

## Session 3 Q and A

### **Ashley:**

*People have different views on the types of justice that a person should receive. Some would want minor sentencing, while others expect full justice for the crime committed. Because justice can have a different meaning to others based on their country, do you believe that if there were no laws and people (citizens) were given a chance to give justice, would they use it for evil? In other words, would people use it to seek revenge for those who wronged them, or would it get someone they know out of trouble?*

According to social contract theorists (look the concept up if you are unfamiliar with it) people are, at least in larger societies, incapable of fair legal exchanges by themselves. Disputes get out of hand and endless chains of revenge emerge. This is why rational people come together (not in real life, this is just a rational-hypothetical description) and agree to give the power to keep the peace to one trusted person or institution. In the past, the institution could be a village council, now it is the state. Some legal scholars argue that we should return closer to the village council model because “justice” in the modern system is too far removed from the people to be just.

### **Jessica:**

*According to Carol Gilligan, the mother-child relationship is something unique in nature. Do you think this unique relationship could also be achieved between a father and a child? Does the notion of mother-child relationship uniqueness have something to do with gender roles, in your opinion?*

In Gilligan’s original thinking, the uniqueness of the mother-child relationship had everything to do with gender – Gilligan did not at that point clearly separate being a woman from being put into the role of a woman. This was the time of second-wave equality feminism, although Gilligan was one of the pioneers of the next wave, with identity within relationships also being emphasized. Later studies by other social psychologists showed that similar special relationship developments can be found in non-women, as well. But suggesting that a father-child

relationship could be as important as the mother-child one would be a bold move, I think.

**Elin:**

*I liked your reminder that we should not forget to give attention to non-humans, whereby I wonder if, through the lens of communitarian ethics, you have any knowledge regarding their importance and value in such communities? Is there any evidence of communities where the responsibility of members within it also includes non-humans?*

The theories of justice in my map interact with those close to them. Communitarianism may split into two main versions, one shaking hands with libertarianism and the other with care-and-relations ethics. I rather suspect that the first of these might produce a nationalist traditionalism that would at least not see any intrinsic value in nonhumans or the environment. “Our” production animals could be given lip service but they would not be seen as our genuine community members. An alliance with care and relations could produce a different sense of community with nonhumans and the natural environment but the depth of the alliance would, I believe, depend on local history and tradition, thereby still leaving the need for compensating CSR.

**Elena:**

*- How can we look at a firm's good decisions or good actions and ask if they are based on business needs or only ethics? Can't they be both? We are never moved by just one reason when we do a thing. - Premised that I understand that today's thoughts have been briefly and summarily described. But is it right to talk about women taking morality to a higher level than utilitarianism, as described by Gilligan? We have not discussed culture and nature, but many have defined this as behaviour driven by society and culture. How good is it to encourage it in modern society?*

The division into business reasons and ethical reasons is not carved in stone. Both reasons can converge. But they can also diverge, in which case the question is: Should businesses be profit seeking or ethical, if there is a clash? – Gilligan's results were partly overturned by other social psychologists who concluded that members of all sexes and

genders can develop a sense of special relationships. And it has been ascertained that cultural and social factors have a strong impact in this. It may be detrimental to stress women's exclusive role as caregivers but stressing the value of caregiving is surely needed in modern as well as pre- and postmodern societies.

**Labiba:**

*Why are there not more instances of mixing and matching, i.e. certain ideologies which fit firms better being applied to firms, while other ideologies which make more sense for individuals being reserved at a citizen-level? I'm not sure if this question made any sense...*

If you mean that we could tailor-make theories of justice to meet the needs of corporations, nations, and citizen groups, that has already been done. Libertarianism fits perfectly dog-eat-dog global capitalism, preference utilitarianism is, give or take, the basis of Scandinavian welfare states, and conservative communitarianism is a good ideology for nationalists everywhere. This is why I suggested the reverse – that justice-related CSR could oppose rather than promote these, to balance the situation.

**Miki:**

*Despite there are flaws in every definition of justice, is there an ethic dominating the world?*

Not really, no. We may all agree that we should be ethical and just but when it comes to defining ethics and justice more specifically, we tend to let our own interests influence the result. If we could actually go behind the veil of ignorance envisioned by John Rawls, things could be different. But we cannot, so the best we can come up with are suggestions for rational and moral views.

**Heini:**

*What factors motivate companies to include CSR in their core business if there are no laws to limit the harm produced to the environment and society? Can CSR be expected from companies if such laws don't exist?*

Investor attitudes for one. If the Norwegian fund walks away and others follow, that is bad for business. Similarly if no one wants to buy the product due to environmental or social negligence. In both cases, even in the absence of laws, it may make sense to include CSR in the company's core business.

**Alberto:**

*How can the provision of shared and common security in a society be balanced with the Western democracies upon individual rights, if utilitarian approach to providing security is blocked by human rights of the individuals that would suffer for the greater good of society?*

With some difficulty, as we well know. It becomes – has become, has always been – a balancing act between the two goods. Assuming, of course, that governments respect our need for common security and individual rights in the first place. The treatment of conscientious objectors provides a glimpse to a nation's priorities.

**Sofia:**

*How do ideologies that promote democracy as a central aspect address situations where an individual expert could plausibly make a better decision than what the population would vote for due to the lack of in-depth understanding of the topic?*

I think that to a certain degree ideologies that genuinely promote democracy would or at least should allow the people to make their own mistakes in the name of participation and compliance. It is easier to accept decisions and their consequences when you have been involved in making them. Another alternative, of course, is to democratically decide that we delegate our decision-making powers in, say, matters of health or national defense to experts.

**Siiri:**

*It is extremely hard to find balance between providing equal opportunities to everyone (Socialism) and still making the individual responsible of one's actions (Capitalism). Do you think that CSR could give any help on balancing these political dimensions of justice?*

Is the tension you mean between the satisfaction of needs regardless of contribution and motivating people to contribute? CSR did in a way address this back in the nineteenth century when Finnish captains of forest industry turned their industrial sites into mini-welfare states by taking care of the non-contributing sick and the old. The logic was, and some argue should still be, that people whose needs have been satisfied first are the only ones who can make a good contribution.

**Sanna:**

*Do you believe a state could apply only one of these theories as such? In other words, could any of these theories exist alone?*

There are, from time to time, attempts to let only one ideology rule. State capitalist China, “communist” North Korea, Margaret Thatcher’s United Kingdom, you name it, someone has attempted it. In time, the experiments have metamorphosed into hybrid models of some kind or met too much resistance to prevail. So no, abiding by only one theory does not seem to work in the long run.

**Katri:**

*It remained a bit unclear to me, why could not the defence against excesses in justice be completely the task of law? Could there be a situation where the laws could actually defend against all the “evil” and CSR would not be needed? Or are all law systems always leaning too much towards one of the political philosophies?*

Good question. Yes, of course, law could, in theory, do it all. I guess my thinking here is based on political realism. Laws seldom, if ever, protect all interests and ideologies equally. The idea of “compensating CSR” is a thought experiment whereby the voluntary actions of corporations could actually fill in the gaps. I am not holding my breath waiting for this to happen, though.

**Vida:**

*A continual question on CSR: Previously I asked to what extent ethics or ‘what is good’ here compromised, which was partially answered through this session, with more relativity, as different schools of thought endorse*

*different views. But on continuing on that note, how then, say a multi-national company's CSR programs could successfully encourage more less the same “good” in all the countries they operate, despite the differences in say—community values?*

In short, they cannot and they should not. CSR should not be the same in Ukraine, China, Kenya, Mexico, the US, or France, because laws already address some things in some of these countries but not others. Hence my call for “compensating CSR”, going ever so slightly against the grain of the legislation of the country in which the corporation operates.

**Camille:**

*Should the economic definition of welfare be reviewed or redefined in order to be more fair, ie by taking into account differences in capabilities or opportunities between individuals, as well as the wellbeing of future generations (especially in the perspective of climate change)?*

The economic definition of welfare as used by nations and international coalitions should absolutely be reviewed and redefined for the reasons you state. I will return to this in my last lecture on 30 March but if you want a sneak peek, it's all here: <https://doi.org/10.1007/s10668-022-02720-w>

**Antonia:**

*I didn't fully understand from the presentation - do you think that different CSR for different political contexts is a viable option for dealing with e.g. sustainability-related issues, or just CSR in general (the same for all)?*

I meant the whole range of CSR activities. On sustainability, my final lecture on 30 March will show how sustainability can mean different things seen from different viewpoints, much like you demonstrated in your third-lecture report's “compensating CSR” section. If for any reason you want a sneak peek, it's all in here: <https://doi.org/10.1007/s10668-022-02720-w>

**Laure:**

*I noticed that you placed Rawls's fair contract in the centre of the different theories of justice, and that it was not an option to choose it for the assignment. Is this because you consider that Rawls's theory of justice does not need CSR to prevent excesses ? If so, why ?*

*Also, I learned in a previous philosophy class that some researchers tried asking different groups (from different social classes and countries) of people to do what Rawls proposed : come up with a theory of justice from the original position behind the veil of ignorance. People did not generally come up with the same difference principle Rawls did.*

*Do you think this finding undermines Rawls's argument ? How important is it to the legitimacy of Rawls's theory of justice that other people reach the same conclusions he did from the 'original position'?*

Good question – I will have to give people the option to use Rawls, too, in the future. Thanks – it has been dropped out for some logistic reason (group works) before.

To philosophers, it is clear that Rawls just presents a “rational reconstruction” of what would be decided behind the veil of ignorance, not unlike what would be concluded by an “impartial observer” or “rational ego” which we can more readily recognize as theoretical entities. If we use the definition of rationality that Rawls uses, the normative conclusion is already “fed in”.

If Rawls had/trying to say something about the real world, the differences of opinion would be relevant.