Distributive Justice Reasoning

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Abstract

Distributive justice reasoning is an aspect of moral development that concerns children's understanding of fair sharing. The consensus view is that children favor egocentric self-dealing in early childhood but come to favor norms of equality and equity by later childhood. This developmental trend is associated with Piagetian logical operations and is influenced by the quality of reciprocal peer relationships. The allocation decisions of older (but not younger) children are sensitive to distributive requirements of different contextual norms, although even 4 year-olds shared more with recipients who were deemed morally deserving and needy. There is symmetry in retributive and distribute justice.

Key words: positive justice, distributive justice, equality, equity, desert, Distributive Justice Scale

Background

Distributive justice considerations arise when there are questions about how to fairly allocate finite resources among individuals who stake a claim to them. It has wide applicability. It touches on benefits (and burdens) that are susceptible to transfer among claimants, including, for example, property, services, power, recognition, social responsibility, financial considerations, political rights, among others. Who is entitled to or excluded from these things is an important distributive justice question. Three principles are typically invoked to inform a legitimate basis for fair distribution of social goods: (1) the principle of equality, (2) the welfare principle, and (3) the principle of desert.

According to the principle of equality everyone deserves an equal share of available resources insofar as no person is of greater or less worth than any other person. Although intuitively

appealing this principle runs up against the objection that people's needs and desires are large, complex, diverse, and possibly incommensurable, riven with arbitrary preferences, making it difficult to know what an equal share amounts to when the goods themselves show such wide variability. Consequently, equality-based deliberations may require emendation by reference to other considerations, such as appeals to needs and preferences, which is the domain of the welfare principle.

The welfare principle suggests that goods should be distributed in a way that maximizes overall well-being among claimants, under the assumption that well-being is served by satisfying individuals' needs and preferences. Yet what is preferred and what is needed do not always align, nor is it clear that meeting these satisfactions necessarily conduce to some conception of well-being. What the equality and welfare principles neglect is a notion of desert as an overriding factor in distributive decisions. Whoever does the most work, for example, or the best work, or whose work is most decisive to the success of the collective (e.g., hunting parties, working groups, corporations) should get more rewards under the principle of desert. Note that the principle of desert is also an incomplete principle of resource allocation insofar as it applies only to productive individuals. How resource allocation applies to children and elderly, for example, or to the sick and infirm or to unemployed individuals, needs further specification.

Sorting out competing theories of distributive justice is a central preoccupation of contemporary political philosophy. A theory of distributive justice attempts to coordinate salient empirical and economic facts with the demands of individual rights. John Rawls (1971) articulated a famous principle of distributive fairness*:* social inequalities are acceptable only insofar as they benefit society's least advantaged members. Similarly, a doctrine of Catholic social teaching urges believers to exercise a "preferential option for the poor" with respect to material goods.

Distributive justice reasoning also emerged as a distinctive line of research in the early years of moral development research. It asked how do children think about distributive fairness? Is there a developmental trajectory in children's preference for distributive principles of equality, welfare, and merit? Is distributive justice reasoning linked to logical operations in Piagetian cognitive development? We turn to these questions next.

Positive Justice Research

William Damon (1971) pioneered the study of (what he called) positive justice reasoning in children. Positive justice, in his view, is that aspect of justice that is concerned with prosocial interaction. It includes how to distribute property fairly and our responsibility for another's welfare. It is associated with actions such as sharing, taking turns, and helping, behaviors well within the experience of children as young as two or three years of age. As Damon (1971, p.

302) put it, “Such concerns seem to arise out of the day-to-day interpersonal contacts of a young child and evolve in the course of his ongoing establishment of friendship and affiliated types of social relations.”

Two points should be emphasized. First, notice that Damon locates the conflicts that arise within prosocial interaction firmly within the domain of justice. Positive justice is a “specific moral concept” (p. 302). This is worth noting because Social Domain Theory would later eject prosocial considerations from the moral domain because prosocial helping and sharing are voluntary and done for non-obligatory reasons [See **Social Domain Theory].** Moral reasoning, on this view, concerns universalizable and prescriptive rules that issue in behavior one is formally obliged to undertake. Prosocial reasoning, instead, concerns decisions about helping or sharing that are motivated by empathy, or the promotion of another’s welfare or positive well-being, often undertaken at a cost to oneself, but without a commanding obligation to do so. This distinction is not evident in Damon’s conception of positive justice.

Second, notice that Damon was interested in the moral judgments of very young children with respect to their understanding of fair sharing. This was not unprecedented. After all, Jean Piaget launched the field of moral development research with his pioneering investigations of young children’s understanding of various justice concepts [See **Piaget’s Moral Judgement of the Child**].

Rather, what is noteworthy is that Damon’s investigation of positive justice concepts in young children was undertaken in the shadow of Lawrence Kohlberg’s moral stage theory which dominated the conversation in those days [See **Kohlberg’s Moral Stage Theory**]. Yet, Kohlberg’s theory addressed an entirely different problematic that was silent about children’s moral judgment capacities before 10-years of age. In his groundbreaking dissertation 10-year-old boys was the youngest age group that he interviewed, and their moral reasoning was confined to the very first stage of his six-stage sequence, a stage marked by egocentric confusion and a crude punishment-obedience orientation, Hence, Damon’s research credits young children with more sophisticated understanding of fairness in the positive justice domain than Kohlberg credited them in his moral stage theory.

In one study Damon (1975) presented sharing dilemmas to children from age 4-8. One illustrative dilemma went something like this: All the boys and girls are in the same class together. One day the teacher let them spend the whole afternoon making paintings and crayon drawings. The teacher thought the pictures were so good they could be sold at a fair. The children sold the pictures to their parents, and now the class had to sort out a way to split the money.

After hearing the dilemma children were then interviewed about which distributive criteria they would endorse to allocate the money. Should the child who made the most pictures get more? What about the child who made the best picture? Do we penalize the lazy child who did not make very many pictures? What about children who were best-behaved, or children who are poor and could use more of the money?

On the basis of interviews like this Damon (1975) identified a stage sequence of distributive justice development, as follows:

Stage 0: Egocentric Desire

0-A: A child's wish is the distributive criteria: "I should get it because I want to have it."

O-B: Choices still reflect children's self-interested desires but are now justified on the basis of some observable characteristic, such as size or sex, or other irrelevant quality: "All the girls should get more".

Stage 1: Equality and Reciprocity

1-A: Distributive decisions are governed by notions of strict equality—everyone should get the same

1-B: Distributive decisions are governed by a sense of reciprocity – persons should be paid back in kind for doing good or bad things. A notion of merit and desert is evident

Stage 2: *Equity: Complexity and Compromise*

2-A: Different persons can have different but equally valid claims for distributive fairness. There is an attempt to work out equitable compromises among competing claims---he should get the most, but she should get some, too.

2-B: One attempts to coordinate equality and reciprocity. The claims of persons and demands of situations are considered, typically with the interest of promoting group aims.

Hence the sequence moves from egocentrism and physicalistic notions of fairness (Level 0) to strict equality (Stage 1) and then to equity (Level 2), a trajectory that aligns with the general outline of moral judgment described by Piaget. Damon (1975) showed that with increasing age children endorsed higher stage distributive criteria (r = .85). In addition, there was an association between justice-stage reasoning and performance on various tests of Piagetian logical operations. For example, the Stage 0 substages are associated with preoperational thought, Stage 1 positive justice reasoning reflected a transition to operational thought, while Stage 2 justice reasoning was firmly associated with concrete operations.

In a two-year longitudinal study Damon (1980) showed that distributive justice followed progressive, step-wise stage development. When there was change it was, for most children, in the direction of the next stage in the sequence. Indeed, there was a strong tendency for children's thinking to move in a forward direction. When there was lateral or downward movement it was corrected a year later. Similarly, children who started at a lower stage level for their age advanced by more than one stage level in the following year, "catching up" as it were, in their social cognitive development. Finally, these data showed that it is the spread of scores in an upward direction that is a good predictor of stage transition, as opposed to prior stage consolidation or stage mixture.

Distributive Justice Scale Research

Damon's positive justice research was conducted using the traditional Piagetian clinical method of interviewing children. Conducting oral structured interviews of participants was the standard method for gauging the underlying structure or thought-organization of social cognition. The drawback is that oral interviewing places a premium on the ability of children to verbally process instructions, remember scenarios, or articulate responses. Moreover, interview protocols across participants are not standardized, insofar as interviewer questions are necessarily responsive to possibly idiosyncratic responses by children. To address these limitation James Rest developed a standardized, objectively scored Defining Issues Test to assess principled moral reasoning in the context of Kohlberg's moral stage theory [see **Defining Issues Test**].

Similarly, Robert Enright developed the Distributive Justice Scale (DJS) to assess positive justice reasoning with a standardized and objectively scored paired-comparison test (Enright, Franklin, & Manheim, 1980). Two dilemmas are presented. After each presentation the child is shown 10 pairs of pictures and statements. Each picture and accompanying statement represents a stage. When presented with a pair of pictures (stages), children are asked to select the one that is most fair. This method reduces the oral demands on the child and provides pictorial support of the sharing options.

The DJS dilemmas are similar to Damon's. Here is one example: Four children attending a summer camp are introduced. This is Betty, who is the oldest (and is portrayed as the tallest of the four children). This is Jennifer whose family does not have much money (and is portrayed with a soiled face and dress), and then there is David, who drew the most paintings (and is portrayed alongside four paintings) and Matthew. After pooling their paintings and selling them at a fair the four children must now decide how to split up the nickels among themselves.

For the stage 1-A picture, all of the children are depicted with two nickels each, including Jennifer, who is poor, and David who made the most paintings. It is accompanied by this

statement: “In this picture all children get the same number nickels, so they won’t fight about who gets more.” For another example, the stage 0-A picture depicts Matthew with 5 nickels, while all the others get one each, with the explanation “In this picture Matthew gets the most nickels because he wants those nickels more than anything else in the whole world.”

Each stage picture and statement were paired with every other stage picture in a paired-comparison format. For any given pair, the interviewer placed the two pictures in front of the child and asked, “Which picture ends the story best?” The DJS is scored by selecting the child’s preferred stage via the picture comparisons for each dilemma. When the selections across comparisons were more complicated, indicating transitional reasoning, the lower stage was assigned. The final quantitative score is obtained by converting developmental levels into numerical values (e.g., 0-A = 0, 0-B = .5, 1-A = 1.0, 1-B = 1.5, 2-A = 2.0, 2-B = 2.5).

Across three studies Enright et al. (1980) showed that DJS performance was related to age (older children attaining higher DJS scores), and with Piagetian logical reasoning ability, but no strong relationship with verbal ability. Moreover, the age trends were replicated in Kinshasha Zaire. Subsequent research showed an interesting relation with social class. For example, across two studies, Enright et al (1980) showed that lower class Black and white students lagged behind their middle-class peers in distributive justice reasoning, possibly because of non-reciprocal relationships among peers from the two social classes, as revealed by the relatively lower sociometric ratings for lower-class children.

Recent Research

In general, developmental trends and association with Piagetian logical operations were documented in young children regardless of whether justice reasoning was assessed in oral interviews or by the DJS. The developmental trajectory appears to follow Piagetian lines: self-interested egocentrism, equality, and equity. The interesting variations traced to non-reciprocal social relations among peers revealed by DJS research also tracks with Piaget’s claim in the *Moral Judgment of the Child* that his moral stages could well vary depending on social class or cultural upbringing.

Contextual Sensitivity

Sigelman and Waitzman (1991) also investigated contextual influences on children’s resource allocations. They noted that distributive justice age trends identified in extant research almost always involves the “reward-for-work” scenario whereby the fruits of recipients’ labors are to be divided. As we have seen, the trend moves from self-interest and consideration of irrelevant criteria, such as age, gender, desire; to a preference for equal division of goods; to an emphasis on performance-based equity. When the context is reward-for-work, these trends are typically observed.

But higher distributive justice stage criteria is inappropriate in political contexts where the norm of equality is endorsed for the allocation of such thing as voting rights, police protection, and basic opportunities. There would be strenuous objection if these goods were allocated across the polity in a way that violates the norms of strict equality. Hence, context matters. "Performance-based equity," they contend, "is most likely to prevail in impersonal and economically-related relationships, equality in relationships in which group harmony is valued and differential treatment might create conflict, and need in very close relationships in which the well-being of group members is highly valued (e.g., in families) or in which one person depends on another" (p. 1368).

When do children acquire contextual sensitivity to these justice norms? To find out Sigelman and Waitzman (1991) presented three situations to children ranging in age from 5 to 15. Each situation was intended to activate a justice norm. One situation was reward-for-work that tapped performance-based equity. A second situation involved voting that presumes the norm of equality. The third scenario was a charity situation to activate the principle of need.

For example, children were shown pictures of three campers. One camper (Amy/Alan) was the described as the oldest one at camp. Another camper (Donna/Donny) was the most productive (depicted with five paintings while showing only two for the other children) while a third camper (Judy/Jeffrey) was a poor child (depicted in ragged clothes). Children were then asked to make allocation decisions in three contexts (reward-for-work, voting, charity) that were designed to provoke a different justice norm (equity, equality, need), and to judge the fairness of alternative decision rules.

The results showed that younger (kindergarten) children preferred to allocate resources equally irrespective of context. In contrast, the allocation decisions of older children showed more flexibility. They modified their own allocations and tailored their judgments about fairness of alternative allocations to fit the demands of the situation. The authors concluded that "The fact that developmental trends differed from situation to situation points to the importance of adopting a contextual perspective on the development of distributive justice orientations" (p. 1367).

Distributive and Retributive Justice

Smith and Warneken (2016) wondered if there was symmetry (or not) between the way children think about fair sharing (distributive justice) and fair punishment (retributive justice). In a study of 4- to 10-year-old children and adults, they measured the number of rewards or punishments meted out to recipients in a fictional classroom who differed in the amount of good and bad things they had done. They also measured judgements about collective rewards and punishments. For example, in a fictional classroom, there were rewarding "fun" jobs (e.g.,

testing computer games, feeding pet hamsters) and aversive "yukky" jobs (e.g., cleaning up paint or juice spills, emptying garbage cans).

Participants were shown pairs of cards depicting new students. When the behavior of the two students was the same, children and adults showed a strong preference for equal allocation of rewarding and aversive jobs. "However, when one student did more of a good or bad thing than another student, the youngest children were the most likely to create relatively equal allocations of both rewarding and aversive jobs" (p. 623). Equitable allocations were more likely with increasing age. Similarly, younger children were more likely to judge collective rewards and punishments as fair, but this tendency diminished with age.

In addition to showing the symmetry between retributive and distributive justice, the Smith and Warneken (2016) study yielded insights about how children (and adults) think about the principle of desert. Desert was considered equally when participants allocated rewards and punishments. But desert was more strongly considered for collective punishment than for collective reward.

Desert and Need

There is an evident consensus in the distribute justice literature that younger children favor self-dealing in their allocation decisions, while older children favor equal sharing. Tina Malti and colleagues (2016) wondered whether this pattern would be affected by consideration of recipients' needs or by their past moral or immoral behavior. Four- and eight-year-old children were given an opportunity to share sticker with a hypothetical recipient who was assigned varying characteristics. What is distinctive about this project was the use of the dictator game to track sharing allocations. Children were given six stickers to share (or not share) any number of them with an anonymous child of the same age and gender, but whose characteristics varied by condition.

In the Neutral condition there was no obvious characteristic ("This girl/boy is 4/8 years old, just like you"). In the Morally Deserving condition the anonymous child shares with others ("She/he shares his/her cookies with other children") or does not push. In the Morally Undeserving condition the child does not share or pushes others. In the Needy condition the other child has no toys or is sad. In the Not Needy condition the child has lots of toys or is happy.

In the Neutral condition, for example, where the recipient had no obvious characteristic, the majority of 8-year-old children nonetheless shared at least half of their goods. In contrast, only a third of 4-year-old children did so. Indeed, one third of 4-year-olds shared nothing at all, although not sharing was rare among 8-year-old children (only 4% did not share).

Clearly, older children are more willing than are younger children to share with anonymous other children who have no distinguishing characteristic. Malti and colleagues (2016) argued

that these findings “indicate a strong perhaps universal trend toward increased inequity aversion and prioritization of equality and others’ interest by middle childhood” (p. 36).

What happens with recipient characteristics are not neutral but manifest? It changes everything. Both 4- and 8-year-old children made use of recipient characteristics in allocation of resources. Both groups of children shared more with morally deserving and needy recipients than with neutral recipients, even when it is costly to themselves. The authors conclude that even children as young as 4-years of age reciprocate another’s past moral behavior and behave altruistically to those who are in need.

Conclusion

Three principles of distributive justice have been the subject of debate in philosophical ethics and political philosophy concerning the fair distribution of social goods: (1) the principle of equality, (2) the welfare principle, and (3) the principle of desert. These principles also are central to developmental studies of children’s understanding of fair sharing.

Early developmental research has shown that children’s understanding of these justice norms show age-developmental trends. Young children, typically ages 4-5, favor unequal distribution of goods that favor their own egocentric desires and preferences. In the early school years strict equality is the preferred distributive norm. This gives way, by middle childhood, equitable distributions that take into consideration productive work and recipient needs. It is worth noting that these trends were adduced using two very different methodologies, the oral clinical method favored by structural developmentalists, and by the Distributive Justice Scale, which is a standardized and objectively score instrument.

Subsequent research has further investigated whether children’s allocation of goods is sensitive to the demands of varying contexts (e.g., reward-for-work, voting, charity) that provoke different justice considerations, or to the characteristics of recipients (whether they are morally worthy or needy). Desert appears to play a similar role in both distributive and retributive justice decisions, although desert is more strongly influential in judgments of collective punishment.

References

Damon, W. (1980). Patterns of change in children’s social reasoning: A two-year longitudinal study. *Child Development, 51*, 1010-1017.

Damon, W. (1975). Early conceptions of positive justice as related to the development of logical operations. *Child Development, 46*, 301-312.

Enright, R.D., Franklin, C.C. & Manheim, L.A. (1980). Children's distributive justice reasoning: A standardized and objective scale. *Developmental Psychology, 17*, 555-563.

Enright, R.D., Bjerstedt, Å., Enright, W.F., Levy, V.M., Lapsley, D.K., Buss, R.R., Harwell, M. & Zindler, M. (1984). Distributive justice development: Cross-cultural, contextual, and longitudinal evaluations. *Child Development, 55*, 1737-1751,

Malti, T., Gummerum, M., Ongley, S., Chaparro, M., Nola, M. & Bae, N.Y. (2016). "Who is worthy of my generosity?" Recipient characteristics and the development of children's sharing. *International Journal of Behavioral Development, 40*, 31-140

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

Sigelman, C.K. & Waitzman, K.A. (1991). The development of distributive justice orientations: Contextual influences on children's resource allocations. *Child Development, 62*, 1367-1378.

Smith, C.E., & Warneken, F. (2016). Children's reasoning about distributive and retributive justice across development. *Developmental Psychology, 52*, 613-628.