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## AMARTYA SEN'S THEORY OF JUSTICE AND THE IDEA OF SOCIAL JUSTICE IN ANTONIO ROSMINI<sup>1</sup>

*In this paper the author proposes to reflect on some aspects of the book *The Idea of Justice* by Amartya Sen, in the light of the work of the Catholic Italian philosopher Antonio Rosmini, one of the first thinkers to use the term “social justice” during the nineteenth century. In the first place, the author shows the similarities between Sen and Rosmini on the importance of reason in the analysis of social justice against purely emotional and pragmatic proposals. Secondly, he proposes a comparison between the analysis developed by Sen and Rosmini on transcendental theories of justice and structural changes in order to reach a just society. Thirdly, the paper intends to show how the choice for the people and their capabilities taken by Sen can be enlightened and deepened from the perspective of Rosmini’s personalist theory of capabilities. Forthly, he describes the cognitive turn proposed both by Sen and Rosmini for institutions and public policies. Finally, the author enounces some objections that could be made to the pose suggested in the paper, along with some final comments about them.*

### I. INTRODUCTION

The aim of this article is to reflect on some aspects of Amartya Sen’s book *The Idea of Justice* in the light of the thought of Antonio Rosmini, who is undoubtedly a key figure to explore the possibilities of Christian thought in dialogue with modernity, both in its philosophical and its

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social dimension. In fact, the term ‘social justice’ was spread for the first time by the same Rosmini in his famous work *The Constitution Under Social Justice* (*Costituzione secondo la giustizia sociale*) published in 1848. This expression would become the insignia of the claim for the rights of the poor and exploited of the nineteenth century’s Catholic Social Movement and reached universal dissemination with the same meaning in the twentieth century. However, in Rosmini the idea of social justice has not only the meaning related with the rights of the dispossessed. When Rosmini refers to social justice he does it in the broader sense of the architectural principle around which society is organized as a whole, just as all the classics from Plato and Aristotle had used the term justice and nowadays has been used by authors such as Rawls and Sen. Therefore, if we go back to the path indicated by Rosmini we will find, on the one hand, the original roots of the concept of social justice in Catholic social thought – rather different from some subsequent interpretations sustained by later authors – and, on the other hand, we will discover interesting similarities with Amartya Sen’s thinking.

Since there is no direct historical-empirical connection between the two authors – although one could establish an indirect connection in relation to Aristotle or the Scottish moral tradition from which both are nourished – I will not offer here any philological argument to base this comparison. Instead, I will try to present a theoretical-intellectual comparison which, despite the lack of direct historical connection, I consider that it is an equally valid and relevant contribution. In this regard, I will propose four central theoretical arguments to compare the concept of justice described by Sen, and the one developed by Rosmini. Firstly, I will try to show the common ground on which both Sen and Rosmini move, recognizing the place that they give to reason in the analysis of social problems in general and of the idea of social justice in particular, differentiating them from the purely emotional and pragmatic approaches that often predominate in the public debate. Secondly, I will propose a comparison between Sen’s and Rosmini’s analysis of what the former calls ‘transcendental’ theories of justice – focused exclusively on formal institutions – in order to reach a just society. Thirdly, I will try to argue how the option for people and their capabilities, chosen by Sen as a way to establish justice and to overcome both transcendental and utilitarian approaches, can be illuminated and deepened by Rosmini’s personalist theory of capabilities. Fourthly, I will describe some features of the ‘cognitive turn’ proposed both by Sen and Rosmini in order to achieve more just institutions and public policies. Finally, as a particular corollary applied to the region in which I live, I will state some differences between Sen’s and Rosmini’s points of view and suggest some applications of each of the subjects presented along the article to the social problems of Latin American countries.

## II. RECOVERING THE PLACE OF REASON

Unlike many of his contemporaries who, moved by the enormous outrage of the third world’s social injustices, turned to radical social critique or to revolutionary struggle, Amartya Sen was always convinced of the limitations of pure praxis, whether reformist or revolutionary, to solve social problems. According to him, the simple feeling of indignation against injustice and voluntary decision to act are not enough to fight against social injustice. In fact, he writes,

«when we find, for example, a raging famine, it seems natural to protest rather than reason elaborately about justice and injustice. And yet a calamity would be a case of injustice only if it could have been prevented, and particularly if those who could have undertaken preventive action had failed to try. Reasoning in some form cannot but be involved in moving from the observation of a tragedy to the diagnosis of injustice». (Sen, 2009: 4) While Sen rejects any kind of rationalism that assumes that the world will go in the direction dictated by reason, he is also critical of anti-intellectualism and pragmatism, even the best-intentioned: «It is sometimes claimed that justice is not a matter of reasoning at all; it is one of being appropriately sensitive and having the right nose for injustice. It is easy to be tempted to think along these lines». (Sen, 2009: 4)

According to Sen, a voluntarist and not sufficiently reasoned conception of justice - which so often seduces fighters for social justice - ends by favoring the advocates of the narrowest conservatism or people who see politics merely as will to power. «The avoidance of reasoned justification often comes not from indignant protesters but from placid guardians of order and justice. Reticence has appealed throughout history to those with a governing role, endowed with public authority who are unsure of the grounds for action, or unwilling to scrutinize the basis of their policies». (Sen, 2009: 4) Certainly, pure pragmatism - adds Sen - «may well be a good advice for tactful governance, but it is surely no way of guaranteeing that the right things are done. Nor does it help to ensure that the people affected can see that justice is being done». (Sen, 2009: 4-5) On the contrary, according to Sen, the adequate mode to deal with the problem of social injustice is to start from the «reliance on reasoning and the invoking of the demands of public discussion», (Sen, 2009: XVII) avoiding magical solutions, voluntarism and simplification. «Cases of injustice may be much more complex and subtle than the assessment of an observable calamity. There could be different arguments suggesting disparate conclusions, and evaluations of justice may be anything but straightforward». (Sen, 2009: 4)

Contradicting Sen's stance, for a liberal thinker such as Hayek, the idea of social justice, beyond all expectations that may take, is always and inevitably a voluntarist and irrational idea with tragic consequences for society. In his opinion, since nobody is capable - let alone the government - to know the specific content of each particular situation, in the name of justice preference ends being given blindly and arbitrarily to certain groups or individuals. Besides, Hayek believes that the term 'social justice' is the result of an irrational idea born in socialism and enhanced by Christianity, especially by the Catholic Church, by means of an inadequate transposition of religious categories to the social sphere. Indeed, Hayek writes:

The phrase could exercise this effect because it has gradually been taken over from the socialist not only by all the other political movements but also by most teachers and preachers of morality. It seems in particular to have been embraced by a large section of the clergy of all Christian denominations, who, while increasingly losing their faith in a supernatural revelation, appear to have sought a refuge and consolation in a new 'social' religion which substitutes a temporal for a celestial promise of justice, and who hope that they can thus continue their striving to do good. The Roman Catholic church especially has made the aim of 'social justice' part of its official doctrine... (Hayek, 1978: 66)

Hayek attributes specifically to Antonio Rosmini the responsibility of the first main diffusion of this 'dangerous' concept.<sup>2</sup> Certainly, according to Rosmini, «justice is the first element to enter the construction of every human society» (Rosmini, 1993a: 26) In fact, he argues, «the theory of justice is part of the theory of society. Vice versa, the theory of society is, in another aspect, part of the theory of justice». Thus, «the politician, that is to say, the person who is responsible for governing society, must be aware before all else of the theory of justice». (Rosmini, 1993a, n. 26) However, social justice is essentially different from other forms of justice since it is «that part of justice which binds individuals and joins them in society». (Rosmini, 1994a: n. 26) By virtue of this trait, social justice goes beyond mere commutative justice amongst persons in which the juridical nature of the relationship is exclusively determined by mutual respect for the rights of each individual. Although social justice certainly includes within its foundation the requirement of respect for the individual rights of the members of society, its specific end must seek the coordination of these rights with a view to their maximum potentiating and enlargement according to the common good of society and following what political prudence may prescribe for each society at a concrete time and place:

When we say that the natural constitution of civil society must be deducted from social justice, we are not referring to any kind of justice, but to justice applied to the determination of the forms and laws of society. (Rosmini, 1887, 669)

Rosmini's idea of social justice is nevertheless far from a moralistic voluntarism or an improper transposition of religious categories to the social sphere and very close to the rational conception of justice supported by Sen. Indeed, Rosmini rejects the temptation, to which many Christians have also fallen into, to let their feelings of indignation or protest to hamper the full use of reason in the consideration of social problems. On the contrary, Rosmini believes that the first step in the road to social justice is «to be convinced that the problem of social organization is naturally complex» (Rosmini, 2007: 161) and, therefore, requires «a new path» (Rosmini, 2007: 161) that, going beyond unilateral visions and simplistic formulas moved exclusively by emotion, is guided «by the very nature of things and the thread of justice», (Rosmini, 2007: 163) reaching «a reconciliation of all systems and all parties». (Rosmini, 2007: 164) In addition, and similarly to Sen, Rosmini believes that behind ideologies that deny the possibility of social justice we usually find conformism and the will to power of the so-called 'practical men' who «are so used to handle matters in such a way that they do not acknowledge as valid any possible theory, except that which comes from the way they always handle things (whether rightly or wrongly, it is irrelevant)». (Rosmini, 2007: 160-161)

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<sup>2</sup> «The term 'social justice' (or rather its Italian equivalent) seems to have been first used in its modern sense by Luigi Taparelli-d'Azeglio, *Saggio teoretico di diritto naturale* (Palermo, 1840) and to have been made more generally known by Antonio Rosmini-Serbati, *La costituzione secondo la giustizia sociale* (Milan, 1848)». (Hayek, 1998,1976: 176, note 8)

### III. NECESSITY AND INSUFFICIENCY OF FORMAL INSTITUTIONS

Another of Sen's aims is to rethink the whole question of justice from its theoretical roots in different terms to those proposed by John Rawls and other authors that preceded or followed him. Indeed, according to Sen, many of these thinkers understand the rationality of justice from the point of view of what he calls a 'transcendental' approach which dates back to political philosophers such as Hobbes, Locke, Rousseau or Kant, who «took the characterization of the 'just institutions' as the main task, and often even the only, of the theory of justice» (Sen, 2009: XVI). In fact,

There is a long tradition in economic and social analysis of identifying the realization of justice with what is taken to be the right institutional structure. There are a great many examples of such a concentration on institutions, with powerful advocacy for alternative institutional visions of a just society, varying from the panacea of wonderfully performing free markets and free trade to the Shangri-La of socially owned means of production and magically efficient central planning. (Sen, 2009: 83)

In fact, according to transcendental institutionalism, argues Sen, «there is, at least formally, no story of justice beyond establishing the 'just institutions'» and «once the 'right' institutions have been set up, we are supposed to be in the secure hands of these institutions». (Sen, 2009: 83). Consequently, supporters of transcendental theories are skeptical about any single or partial change which does not involve a complete overhaul of existent structures. According to Sen, for example, transcendental institutionalists believe that any particular action that points to justice in today's global economy will have no chance to apply until there is also a global institutional structure to support it:

Consider – he writes – the strong dismissal of the relevance of 'the idea of global justice' by one of the most original, most powerful and most humane philosophers of our time, my friend Thomas Nagel, from whose work I have learned so much. In a hugely engaging article in *Philosophy and Public Affairs* in 2005, he draws exactly on his transcendental understanding of justice to conclude that global justice is not a viable subject for discussion, since the elaborate institutional demands needed for a just world cannot be met at the global level at this time. As he puts it, It seems to me very difficult to resist Hobbes's claim about the relation between justice and sovereignty, and if Hobbes is right, the idea of global justice without a world government is a chimera. (Sen, 2009: 25)

Certainly, according to Sen, «any theory of justice has to give an important place to the role of institutions, so that the choice of institutions cannot but be a central element in any plausible account of justice». (Sen, 2009: 82) However, in his opinion there are at least three main problems emerging from the pure and simple identification of the idea of justice with specific institutional arrangements. A first problem would be the «feasibility of a single transcendental agreement» about which should be the nature of these institutions born from the necessary pluralism of political ideas in a democratic society. The second problem of transcendental theories would be their 'redundancy' due to the impossibility to establish a superior parameter upon which base a hierarchy of alternatives since this procedure would require an endless process of comparing different possible institutional arrangements. (Sen, 2009: 16) Finally, the third problem, probably the most serious, of transcendental theories, «is linked with the argument that

justice cannot be indifferent to the lives that people can actually live»:

The importance of human lives, experiences and realizations cannot be supplanted by information about institutions that exist and the rules that operate. Institutions and rules are, of course, very important in influencing what happens, and they are part and parcel of the actual world as well, but the realized actuality goes well beyond the organizational picture, and includes the lives that people manage – or do not manage – to live. (Sen, 2009: 18)

Therefore, argues Sen, «we have to seek institutions that promote justice, rather than treating the institutions as themselves manifestations of justice, which would reflect a kind of institutionally fundamentalist view». (Sen, 2009: 82) In contrast to ‘transcendental institutionalism’, Sen points to a second tradition «involved in comparisons of societies that already existed or could feasibly emerge, rather than confining their analyses to transcendental searches for a perfectly just society». (Sen, 2009: 7) From this point of view, the idea of social justice should not be limited to the procedural compliance of a series of ideally just institutional rules, but it should include an experimental and gradual discovery by public policy makers of just social arrangements through comparative judgments applied to each one of the specific decisions.

Similarly to Sen, Rosmini gives a central role to the institutional dimension as the basis of social justice. (Rosmini, 1887: 670) In Rosmini’s view, the latter does not depend solely on individual justice but on how society’s institutions are organized:

[B]ecause despotism is not only in persons –he argues- it may be in the form of government, it may be within the government itself and, finally, it may be within civil society itself, when the latter is wrongly conceived and defined [...]. (Rosmini, 1887: 670)

Thus, according to Rosmini, social and economic justice becomes possible only through an institutional order that recognizes and reflects society’s complexity. Rosmini thinks that the State is an expression of society as a whole under a representative form. Its function is to make visible, transparent and – therefore – susceptible of regulation, the complexity of relationships, interests and rights interacting in the complex fabric of social reality. In that sense he proposes a series of institutional arrangements which combine classical liberal political institutions with social and economic institutions. However, Rosmini rejects the simple identification of social justice with a specific institutional design. Indeed, he argues, «civil society can be just in many ways, not only in one way». (Rosmini, 1996: n. 2580) Thus, a fundamental dimension of social justice implies, according to him, the need for reasonable and comparative political orientation by the different instances of government of political society. In this sense, institutions, even just ones, do not have a single form of application. Therefore, he believes that «we have to search, amongst all the cases free from injustice in civil society, for that particular one which best protects justice from disturbance and facilitates the progress of human happiness. This case, this determination of society, which we call its regular state, is indicated only by civil prudence». (Rosmini, 1996, n. 2580) Rosmini seems to follow in this point the Scottish historical tradition according to which the solution to social problems does not depend solely or mainly on the full implementation of an institutional structure but on a gradual and experimental process formed «passage by passage, without a premeditated scheme, incessantly patched and mended according to counter-veiling social forces and the urgency of instincts and popular need». (Rosmini,

2007: 1)

Besides, Rosmini adds to this approach his adhesion to the republican Roman tradition of civic virtues and the Judeo-Christian tradition of social virtues followed in Modernity by Machiavelli, Montesquieu, de Tocqueville and part of American liberalism before the triumph of the modern liberal idea of social progress based only on institutional and civic forces. Due to this fact, Rosmini rejects those conceptions which consider that social development depends solely on good external organization. To him, an economic or social policy solely based on the criterion of «organizing a good system» is doomed to failure because all systems are impotent unless animated by virtue:

[G]ood faith, uprightness, the morality on which the tranquility and the very existence of human-kind rest, seem fragile and accidental. However, it is all we have and we must be content with that. No mechanical expedient, no external organization of society can render it useless, and it is a ridiculous hope – I will not get tired of saying this – that of material politicians who think they can find a political order which does not have morality as its mainstay, in which no type of virtue is necessary [...] (Rosmini, 1887: 685-686)

Following this point of view, Rosmini criticized, for example, the position represented at his time by the Italian economist Giandomenico Romagnosi, who argued that the problem of poverty would have no effective solution until it was possible to establish a completely just institutional system in society. In fact, writes Rosmini:

[Romagnosi] says: 'If Malthus and his school show me that the social commandment of the divine Kingdom and its justice has taken effect there (in Ireland and England), we can indeed discuss whether the sufferings of so many unfortunate people should be ended.' Frankly, these words are ill-considered and out of place. No matter how oppressive the rich may be, or how unfairly possessions divided, do we have to wait until the rich are more sympathetic and possession better shared on earth before we try to remedy the sufferings of the poor? It is utterly pointless to declaim against the rich and the estate owners. What we need to know, granted that at the moment no one has the power to abolish poverty, is whether the number of poor is excessive. My opinion is this: there are poor people precisely because the kingdom of God is not yet perfect and universal on earth. And while the poor are among us, we must think of alleviating, if not ending, their suffering. (Rosmini, 1994a: n. 35, App. 1)

Therefore, in the vein of Sen, but adding some other elements rooted on Catholic social tradition, Rosmini believes that the institutional dimension of justice cannot hope to cover everything. On the contrary, it must be conceived as the imperfect basis on which it can be possible to encourage social achievements in order to gradually arrive to a more just society.

#### IV. FROM UTILITARIANISM TO THE CAPABILITY APPROACH

Evidently, a complete understanding of Sen's idea of justice involves also taking into account his theory of capabilities. As we know, Sen developed his capability approach – which was hitherto out of the vocabulary of governments and international agencies – faced with the pain-

ful reality of famine in his country, India, Bangladesh and sub-Saharan Africa. In these circumstances, he found that neither the governments' development plans or aid programs, nor market mechanisms alone were apt to solve by themselves the problems of the poor. It may be that at one time a country becomes rich not only in natural resources but also in capital and investment and, at the same time it is poor in capabilities of its people to make valuable use of that wealth. The existence of capabilities in an economy is, according to Sen, something very different from the mere accumulation of material goods in the form of capital investments or income that show GDP's or similar rates. Indeed, the concept of capability differs from the utility that each economic agent obtains and that can be measured as a monetary benefit or subjective satisfaction of any kind. In fact, an economy that enables a very active and efficient satisfaction of needs and desires can hide, however, lots of unrealized capabilities. Even the satisfaction of needs that is not left to the market, but is carefully calculated by a Welfare State's planner who follows institutional egalitarian procedures can be compatible, according to Sen, with a massive frustration of capabilities.

Thus, writes Sen, «it is important to emphasize, that if social realizations are assessed in terms of capabilities that people actually have, rather than in terms of their utilities or happiness (as Jeremy Bentham and other utilitarians recommend), then some very significant departures are brought about». (Sen, 2009: 18) The main feature that characterizes the concept of capability is its positive and active dimension. It is not the satisfaction of needs that I experiment, or the quantity of goods or resources (human or physical capital) at my disposal or the freedom that I have. These are all passive concepts, while a capability implies, in Sen's thinking, a relationship of the person with her active dimension, i.e. the aspect of 'agency':

When the calculation of welfare – argues Sen – is based solely on the utility and welfare of the individual, ignoring the aspect of agency, or making no distinction at all between the agency and the welfare aspects, something fundamental is lost. (Sen, 1993: 61) For example, if a person fights for independence of his country, and when he does it he feels happy, the main achievement is the independence, and happiness is just a consequence. It is still natural to feel happy for this reason, but the achievement is not just happiness. Therefore, it is reasonable to maintain that the achievement of agency and the achievement of welfare, both of outstanding significance, can be causally attached, but this fact does not compromise the specific value of either. (Sen, 1993: 61)

In other words, the fundamental aspect of capabilities, as active behaviors, is that they are actions structured on the basis not only of rights or needs but on an active orientation towards values. Hence, according to Sen, a capability is essentially an ethical-economic concept that requires breaking the prejudice of ethical neutrality in the field of economics and the social sciences and introducing the problem of value choice as a central moment in the process of the public policy debate:

It is not possible to avoid the problem of evaluation to select a class of performances to describe and estimate capabilities. Attention should focus on underlying values, in terms of which some definable operations can be significant and others very trivial and insignificant. The need to identify and discriminate is not an obstacle or an insurmountable difficulty for the conceptualization of a performance and a capability. (Sen, 1999: 66)



Thus, according to Sen, the capability approach overcomes the dichotomy between the consequentialist and deontological perspectives of justice who practice both transcendental institutionalists and utilitarians. Thus, «it would be hard to dismiss the perspective of social realizations on the grounds that it is narrowly consequentialist and ignores the reasoning underlying deontological concerns». (Sen, 2009: 24).

Probably one of Rosmini's most original contributions to the modern treatment of the problem of social injustice have been to see it, in a similar way to Sen, as a complex capability issue rather than as a mere lack of material goods. Rosmini gives great importance to the problem of ignorance and lack of education, and to the need for promotion, incentive and expansion of capacities existing in people. In his opinion, the main cause of distributive injustice has always been the «heavy burden of ignorance and inability that weighed on the great majority of nations» which has resulted in «their own rights (being left) undefended» and «the road to oppression was open to those whose education made them more powerful, more astute and more united». (Rosmini, 1994b, n. 693) Besides, he criticizes the constant promotion of artificial desires and needs of consumerist societies:

The supposition that human beings are always stimulated to industrious activity by the pressure of increased needs is false. In certain circumstances the pleasure only produces impoverishment and even extreme misery of peoples, who give up what is necessary for their existence in order to satisfy the irresistible urgency of their needs [...]. Why do people who have already applied themselves to agriculture sell their agricultural tools? And finally, why do those on the verge of civilized life sell their cultivated lands? The answer is always: the need for drink, fine clothing, useless ornaments, and other necessities and longings aroused in them. (Rosmini, 1994b: 324-339)

In effect, based on his personalist philosophy, Rosmini defines extreme and structural poverty mainly as a material, cultural, psychological and moral imbalance that consists in a state of permanent incapacity resulting from a constant and urgent proliferation of needs combined with the inability to develop one's own means to satisfy them. (Rosmini, 1994b, 324 and f) Therefore a necessary condition for a realist dynamics of needs consists in that «those who open these capacities must really possess the means for attaining the real object». (Rosmini, 1994b: 398) In this sense, Rosmini finds essential to consider the potential of our own natural and technological resources and the human capacities available to estimate the degree of impact new needs and desires will produce. Given these conditions, Rosmini wonders whether it will always be beneficial to introduce new needs and desires into society. In his opinion, it will turn out beneficial as long as those desires are «highly likely to be satisfied» and are accompanied by «a highly virtuous spirit which tempers the desire in such a way that it is in complete conformity with the reality of things», which «does not impede the spirit's state of contentment», and consequently «increases human energy and activity». (Rosmini, 1994b: 399) On the other hand, it will not be beneficial if those desires «are indeed projected towards a real object proportioned to the means available», but «are accompanied by a probable hope only» and also «lack the virtuous moderation of which we have spoken», which «impedes full contentment of spirit». (Rosmini, 1994b: 399) Nonetheless, though it is convenient to favor and encourage the first type of desires, the latter are significantly different from the insatiable ones that Rosmini fully rejects and believes to be tolerable only as previous steps to the creation of the former.

With regard to freedoms and rights, according to Rosmini, they are very important to the

exercise of these capacities. However, unlike the liberal individualist tradition, Rosmini believes that freedoms should not be understood as merely subjective or negative capabilities, but should involve an active moral responsibility as a result of their intrinsic relationship with an objective moral value:

We need more than knowledge of our rights if we are to learn to act as we should. We must at the same time be fully cognizant of the limits of our rights, and the way in which they are to be employed. Only morality teaches this [...] It is immediately obvious that there can be no mutual confidence, harmony, peace and collective security between individuals in society and its government and administration unless such extended, undetermined rights are given precise, determined limits by good faith, equity and goodness –in other words, by duty and moral virtues. The intervention of morality is absolutely necessary; its authoritative veto has to forbid various parties the use, or rather abuse, of their cold, coarse rights. (Rosmini, 1996: n. 1617)

Therefore, in a very similar way to Sen, Rosmini believes that «we must pay careful attention to the relationship between our actions and the improvement of our habits and faculties». (Rosmini, 1994b: 261) Rosmini believes that the highest value of an economy does not lie in the natural resources or in the ‘utilities’ and technical capacities, but in personal capacities, which are the result not only of an active and intelligent use of freedoms but especially in a value-oriented one:

Is being active enough for a man to obtain these advantages? Can they be obtained by an active man deprived of morality? What will happen if someone found out that this man does not recognize any moral obligation beyond pleasure and the calculation of self-interest? (Rosmini, 1976: 131, footnote 2)

Above all psychological and intellectual capacities, moral capacities are the ultimate source that feed, according to Rosmini, all the other human capacities. Indeed, he writes, «moral motivation of one’s duty that provides for the future needs of the family and of civil society (is) the motivation more useful than any other». (Rosmini, 1985b: 576) Only when personal freedom informed by virtue comes into play, will the other incentives have a productive effect. (Rosmini, 1977a: 106-107) Indeed, because «the greatest activity of nature, and the sole activity of person, consists in the use of freedom», «the natural, appropriate use of freedom is, therefore, the greatest subjective human good and the sole good of the human person». (Rosmini, 1994b: 275) Thus, according to Rosmini, virtue is «the most important utility of all». Hence, the solutions to poverty do not come, according to Rosmini, only from an institutional framework, but from the flourishing of personal capabilities that permeate and improve the functioning of individual and group actions along society.

## V. THE COGNITIVE TURN: TOWARDS PUBLIC POLICIES BASED ON THE RECOGNITION OF PEOPLE’S CAPABILITIES

Although Sen implicitly includes the adoption of a series of institutions and policies (for

example, a rule of law that respects freedoms, market economy rules, and State-funded education and health systems) as a necessary (though not sufficient) condition for social justice, he does not see in them the focal point in which today is located the social problem. In fact, in his opinion, the main obstacles to social justice are not currently formal or informal institutions but the current incapacity of the State and of other social agencies to recognize the existing or potential capacities in society. Given that both political and economic systems are usually built on the basis of transcendental or utilitarian conceptions of justice, their assessment procedures are generally purely procedural, formal or quantitative, ignoring the qualitative dimension of the specific capacities of individuals. Indeed,

Most of the mechanical procedures of political choice (like voting and elections) or economic assessment (like the evaluation of national income) can accommodate rather little information, except in the discussions that may accompany these exercises. A voting result, in itself, reveals nothing much except that one candidate got more votes than another. Similarly, the economic procedure of national income aggregation draws only on information about what was bought and sold at what prices, and nothing else. And so on. When all the information that we can put into the system of evaluation or decision making takes such an emaciated form, then we have to be reconciled to those pessimistic results. But for an adequate understanding of the demands of justice, the needs of social organization and institutions, and the satisfactory making of public policies, we have to seek much more information and scrutinized evidence. (Sen, 2009: 93-94).

While the utilitarian tradition had the merit of introducing the empirical dimension into public policy – that transcendental institutionalists had somewhat neglected – it had nevertheless the defect of understanding this dimension too narrowly. In fact, despite the broader conception of utility that emerged later, propitiated by many authors such as the so-called ‘happiness economists’ – like Richard Layard, Sen’s colleague in the economic profession – it has the defect, according to Sen, of making excessive focus on the final result of the achievements of individuals, ignoring the processes by which they obtain these achievements. Moreover, these approaches do not generally show the possible delusions caused by the lack of education that lead millions of people to live ignorant of their own rights and abilities – as for example, consumers manipulated by advertising or authoritarian cultures that discriminate women – which is precisely what today is most necessary to bring into light. (Sen, 2009: 23)

In this sense, Sen wants to change this state of affairs going back to the tradition started by Condorcet, which, in his opinion, always had a «deep interest in enriching social statistics» and «a commitment to the necessity of continuing public discussion, since they all help to advance the use of more information in the procedures of public choice and in the exploration of social justice». (Sen, 2009: 94). Therefore, Sen’s purpose is not simply to improve the information about people’s capabilities with the purpose of guaranteeing an achievement or outcome through the government’s action, but to introduce a new cognitive approach to public policies that enables people to recognize their own processes that lead them to empower their capabilities and achievements.

According to Rosmini, even if modern State legislation is a necessary guarantor of social

justice, it also usually falls into an excess of generalization and abstractism.<sup>3</sup> This excess ends up trampling over particular groups and individuals. As a result, legislative abstractism places unnecessary hindrances in the path of possibilities of economic, social and human development, which could otherwise materialize if attempts were not made to solve *a priori* conflicts amongst interests that can often be solved by the initiative or agreement of the individuals involved, who know better than anyone else the conditions of their particular situation. In effect, Rosmini argues:

The government of any society whatsoever normally applies general enactments, and in most cases cannot do otherwise. – But this is precisely why they can easily err. When a government draws up a general law or enactment, it believes it need consider only the general effects of the law or enactment, without descending to the anomalies of particular individuals. The intended law and the human nature to which the law is applied are considered solely in the abstract. This is not sufficient [...] rights are unjustly sacrificed to the inexorable generality of law [...] (Rosmini, 1994b: n. 228)

So, in Rosmini's opinion, true social and distributive justice is not achieved by a rationalist legislation that establishes *a priori* the outcome of matters. On the contrary, all good legislation should leave a door open for the expression of the possibilities contained in the concrete reality where particular individuals act due to the fact that «the more we observe the particular, the closer we are to distributive justice». (Rosmini, 1923, 68-69) In this way, it is necessary to develop other kind of procedures in order to seek not only the distribution of goods, but also the distribution and promotion of capabilities not yet deployed especially in disadvantaged citizens. «This kind of politics –he writes– really wants to increase in the lower class knowledge of their own interests and the resolve to apply themselves to these interests with foresight and activity». (Rosmini, 1994b, n. 693) To achieve this goal, Rosmini believes –in a remarkably similar way to Sen– that the key point is to change the cognitive perspective on which politics is based, using not only economic statistics that assume a purely utilitarian approach, but also what he calls 'political-moral statistics' that combine both the experimental and the moral method. (Rosmini, 1994b, n. 853-854)

[...] the wise government of a nation necessarily requires knowledge of the state of the spirit of the people who make up the nation. This shows the insufficiency of economic statistics, and the necessity of comprehensive and philosophical statistics [...]. Politico-moral statistics form part of comprehensive philosophical statistics, and present a vast, almost untouched field for learned investigation and research. (Rosmini, 1994b: n. 853-854)

Arguing with Charles Dupin, a social thinker of his time who maintained that statistics

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<sup>3</sup> In his opinion «this century embraced as true the principle that every improvement consists in generalizing things». (Rosmini, 1923: 75) And so, «the vice of modern generality consists in sacrificing particulars against what Nature demands: that we found the general upon the particulars». (Rosmini, 1923: 76-77)

should reflect «the number and the measure of productive and commercial forces», Rosmini considers that statistics should evolve from a purely material primary age to an 'intellectual' or 'moral' age:

At the first step, the governing principle of statistics is the calculation of the prevalent force, that is, of the force consisting in physical forces (population, armed forces, and so on); at the second, the governing principle is found at a higher level where it calculates intellectual forces, especially the forces of production and commerce, in addition to physical forces. Finally, the statistics of the third and last step are raised to the dignity of moral statistics. Their governing principle is far more sublime and broad than those of the two preceding steps. Calculation is now made of all other forces in relationship to the force of the principles which move human beings and things. In these statistics everything is complete and unified. And these are the statistics which must be compiled in our days. (Rosmini, 1994a: n. 140, footnote 44)

In this sense, politico-moral statistics should have the characteristic of providing measurable quantitative data regarding «the proportions of nations' physical goods as a whole and separately, of their mutual interaction, in their action in what regards social life as a whole», but would also include an interpretation of said data as «physical symptoms of the intellectual state and moral conditions of nations». (Rosmini, 1994a, n. 121, 1994b, n. 854) Thus, the auscultation of such moral state behind the quantitative data of the economy on the part of the government of civil society would not only fulfill the principle stating that «the spirit, as the seat of human contentment, is the aim of politics», but also achieve a fuller economic development, since all «external development has a need for internal morality». (Rosmini, 1978b: 72)

Furthermore, according to Rosmini, this kind of statistics would not only have the function of verifying the state of people's individual capabilities: they should also contribute to reveal the moral and psychological state of their mutual inter-individual relationships and of their relationship with society as a whole, so that they would enable the «discovery of the degree of social life which is the real inner power which allows society's subsistence, which is totally different from a simple "economic description of nations"». (Rosmini, 1994a: n. 121) This 'inner power' of society includes, according to Rosmini, the different social virtues that join people to each other, such as trust, the sense of reciprocity (Rosmini, 1994b: n. 223) or benevolence, and also those strictly public virtues which join people to the social whole, such as 'collective spirit'. (Rosmini, 1994a: n. 93) 'public spirit', friendship or social love, and patriotism, amongst others. To him, these virtues are essential for the functioning of society and the economy. In this sense, statistics capable of accounting for this moral and internal dimension of society would become, in Rosmini's opinion, «truly political or... civil statistics». (Rosmini, 1994a: n. 121)

## VI. RELEVANCE FOR THE LATIN AMERICAN SITUATION

The four points on which I have based this parallel analysis of Sen's and Rosmini's idea of social justice, are all very relevant, in my opinion, to the current situation of Latin American countries. In the first place, Sen's and Rosmini's rejection of purely emotional and radical reac-

tions in face of social problems go in the opposite direction to some current neopopulist interpretations of social justice. In the last decade, many people in Latin America interpreted the idea of social justice as a radical structural change that would come through neopopulist governments. Although some intellectual arguments were held to defend this position, following authors such as Ernesto Laclau or Chantal Mouffe, it was mostly an emotional and a-critical reaction to neoliberalism. The concrete result was that, in the name of social justice, it took place in some countries a reenactment of semi-authoritarian and demagogical regimes that deployed 'assistentialist' and clientelist policies with high levels of corruption and devoid of almost any rational economic and ethical bases. Thus, what Latin America needs more is, in the vein proposed by Sen and Rosmini, to enlarge and deepen her capacity for rational analysis in public and social issues, leaving aside her historical tendency of trying magical and voluntarist ways.

In the second place, I think that Sen's and Rosmini's insistence on both the necessity and the insufficiency of institutions to face social problems is also very relevant in the Latin American region. In fact, during the two last centuries, much of the Latin American hope for social progress was based on the introduction of liberal political and economic institutions in every aspect of the region's life. However, it is also a historical fact that in general these institutional implantations found many obstacles and many times ended in failure. Even today, after some decades of democratic stability in most of the Latin American countries, liberal institutions are still very weak in many countries or have been replaced by new arrangements of populist kind. It has become clear, therefore, that the mere setting up of liberal institutions does not guarantee at all their right performance and much less the solution of structural social situations. Moreover, there is also enough evidence to demonstrate that in Latin America bad institutional performance is still strictly related to the unjust social situation. In that sense, although the insistence on consolidating liberal institutions is a very important issue for Latin American governments and societies, it is also important to see that the former depend on working, at the same time and in a relatively independent way, in the specifically social, civil and cultural spheres. In other words, Sen and Rosmini, show us that social justice should not be seen, especially in the Latin American region, as the automatic consequence of some institutional formal enactments but as a combined result of a gradual success of institutional performance, specific State policies and civil society's self-organized arrangements.

In the third place, Sen's and Rosmini's arguments show us that, beyond institutional settings, public policies and market opportunities, the capacities of individuals to benefit from these resources are the main factors in order to reach both economic and human development. In many Latin American countries, such as my own country Argentina, the problem of millions of young people is not only the lack of market opportunities but the scarce possibilities of deploying their capacities due to their disconnection from the economic and social systems. The isolation from the labor market and the educational system is due to arrangements that tend to reproduce their poverty, in the form of labor and educational exclusion, consumerist and drugs dependence, crime mafias and political clientelism. The remedy cannot be found through the usual institutional settings. A new and more complex solution is needed in order to liberate their capabilities from passivity, dependence and alienation and reach the level of agency - as it is understood by Sen - and the personalist-ethical dimension -as it is understood by Rosmini and Catholic social thought.

Finally, in the forth place, Latin America needs urgently a cognitive turn to face the social

problem in the way it is conceived by both Sen and Rosmini. This would mean the abandonment of a model of social action based only on the idea of State redistribution. It would also mean to open State agencies to civil society in order to perform new kinds of experimental policies. It should also include new and less centralized ways of data collection more able to detect and organize dispersed knowledge along the whole social system. Besides, it should also imply new ways of considering self-organized groups in their relation to the State, businesses and Church institutions. Today, in most of Latin American countries, we find extremely big State structures incapable of discovering and understanding true social needs, and even less to see the potential capabilities of large numbers of people outside the formal economy. Even if a political change in some countries could start to reconstruct government agencies, the complexity of the different social situations is so high that it is almost unthinkable that a restored welfare and redistributive State could be able to face today's problems. However, even a new experimentalist and civil conception of social policies would not be enough. Latin America needs also a cultural and ethical recovery coming from the basis of society. The ethical dimension of Amartya Sen's capability approach potentiated by the personalist vision provided by Rosmini and other many thinkers in the Catholic Social thought tradition could become an inspirational starting point for this large and suffering continent.

## VII. CONCLUSION

A comparison between Sen's idea of justice and Rosmini's concept of social justice could be challenged for many reasons. Firstly, someone could argue against this comparison based on the fact that there is no direct historical-empirical connection between the two authors and that, if there is an indirect connection - for example through the Scottish tradition - I should have proven it philologically in my article. In relation to this argument, I think that such a philological justification of the comparison is possible but not indispensable as a basis for comparing two authors. It is obvious that we can find coincidences and theoretical differences between two thinkers who have had no direct or even indirect historical connection. Certainly I could have written a historical-philological article to show some common sources in both (Aristotle, Adam Smith, etc.). But that was not my purpose: I tried to show, in a journal that considers Rosmini a very relevant author, a series of intellectual, theoretical coincidences, with a contemporary author without a specific historical-empirical connection.

A second objection could be that I have tried an anachronistic parallelism between a contemporary author and a thinker of the first half of the nineteenth century. While it is true that these are two authors of two very different times, however, I believe this does not disable the comparison. This is especially true especially in the case of Amartya Sen who constantly refers to a large number of authors of the eighteenth and nineteenth century as authoritative references to support his theses despite the anachronisms in which he himself could also incur.

Thirdly, someone could object to the comparison between the two authors, the very different philosophical foundations of Sen's and Rosmini's systems of thought. For example, with respect to the idea of justice, Sen seems to find it on the linguistic-pragmatic ideas of the late Wittgenstein or on the neorealist positions of authors such as Hilary Putnam. Although Sen does

not completely clarify these foundations, he would probably not accept a natural law foundation of social justice such as the one offered by Rosmini and the most part of Catholic social thought tradition. However, I think that this divergence does not completely affect the comparison between the two authors. In fact, although Sen's connection with Wittgenstein's pragmatic realism cannot be simply identified with Rosmini's post-critical realism, I believe the latter is not completely incompatible with the former.

A fourth objection could be raised in relation to the theory of capacities/capabilities in both authors. Indeed, Sen seems to hold that the value orientation of someone's capabilities cannot be defined by anyone definitively, and rather leaves it to the deliberation of the democratic system and the plurality of different lifestyles. On the contrary, Rosmini and Catholic tradition on social justice are much more explicit in the existence of a stable human nature common to all individuals from which sprouts a scale of objective values that govern the deployment of human capacities. This divergence is true and largely puts in conflict Sen's 'deliberative' and 'consensualist' ethics with Rosmini's and Christian social thought's 'objective' ethics. However, this difference could also be seen through a more benevolent and nuanced way if one takes into account that Sen is anything but an ethical relativist. In fact, although he strongly respects differences, choices and ways of life, his main intent is also to find objective and universal parameters that transcend and even put in question the relativism of different cultures and identities. On the other hand, Rosmini's conception of capabilities is far from being a rigid objectivism: while the capacities are governed by an objective scale of values arising from human nature, it is each person by his or her freedom that ultimately chooses how to apply this scale in each case according to his or her own particular situation. Moreover, Rosmini is not far from Sen's idea that establishing a common scale of values in public policies, requires an ample discussion especially in a pluralistic society.

A fifth possible point of disagreement could be found at the level of the institutional and political discussion. Probably many see in Sen simply a social-democrat or a classical liberal under a new facade. On the other hand, Rosmini could be seen as a liberal-conservative, i.e. a supporter of purely liberal institutions on the political level, concealed by a sermon in favor of virtue in the sphere of individual morality or as a traditional moralist disguised as a liberal, as he has been interpreted by some authors. However, I believe that these interpretations of both authors are overly simplistic. In fact, Sen is actually, as we have emphasized before, a harsh critic of the social welfare state and the traditional democratic attempt to equate social justice with mere state redistributionism. On the other hand, although Sen certainly supports, as we have also noted, a liberal political and institutional design in almost all areas (freedoms, market economy, etc.), he nevertheless proposes a reform of the use of these institutional structures, gradually leading them towards a new approach focused on the role of people and their capabilities. Rosmini's case is, in my view, similar, even if he starts from a different place. In fact, the originality of his approach, compared with most of the Catholics of his time, was his clear adoption of liberal political and economic institutions – that he does not negotiate with Catholic traditionalists or conservatives – while he also wants to introduce the personalist and subsidiarity principles in the very heart of the liberal State. In a word, even with their differences, the two believe that liberal institutional structures are necessary but not sufficient conditions for social justice and intend to permeate political and economic structures with experimentalist procedures in order to overcome rigid state interventionism and enhance personal capabilities.



Finally, one might object that I have ignored here the main point: based on what argument can someone attempt a comparison between Sen's idea of justice and the Catholic idea of social justice taking as reference Rosmini, a remote author of the first half of the nineteenth century, unknown to almost everyone, even to Catholics? Would not have been much better to propose a dialogue between Sen and other well-known social Christians of the twentieth century? These questions are certainly relevant. It is obviously valid to propose a comparison between Sen and other great Christian social thinkers. However, I believe that the argument that making the comparison with Rosmini is not justified because he is an unknown author or because he represents a 'minority' tradition is highly debatable. I think it is not appropriate to use arguments based on the social recognition of a thinker to consider his intellectual relevance. The choice to compare Sen with Rosmini relies on the simple fact that very few other Catholic thinkers hold as the latter does, a conception of social justice that combines, in a very similar way to Sen, a very strong liberal institutional vision with an intellectually powerful theory of capabilities based not only on economic but also on social, political, psychological and spiritual criteria.

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## REFERENCES

HAYEK, F.A. (1978) *Law, Legislation and Liberty*, University of Chicago Press, Chicago.

ROSMINI, A.

(1887) *Della naturale Costituzione della società civile*, in *Filosofia della politica*, Rovereto, Tip. Giorgio Grigoletti.

(1923) *Opere inedite di politica*. a cura del Prof. G. B. NICOLA, Milano, tab. Tipo. Lit. G. Tenconi.

(1976) *Breve esposizione della filosofia di Melchiorre Gioja*, in *Studi critici su Ugo Foscolo e Melchiorre Gioja*. a cura di R. ORECCHIA, in *Opere edite e inedite di Antonio Rosmini*. vol. XLVIII, Cedam-Casa editrice Dott. Antonio Milani, Padova: 87-191.

(1977a) *Esame delle opinioni di Melchiorre Gioja in favor della moda*, in *Frammenti di una Storia della empietà e scritti vari*, a cura di R. ORECCHIA, in *Opere edite e inedite di Antonio Rosmini*. vol. XLIX, CEDAM, Padova.

(1978b) *Saggio sul Comunismo e il Socialismo*, in *Filosofia della Politica*, vol. IV, *Opuscoli Politici*, a cura di G. MARCONI in *Opere edite e inedite di Antonio Rosmini*, Edizione critica promossa da Michele Federico Sciacca, Centro Internazionale di Studi Rosminiani, Città Nuova Editrice, Roma: 81-121.

(1985b) *La società ed il suo fine*, *Filosofia della Politica*, a cura di S. COTTA, Rusconi, Milano: 153-707.

(1994a) *The Summary Cause for the Stability or Downfall of Human Societies*. Vol. 1 of *The Philosophy of Politics*, translated from *Della sommaria cagione per la quale stanno o rovinano le umane società*, by Denis Cleary and Terence Watson, Rosmini House, Durham, UK.

(1994b) *Society and its Purpose*. vol. 2 of *The Philosophy of Politics*, translated from *La società ed il suo fine*, by Denis Cleary and Terence Watson, Rosmini House, Durham, UK.

(1996) *Rights in Civil Society*, vol. 6 of *The Philosophy of Right*, translated from *Filosofia del Diritto* by Denis Cleary and Terence Watson, Rosmini House, Durham, UK.

(2007) *The Constitution under Social Justice*, translated from *La Costituzione secondo la giustizia sociale* by Alberto Mingardi, Lexington Books, UK.

SEN, A.

(1993) *Capacidad y bienestar*, en M.C. NUSSBAUM y A. SEN (comp.), *La calidad de vida*, Fondo de Cultura Económica, México.

(1999) *Sobre ética y economía*, Alianza, Madrid.

(2009) *The Idea of Justice*, The Belknap Press of Harvard University Press, Cambridge.