

Editorial

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Published online: 22 August 2010
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In the ‘liberal’ theory of distributive justice agents’ lack of control supposedly explains why they do not deserve economic rewards, but at the same time does not prevent them from deserving admiration and such for their accomplishments. In the paper that opens this issue, David Alm attempts to explain away this control asymmetry in the following way. The market tends to reward persons for their marginal product, but their desert basis is instead their contribution, which is typically only a fraction of their marginal product. By contrast, if persons deserve admiration and such for their achievements, the desert basis is typically their marginal product rather than their contribution. That difference he explains by appealing to the fact that economic desert is interpersonal, based on one person’s benefiting another, while desert for achievements is non-interpersonal, based simply on the value of the achievement.

Critics suggest that without some ‘objective’ account of well-being we cannot explain why satisfying some preferences is, as we believe, better than satisfying others, why satisfying some preferences may leave us on net worse off or why, in a range of cases, we should reject life-adjustment in favor of life-improvement. In the second article, H.E. Baber defends a subjective welfarist understanding of well-being against such objections by reconstructing Amartya Sen’s capability approach as a preferentist account of well-being. According to the proposed account preference satisfaction alone—*possible as well as actual*—is of value. States of affairs contribute to well-being because and to the extent that they satisfy actual or nearby possible preferences, and are *fruitful*, that is, compatible with a range states that satisfy further actual or nearby possible preferences. This account, Baber argues, also solves the problem of adaptive preference.

In his contribution, Rowan Cruft examines two similar arguments, used by David Miller and Frances Kamm, in their recent books, *National Responsibility and Global Justice* (2007) and *Intricate Ethics* (2007) which aim at preventing their favoured accounts of the moral justification of rights from justifying an excess of demanding assistance rights. Both arguments appeal to the fact that a proliferation of assistance rights would conflict with other rights. In his paper, Cruft shows that these arguments fail. As Miller recognises in a

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footnote, the failure of such arguments appears to support an alternative holistic approach to the moral justification of rights. Cruft thinks that, without significant further argument that Miller and Kamm do not provide, this holistic approach offers no better support for Miller's and Kamm's claim that there are few demanding assistance rights.

Jill Graper Hernandez discusses Samuel Kerstein's argument that an asymmetry between moral worth and maxims prevents Kant from accepting a category of acts that are impermissible, but have moral worth. Kerstein contends that an act performed from the motive of duty should be considered as a candidate for moral worth, even if the action's maxim turns out to be impermissible, since moral worth depends on the correct moral motivation of an act, rather than on the moral rightness of an act. Hernandez argues that Kant cannot consistently maintain that there are morally forbidden, though good, acts since one of the conditions of acting from the moral law should be that one has a true belief about what the moral law requires. She rejects the possibility of morally impermissible, worthy acts for Kant, and qualifies the conditions for moral worth Kerstein gives with an epistemological constraint on moral worth.

Adam Kadlac examines the difference between the concept of a person and the concept of a human being. For many philosophers, the concept of a person is the concept of an entity that has a set of properties such as rationality and self-consciousness that cannot, in principle, be confined to human beings. Recently, however, some philosophers have proposed a *humanism* that argues that personism fails to sufficiently illuminate the appropriate basis and scope of moral concern. Personists find that the concept of a human being, adequately fleshed out, is better suited than the concept of a person to accomplish such a task. Kadlac argues that both humanist and personist camps have somewhat overstated their cases. While a more focused attention on the morally relevant features of human life may indeed play a crucial role in enhancing our moral understanding, such attention cannot succeed in conceptually limiting moral judgments to judgments regarding the flourishing and defect of members of *Homo sapiens*. And if morality cannot be confined to the realm of the human in that way, then there seems to be an important place in our moral vocabulary for the concept of a person.

In Taurek's Number Problem, you are faced with a situation in which you can either save a group of m people or a group of n people. There are no morally relevant differences among the people. Imagine, for instance, that you happen to be in command of a rescue boat as two nearby cruise liners hit an iceberg. You can either save the m people aboard the first ship, or the n people aboard the second ship, but not both groups. What should you do? In his article, Martin Peterson addresses this problem from a non-consequentialist point of view. He argues that some versions of the Number Problem have no solution, meaning that no alternative is at least as choice-worthy as the others, and that the best way to behave in light of such moral indeterminacy is to let chance make the decision. He contrasts his proposal with F M Kamm's non-consequentialist argument for saving the greatest number, the Argument for Best Outcomes, which, he argues, does not follow from the premises it is based on.

In the last article, Miriam Ronzoni attempts to clarify the confusion surrounding Rawls' distinction between teleology and deontology, and his concept of the priority of the right over the good. Firstly, she focuses on the distinction between deontological and teleological approaches in ethics, and sheds light on its specificity. In particular, she aims to show that such distinction is different from the more traditional one between consequentialism and non-consequentialism, with which it is often confused. Secondly, she aims to distinguish the concept of "priority of the right" from that of deontology. The two terms have come to be used interchangeably, and Kymlicka has even famously argued that the most plausible

version of utilitarianism—the teleological theory *par excellence* according to Rawls’ taxonomy—is actually a form of deontology precisely *because*, on closer scrutiny, it is just as committed to the priority of the right as justice as fairness. Ronzoni argues that the concept of deontology and that of priority of the right should not be confused with each other. They are importantly connected, in that the function of the priority of the right is to single out a *specific kind* of deontological theory. In particular, the priority of the right over the good identifies the defining feature of ‘justice as fairness’.

Amsterdam/Utrecht, August 2010