

Social Justice, Socio-Demographic Change, and the New Welfare State

What Does Justice between Parents and Non-Parents, Justice between Caring Men and Women, and Justice for the Elderly Entail?

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November 2006

Abstract

This paper describes the outline of a NWO/VIDI-research project on social justice and the reform of the welfare state. Recent socio-demographic changes –in particular, aging, the changing nature of parenthood and the transformation of gender roles– are prompting a reform of the welfare state. The project aims to study the normative foundations of these welfare state reforms. In other words, what does social justice require from this new welfare state? Unfortunately, the social justice literature in political theory offers little guidance for analysing these socio-demographic changes. Therefore studying these issues will not just require applying existing principles and theories to these situations, but also working on some theoretically underexplored issues. The topic of the research project prompts to take a life course perspective, which focuses on the systematic links between children, adult working life, old age, and the particular problems of working mothers. This project focuses on social justice with respect to three dimensions of such a life course perspective: parenthood, old age, and gender.

1. Introduction

There is an increasing recognition that the welfare state needs to be reformed to account for recent socio-demographic changes, such as aging, the changing nature of parenthood, and the changing roles of men and women. These trends require a new welfare state, since the current welfare state arrangements have been designed for a different socio-demographic reality, with fewer elderly and more working adults. Moreover, the traditional welfare state implicitly assumed that parenthood was more often an inevitable fact of life rather than a choice, and that gender roles were rather rigid.

This project aims to study the normative foundations of the reform of the welfare state institutions and policies that these socio-demographic changes necessitate. In other words, what are the principles of social justice that we can apply to account for these

socio-demographic changes in the design of the new welfare state? Social justice analyses ask whether a person or group enjoys fewer advantages (or more burdens) than that person or group ought to enjoy (resp. bear), relative to the other members of the society (Miller 1999: 1). Hence this project will investigate the nature and normative legitimacy of the distribution of burdens and benefits related to these recent socio-demographic changes.

Such explicit normative foundations are often lacking in welfare state and social policy analysis (Esping-Anderson *et al.* 2002: xvi). This is also visible in the current public debates in the Netherlands and other countries, where many policy proposals dealing with aging, the needs of working parents, fertility decline or gender differences in the labour market, are based on implicit notions of social justice that are not being subjected to rigorous analysis. Sometimes these policy proposals are only justified in terms of alleged efficiency gains, and social justice issues do not even enter the realm of public justification.

Unfortunately, there is little relevant research on these issues in the literature on social justice, in contrast to the large literature on ‘classical’ social needs and conflicts, such as income inequalities resulting from differences in labour productivity (skills, talents or job-holding) or disabilities (Dworkin 2000, Kymlicka 2002, Miller 1999, Rawls 1971, Van Parijs 1995). This lack of normative foundations is in part due to the fact that most literature on the new welfare state is socio-economic in nature. Political theory has an important role to play, since it can offer a bridge between the social science, where those socio-demographic changes are discussed at length, and the literature on social justice in political philosophy, which offers important theoretical tools and concepts to analyse the normative foundations of welfare state reform. This project will attempt to fill that lacuna, by conducting a normative political-theoretical analysis of the new welfare state.

An analysis of a just and efficient welfare state architecture for the 21st century needs to take a life-course perspective, which focuses on the systematic links between old age, adult working life, children, and the particular problems of working mothers (Esping-Anderson *et al.* 2002). The current project focuses on three dimensions of such a life-course perspective: parenthood, old age, and gender. Each subproject will analyse the principles of justice that should be met for that particular dimension, and examine which social institutions and policies are most suited to advance justice. Since the life-course perspective stresses that issues of parenthood, gender, and aging are intertwined, there is a clear added-value of bringing these three subprojects together. In sum, the overall research question of the project will be: What does justice between parents and non-parents, justice between caring men and women, and justice for the elderly entail for the design of the new welfare state, both in terms of the principles of social justice, as well as for the choice of policies and institutions?

This short paper is structured as follows. In section 2, I outline the common theoretical framework and the overarching theoretical questions that will be central to this project. There will be three subprojects (each conducted by one researcher): one focussing on parenthood, one on gender, and one on care for the elderly. Section 3 describes the issue of social justice between parents and non-parents. Section 4 describes the research outline of the subproject that focuses on justice and gender, and section 5 focuses on the issue of justice for the elderly and their carers. Section 6 describes the methodologies that will be used in the project. Section 7 concludes.

2. A common theoretical framework

From all possible dimensions of a life course perspective, gender, parenthood and aging are chosen to be studied in this subproject, because all three of them pose particular theoretical challenges that are perhaps more urgent and complex, compared to the ‘classical’ problems in social justice analysis (e.g. related to class issues or income poverty).

The first theoretical challenge is the so-called ‘currency of justice’: how should interpersonal comparisons for the purpose of social justice be conducted? It is increasingly argued that questions of distributive justice should not focus on resources or material means only, but on a wider conception of well-being. Such a conception is provided by the capability approach, which is particularly relevant to study issues of gender and care (Sen 1992, 1995; Nussbaum 2000, 2006; Robeyns 2003, 2005b, 2006, 2007). However, in order to design institutions and policies, it is also important that the publicity criterion is met (Rawls 1971), i.e. the actual policies need to be implemented in the space of resources (broadly defined) so that policy makers can be held publicly accountable. The theoretical framework of the project will therefore include a combination of the capability approach for the interpersonal comparisons of well-being, and the resources approach for the design of institutions and policies.

The second theoretical challenge concerns the question whether justice should entail an element of personal responsibility. Debates about personal choice and responsibility have increasingly come to dominate theories of social justice and also political discourses. They affect all three dimensions that I have selected to study: it can be argued that parents are responsible for their procreative choices, men and women for their gender-differentiated choices between unpaid care and paid work, and the elderly for whether they have taken care to provide for their own needs in old age. Unfortunately, the notions of personal choice and responsibility which dominate social justice theories are based on an idealised view of agency, and therefore problematic in their application (Anderson 1999). There is some recent innovative work on more contextualised notions of responsibility that rely on less idealised views of human agency (Brown 2005, Wolff and de-Shalit 2007), which will be used as a starting point for this project.

The third theoretical challenge concerns the question what the scope of social justice is, and whether the government can legitimately intervene to advance social justice when this implies intervening in the private sphere. The classical view holds that justice is a concern of the public sphere only, and therefore cannot be applied to issues related to private matters, such as the family (which directly affects issues of justice related to parenthood, gender and aging). However, this argument has been strongly criticised, and many scholars now hold that justice cannot be locked out of the private sphere (Okin 1989, Kymlicka 2002, Brighouse 2004). However, the question whether there are issues of justice within families is analytically different from the question what kind of government intervention is legitimate. Moreover, one could possibly distinguish between different types of intervention in the private sphere, some of which would be normatively objectionable, while others are not.

3. Justice between Parents and Non-Parents

The first subproject examines what justice between parents and non-parents entails. Due to the availability of effective contraceptive methods and the weakening of social and religious norms, parenthood is now primarily seen as a voluntary decision. This has prompted new justice questions related to procreation. Is parenthood a sufficient ground for claiming support from society for performing the role of a parent, and if so, what kind of support? Analysing justice between parents and non-parents requires us to ask according to which principles the burdens and benefits of raising children should be divided, what (if any) the rights of parents and children with respect to welfare distributive policies are, whom the duty-bearers of such rights would be, and which institutions and policies would be most efficient in putting those principles into practice.

What is the empirical background that informs this subproject? In recent decades, fertility rates have dropped and the structure of women's opportunity sets has changed dramatically (Goldin and Katz 2002). The costs of having children have increased significantly for parents in general, but for mothers in particular (Folbre 1994a, Crittenden 2001). On the one hand, women's opportunity costs of childraising have increased, since employment gives women now higher payoffs (both financially and non-financially) than in the past. Moreover, as societies develop, the relative cost of care work in comparison to industrial production rises, since there are very few possibilities for productivity gains through innovations in care work. In addition, for the first time in history, procreation implies a legally enforceable and stringent 'no-exit obligation', since both law and morality demand from parents that they protect and foster their children's interests, rather than abandoning them (Alstott 2004). On the other hand, the economic benefits of parenthood have decreased: child labour is no longer allowed, and children are no longer regarded as social insurance for one's old-age. Several of the non-economic benefits of parenthood have also changed. Because women have gained more

opportunities for self-development, the *relative* psycho-emotional satisfaction from parenthood may have decreased. In addition, increased geographic mobility and weaker family ties have lowered the expected non-material support that elderly can expect from their children in old age.

The empirical realities of non-parents have also changed. Firstly, the number of the voluntary childless is increasing (Stöbel-Richter *et al.* 2005). Before the availability of the contraceptive pill, voluntary childlessness would come at the (for many people excessive) price of sexual abstinence, and would go against the prevailing social and religious norms. While the voluntary childless still complain that mainstream society is not accepting their decision to remain ‘child-free’ (Defago 2005), in historical perspective it has become much easier to choose to live without children. This has led to a new social group which has different interests in the design of social policies and the organisation of public life than parents and children.

Against this empirical background, we can ask what, if anything, society owes to parents. A number of arguments can be found for why parenthood should be supported by the government (and thus by all taxpayers, including the voluntary and involuntary childless). Firstly, children can be considered public goods whose presence will be a benefit to all in the future (Folbre 1994b) – but this argument has been questioned (Robeyns 2005a: 10). The second principle holds that children are entitled to support *qua children*, since they are a vulnerable group that needs to be protected. The third principle holds that in a gendered society, support for parents is a necessary condition for the realisation of gender justice. The fourth argument is that parents are entitled to support *qua parents*, for example because their personal autonomy might be jeopardized if parenthood is not supported (Alstott 2004), or based on a more perfectionist account of why parenting is a desirable good (Brighouse 2005). Finally, in addition to these ethical arguments, there are economic efficiency considerations.

The project on justice and parenthood will have two main parts. In the first part, the soundness of the above principles will be examined in detail. We will also examine the normative foundations of claims by non-parents with respect to distributive policies or institutions that would advance their interests. The second part asks which specific policies and institutions can be justified on the basis of these principles, such as the funding of fertility treatment, free health insurance for children, subsidised child care, parental leave, paternity leave, and so forth. The precise justifications for a specific policy or institution will not only help to determine who is justifiably entitled to such provision (e.g. universal or targeted provisions), but also who should be the duty-bearers (the government through the taxpayers, employers, individuals through insurance mechanisms, etc.).

4. Justice between Caring Men and Women

The second subproject investigates the changing nature of gender justice. Empirical studies have shown that the gender differentials in outcomes (e.g. income, job holding, access to positions of power and status) have decreased substantially in recent decades. However, while the gap between young men and women without caring responsibilities is almost closed, there is still a significant discrepancy between the welfare outcomes of men and women with large caring duties. This is especially well documented for inequalities between mothers and fathers but is also the case for men and women who care for frail elderly or other dependents (Williams 2000, Gornick and Meyers 2003). However, to understand the nature of these gender inequalities, we need to analyse the distribution of well-being not only in terms of resources, such as labour market income and job-holding, but also (as a capability analysis would recommend) include other valuable goods such as social relations and access to discretionary time. Time-use in particular should be studied as a dimension that is highly significant to understand inequalities between men and women, since time is the ultimate scarce capability-input that cannot be shared within households. Empirical studies show that women in general and mothers in particular have significantly less discretionary time than any other category (Gershuny 2000).

This subproject will ask to what extent these inequalities between men and women in their caring capacities can be and should be considered an issue of injustice. There are theoretical disagreements about whether gender inequalities should be considered issues of injustice. Some scholars have argued that gender inequalities are the results of innate gender differences in preferences and thus pose no problem of injustice (Hakim 2000). Others have argued that such position denies the existence of preference formation mechanisms and structural constraints (Folbre 1994a). Still others have argued that even though gender differences in work-care combinations need to be acknowledged, issues of gender injustice remain to be solved (Williams 2000). The question of whether gender inequalities pose problems of gender justice cannot be solved without an understanding of how men and women make choices, and which empirical parameters enable and constraint these choices (Okin 1989, Folbre 1994a, Robeyns 2003).

Analogously to the project on justice and parenthood, this project will be structured in two main parts: a first part will spell out what justice between caring men and women precisely means, and a second part will assess the current (Dutch) welfare state institutions and policies and asks which other institutions and policies could contribute to realising gender justice.

5. Justice for the elderly

In the literature on the new welfare state and the elderly, the focus is overwhelmingly on the sustainability of the pension systems. There is much less work being done on the care and immaterial needs of the elderly, which is generally performed either by spouses, children or other younger relatives. This informal care poses profound questions of social justice, since the direct burdens and benefits of such care are distributed unequally, as are the burdens and benefits of welfare state provisions that should support this kind of care work. Esping-Andersen (2002: 24) has brushed away this problem by arguing that “since the EU is committed to gender equality and to raising women’s employment rates ... the traditional option of the elderly being cared for by (mostly female) family members is naturally precluded.” But this view denies the fact that true love, friendship and emotional support can’t be bought in the market or be supplied by governmental agencies, and that the well-being of the elderly can be (and generally is) greatly affected by the support they receive from relatives.

In the literature on social justice, there has been some work done on justice for the elderly. Norman Daniels (1988) has proposed a principle of justice between age-groups, called the prudential lifespan account, which states that resources should be distributed between people of different ages in the same way that prudential agents would divide them over different stages of a single life. This proposal has generated both criticism and the formulation of modifications and alternative proposals (e.g. McKerlie 1992). However, this literature focuses primarily on the distribution of *impersonal* resources, such as medical health care or income between different age groups. This implicitly assumes that the currency of social justice is impersonal resources. If, instead, we shift our focus on people’s capabilities, it becomes evident that elderly not only need impersonal resources, but also person-specific resources, most importantly those resources that are needed for good social relations and emotional well-being, including informal care. Unfortunately, informal care is generally discussed as an issue of an ethic of care, rather than as an issue of social justice. As Kymlicka (2002: 298-420) has pointed out, the distribution of the benefits and burdens of care is and should be analysed as an issue of justice, since it involves a question of the distribution of burdens and benefits between individuals.

In the context of an aging population, the issue of justice for the elderly prompts a number of difficult questions, which will be addressed in the first part of this sub-project. On the one hand, there are the questions of impersonal resources (like pensions and medical resources) that are already discussed in the literature, and that have also attracted most attention by economists. In this subproject, the focus will therefore lie on those aspects of justice for the elderly that are much less studied: the provision of informal care. Do children, or other relatives, have a (perfect or imperfect) obligation to care for their elder relatives? Do voluntary childless people have a right to be cared for, and if so,

on whom should the corresponding duty rest? If we accept that there are certain duties to provide care for the elderly, which rights for welfare state support do the duty-bearers have? As with the other two sub-projects, the second part of this sub-project will consist of an analysis of social institutions and policies that contribute to advancing justice for the elderly, and an assessment of the current institutions and policies in the Netherlands.

6. Common methodology

Each subproject will be composed of two main parts: the analysis of the normative principles of justice, and the analysis of the extent in which welfare state institutions and policies meet these principles. The project will be conducted in the tradition of analytical political theory/philosophy.

The first part of each subproject (the analysis of the principles of social justice) will follow the method of reflective equilibrium, where one goes back and forth between concrete problems of social justice to test the appropriateness of the candidate social justice principles (Daniels 1996, van der Burg and Willigenburg 1998). However, this method can only be applied after some consensus is established on the relevant facts. For our project, the most relevant facts are twofold. Firstly, an analysis of social statistics which document the change in number of elderly in need of care, and the changing nature of parenthood and gender roles. Secondly, an assessment of what kind and degree of scarcity (in terms of the distribution of income and different uses of time) has been created by these socio-demographic changes. The three subprojects will therefore each start with this empirical analysis, and with an assessment of the effects of these social changes on income and time scarcity. This will be done by gathering appropriate statistics and a careful study of the relevant empirical studies.

The second part of each subproject (an analysis of the welfare state institutions and policies that meet or do not meet these principles of justice), will use mainstream political science methods of institutional and policy analysis (e.g. Fisher 1995, Landman 2003). Each subproject will list the current institutions and policies in the Netherlands, and analyse to what extent they meet the principles of justice. In addition, we will ask whether there are other welfare state institutions and social policies feasible that perform better in terms of achieving social justice.

One of the aims of establishing a research group of three people working on closely related issues is that frequent discussions and information-sharing among the three scholars will take place. This collaborative work serves four goals. First, to discuss the relevant empirical background and studies in order to arrive at a joint assessment of the current social situation. Secondly, to understand the relationships between the different dimensions of the life course in more depth. Thirdly, to analyse the internal consistency between the social justice principles generated in the three subprojects. And finally, to analyse the institutions and policies of the three subprojects for perverse

incentive effects and unintended consequences in the other domains.

7. Closing comments

The aim of this short paper has been to provide a short overview of the ‘*Social justice and the new welfare state*’ project that will take place at the political science department of the University of Nijmegen between October 2006 and September 2011. The size of this project (1 senior scholar and 2 PhD-students) has been determined by the size of the NWO/VIDI-grant by which this project is funded. However, it is easy to see that some other important issues of social justice related to the reform of the welfare states are neglected in this project. Let me briefly touch upon two such issues.

First, an important dimension when discussing social justice, socio-demographic change and welfare state reform is the (politically very sensitive) issue of migration. It would have been very interesting to add a subproject that would analyse issues of migration in relation to the socio-demographic changes described in this paper. To what extent can restrictions on international migration be justified from a social justice perspective in general, or to justify the viability of a just welfare state? How does migration change the distribution of burdens and benefits of the changing needs and supply of care in the welfare state? Do issues of social justice and care have a ‘multicultural’ character?

Another important question related to social justice, socio-demographic change and welfare state reform concerns issues of ecological sustainability, which in turn are related to issues of intergenerational and international justice. For example, if the current welfare state and economy are not ecologically sustainable, then should the reform of the welfare state discourage certain ways of life that are (grossly) unsustainable? Another question is how ecologically sustainably certain policy proposals are that have been advanced to keep the current welfare state arrangements financially sustainable (such as trying to reverse the fertility decline).

While the issues of migration and ecological sustainability might be briefly touched upon in the current project, a full analysis will have to wait for another occasion.

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