Chapter 1

Essential educational outcomes as the currency of educational justice*

Abstract

What is justice in education? In searching for an answer, three choices have to be made: (i) on the "currency of justice"; (ii) on the aggregation procedure (or social welfare function); and (iii) on the reference group. In this chapter, we discuss essentially the first choice. We start reviewing some assumptions usually employed by economists when undertaking normative analysis. Then, we present some difficulties associated with the standard welfarist approach, point out reasons justifying a shift to a non-welfarist one, and discuss a few non-welfarist alternatives. We raise the possibility of adopting a segmented justice view, and we end up defending an 'educationist' approach, in which the relevant currency of justice turns out to be 'essential educational achievements'.

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Contents

1 Introduction

What is justice in education? How can we evaluate whether observed distributions of educational inputs or educational outcomes are just or not? How should a society (re)distribute its educational resources? How can we evaluate the level of (un)fairness of a schooling system?

We would like to answer those questions in such a way that a definition of educational justice emerged, which would be conceptually reasonable, and useful in empirical applications.

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

1. **Focal variable or attribute**, sometimes called "currency of justice" by philosophers, or "relevant space" by economists;
2. **Aggregation and/or evaluation procedures**, used to compare distributions of a given currency of justice, sometimes called the "focal combination"; economists usually call them "social welfare functions";
3. **Reference group or unit of analysis**, that is, the relevant geographic or demographic unit for comparing distributions of an attribute.

In this chapter, we discuss some issues related mainly to the first choice. The next chapter is devoted to the second choice. While the third choice is not studied on conceptual grounds, it is referred to in chapters 3 and 4, which are devoted to empirical investigations that draw extensively on the framework outlined in Part I.

The structure of this chapter is the following. Section 2 contains an account of the main assumptions usually employed by economists, explicitly or implicitly, when undertaking a normative analysis. In section 3, we discuss some difficulties associated with the standard welfarist approach, and some reasons that justify a shift from a welfarist perspective to a non-welfarist one, which implies abandoning the space of utilities in favor of the general space of "advantages". In section 4, a few non-welfarist approaches are briefly discussed and we raise the possibility of segmenting justice. In section 5 we argue in favor of 'educationism', a particular sphere of segmented justice. Finally, in section 6, we make the case for restricting the currency of justice to become *essential educational achievements*. We conclude in section 7.

2 Social evaluation: crucial assumptions

Modern normative economics is mainly interested in describing fair social states, or in ranking different social states according to their degree of fairness (Fleurbaey, 1996). But if we want to compare social states and rank them, what set of criteria should guide us? In this section, we discuss some assumptions which are frequently used in economics.[1]

Economists often compare **end-states** (or *achievements* or *outcomes*), regardless of the process that conducted society to a given situation and not to another. Two identical end-states are given the same value, and information concerning how we got to each of them is irrelevant. No intrinsic value is given to *causes* that lead society to some particular situation - they matter only to the extent that they have relevant impacts over end-states.[2]

Various end-states may matter when a society is evaluated, such as the set of material holdings its individuals possess; the set of characteristics that compose the health status of such individuals; their set of educational outcomes (such as their skills, the certificates they hold etc.); variables related to the quality of the global environment; a set of characteristics related to individuals' security; and so on. Indicator functions, usually individual-specific, could be used to aggregate the relevant end-states, and summarize the 'quality' of a given society.

Economists usually adopt further assumptions. The general indicator function mentioned above often takes the particular form of an utility function, $u_i\{\cdot\}$. Doing so amounts to adopting **welfarism**. For our purposes the importance of including the assumption of welfarism to the picture is twofold. First, utility functions are supposed to represent individuals' *subjective* preferences over end-states or achievements. Second, assuming welfarism means that any information which

[1]Section 2 is inspired by "Welfare Economics" lectures given by Professor Erik Schokkaert at the Katholieke Universiteit Leuven (Belgium) on Fall 2004. Having said that, we assume *full* responsibility for errors, omissions, and misinterpretations.

[2]We are tempted to call this assumption *consequentialism*, and probably most economists would do the same without second thoughts. However, philosophers are more careful when it comes to define consequentialism. For example, to distinguish non-consequentialists from consequentialists, they would not define the former as those who "assess actions independently of their consequences", but rather as those who "focus on the *direct* consequences of an action from the perspective of a given value whereas consequentialists consider the *full* consequences of such an action from the perspective of this same value" (Gosseries, 2007). We do not discuss the exact meaning of the concept here. The message to be retained is that economists usually care about end-states.

is not reflected on individuals' welfare is *ignored*.[3] For example, given that an individual chooses a good x and that this choice provides him the utility level $u_i \{x\} = \overline{u}$, it does not matter whether that individual had only that good x available or whether he was free to choose among a set of various goods; the only relevant information is $\overline{u}$. Freedom only matters instrumentally, that is, to the extent that it provides more utility (i.e., more welfare) to the individual. But, generally, we cannot be sure of the existence of a systematic impact of an individual's freedom on his utility level.[4]

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

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

Through the gradual imposition of the assumptions mentioned above, the set on which a society is evaluated, in a certain sense, 'shrinks', ruling information out of it (e.g., freedom, as mentioned above).

In particular, depending on which assumptions one is ready to accept, the definition of the educational optimum will be different. For concreteness, suppose the social planner has egalitarian concerns. On the one hand, two individuals may reach the same level of welfare while having different levels of educational achievements. On the other hand, two individuals with the same educational achievements may have very different levels of welfare. Given that neither equal

[3] It is not excluded that one individual cares about other individuals' sets of end-states and not only about her own. Indeed, altruism is formally included in economic models such that an individual could value, for example, the consumption set of people she cares about. Usually such valuation is done through the filter of the individual's utility function - which means that she cares about her fellows to the extent that their well-being increases her own well-being.

[4] For an account of the treatment of freedom in economics, see Laslier, Fleurbaey, Gravel, and Trannoy (1998).

educational outcomes implies equal welfare, nor equal welfare implies equal educational outcomes, what kind of equality should such an egalitarian social planner favor: equality of educational achievements or equality of utility levels? (Similar dilemmas would be faced by non-egalitarian social planners too.)

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

We provide our answers to these questions along this and the next chapters. We start our discussion from the natural point of departure for an economist: the welfarist perspective.

3 The welfarist benchmark

Suppose the following assumptions are imposed: focus on end-states, welfarism, and self-centeredness. Also suppose that it is possible to measure individuals' utilities and to compare their intensities, by assuming, for example, absolute scale comparability - as defined by Boadway and Bruce (1984).[5] These assumptions presuppose high informational requirements, but let us abstract from the problems related to that for a while (until section 3.2.1).

Finally, suppose that the conditions which are required for the second welfare theorem to be valid break down.[6] Since it is not possible to reallocate initial endowments in such a way that any Pareto-efficient allocation can be reached, it is not possible to partition "equity" and "efficiency" into two separate and distinct problems. Under these conditions, defining a social optimum necessarily requires taking simultaneous decisions concerning equity and efficiency. This idea has been accurately expressed by Stiglitz and Atkinson (1980), who claim that "both [are] subsumed on the objective of maximizing social welfare", according to the inequality aversion parameter of some specification

[5] On the informational requirements of different social welfare functions, see, for example, Sen (1979) or Boadway and Bruce (1984)

[6] A number of reasons can be evoked to question the validity of the second welfare theorem in different settings. When the educational allocation problem is studied, the following issues pose problems: consumer sovereignty may not be a reasonable assumption (how then can we trust pupils' preferences?); educational outcomes usually cannot be directly traded among individuals; lump-sum transfers of educational inputs are not generally feasible, for instance, if the input at stake are agents' intellectual skills; and so on. From now on we assume the second welfare theorem does not hold.

of an objective function.

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

3.1 The multi-fold relation between education and utility

Focusing on end-states and *assuming self-centeredness* in educational issues does not differ much from doing so in the general case - an end-state (or an educational outcome in the particular case) is valued according to the benefit it provides to its holder. We question both assumptions in chapters 2-4. Assuming *welfarism*, in turn, is a more delicate issue, among other reasons because the relationship between educational variables and individuals' welfare is multi-fold.

Education might be seen as an important determinant of the future earning capacity of individuals, y_i, and, thereby, of their future well-being. This hypothesis postulates an *indirect effect* of educational variables, E_i, on welfare, possibly with an inter-temporal component, that is, $u_i^{t=2} = f\left\{y_i^{t=2}(E_i^{t=1})\right\}$, where $t = 1$ and $t = 2$ stand for current and future time, respectively. This kind of reasoning is perfectly in line with a particular view on the economic role of education, which is probably the most widespread among economists, namely, the one that sees education essentially as an investment in human capital (cf. this dissertations' Introduction).

However, educational outcomes may have another, direct, effect on welfare. Being more educated may imply having a higher level of individual welfare regardless of the effect of education on income. Without denying the effect of income on utility, we could consider as more accurate than the statement of the previous paragraph one of the following ones: (i) that welfare depends on current income and past education, $u_i^{t=2} = f\left\{y_i^{t=2}, E_i^{t=1}\right\}$, or (ii) that welfare depends on past education, both directly and indirectly (through the channel of income): $u_i^{t=2} = f\left\{E_i^{t=1}, y_i^{t=2}(E_i^{t=1})\right\}$.

If we think it is wise to pick both education and income as arguments of the utility function, is it not also as wise to pick other relevant elements, such as those mentioned above (material holdings, the set of health status indicators, etc.)? In this case, we would have to take into account the possible complementarity between education and other goods in the generation of welfare, and the issue of defining the educational optimum would become quite complex.

Another possibility is to view education simply as a consumption good. Some people might have a 'good time' when they are at school (though other people not at all!). Some people might appreciate the social recognition they are given for the fact that they are studying in some prestigious educational institution - regardless of, or complementarily to, the future benefits the associated certificates will provide to them. Some people may, for example, decide to enroll in graduate studies, even being aware of the high opportunity costs of such choice, in order to enjoy the intellectually challenging environment, or the cosmopolitan atmosphere, enjoyed by graduate students. Whatever the reason, the point is that some people extract instantaneous utility from studying, so that the benefits of education do not have to wait for the future to materialize, in which case, it would not be inadequate to consider that $u_i^{t=1} = f\left\{E_i^{t=1}\right\}$.

The bottom line is that when we restrict our analysis to a welfarist framework, important choices have to be made regarding what the most appropriate description of the relationship between education, income, other relevant variables, and welfare is - a matter of defining a relevant 'positive model of society'. Particularly, the role of education in generating current and future well-being, and the complementarity between education and other goods in that process, would need to be addressed, a task that could be accomplished in different ways, such as: (i) relying on empirical evidence, (ii) making specific choices depending on the nature of the problem under scrutiny, (iii) turning to a reasoned argumentation or a consistent formal model. We do not have the ambition to follow any of those paths here, because, *inter alia*, we do not believe the welfarist framework is the most suitable for dealing, neither with social evaluation in general, nor with educational justice issues in particular.

3.2 Some difficulties with the welfarist perspective

It might be insightful to analyze how different SWFs relate to educational variables, using simple assumptions on the role of education in generating well-being (i.e., carefully choosing among one of the relations suggested in the previous section). However, we now point out a number of problems associated with the *welfarist perspective* (understood here as an evaluative framework that focuses on self-centered, subjective, end-states).

3.2.1 Technical ones: defining, measuring, and comparing utilities

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

Considering definitions (i) and (ii), there are some difficulties related to the measurement of utility and the interpersonal comparison of utility levels. These problems hold for any kind of welfarist observer (i.e., whatever his degree of inequality aversion), but for concreteness let us consider for the moment the case of an utilitarian, who is a welfarist that adopts a particular SWF whose goal is to maximize society's well-being (summing up utilities across individuals).

Utilitarians would support a particular policy if it implied an increased total utility. But *it is very hard to measure all subjective gains and losses* derived from the implementation of any given policy. Consider the implementation of an affirmative action policy, which would allocate a certain fraction of places at good primary schools to minority group individuals. Those who are favored by such a policy are certainly better off in terms of current benefits, since they are entitled to consume a scarce good - studying at a good school - which would not have been available to them otherwise. And they are probably also better off in terms of future benefits: as a result of such policy, there could be an expansion of the probability of their reaching more advanced stages in the schooling system and, eventually, of having a good social position (high wage, prestigious occupational status, and so on).

Nevertheless, the same individuals could experience losses due to that very policy. It could have the effect of pushing down the average 'quality of students' in good schools. In this case, the aggregate quality of peers, and possibly other inputs, could decrease, leading to a lower aggregate achievement.[7] Moreover, such policy could have a particularly deleterious effect on the performance of the best students, reducing future aggregate wages and aggregate utility level in that community. Thus, even the individual who directly benefited from that policy could possibly indirectly lose utility. Clearly, it is difficult to assess whether a particular policy provides more benefits than costs to each individual. Moreover, if we take into account that at least one individual would lose his place at the 'good school' to the benefit of another one, the difficulties involved in actually calculating current and future gains and losses become enormous. Worse than that, it may indeed become *virtually impossible* to calculate them.

The example above (on affirmative action) reveals another difficulty affecting the welfarist approach, especially on empirical grounds: it requires *interpersonal comparison of utilities*. What metrics should we use to measure gains and losses in the above example? How can we compare the intensity of the utility increase for individual A (who was granted the right to study at the good school) with the intensity of the utility loss for individual B (who lost this very right)? Should we assume their utility functions are the same? Is it not an arbitrary assumption, given that people are so diverse?

The difficulties related to measuring and comparing utilities across individuals are not of much concern if one is interested in building economic models intended to serve as tools to understand particular aspects of reality. For example, one could adopt the definition of utility as a normative tool (definition (iii) above), assume it has some properties (e.g., it is measurable and comparable) and derive implications, to social welfare, of different allocations of education. However, such an approach is not satisfactory for more concrete and practical issues, especially for real-world policy matters, and the technical problems described here become of great concern.

Although it seems to be impossible to expect the invention of a reliable 'intertemporal utilometer', the measurement of happiness is a topic which has seen a revival in economics lately (e.g., Blanchflower and Oswald (2004); Frey and Stutzer (2005)). Although it may be interesting in itself, and useful for studying a number of extremely

[7] Of course, such policy *needs not necessarily* decrease the average achievements. For the sake of the argument, we overlook this empirical controversy here and we assume it does decrease it.

relevant issues (e.g., to understand whether development and growth increase the subjective well-being of individuals), we are not convinced that a subjective metrics such as happiness would be suitable as the basis of policy making in a series of spheres, including education, for reasons explained below.

3.2.2 Fundamental ones: the monopoly of subjectiveness

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

With regards to (a), we have already mentioned in section 2 that if we assume welfarism, freedom matters only to the extent that it provides more utility to the individual. However, observers from very different schools of thought consider that freedom is so important that it must be attributed some value independently of its impact on welfare.[8] This is also true for other intangible values such as individual and collective rights, emancipation, self-respect, autonomy, etc.

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

[8]See, for example, Rawls (1971), Nozick (1974), Sen (1992), Van Parijs (1995), and Laslier, Fleurbaey, Gravel, and Trannoy (1998).

policies on people's 'cheap happiness' or 'cheap satisfaction'.

As for (b) above, welfarism gives absolute priority to utility of individuals, assuming it summarizes all relevant subjective information concerning their well-being. Utility functions might depend on material resources (say, income), but also on personal preferences, aspirations, beliefs and desires. At a first sight, its respect for peoples' diversity - that is, for their own, sovereign, preferences, aspirations, beliefs and desires - constitutes a great strength of welfarism, as opposed to paternalistic views that would impose to individuals the goodness of specific commodities. However, this respect may lead to embarrassing implications, whenever questions are raised upon the legitimacy of some preferences, aspirations, beliefs, and desires. For example, besides the problem of adaptation to bad situations, such as those of entrenched deprivations mentioned above, preferences may be problematic because they may include patterns of behavior society is not willing to accept. Conceding to people's subjective desires such an important role implies having to deal with a problem which is the inverse of the "entrenched deprivation" one: that of "*expensive tastes*". Some individuals might develop so sophisticated preferences that society would have to spend a considerable amount of money just to make sure they are happy or satisfied.[9]

There are other difficulties associated with the assumption that every variable which impacts on utility should be relevant. Some individuals may virtually be "*pleasure-machines*" (Nozick, 1974) such that every single dollar allocated to them generates a large amount of utility, what would ask for a policy giving them absolute priority with respect to other individuals. It is difficult, on moral grounds, to adhere to such a policy. Finally, another problem can be mentioned, which holds only for the classical definition of utility[10], namely the fact that people might have inaccurate beliefs due to the possession of inaccurate information - and that might lead them to make *bad choices*. While a modest amount of paternalism could arguably 'help' individuals such that they make bad choices less often, paternalism is definitely incompatible with welfarism.

To sum up, welfarism requires social quality to be evaluated in terms of an *aggregation of individuals' utility*[11], an index that varies

[9]Both cheap preferences and expensive tastes are potentially severe in a country presenting so extreme inequalities such as Brazil (cf. this dissertations' Introduction).

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

[11]The term 'aggregation' is not employed here as a synonym of 'sum'. In other words, we are not talking about utilitarianism here. It simply means a procedure used to summarize some information (welfare here) across individuals, that is, it corresponds precisely with

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

4 Non-welfarist alternatives

If we reject taking utility as the appropriate currency of justice, what could be used instead? Particularly, what would be an appropriate currency of educational justice? And what are the implications of adopting another currency of justice for issues related to the second step of the evaluation of distributions procedure, namely, the aggregation/evaluation step (cf. section 1)?

It is possible to provide some substance to the indicator function without having to employ a utility function. A series of alternatives have been suggested in the literature which can be gathered under the label of "non-welfarist" or "post-welfarist" approaches[12], and that include, among many others: Rawls (1971); Dworkin (1981a,b); Sen (1985); Cohen (1989); Arneson (1989); Fleurbaey (1995); Van Parijs (1995); Roemer (1998).

According to Rawls (1971), priority should be given to "primary goods", Sen (1985) advocates focusing on "functionings" and "capabilities", Dworkin (1981a,b) defends "(extended) resources", Cohen (1989) prefers "midfare", while Arneson (1989) talks about "opportunity for welfare" (not straight welfare). Roemer (1998), in turn, employs the term "advantages", without defining it precisely, exactly because he wants to give more generality to his framework. While each of the approaches mentioned above works in a different space, they share the important feature of trying to escape the difficulties encountered by the benchmark represented by the welfarist approach. An 'advantage function', $a_i\{\cdot\}$, would play the role utility functions

the second choice mentioned in the introduction.

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

play in the welfarist setting.[13] Non-welfarist perspectives, instead of SWFs, would employ Social Advantage Functions (SAFs for short).

4.1 Primary goods

A major non-welfarist approach has been developed by the political philosopher John Rawls (1971), whose theory of 'justice as fairness' is a response to the welfarist conception of the good society, which prevailed as a dominant view among political philosophers and economists until the 1960s. Trying to reconcile concerns for equality, liberty, and efficiency, Rawls derives two principles of justice which lead him to claim that a just society is one that assigns the highest possible level of "primary goods" to the group of worst-off individuals (i.e., the "maximin" rule), provided that a certain level of liberty for all is guaranteed. Primary goods are those which every rational individual would want, under appropriate conditions, whatever his or her conception of justice, and whatever his or her life plan.[14]

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

Clearly, when we turn from welfarism to the (true) theory developed by Rawls, the currency of justice shifts from a subjective measure (utility) to an objective one (a set of primary goods). The problems related to the subjectiveness of utility vanish away when primary goods replace utility - for example, information not related to individuals'

[13]Utility is one possible kind of advantage, since the latter is defined very generally, allowing both objective and subjective indicators. However, hereafter, whenever we employ the term 'advantage' we are referring only to non-welfarist approaches.

[14]Primary goods are the following ones: (a) basic liberties, (b) freedom of movement and choice of occupation, (c) powers and prerogatives of offices and positions of responsibility, (d) income and wealth, (e) self-respect.

welfare can now be taken into account in the evaluation of society.

The drawback is that the virtues related to the subjectiveness of utility also vanish away. Individual preferences are taken into account only to the extent that they do not clash with the two principles of justice, but in fact Rawls imposes, so to speak, not only that primary goods are the attributes to be valued, but also that they must be valued equally by all individuals. As argued by Sen (1992), Rawls does not take sufficiently into account the diversity of human beings and assumes that all individuals can benefit equally from a given set of primary goods, although "equality of primary goods can go hand in hand with strong inequalities in actual freedoms enjoyed by different people".

Another difficulty concerns the procedure to be employed in order to aggregate different primary goods into one single index, which creates obstacles to concrete policy implementation of his theory. It should be noticed that such difficulty is in the boundary between the 'first choice' (currency of justice) and the 'second choice' (aggregation procedure) mentioned in the introduction. Further comments on aggregation procedures are left to chapter 2.

4.2 Functionings and capabilities

While Rawls built his work as an alternative to welfarism, Amartya Sen built his own theory trying to go beyond welfarism, Rawls's 'justice as fairness', and also libertarianism (which tried to respond to welfarism challenging its focusing on end-states, and suggesting to focus on procedural variables such as liberties and rights).[15]

Sen's "central idea is to see the basal space [i.e. the currency of justice] in terms of what people are able to be, or do, rather than in terms of the means they possess", in a clear contrast with both Rawls' primary goods and welfarists' utility. Moreover, while admitting that freedom is very important, Sen tries to do better than the libertarians, who neglected too much the social consequences of the requirements and constraints their theory imposes.[16] The theory outlined in Sen

[15] We do not discuss libertarianism here, because it does not seem to be very insightful in a discussion regarding the educational sphere. For different accounts of libertarianism, see Stiglitz and Atkinson (1980); Fleurbaey (1996); Sen (2000); Williams and Cookson (2000); Arnsperger and Van Parijs (2000).

[16] We tend to embrace the view of Williams and Cookson (2000, p.1889), according to which libertarianism can be interpreted as a way of "restricting the feasible opportunity set". As some rights and liberties have to be respected by society and enforced by the state, the final outcome may be one in which there is less educational outcome (or any other relevant attribute) for each individual than in a hypothetical case where society would not be asked to respect procedural constraints, and could focus exclusively on end-states.

(1985) tries to put forward the *ingredients of quality of life* as the currency of justice. He defines two central concepts: (i) *functionings*: doings and beings that, taken together, constitute the quality of life; (ii) *capability*: the set of functionings from which a person can choose.

In the debate over the appropriate currency of justice, one important contribution of Sen consists of trying to reconcile the advantages of both objective and subjective approaches, placing his theory in a somewhat intermediary position between welfarism and Rawls's approach. Sen puts forward an objective currency of justice, and in this respect, he joins Rawls, and opposes welfarism.[17] Sen also takes some distance from Rawls, for functionings are valuable objective *achievements* of individuals (and not *means to achievements* such as Rawls' primary goods). Moreover, while primary goods are defined by Rawls himself, and are to be evaluated according to a scale which is fixed across individuals, Sen's functionings are to be defined by each society. More importantly, Sen leaves room for individuals' diversity, since each individual may convert means (say, primary goods) into ends (quality of life) in a different fashion. As compared to functionings, utilities are too subjective and primary goods are too objective.

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

4.3 What about segmenting justice?

Just as it would be insightful to analyze different SWFs in relation with education (Cf. section 3), it would be even more instructive to analyze the relationship between different SAFs and education, given that they

[17] Although subjective end-states (say, happiness) might have a place among the relevant ingredients of quality of life, what Sen rejects is the monopoly of subjectiveness: "While being happy may count as an important functioning, it cannot really be taken to be all there is to leading a life (i.e. it can scarcely be the only valuable functioning)" (Sen, 1992, p.54)

do not present some of the problems of welfarism. For example, since Rawls does not classify education as a primary good, it would be interesting to understand the impacts of education on the individual advantage function derived from Rawls' theory (whose argument is the set of primary goods held by each individual), and consequently on a SAF derived from the Rawlsian conception of justice (that is, a maximin of individuals' indices of primary goods). Alternatively, one could study the relations between education and SAFs defined in the space of "midfare", "extended resources", etc.

As in the welfarist case, some important choices would also have to be made in non-welfarist approaches in order to set up the appropriate description of the relationships between education, income, other relevant variables, and advantages. With the exception of Sen - who admits a plurality of approaches, and acknowledges the autonomous importance of each functioning (more on that below) -, most SAFs mentioned here would tend to consider education simply as one ingredient that can contribute more or less to social justice, via its impacts on individual advantage functions. In other words, all of them adopt - implicitly or explicitly - an integrated, or general justice, perspective. Kolm (2002) defines this view as one which cares about "macrojustice", which concerns "basic rights of a society and the resulting global distributive justice". However, defining the appropriate level at which justice is to be assessed is not a settled issue. While according to Fleurbaey (1996), an essential element of any theory of economic justice is its "extent or field of application", he admits that in this respect there is not yet an appropriate device that allows us to determine the appropriate extent or field of application of a given economic theory of justice.

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

If the individual utility functions, in order to become more general, have been restated in section 4 to become advantage functions, they would have to be restated once again in order to express a mesojustice view, if such level of justice turned out to be the appropriate one. To be sure, the social quality evaluation set would have to be split into a series of subsets, and specific normative principles would have to be established in order to regulate the distribution of particular advantages in each subset.

The attribute, in the educational sphere, would be educational outcomes; in the health sphere, it would be health-status variables; and so on. The particular sphere that interests us here is of course the educational one, and we shall label such an approach an 'educationist' one.[18] 'Social educational functions' (SEFs) would have to be employed in order to aggregate and evaluate educational outcomes across a given population: $\tilde{e} = f\{E_i\}$, where $\tilde{e}$ is a measure of society's 'social valuation of education' or 'educational advantage', given by an aggregation/evaluation function, f, defined over individuals' educational outcomes, E_i.[19]

5 The educationist approach

In this section we examine what is at stake when education is taken as the currency of justice, and thus when a segmented justice approach of justice is adopted. Given the problems faced by input approaches to fairness in the educational sphere (as explained in this dissertations' Introduction), we assume that outcome variables are the relevant ones (that is, we focus on end-state variables). In the educational sector, such variables could take the form of an individual's total years of schooling, or the highest certificate she has obtained, or the score she gets in a particular test. In any case, selecting either test scores or any other educational outcome variable as currency of justice in principle implies we also adopt *self-centeredness*, since each individual is assumed to value only her own educational achievement, independently of that of her classmates' or her fellow citizens'.[20]

In what follows we advocate the appropriateness of adopting educationism on three grounds. The first point is that education is a valuable asset for individuals, which implies it is relevant to care about

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

[19]A "healthist" observer would be worried about $\tilde{h} = g\{H_i\}$, where $\tilde{h}$ would represent 'health-related advantages' or 'social valuation of health'.

[20]Educational outcomes may have some characteristics of a "positional good" - the value of the amount I possess depends on the amount others possess of that same good. In such a context, self-centeredness would cease to be a reasonable assumption. While we acknowledge the positional-good aspect of education, we believe ignoring it is not a problem in this chapter, in which we are concerned with defining the currency of justice. In chapter 3, we discuss an alternative measure of educational inequality which would take the positional aspect more explicitly into account. On positional goods and education, see, for example, Brighouse and Swift (2004). This topic is related to the "signalling hypothesis", well-known in economics of education (Arrow, 1973).

the degree of fairness of its distribution. The second one is 'technical': treating educational justice as an independent sphere of justice is feasible not only in abstract terms, but also more concretely. The third point consists of claiming that adopting an educationist perspective is not necessarily inappropriate.

5.1 The value of education

The very insightful normative framework provided by Sen, while not dismissing the usefulness of a macrojustice approach, considers relevant to care about the distribution of particular ingredients of the quality of life, that is, of particular functionings. Educational variables could be interpreted as a relevant functioning, and possibly also as a determinant of the extent of the capability set.

This point in fact has already been covered in section 3.1, and also to a larger extent in this dissertations' Introduction, where we defended the view that the educational level of a person - possibly expressed by test scores - is a valuable asset, not only because of the benefits in terms of future income stream it entails, but also because it paves the way for other life opportunities, and finally, because it may be viewed as having an intrinsic importance.

5.2 'Technical' pros and cons

Educational outcomes can be a *reasonably objective* currency of justice. They can be more accurately measured (e.g., in terms of schooling years or points in a test) than utility and than advantages such as 'freedom', 'extended resources', or 'opportunity for welfare', and compared across individuals. Taking such currency of justice saves us from some difficulties faced by cardinal welfarism, which are related to measurement and interpersonal comparison of utilities. In a welfarist framework, weighing losses and gains of a given policy is a virtually unfeasible task, since in actuality it is impossible to compare across individuals subjective attributes such as utilities.

In an educationist approach, instead, it is possible to assess and compare the scores of students in achievement exams, to know more or less precisely the years of schooling or the highest schooling level attained, or to obtain at least rough measures of other educational outcomes. Even what we could interpret as the 'ultimate educational outcome', at least from a strict economic perspective, namely, individuals' earnings, is also a measurable and comparable attribute.[21] The

[21]The difference between measuring income in an educationist approach and in a welfarist approach is that in the former we do not assume that income is a proxy for indi-

difficulties related to measuring attributes, and to comparing them across individuals, do not pose so many obstacles for educationism.

It is possible to, in a sense, "measure utility", by adopting the classical definition of utility and working with happiness as the attribute (cf. section 3.2.1). As a metrics, happiness and some kinds of educational outcomes share similar limitations: it is not reasonable to claim pupil A "knows twice as much" as pupil B just because the former scores 600 in PISA and the latter scores 300, just as one cannot say individual C is twice as happy as individual D (i.e., restricted comparability). Besides, in both cases, the scale on which variables are measured is artificially constructed, as opposed, for example, to a monetary scale.[22] Having said that, while happiness has the drawback of being a strictly subjective variable, scores reflect an objective knowledge, or set of skills. For example, knowing the result of an algebraic operation reflects an objective knowledge a person has, and not a subjective mental state. And this and other 'small bits' of knowledge can be aggregated in order to express the skills a person possesses.

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

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

viduals' (subjective) welfare, but rather that it is merely one of the various (objective) educational outcomes.

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

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

5.3 Educationism is not necessarily inappropriate

Segmenting justice does not necessarily implies a conflict with macro-justice. One major drawback of segmented justice, according to Kolm (2002), is the risk of incurring in Pareto inefficient situations: "an equal allocation of each of several goods is generally Pareto inefficient because people have different tastes". For example, individual A might prefer to have more education and less health, whereas individual B might want exactly the opposite, and the achievement of equality in health and education separately may be sub-optimal in the Pareto sense. Both Kolm (2002) and Tobin (1970) believe this problem can be attenuated by partitioning the bundle of consumption in the particular fields at stake between those which are substitutable with other goods and those which are not. For example, in health issues, the former could be represented by drugs used for comfort, while the latter would be basic health care needs that are used to keep one alive: "the case where health can uncontroversially be considered in isolation is when it matters with priority" (Kolm, 2002). In the case of basic health needs, treating justice in health as an autonomous separate entity is unlikely to produce (morally relevant) Pareto inefficient allocations. The drugs used for comfort, in turn, could arguably be dealt with within the framework of income distribution, that is, as a general justice problem. Obvious analogues in education are basic (compulsory) schooling which is not substitutable with other goods, and post-compulsory education, which is substitutable.[23]

But then, how would a segmented justice approach inform us on how to choose, for instance, between how much of basic education and how much of basic health? What to do when faced to similar trade-offs? *While recognizing the status of the theoretical challenge embodied in such point, we question its relevance for most practical matters.* In situations of extreme misery, priority should be defined as ensuring the most basic necessities are provided - shelter, security, basic health, etc. - such that the trade-off is elusive. In sufficiently developed countries, basic necessities of life are ensured, so that resources are abundant

[23]We discuss how to partition the educational outcome bundle in section 6.

enough for social planners to *simultaneously care about* justice in basic health and justice in basic education, with relative budgets defined according to some practical (democratic) procedures. In countries placed in an intermediary level of development (where both situations of extreme misery and not-so-severe scarcity co-exist), the trade-off would be more pressing, but also in this case, supplying more basic functionings would be granted priority.

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

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

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

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

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

Another reason for not opposing segmented justice *a priori* is related to *feasibility and tractability*. Fleurbaey (1996) says that "feasibility is a practical value that is worth to be taken into account in the assessment and in the definition of justice". According to Kolm (2002), attaining macrojustice might be too difficult a task, and so pursuing justice in particular aspects or sectors may be a useful intermediary strategy for ultimately driving a society towards a situation of increased macrojustice.[24] Although less ambitious than welfarists'

[24] The technical requirements for justice to be segmented within a particular framework have been analyzed by Calsamiglia (2004). She points out that ensuring segmented justice is attained does not generally lead to macrojustice. She uses the terms "local" (cf. Elster (1992)) and "global" distributive justice, respectively. However, she then shows that

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

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

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In this section 5 we claimed that education is a scarce and valuable asset, the distribution of which qualifies to become the object of a normative scrutiny. But, importantly, it is actually possible to do so - we claimed educational outcomes possess good properties as a currency of justice. Finally, we defended the view that adopting an educationist perspective needs not immediately be dismissed as inappropriate.[25] Hereafter - in this chapter and also in chapters 2-6 - we will work within segmented justice in the field of education.

6 The case for focusing on essential outcomes

Serious objections can be raised against educationism. First of all, objective attributes have their own problems, as mentioned in section

the problem of global distributive justice (assumed to be that of attaining equality of opportunity as defined by Roemer) *can be solved by simultaneously solving a collection of local mechanisms*. She claims that: "a collection of local mechanisms will decentralize the provision of equality of opportunity if it provides local equality of rewards to effort (...).". With regards to this chapter's focus, the main point of Calsamiglia's paper is that, at least in some particular framework, segmentation of justice is *not necessarily harmful* to the attainment of macrojustice.

[25]It should be clear that we did not try to construct a full-fledged argument here *in favor* of segmenting justice. Considerable efforts have been expended in this sense (e.g.,Tobin (1970); Walzer (1983); Elster (1992); Young (1994)) and such task is out of the scope of this chapter. We insist that the point we wanted to make here was the weaker one indicated in the title of subsection 5.3.

4, such as overlooking the diversity of human beings (e.g., different people might make different use of educational outcomes[26]) and assuming that all individuals can benefit equally from a given set of the attribute (here, of educational outcomes), which is not necessarily true. Related to that objection is the one that says educationism is too paternalistic or not democratic, given that some third party (the state, the scholar, the policymaker) decides, in the place of children or their parents, that education is valuable for them.

In addition to the arguments supporting a particular attention to specific goods (cf. previous section), we believe these important objections can be partially neutralized in three ways. Firstly, one can partition the schooling process in such a way that the respect for human diversity is fully preserved for a subset of an individuals' schooling life. An educationist policy-maker could state, for example, that society must make sure that all citizens will attain a minimal level of educational outcomes (e.g., acquiring basic literacy and numeracy skills), whereas going beyond such level is a personal choice, dictated by each person's aspirations or preferences (Fleurbaey, 1995; Trannoy, 1999).

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

Thirdly, these objections can be partially taken into account by an adequate definition of the reference group or unit of analysis. It is probably senseless to compare the education level of rural work-

[26] In a backward region of a developing country, being capable of reading and writing might be enough to lead a 'fairly good life', while in a highly developed country, holding only that set of skills may not be enough even to find a low-paid job. Note that this problem is related to different *implications* (or different *uses*) of the *educational outcome*. This issue will be discussed in chapter 3, in our discussion of how the positional aspect of education might be of concern for an accurate measurement of educational inequalities. A different issue is the one already mentioned in the discussion of Sen's theory as the 'conversion issue': because of differential levels of talent, two individuals might have different *needs* in terms of *educational inputs* (say, one child needs to spend more time with the teacher than another) in order to reach a similar level of the educational outcome (or functioning), a topic we take up in chapter 2.

ers' children living in poor Brazil's North-East with businesses CEO's children living in Manhattan. However, comparing the educational achievements of middle class children living in different neighborhoods of the same city, or different regions in a given country, might be more meaningful.

With appropriate partitions of the schooling process and an appropriate choice of the reference group, the critiques on paternalism would be confined to the initial levels of the schooling process and to the essential subjects in the relevant unit of analysis. Initial levels of the schooling process are essentially attended by children, who cannot be considered as fully autonomous citizens, capable of taking informed and rational decisions. Children's outcomes depend strongly on the behavior adopted, and the decisions made, by their peers, parents, teachers and other school staff, and the educational authorities (e.g., decisions concerning education resource allocation). For these reasons, "consumer sovereignty" of children should not be taken for granted, and because of that some degree of paternalism might be tolerated, and even recommended.

Moreover, the partition of the educational process into essential and non-essential subjects (or skills) neutralizes the critiques on the non-essential subjects. The latter are taken to be substitutable, ordinary goods, which means that each individual is absolutely free to decide which amount he prefers to consume of them. As for the essential subjects, it is difficult to claim they are not of paramount importance (i.e., a merit good), firstly *per se*, and secondly as the ingredients for any other social goal people might set for their lives. If this is true, it should not be a problem to assume them to be non-substitutable, and some degree of paternalism can be justified.[27]

For these reasons, we set the currency of educational justice as 'essential educational outcomes'.

7 Conclusions

As mentioned in the introduction, we started our attempt to provide a conceptually reasonable and empirically useful definition of educational justice. In this chapter, we have discussed some issues related mainly to the first of the three choices we have to make. For the moment, inspired mainly by Sen (1985, 1992), (but also Tobin (1970); Walzer (1983); Fleurbaey (1995, 1996); Trannoy (1999); Kolm (2002)), we have set our currency of justice to be 'essential educational out-

[27] Schooling systems, as they function now, with compulsory attendance laws, are already paternalistic, and yet this fact is not contested to a great extent.

comes', an attribute which simultaneously is a relevant functioning (achievement) and a potential determinant of capabilities (freedom to achieve).

The next chapter is devoted to determining the second choice (aggregation procedure). While the third choice is not studied on conceptual grounds, it is referred to in chapters 3 and 4, which are devoted to empirical investigations that draw extensively on the framework outlined in Part I.

References

ARNESON, R. J. (1989): "Equality and Equal Opportunity for Welfare," *Philosophical Studies*, 56, 77–93.

ARNSPERGER, C., AND P. VAN PARIJS (2000): *Éthique économique et sociale*. Éditions la Découverte, Paris, first edn.

ARROW, K. (1973): "Higher education as a filter," *Journal of Public Economics*, 2, 103–216.

BLANCHFLOWER, D. G., AND A. J. OSWALD (2004): "Well-being over time in Britain and the USA," *Journal of Public Economics*, 88(7-8), 1359–1386.

BOADWAY, R., AND N. BRUCE (1984): *Welfare economics*. Basil Blackwell, Oxford.

BRIGHOUSE, H., AND A. SWIFT (2004): "Equality, Priority and Positional Goods," Equality Exchange Network (Draft).

CALSAMIGLIA (2004): "Decentralizing Equality of Opportunity," Department of Economics, Yale University.

COHEN, G. (1989): "On the Currency of Egalitarian Justice," *Ethics*, 99(4), 906–944.

COWELL, F. A. (1995): *Measuring inequality*. Prentice Hall, Harvester, Wheatsheaf, 2nd edn.

CUYLER, A. J., AND J. P. NEWHOUSE (eds.) (2000): *Handbook of health economics*. Elsevier.

DWORKIN, R. (1981a): "What is Equality? Part 1: Equality of Welfare," *Philosophy and Public Affairs*, 10(3), 185–246.

——— (1981b): "What is Equality? Part 2: Equality of Resources," *Philosophy and Public Affairs*, 10(4), 283–345.

Elster, J. (1992): *Local Justice. How Institutions Allocate Scarce Goods and Necessary Burdens.* Cambridge University Press.

Fleurbaey, M. (1995): "Equal Opportunity or Equal Social Outcome?," *Economics and Philosophy*, 11, 25–55.

——— (1996): *Théories économiques de la justice*, Économie et Statistiques Avancées. Economica, Paris.

Frey, B., and A. Stutzer (2005): "Happiness Research: State and Prospects," *Review of Social Economy*, 63(2), 207–228.

Gasparini, L., and S. Pinto (2005): "Equality of opportunity and optimal cash and in-kind policies," Working Paper n° 22, CEDLAS, Universidad Nacional de La Plata, Argentina.

Gosseries, A. (2007): "Anglo-American Political Philosophy - Utilitarianism (Course notes, Université St.-Louis, Brussels)," mimeo.

Kolm, S.-C. (2002): "On health and justice," Unpublished manuscript.

Lambert, P. (2001): *The Distribution and Redistribution of Income.* Manchester University Press, 3rd edn.

Laslier, J.-F., M. Fleurbaey, N. Gravel, and A. Trannoy (1998): *Freedom in economics: New perspectives in normative analysis.* Routledge.

le Clainche, C. (1999): "L'allocation équitable des biens d'éducation et des soins de santé dans une problématique post-welfariste," in Meuret (1999), chap. 4.

Maguain, D. (2002): "Les théories de la justice distributive post-rawlsiennes: une revue de la littérature," *Revue économique*, 53(2), 165–199.

Meuret, D. (ed.) (1999): *La justice du système éducatif*, Pédagogies en Développement. De Boeck Université, Paris, Bruxelles.

Nozick, R. (1974): *Anarchy, state and utopia.* Oxford, Blackwell.

Rawls, J. (1971): *A theory of justice.* Harvard University Press, Cambridge, MA.

ROEMER, J. (1998): *Equality of opportunity.* Harvard University Press, Cambridge, MA.

SCHNEIDER-BUNNER, C. (1997): *Santé et justice sociale.* Economica, Paris.

SEN, A. (1979): "Personal utilities and public judgements: or what's wrong with welfare economics?," *Economic Journal*, 89, 537–558.

——— (1985): *Commodities and Capabilities.* Elsevier, Amsterdam, North-Holland.

——— (1992): *Inequality reexamined.* Oxford University Press, Oxford.

——— (2000): "Social justice and the distribution of income," in *Handbook of Income Distribution*, ed. by A. B. Atkinson, and F. Bourguignon, vol. 1, chap. 1, pp. 59–85. Elsevier, Amsterdam.

STIGLITZ, J., AND A. ATKINSON (1980): *Lectures on public economics.* McGraw Hill, New York.

TOBIN, J. (1970): "On Limiting the Domain of Inequality," *The Journal of Law and Economics*, 13(2).

TRANNOY, A. (1999): "L'égalisation des savoirs de base: l'éclairage des théories économiques de la responsabilité et des contrats," in Meuret (1999), chap. 3, pp. 55–76.

VAN PARIJS, P. (1995): *Real Freedom for All. What (if anything) can justify capitalism?*, Oxford Political Theory. Oxford University Press, Oxford.

——— (2004): "What is a just educational system? A response to the report 'L'équité des systèmes éducatifs européens. Un ensemble d'indicateurs'," Documents de travail de la Chaire Hoover, n°138.

WALZER, M. (1983): *Spheres of Justice. A Defense of Pluralism and Equality.* Basil Blackwell, Oxford.

WILLIAMS, A., AND R. COOKSON (2000): "Equity in health," in Cuyler and Newhouse (2000), chap. 35, pp. 1863–1910.

YOUNG, H. P. (1994): *Equity: in Theory and Practice*, Russell Sage Foundation book. Princeton University Press, New Jersey.