

Amartya Sen. *The Idea of Justice*. London: Penguin Books Ltd. 2009. 468 pages. Hardback. £ 25.00.

Justice is comparative in nature and may have plural impartial dimensions. Provision of justice, in an 'ideal sense', is non-pragmatic and is therefore impossible to deliver, argues the Nobel Laureate, Amartya Sen. He divides the existing theories of justice into two categories: the transcendental institutionalism and the Comparative School. The transcendental institutionalism, led by eminent enlightenment philosophers like Locke, Hobbes, Rousseau and Kant holds that a just society can be maintained by ensuring justice in the 'ideal sense'. The provision of 'ideal justice' is based on the notion of either right or wrong. To provide justice in the 'ideal sense' the society must enjoy access to 'just institutions'. John Rawl, the more recent contributor to transcendental tradition, came up with his theory of 'justice as fairness' in the mid twentieth century. The comparative school of justice propagated by Adam Smith, Marquis de Condorcet, Carl Marx and Stuart Mill lays emphasis upon looking at 'justice' in a comparative sense and on the basis of what the society is actually able to realise.

Sen, disagreeing with both the schools of thought, however, is seen leaning towards the comparative school. The author gives the example of three children and a single flute to demonstrate how the 'ideal justice' and the 'comparative' school fail to hold water in certain situations. Three children—Carla, Anne and Bob, claim their right to a specific flute on different but competing principles. Carla manufactured the flute, Anne is the only one among the three who can play the flute, while Bob is the poorest of the three and does not have any toy to play with. Sen questions how 'ideal justice' may be provided with the transcendental approach, or how the 'comparative assessment' would lead to an impartial and non-arbitrary solution, in the case of the 'three children and a flute'. Despite his disagreement with both the schools of thought, Sen aligns himself with the comparative school. However he believes that for provision of 'impartial justice' competing principles need not essentially be unique; these could be plural as well. The plurality of competing principles is the essence of Sen's 'idea of Justice'.

The book discusses four broad themes: the demands of justice; forms of reasoning; the materials of justice; and public reasoning and democracy. In the first part, while explaining the demands for justice, Sen discusses the prevailing theories of justice including the Contractarian approach, Adam Smith's 'Impartial Spectator'; and John Rawl's 'Justice as fairness'. Sen, points out, that the three theories have discussed social justice within the framework of reasoning and objectivity. Even the enlightenment tradition of Europe and the social justice provided by the great Mughal emperor, Akbar, found the basis for epistemology of justice, in reasoning and objectivity (Akbar called it *rah-i-aql*).

To Sen, the basic problem with these theories is the assumption that absolute social justice exists somewhere and can be delivered. He believes that disregard for the comparative assessment is inappropriate. Sen also criticizes Rawl's approach on the ground that 'just institutions' which have been assumed to exist are not easy to find. Sen believes that individual incentives would hinder the formulation 'just institutions' which are required to vindicate Rawl. He thinks that institutions are contingent upon human behaviour and would change with change in actual human behaviour.

Sen believes that the views of Kenneth Arrow on provision of justice are more pragmatic as compared to Rawl's 'justice as fairness' formulation. Arrow in his social choice theory accepts the possibility of justice in its comparative nature and permits the plurality of competing principles (both of which are core ideas in Sen's analysis). Sen is also impressed with Adam Smith's 'impartial spectator' especially with his idea of 'open impartiality' and 'closed impartiality'. As Sen puts it; "*the procedure of achieving impartiality is open rather than closed and confined to the perspectives and understandings of the local community only*". One reason for global tension, argues Sen, is inherent in the effort to impose 'the idea of justice' prevalent in one society, onto another society without giving regard to the fact that the 'idea of justice' may vary from society to society. To Sen, justice is comparative in nature and is based upon plural and impartial competing principles.

In the second part of the book, different forms of reasoning have been discussed with focus on human limitations with respect to observation and judgment. Sen argues that human limitations like positional variations, health problems, illusions and narrow perspective of the individuals concerned, may affect reasoning and hence the provision of 'justice'. Rationality, one of the crucial assumptions for many economic theories, is dependent on the above referred variables. But for Sen, even the assumption of rationality is quite misunderstood. He critically examines the rational choice theory and concludes that rationality not only encompasses self-interest and individual preferences but incorporates the well being of other individuals as well—doing good for others, as has been seen frequently observed, is quite a rational choice for individuals, argues the author.

Sen goes on to explain the difference between the narrow notion of rationality held in economics and the rational choices actually observed. He suggests that sometimes individuals sacrifice their utility to let others maximise their own. To substantiate this, Sen gives an example: a person occupying window seat in a plane and enjoying the view outside, would perhaps pull down the shutter to let his fellow passenger play a computer game—sacrificing own utility to let others maximise theirs.

The third part of the book is devoted to the pre-requisites for provision of justice, to what Sen refers to as the 'materials of justice'. He terms freedom, capability, liberty and equality as the 'materials of justice'. The author goes on to explain as to what he means by these terms in the context of provision of justice. According to Sen, freedom provides opportunities and facilitates the process of making choices. Capability includes not only what an individual has been observed to do but also what he might do, given the opportunity. Here Sen brings in the issue of poverty. He argues that a man's poverty could be due to lack of opportunities or due to a disability to do something. The provision of justice then depends upon effective freedom which in turn is based on equality and liberty.

To conclude, provision of justice requires not only effective freedom but also capabilities with equality and liberty. Sen, gives an example to explain how the 'materials of justice' supplement each other: a young guy, Prude, hates to read a specific book, but he would suffer if someone else read that book. There is another guy, Lewd, who loves to read that book, but he would leave the book for Prude to read. Sen argues that the 'materials of justice' generate plurality of impartial justice but may not yield a Pareto-efficient solution (the 80-20 rule) unless we get accustomed to the idea that Pareto-efficient solutions could be plural.

The final part of the book is devoted to public reasoning and democracy. Sen admires the advantage of democracy as a tool to express public opinion but he disagrees with those who think that democracy is the outcome of western philosophy—he shows that the different forms of democracy can be traced to the ancient Greek and Buddhist regimes. Even some forms of democracy could be observed in the Middle East when Europe was passing through the dark ages. It is the media that propagates public opinion in democracies, argues Sen. He lays stress on the role of free media, an influential political opposition and a powerful legislature for the public opinion to dominate and to minimise famines, violence and anarchy in the society. He even argues, that strong democracies have witnessed lesser famines and deaths compared to sham democracies. The famine of Bengal, according to Sen, got aggravated due to the absence of free media and an influential opposition under the then Indian regime. In another chapter while discussing human rights, Sen argues that these are the product of individual freedom. These rights are inalienable to the human beings and provide the bases for liberty and equality, which in turn ultimately contribute to the provision of justice.

Sen's book provides a pragmatic analysis of different aspects of justice and convincingly argues for the possible existence of 'plural impartial competing principles' for establishment of justice in society. This new idea may influence current thinking on the concept and provision of justice.

Mutec-ul-Rehman

Pakistan Institute of Development Economics,
Islamabad.