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The concept of fairness is closely related to a number of other moral concepts, such as EQUALITY, IMPARTIALITY, AND JUSTICE. Like these other notions, it centers on how people are treated by others, especially the requirement that they be treated alike, in the absence of significant differences between them. The distinctive focus of fairness is decision-making processes or institutions that apply rules. For instance, in regard to the application of rules, a fair procedure is one that applies them similarly to all cases, unless there are strong reasons for making exceptions in particular cases. Accordingly, an examination is graded fairly when all papers are judged by the same standards. "Fairness" is generally appealed to in assessing both the means through which decisions are made or rules applied, and the outcomes that are brought about. The former is generally described as "procedural" fairness, the latter as "distributive" fairness. Though these two concerns frequently coincide (i.e., fair procedures give rise to fair outcomes and vice versa), this is not always the case, and so procedural and distributive fairness should be distinguished. However, though the notion of fairness pertains to both concerns, it is more closely associated with procedures, while the notion of justice (DISTRIBUTIVE JUSTICE) bears more particularly on outcomes.

Exactly what constitutes fairness will depend on the specific nature of the decision process or institution in question. Consider, for example, a fair trial, a fair contest, a fair grade, a fair price, a fair agreement, a fair election. This variety of contexts entails a corresponding range of criteria of fairness. All of these, however, generally center on equal treatment of people, with departures from equality requiring justification.

According to the Oxford English Dictionary, "fairness" and cognate words have been used in English, with their present sense at least as far back as 1460. But in other languages, closely related concepts are encountered many centuries earlier. For example, in Book V of Thucydides' History of the Peloponnesian War (late fifth century BC), the besieged people of Melos ask their besiegers to consider "that in the case of all who fall into danger there should be such a thing as fair play and just dealing (ta eikota kai dikaia)" between people (Thucydides, V, 90; Rex Warner, trans.). Their request is that strong and weak peoples be treated similarly, regardless of differences in power. In his Politics (late fourth century BC), Aristotle makes the important observation that standards of justice or fairness are different in different regimes. In oligarchical regimes, ruled over by the rich, it is thought fair to treat people differently according to their merits, with amount of property constituting degree of merit. In democratic regimes, in contrast, it is considered fair to treat people alike--and so to distribute political offices through a lottery system--with free birth and citizenship constituting being alike (Book V, Chap. 1) An important lesson of Aristotle's discussion is that there is no universally recognized standard of fair treatment, in terms of either procedures or distribution. Different ways of dealing with people can plausibly be represented as fair, as long as they treat people who are similar in important respects similarly.

Much of the attention "fairness" has received in recent years is because of the work of John Rawls and his theory of "justice as fairness." In his main work, *A Theory of Justice* (1971), Rawls argues that specific principles of justice can be justified by showing that they would be chosen by representative individuals placed in a carefully constructed, artificial choice situation. To ensure that the choice of principles is not influenced by people's particular interests, Rawls employs a hypothetical "veil of ignorance." Individuals are to make their decision without knowledge of their specific identities or attributes, e.g., economic or social position, religion, sex, age, etc. Because of the representative individuals' concern that, once the veil of ignorance is lifted, they might turn out to be disadvantaged members of society, Rawls argues that they will choose principles that protect the weaker or "least advantaged" members. Rawls calls his theory "justice as fairness," because this name "conveys the idea that the principles of justice are agreed to in an initial situation that is fair." (1971: p. 12)

The need to promote fair distribution in cooperative enterprises has been appealed to by recent scholars--including Rawls--to establish obligations to support such associations. The "principle of fairness" (or fair play)

was developed by H. L. A. Hart, in 1955:

When a number of persons conduct any joint enterprise according to rules and thus restrict their liberty, those who have submitted to these restrictions when required have a right to a similar submission from those who have benefited by their submission. (Hart, 1955: p. 185)

The moral thrust of the principle of fairness is the fair--or just--distribution of benefits and burdens. When a number of people engage in cooperative activity to produce and consume benefits, other people who enjoy the benefits but do not share the costs of providing them treat the cooperators unfairly. In order to correct this situation, they too should cooperate, in spite of their desire not to (when a number of further conditions are also met). As Hart and other theorists have argued, the principle of fairness can establish people's obligations to bear the burdens of citizenship--most notably obeying the laws of their countries--even if they have not consented to do so.

In recent years, the concept of fairness has also figured prominently in social psychology. Researchers have studied decision processes in judicial, political, business, and other settings, in order to ascertain people's views about procedural fairness--or procedural justice, in this context interchangeable terms. Procedural considerations have been found to have strong effects on research subjects, which are not only distinct from considerations of outcome but frequently more influential, even when outcomes are highly unfavorable. For instance, in assessing a variety of institutions--political, judicial, business-- subjects have repeatedly been shown to place greater weight on their views of how decisions are made than on how the outcomes of the decisions affect them (see Lind and Tyler, 1988). Results of empirical tests have also complicated theorists' views concerning the nature of fairness. Subjects have been found to view a decision-making process as fair if it gives them the opportunity to be heard and treats them with respect, rather than focussing on the formal assurances of consistent treatment across cases on which philosophers have traditionally concentrated.

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