to come to

think) on distributive matters can be an important factor for the political theorist to take into account for reasons of legitimacy, or feasibility, or both" (Swift 1999, p. 338). On my view, Swift's warning is a reason for clarifying not only what sorts of evidence on public opinion are relevant for justifying a normative account of distributive justice, but also how exactly such evidence figures in the justification of such an account. Miller's articulation of the complementarity between empirical research and normative theorizing about distributive justice nicely provides the necessary clarification. Miller says,

> On the one hand, the empirical researcher, the sociologist or the social psychologist, needs a normative theory both to enable him to distinguish beliefs and pieces of behavior that express justice from those that do not, and to explain such beliefs and behavior adequately. On the other hand, in setting out a theory of justice, the normative theorist who is guided by something akin to the Rawlsian idea of reflective equilibrium and public justifiability needs evidence about what people do in fact regard as fair and unfair in different social settings (Miller 2001, p. 59).

Miller's articulation of the mutual influence between empirical research and normative theory points to the need for finding a balance between taking people's opinion into account and still developing an account of distributive justice that provides coherent recommendations that require people to change the way they think and behave.

Now that it's clear that wide reflective equilibrium, which is widely accepted among those who theorize about justice, requires consideration of empirical evidence, let us look at gaps in consideration of such evidence. It is one thing to accept that an empirically informed approach to theorizing about justice is required and quite another to apply such a methodological commitment in the right way. For instance, although our best current understanding of the world includes knowledge about distinct patterns in distributive justice reasoning among people from Asia, such evidence has not directly figured in normative accounts of distributive justice. Neither Rawls himself nor theorists who have adopted his method of wide reflective equilibrium have considered the evidence just mentioned. Miller criticized Rawls for not being interested in arriving at an equilibrium point from the perspective of a community, but Miller himself did not consider the evidence not all people hold, or at least prioritize, exactly the same reason for reflective endorsement of the same norms for fair, or at least acceptable, distribution. In the next section I provide a brief precis of the relevant evidence on the distinct patter of distributive justice reasoning among people from Asia.

A Quick Glance at Some of the Relevant Evidence

Let us take a brief look at the evidence on distributive justice reasoning from populations in Asia and associated cultures. First, consider a study which shows that notions on distributive justice seem to be culturally constructed.[1] Schäfer and her

[1] Although the study in question is does not involve populations from Asia it is relevant for the point I am making in the paper for two reasons. First, the conclusion that merit-based distribution is not universally shared across cultures is possible to establish using the relevant contrasting populations, even if none of them are from Asia. Second, the findings in this study are fully consistent with findings in studies that do involve populations from Asia. I will discuss one such experiment shortly.

associates inquired into the prevalence of merit-based distribution by comparing the responses of children from three different societies: (1) Germany, which is modern Western society; (2) ≠Akhoe Hai||om, a partially hunter-gatherer egalitarian society in Namibia; and (3) Samburu, a pastoralist geronotocratic society in Kenya (Schäfer, Haun & Tomasello 2015).[2] According to the researchers Hai||om society, like others that heavily depend on hunting and gathering, is "characterized by a high degree of equality among group members, which is actively mainitained by social norms that discourage the accumulation of wealth and status" (Schäfer, Haun & Tomasello 2015, p. 1253). Meanwhile the gerontocratic Samburu societyis characterized by an age-based hierarchy in which group elders hold most of the wealth and autocratically decide on assigning work and distributing resources (Ibid.). Schäfer, et. al., gave paired children from all three societies a task in which they fished for magnetic cubes out of two containers. The conditions were rigged such that one child always fishes out three times as many cubes as the other child. The children were then rewarded on the basis of the total number of magnetic cubes they obtained and left to decide on how to distribute the jointly acquired reward among themselves. The results indicate that German children favored a merit-based distribution while Hai||om children distributed rewards most equally, with Samburu children distributing rewards the most unequally. However, the distribution of Samburu children did not divide rewards according to merit at all; in a good number of pairs among Samburu children the high-merit child received less reward. The researchers conclude that norms of distribution based on merit are not universally shared and that such norms are most likely constructed.

Second, consider a study that investigates the similarities and differences in distributive justice reasoning in American and Filipino children. Allison Carson and Ali Banuazizi (2008) discovered that although American and Filipino children both prefer an equal distribution of resources they gave very different reasons for such a preference. One very interesting feature of this study is the way in which it highlights the salience of both merit- and need-based distribution of resources. In one of the experiments, the participants in the study were asked to help the experimenter distribute rewards to two other children who helped to perform a specific task. Of these two children, one was described as having done more work while the other as having greater need for the reward that was to be given. Both Filipino and American children chose to distribute the rewards equally rather than to choose between a distribution that strictly follows merit or one that strictly follows need. It is worth noting, however, that the equal distribution favors the needy child more since the reward to be allocated was limited and giving the needy child as many items, in this case pencils, meant that the meritorious child did not get the number of pencils that matches his or her performance in the given task. However, the most interesting part of this study is the way in which in exposed the difference in reasons given by the American and Filipino children for equal distribution of rewards. The American children focused on fairness or some kind of evening out. One child nicely expresses the idea as follows: "Because then he, he doesn't [have] some supplies he needs but she picked up more stuff than he did. He needs pencils and she earned pencils. So I think it would make sense if they both just divided it evenly" (Carson & Banuazizi 2008, p. 503). In contrast, Filipino children explained the equal distribution of rewards in terms of the concern over the emotional consequences of an unequal

[2] Merit or equity based distribution is a strong, intuitive, and very widely shared norm that requires an allocation of benefits and burdens according to the contribution an individual makes in a joint effort or in the performance of a given task.

distribution, even if that distribution is based on merit. Although the children who performed the task for the experimenter were not personally known to the participants, there was a concern about negative emotions. More specifically, the participants spoke of possible resentment, jealousy, or strain in friendship in the event that the reward is distributed unequally. Here is a more detailed account of the position taken by the Filipino children:

> For Filipino children, in addition to avoiding negative emotions, an equal distribution was thought to contribute to positive feelings between the two recipient characters. The explanation offered by a Filipino boy (H2) in favor of an equal distribution is illustrative of such presumed positive consequences: "If they are given differently, and if the other one won't lend the other a ball pen, like when one runs out of ink, for example, they might fight. When it is equal, they can still be friends." The preference for an equal division on the grounds that it would help to maintain friendships is reflected also in the following statement by another Filipino child (BB2): "It should be 50-50 … because it's fair and square …. I want them to be friends." Inherent in these statements by the Filipino children is the notion that negative emotions threaten friendships and should therefore be avoided. (Carson & Banuazizi

Here it is worth noting that the difference between the reasons given by American and Filipino children for equal distribution of rewards is consistent with an interpretation of their results given by Schäfer, et. al. According to them, the difference between German, Hai||om, and Samburu children can partly be explained by "the fact that in large-scale societies … relationship-neutral norms might be particularly important for regulating transactions between individuals who do not share personal history or interact only temporarily in specific contexts" (Schäfer, Haun & Tomasello 2015, p. 1258). The strategy of distribution deployed by both the American and German children in the two studies is consistent with the perspective that it makes sense to focus on a single transaction or encounter in isolation because the likelihood of establishing long-term interpersonal connections between those involved is low. In contrast, the distribution strategy of the Filipino children operate from the view that the decisions about distributing school supplies in this particular situation is but a small part of ongoing forms of relating between those involved.[3]

Third, let us look at a study which shows that people from collectivist cultures use different norms for distribution with in-group and out-group members.[4] Kwok Leung and Michael Bond (1984) discovered that people from a Chinese background follow the equality, not the equity, norm even with out-group members when there is pressure of social evaluation and they performed better. Leung and Bond's study is especially important because it explores a previously established pattern in which it was discovered that people from collectivist cultures prefer the equality and/or need-

[3] It is unclear whether the same can be said of the Hai||om and Samburu children. The behavior of the latter is especially difficult to interpret because they do not follow norms of merit, equality, or need. Indeed, Schäfer, et. al., speculate that living in a gerontocratic society has made the Samburu children so unused to making decisions about distributing resources that their decisions turned out to be "very unequal, but undirected" (Schäfer, Haun & Tomasello 2015, p. 1259). The behavior of the Hai||om children is a bit similar to those of Filipino children.

[4] Collectivist cultures are not monolithic in an interesting study participants from Hong Kong and Indonesia, Murphy-Breman and Breman (2002) discovered that there are interesting differences of opinion on allocation choices even though both cultures can be considered collectivist. Indeed, Murphy-Breman and Breman emphasize that collectivism is a multidimensional construct and that their study was premised on the understanding that Hong Kong and Indonesia "represent different faces of collectivism" (2002, p. 158).

based norms only for those whom they consider their in-group; toward those who don't belong to this group, collectivists follow the merit or equity norm even more closely than those who belong to individualistic cultures. Moreover, Leung and Bond's study feature adults instead of children so that their findings are more relevant for a normative theory of distributive justice. It is also noteworthy that the findings in Leung and Bond's study is consistent with closely connected studies in which the participants are children. One of the findings in a study conducted by Nirmala Rao and Sunita Mahtani Stewart (1999) on Chinese and Indian children is that these children show a preference for the norms of equality and need. So let us go back to the study conducted by Leung and Bond. They compared the allocation choices made by Chinese and American subjects in conditions where they were tasked with distributing monetary reward after performing a certain task. In one version of the experiment the participants were told that they performed twice as well in the task in a set up in which the other person was an out-group member. The finding is that Chinese male subjects followed the equality norm even when their performance was better and the other recipient of the reward is an outgroup member, but only when evaluation pressure is present. Leung and Bond explain the finding as follows:

> collectivists may be more sensitive to social evaluation and more willing to try to maintain a favorable image in front of significant others. The use of the equality norm, especially when one's performance level is high, conveys to the recipient and the experimenter an image of friendliness and solidarity and is therefore preferred by the Chinese subjects in the public allocation conditions. (Leung & Bond 1984, p. 798).

If this interpretation of the finding is right, then it has interesting implications for helping people shift from following a merit-based norm to an equality-based norm. Provided that a separate justification for such a shift is given, the understanding of how people from collectivist cultures behave could help normative theorists to make better recommendations for action.

An Initial Assessment of Practical and Theoretical Implications

The initial assessment of the implications of the evidence canvassed in the previous section will be organized under two broad headings. First, what are the theoretical implications of the evidence presented? Second, what kind of practical application can be derived from such evidence? Let us consider the first question. Agreement on following a given norm or principle for distribution, which could very well figure in the kind of equilibrium envisioned by Rawls and Miller, masks substantial difference of opinion for acceptance of such a norm or principle. This means that two individuals or groups who accept the same norm or principle could very well disagree on other specific applications of such a principle and/or some closely connected issue. If this is right, then it is possible that a single true equilibrium point cannot be reached for all peoples, given the difference in the way that they construe allocation decisions and interactions between individuals. People from collectivist cultures have a deep and ongoing concern for interpersonal harmony and an overall relational orientation. So in shifting back and forth between their judgment on specific cases and endorsement of particular principles the people from Asia will most likely go in a different direction compared to those who do not put a premium on interpersonal harmony or operate from a relational orientation. Saying this does not amount to acceptance of the idea

that any form of coherence is acceptable. Rather, the point is that substantially different coherent systems or equilibrium points can have an objective basis for being acceptable. Although I do not have time to discuss the details more here, the position that I am describing is similar to the one that David Wong (2006) defends and developes in his book *Natural Moralities*.

Let us turn now to the second question, the one about deriving practical recommendations from the relevant evidence. Here I would like to consider a specific policy in a particular setting: Conditional Cash Transfer (CCT) program in the Philippines. CCT has been implemented in many parts of the world, starting with Latin America. The program aims to reduce short-term poverty by making direct cash transfers to poor families and long-term poverty by imposing the condition that beneficiaries engage in behavior that increase their human capital. In the Philippines, CCT is called Pantawid Pamilyang Pilipino Program (4Ps). Under 4Ps families are given a certain amount: Php 500/month for the entire household for health expenses and Php 300/month for ten months as an education grant for every child of that household (maximum of three children per household). So a household with three children may receive up to Php 1,400 a month or Php 15,000/year for five years. In return the family has to fulfill the following conditions: (1) Pregnant women must get pre- and post-natal check-ups and be attended to by a trained professional during childbirth; (2) Parents or guardians must attend family development sessions on topics such as management of finances, responsible parenting, health, and nutrition; (3) Children from 0-5 years must get vaccines and regular check-ups; (4) Children aged 6-14 must get deworming twice a year; and (5) School age child beneficiaries (3-18) must enroll in school and maintain an attendance record of at least 85% of class days every month. Some Filipinos who do not belong to the section of the populace that benefits from 4Ps call the program a dole-out and condemn it for allegedly rewarding reprehensible indolence and lack of initiative.[5] Such a condemnation appears to be an arguably inappropriate application of merit-based distribution to those whom one does not consider as 'one of us' (i.e., out-group members). Considering that CCT in general and 4Ps in particular have been credited for being an effective safety net program that enables a substantial improvement in human capital, it makes sense to ask how we can shift questionable application of a merit-based norm to norms based on equality and/or need. The study conducted by Leung and Bond presents us with interesting possibilities: increasing the salience of evaluation pressure can help people to move away from applying merit-based norms. The fine-grained details of using this idea needs to be fleshed out before any testing can be done and it is beyond the scope of this presentation to provide such fine-grained details. But if anyone is now interested in developing and testing the recommendation for helping people move from a better application of a distribution norms, then empirically grounded theorizing about justice will have grained a little more ground.

References

[5] Elsewhere I have written about a similar attitude among Filipino elites, see my "Virtue Ethics, Situationism, and the Filipino Business Leader's Compassion for the Poor" (Cleofas 2016).

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