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## Fairness, Globalization, and Public Institutions

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## CHAPTER 3

# What Is Fairness?

JIM DATOR

“That’s not fair!” We often hear young children say that to each other when they play. What do they mean? What is fairness or unfairness? Where do their notions of fairness come from? Is fairness universal, or entirely culture dependent? “Zurui na!” young Japanese children say. But are they objecting to the same kind of behavior an American child might object to when she calls her playmates “unfair”? And now, research on capuchin monkeys suggests that a sense of fairness is biologically based and not solely learned.<sup>1</sup> But still, even if the sense of fairness is innate, are the rules the same everywhere?

Imagine two children, one piece of cake, and one cutting knife. How can the cake be cut fairly? One frequently given answer<sup>2</sup> is to have one child cut the cake and the other choose the first piece. The presumption is that the cutter will do everything in her power to see that each piece of cake is exactly the same size so that the chooser will not have a clear choice between a bigger piece (which she will certainly take) or a smaller piece (which she will certainly leave). That seems fair, doesn’t it?

But can we be sure that this would be the correct answer in all cultures and situations? In some cultures, the chooser feels obliged to take the smaller piece, leaving the larger for the cutter. In this situation, the chooser might feel that the cutter was being unfair by providing him/her with clearly a smaller piece of cake to choose so that he/she could show proper respect, or humility, or gratitude to, or love for the cutter by leaving the larger piece for the cutter to enjoy. In related Further Thoughts, both Ed Porter (“Globalization and Fairness,” page 33) and Sohail Inayatullah (“Culture and Fairness: The Idea of Civilization Fairness,” page 31) raise questions about the universality of fairness as a positive value, much less as a value with similar meanings, across cultures.

A curriculum on “fairness” thought suitable for young American school-children defines fairness as “treating people honestly and justly, respecting the

rules of society and the rights of others.” Related words are “equality, golden rule, impartiality, objectivity, respect, code, and law.” A list of “Practical Applications” included “playing fairly and following the rules at recess and in gym class.” “Being tolerant of people of all ages, occupations, races, religions and those who have disabilities.” “Being willing to do, in our family, what is best for everyone.” “Treating others the way you want to be treated.” “Mediating disputes in the classroom.” “Showing students that being fair just doesn’t always mean absolute equal treatment for all in every circumstance.”<sup>3</sup>

Fredrick Bendz says that “[o]ur sense of fairness comes from our conscience, which in turn has to do with our ability to imagine the feelings and thoughts of others, . . . called empathy or compassion. . . . What is fairness then? We all have desires and we want people to treat us according to those desires. We also know that people around us have similar desires and want to be treated accordingly. Fairness is closely related to fair play so it seems logical to conclude that a fair system is a system where everybody is treated in a similar way and where they have the option to fulfill their desires in any way they wish.”<sup>4</sup>

Though arguments about fairness go back to the earliest philosophers, a name frequently associated with current ideas of fairness is that of the philosopher John Rawls. Discussions of fairness underlay his famous book, *A Theory of Justice*.<sup>5</sup> Rawls says that a “well-ordered” political society is “a fair system of cooperation over time from one generation to the next, where those engaged in cooperation are viewed as free and equal citizens and normal cooperating members of society over a complete life.”<sup>6</sup>

Immediately the question arises as to how the fair terms of cooperation are specified. For example: Are they specified by an authority distinct from the person’s cooperation, say, by God’s law? Or are these terms recognized by everyone as fair by reference to a moral order of values, say, by rational intuition, or by reference to what some have viewed as “natural law”? Or are they settled by an agreement reached by free and equal citizens engaged in cooperation, and made in view of what they regard as their reciprocal advantage, or good? Justice as fairness adopts a form of the last answer: the fair terms of social cooperation are to be given by an agreement entered into by those engaged in it.<sup>7</sup>

How can this be done fairly? Even if everyone tries to eliminate all personal biases, they cannot. Thus Rawls says each person has to work behind a “veil of ignorance.” “In the original position, the parties are not allowed to know the social positions or the particular comprehensive doctrines of the persons they represent. They also do not know the persons’ race and ethnic group, sex, or various native endowments such as strength and intelligence, all within the normal

range. We express these limits on information figuratively by saying the parties are behind a ‘veil of ignorance.’”<sup>8</sup>

“Since the content of the agreement concerns the principles of justice for the basic structure, the agreement in the original position specifies the fair terms of social cooperation between citizens regarded as such persons. Hence the name: justice as fairness.”<sup>9</sup> Thus a “well-ordered political system as a fair system of cooperation over time from one generation to the next” is designed on the basis of two rules.

1. Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all.
2. Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; second, they are to be to the greater benefit of the least-advantaged members of society.<sup>10</sup>

Steven Suranovic, an economist who focuses on fairness in international trade, says,

Fairness is a normative principle. It is a principle used to suggest outcomes or actions that ought to, or should, occur. To be fair is good, to be unfair is bad. To be fair is right, to be unfair is wrong. To be fair is just, to be unfair is unjust. To be fair is ethical, to be unfair is unethical. Actions and outcomes ought to be fair, they ought to be just, and they ought to be ethical. Unfair actions and outcomes should be opposed, they should be avoided, and they should be reversed or eliminated.<sup>11</sup>

Since there is a considerable amount of circularity and apparent wordplay in this explanation, Suranovic then goes on to give seven different ways in which “outcomes or actions” are judged to be fair or unfair.

1. *Distributional Fairness.* “To many people, the unequal distribution of income, wealth, and economic well-being is unfair. . . . Consequently, policies seen as increasing the disparities . . . are often judged to be unfair policies, while policies that reduce these inequalities are seen as fair. In the debate over globalization, there is widespread concern that freer trade and the expansion of multinational firms throughout the world is making the rich richer and the poor poorer. Globalization opponents often contrast the abysmally low wages of workers in less developed countries, and abject

poverty, especially in Africa, with the high levels of compensation paid to CEOs and sports stars for their endorsements. . . . With respect to this concern, fairness in trade, or fair globalization would correspond to a narrowing of the income gaps between countries and between peoples.”

2. *Nondiscrimination Fairness.* “To be fair, equals should be treated equally. To be fair, the actions of businesses or the policies of governments should be non-discriminatory among equals. Thus businesses should not refuse to serve customers because of their race, gender, or religion. Nor should they refuse to hire employees for these same reasons. To do so would be discriminatory, unfair, and in most countries, illegal. . . . Opponents of globalization who are concerned about labor standards in less developed countries have argued that workers should be treated equally across countries.”
3. *Golden-Rule Fairness.* “The Golden-Rule is a behavioral rule-of-thumb that has guided moral behavior for several millennia. Simply stated, it says, ‘Do unto others as you would have them do unto you.’ Actions that violate the golden-rule are typically viewed as being unjust, immoral or even sinful. . . . The golden-rule implies a ‘do no harm’ moral imperative. . . . It is very common to describe cheating in a game as unfair behavior. Cheating means that that person violated the accepted ‘rules’ of the game. . . . When a country violates [a treaty or international agreement it has signed] it is common for other countries . . . to charge the former with unfair behavior since it is cheating on its agreement.” Another example is “when businesses engage in predatory dumping.”
4. *Positive Reciprocity.* “Positive reciprocity occurs when an action that has a positive effect upon someone else is reciprocated with an action that has approximately equal positive effect upon another. If the reaction is not approximately equal in positive value, or if even worse, the reaction has a negative effect upon the first person, then the reaction will likely be judged unfair. . . . Positive reciprocity fairness implies that workers be compensated with wages that are approximately equal in value to the effort they put forth. . . . CEOs may receive compensation in millions of dollars sometimes even when the company is losing money and laying-off workers. Many consider this unjust or unfair.”
5. *Negative Reciprocity.* “Negative reciprocity occurs when an action that has a negative effect upon someone else is reciprocated with an action that has approximately equal negative effect upon another. . . . Punishments [should be] proportional in size to the seriousness of the crime. . . . Retaliatory tariffs must be set equal in value to the value of the foreign export subsidy” to which it is responding.
6. *Privacy Fairness.* This is “a neutral application of the golden-rule”: the right to be left alone to do things that do not harm others. “Similar logic has

been used to support abortion laws or drug legalization. . . . Sovereignty means the ‘right’ of a nation to determine its own laws and policies, especially those that primarily affect its own domestic residents. . . . Critics of globalization have sometimes argued that the WTO acts in a way that reduces the sovereignty of individual actions. . . . Similarly, concerns about a loss of sovereignty have been raised by LDC countries with regard to labor and environmental standards.”

7. *Maximum Benefit Fairness.* “The final type of fairness is the one that, arguably, does not really belong as a fairness category. Indeed, in economics there are considerable discussions about the trade-off between equity (i.e., equality or fairness) and efficiency (i.e., maximum productiveness). Nevertheless a desire to maximize profits or benefits or well-being is certainly applied as a normative principle. . . . In the debate over globalization, maximum benefit fairness tends to be applied more frequently by economists and others who generally support movements toward freer trade and more open global markets. The focus of most welfare analysis in economics is to identify policies that will maximize economic efficiency. In essence this means maximize the net benefits that will accrue to a nation.”<sup>12</sup>

### **Fairness in Economic Theory and Practice**

Neoliberal, free-market economics assumes that all persons are rational actors who try to maximize their own advantages in economic transactions. Thus fairness is not a matter of particular concern in these economic theories. If everyone looks out for his/her own interests, the result will be as fair as possible. For the state to intervene to enforce “fairness” will result in irrationalities, and probably ultimately greater unfairness.

I have suggested above the extent to which this is supposed to be a factual statement of economic behavior and not merely a theoretical construct unrelated to actual economic behavior that might be false. In some cultures (and certainly for some people) selfishness, or self-centered behavior, is rare and disapproved, while altruism or group-centered behavior is more common and socially approved.

Recently there has been some impressive cross-cultural research to support this view. Joseph Henrich, Robert Boyd, and Samuel Bowles state,

Recent investigations have uncovered large, consistent deviations from the predictions of the textbook representation of *Homo Economicus*. One problem appears to lie in economists’ canonical assumption that individuals are entirely self-interested: in addition to their own material payoffs, many experimental

subjects appear to care about fairness and reciprocity, are willing to change the distribution of material outcomes at personal cost, and reward those who act in a cooperative manner while punishing those who do not even when these actions are costly to the individual. These deviations from what we will term the canonical model have important consequences for a wide range of economic phenomena, including the optimal design of institutions and contracts, the allocation of property rights, the conditions for successful collective action, the analysis of incomplete contracts, and the persistence of noncompetitive wage premia.

We undertook a large cross-cultural study of behavior in ultimatum, public good, and dictator games. Twelve experienced field researchers, working in twelve countries on four continents, recruited subjects from sixteen small-scale societies exhibiting a wide variety of economic and cultural conditions. Our sample consists of three foraging societies, six who practice slash-and-burn horticulture, four nomadic herding groups and three sedentary, small-scale agriculturalists.

We can summarize our results as follows. First, the canonical model is not supported in any society studied. Second, there is considerably more behavioral variability across groups than had been found in previous cross-cultural research and the canonical model fails in a wider variety of ways than in previous experiments. Third, group-level differences in economic organization and the degree of market integration explain a substantial portion of the behavioral variation across societies: the higher the degree of market integration and the higher the payoffs to cooperation, the greater the level of cooperation in experimental games. Fourth, individual-level economic and demographic variables do not explain behavior either within or across groups. Fifth, behavior in the experiments is generally consistent with economic patterns of everyday life in these societies.<sup>13</sup>

In short, whatever formal economic theory might say to the contrary, most people, in many very different cultures, believe that fairness matters, and try to behave fairly in their day-to-day economic transactions. This suggests that formal economic policies should reflect and not ignore these widespread human preferences.

Recent research using functional magnetic resonance imaging (fMRI) to scan the brains of players engaged in an “ultimatum game” appears to have located what is happening electrochemically in the brain when people share, cheat, or feel they are being treated fairly or being cheated. The research field is sometimes called “neuroeconomics” or “behavioral economics.” It is redefining the rational assumptions of game theory, which is often used to model economic decision making.<sup>14</sup> When people participate in fair deals their levels of oxytocin

rise and their cortex activates so that they feel a “warm glow” that the fMRI shows comes from “being trusted” or “receiving reciprocation.”<sup>15</sup>

### **Fairness to the Environment**

Fairness as it relates to the environment also takes many forms. I will discuss three. First, at the very base is the position that all living things have rights, and therefore when humans kill or injure other life forms, ethical considerations and procedures should be brought to bear. At one end of the spectrum are those who say that humans should not willingly kill any life form (including insects, microbes, or even trees and plants). At the opposite end are those who argue that only humans have rights that need to be protected or considered, so that humans may utilize all “lower” forms of life for their own advantage and pleasure. In between are people who take a vegetarian position—for example, believing that while it is permissible for humans to kill, consume, and otherwise utilize vegetables, it is not permissible to kill, consume, or use animals. Others might say that it is acceptable for humans to kill and consume plants as well as animals and otherwise to use animal and vegetable products, but that the killing of life should be done humanely or according to certain cultural or legal protocols. There are various other distinctions made along this continuum of what is fair in interactions between humans and nonhumans.

A second element of fairness in relation to the environment raises the question of using up or polluting current resources for the benefit of present generations but to the detriment of future generations. A third element focuses on the fact that in the process of economic growth, it is usually poor and otherwise marginalized people who live in environments degraded by those processes while rich and powerful people (and countries) typically enjoy the advantages of economic growth but seldom suffer directly or immediately from the environmental consequences of growth.

### **Fairness toward Future Generations**

Who are “future generations”? Why should public institutions become responsive to the needs of future generations so that they can and will govern in fairness to future, as well as present, generations? How can public institutions fulfill that obligation?

#### **Who are “future generations”?**

Many people, when they hear the term “future generations,” think only of their own children and grandchildren, or at least of their own biological descen-

dants. This is an accurate, but restricted, meaning of the term. Being mindful of and helping provide for the needs of one's own direct descendants would appear to be relatively easy, one might say almost natural and instinctive. Yet even this apparently spontaneous obligation seems to be beyond the abilities of many parents. It is well known that many parents physically and psychologically abuse their children, max out credit cards, take out one-hundred-year mortgages, and run up other debts and obligations that will burden children for many years.

It is even more difficult for most humans to care sufficiently for the unborn whom they will never see and never know and who are not their own descendants. And yet that is precisely what the term "future generations" may need to signify: not only one's own biological descendants, not only others' children whom we can come to see and know, but all humans whom we will never know but whose lives we impact significantly by the way we live our own lives. Future generations thus are all people we will impact but who can never thank us for caring for them or bring us to task for failing to do so.

### **Ethics and Reciprocity**

As we have seen in our discussion of "fairness" above, all ethics is fundamentally based on reciprocity, and that is the nub of the problem. Versions of the Golden Rule are found in almost all societies: "Do unto others as you would have them do unto you" (or, negatively, "Do not do to others what you do not want done to yourself"). In the small clans, tribes, and villages that characterized human settlements for tens of thousands of years until only recently, the Golden Rule made perfect sense. You should not insult or hit others since they could hit and insult you in return. This still makes sense.

But as humans became more mobile and able to live in larger and larger settlements packed with people who did not know one another personally and could not "get back at" others if they were injured or insulted (or praised and strengthened) by them, the Golden Rule became less and less sufficient as a moral guide. Indeed, as people from once-separate cultures came into closer proximity, "doing unto others what you want done to yourself" often became a cause of conflict itself! What is a tribute in one society might well be an insult in another. In our modern, congested, multicultural world, a better, new Golden Rule might be, "Do unto others as they wish you to do unto them." In this sense, then, ethics becomes "situational" (something to be negotiated between strangers or newcomers) rather than something absolute and obvious for people who live together from birth to death. And yet in spite of this change in the human condition, many ethical codes and formal laws derived from them remain absolute and based on the old Golden Rule.

## Ethics and “Others”

This reciprocal basis of ethics is a huge problem today. We live in a world where people in the industrialized countries can and do influence the lives of people in less industrial regions (usually without intending to, or even being aware that they are), while the people in these regions cannot effectively show “advanced” peoples how they feel about it. It is very difficult for most humans to assume responsibility for how their lives unintentionally impact “Others” around the globe whom they do not know and may never meet. This ethical challenge is at the basis of much of the debate about local responses to globalization: while people favoring globalization may profit from it, it is not possible for most of the people who feel negatively impacted by globalization to “get back” at those who benefited.

Nothing has made this fundamental asymmetry of relations between Americans and Others clearer than the September 11, 2001, events and American reactions to them. Before September 11, most Americans were ignorant of the fact that many people outside of the United States were furious and frustrated at them for real or imagined abuses and deprivations that they blamed on America’s economic and military policies. And among the few Americans who did know about it, most did not care because there was nothing the Others could do about their anger.

And then, suddenly, a handful of the previously invisible Others did “get back” at Americans in a very big way. They gained the full attention of Americans because they were able to inflict a tremendous killing force and destruction on major American icons of capitalism and militarism.

But as US focus on terrorists, Iraq, Iran, and North Korea makes very clear, America appears to be mainly concerned about responding to those Others who can “get back” at them. Americans still do not seem to feel a general ethical obligation toward those whose lives they negatively impact but who are too weak or diffused or distant to register telling blows in return.

## Reciprocity and Future Generations

The situation in regard to future generations is even more grave since present generations now can and do impact the lives of future generations who are helpless to tell us what globalization means to them. There are (so far) no terrorists from the future successfully getting our attention.

And yet the futurist Faith Popcorn is quoted as saying, “[T]he present is the future getting back at us.” That is to say, even we are currently living largely under the influence of and in reaction to what people did or did not do in regard to their future, our present. We might be either pleased or displeased with what

our ancestors did or did not do that made their future what our present is. But we can neither thank them nor chastise them nor cause them to act differently on our behalf. We are forced to deal now with their actions then.

So also are our future generations hopelessly dependent on our concerns and actions on their behalf. Moreover, the ability of present generations to predetermine the quality of life of future generations has never been as great as it is now, though it will be greater still tomorrow. Because of impressive and rapid technological developments over recent decades (technologies with profound and long-lasting consequences) and because of vast and complex changes going on in the global environment caused by past and present human activities, present generations have substantially greater impact on the lives and well-being of future generations than ever before.

Thus we argue, along with others, that it is now necessary for humanity to understand that it has an ethical responsibility toward future generations because of the powerful yet asymmetrical relationship between present and future generations. Humanity also has the obligation to develop political, economic, and other social institutions as well as ethical systems that enable present generations to respond fairly to the needs of future generations.

### **A New Governance Concern**

Thinking about the needs of future generations when acting in the present is relatively new. It has been said that some indigenous societies recognized an obligation to think seven generations into the future when making decisions. This may have been so, but it is also more likely that in traditional societies the past, present, and future were, for thousands of years, so much alike that if one followed the ways of the past, that was all one could, or needed, to do in order to be responsible to the future as well. This reasonably enough led to the belief that the best way to look forward is to look backward and to do now and forever whatever had been successfully done before.

This situation was generally found in stable agricultural, feudal, and other premodern societies where knowledge of the past was necessary and arguably sufficient for anticipating the challenges of the future. There was more dramatic social change, and hence uncertainty about the future, in premodern, agricultural societies than in traditional hunting and gathering communities. However, there was not enough change, or fast enough change, to require anything more than knowledge of the past and reason in the present in order to make the best decisions possible in anticipation of the uncertainties of the future.

Consider an American example: this was the general situation for the founding fathers when they created the US federal government in the 1780s and 1790s.

They designed a government through which a few knowledgeable, reasonable, privileged, and responsible men could gather together after the crop harvest to discuss and decide for the entire new nation the one or two novel and important matters that might arise every year or so. No special competence in or structure for governmental foresight was even imagined then. Living (as they did not know) at the end of the agricultural era when the industrial age was just faintly beginning to emerge, the founders created a cautious, slow, and restricted government to respond to the rhythms and experiences of an agricultural society now long since gone.

By the middle of the nineteenth century, the situation had changed dramatically. Industrialization was underway, and the new idea of (and direct experience with the fruits of) “progress” now provoked a profoundly different vision of the future. During the industrial era the future was expected to be significantly different from and better than the past or the present. Past, present, and future were no longer continuous and similar, but discontinuous and qualitatively dissimilar, with the future always being better than the present, just as the present was clearly so much better (for many people) than the past, as long as the industrial economy kept growing.

Many new social institutions, including agencies of governments unimagined by the founding fathers, had to be created and the older ones refocused in order to assure that society could and would move continuously forward toward a better tomorrow. However, creating new political structures proved to be challenging because a “strict construction” of the words of the written Constitution forbade such novelty. And yet the new economic and social situation demanded new political institutions as well as new policies.

This tension between the still, cold words of the written Constitution of the agricultural era and the hopes, desires, and fears of living flesh and blood in the industrial and now post-industrial era has been the basis of many political struggles in the United States. However, by the end of World War II, the “development paradigm” became dominant as the official image of America’s future, and various ways were found to reinterpret the silent words in order to make it a “Living Constitution” that permitted policies and actions favoring development and progress as the sole official image of America’s future.

Similar challenges were found in many other countries of the world as “development” became the official view of the future for all industrial and industrializing countries. Indeed, during the second half of the twentieth century, the vision of “development” was aggressively promoted and actively implemented worldwide by all of the various units of the United Nations and by the creation and actions of the World Bank, the International Monetary Fund, the World Trade Organization, and scores of similar agencies. The mass media (especially

television and movies, fueled by advertising that created desires for ever-new and changing products and services) embedded the vision of development deeply into the hearts and minds of all people everywhere.

Eventually, no nation, government, corporation, or citizen anywhere in the world was expected to have any image of the future except “continued economic growth.” And all were expected to be an actively contributing partner in the creation and operation of the globally expanding economic system.

Appeals to progress and growth were often made in terms of future generations. Every day, in every way, it was said, the world was getting better and better. By enabling continued economic growth through the global spread of modern institutions and values, the lives of all children would be better than, and different from, our own, just as the lives of their children would be even better than theirs, and so on forever.

Doing whatever was necessary to make development possible became the sole duty of all governments and their subsidiary agencies (such as schools, universities, the military, and the media) everywhere in the world. Whether “communist” or “capitalist,” development was the goal. As long as a nation kept growing economically, it was automatically fulfilling its obligations to future generations, with no further thought about the matter necessary.

### **Competing Images of the Future**

Nonetheless, very soon after World War II, other orientations toward the future emerged. Among the first was the idea of a “post-industrial society,” a world in which automated technology, efficiency, and affluence would reach such heights that issues of economics and productivity would recede into the background. Of course, society would have to wrestle with how equitably and quickly to distribute the material abundance that would be produced without human labor, and what humans would do peacefully with all their leisure time.

Simultaneously, and in stark contrast, “the environmental movement” began to question whether Earth (and the diversity of human cultures) could survive continued economic growth. Many people became convinced that responding to environmental pollution, resource depletion, overpopulation, and global climate change was vastly more important than continuing to urge blind economic growth. Fretting over the problems of a world of abundance and leisure was ridiculous, this group concluded. Indeed, the unanticipated consequences of continued economic growth led many people to fear the future.

Shortly thereafter, more and more indigenous peoples began to question development since it involved the conscious destruction of their cultures and values as well as the theft, exploitation, and degradation of their native lands and waters. At first the voices of indigenous peoples were too weak and marginal to

be heeded by leaders of nations anywhere. But ultimately they joined hands and voices worldwide, and with persons concerned about cultural and environmental preservation generally, they now reckon as a major factor in contemporary politics.

More recently, globalization and anti-globalization have emerged as competing images of the future, changing both the discussion about development and, as we have seen, “the environment.” So, whatever view one might have of the future—be it bright or dark, prosperous or penurious—more and more people (though still only a tiny minority on the planet!) have become aware of their obligation to take the needs of future generations effectively into account when making present decisions. It is no longer clear to them that continued economic growth will automatically lead to a better world for future generations. And in addition to environmental concerns, many have come to wonder if continued technological innovations (both a producer and product of economic growth) such as genetic modification of plants and animals and runaway nanotechnologies might lead us blindly into a darker, rather than a brighter, future.

It is time, they say, for societies to look ahead and try to anticipate more rigorously the possible consequences of their decisions and actions. We should no longer drive into the future while staring into the rearview mirror. Dietrich Bonhoeffer said, “The ultimate test of a moral society is the world it leaves to its children.” Or as the Kyoto Future Generations Group puts it, “Future generations: they are our conscience.” Foresight is necessary.

## FURTHER THOUGHTS

### **Culture and Fairness**

#### The Idea of Civilization Fairness

*Sohail Inayatullah*

FAIRNESS IS OFTEN considered to be a universal, and yet it is not a constant across civilizations. For example, in the Islamic world, justice and fairness are in tension. Islamic civilization was born in the context of tribalism, focused on punishment and sameness (eye for an eye) and in violent opposition to forces bent on its destruction. Justice thus became central in terms of external politics. Internally, however, Muhammad’s contribution was *adl*, or distributive justice, focused more on multiple levels of fairness (social, economic, political, and environmental). Thus Islamic civilization exhibits a tension between justice and fairness—between retributive justice and the fight against injustice, and distributional justice, focused on creating a caring society.

In current Australian politics, reconciliation is considered more important than justice per se. Aboriginal leaders ask for an apology from the current govern-