

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

Falling between two pillars: The prospect for pensioners in Ireland?

Written by [Eugene Quinn](#) on Friday, 04 July 2003.

Eugene Quinn, an actuary working part-time with the CFJ, examines issues of equity and justice in the pensions regime.

1. Introduction

Pensions are important to everybody. There is widespread public myopia with regard to the importance of pensions, as the consequences of neglect are so distant. For the vast majority of the population however pensions will be the chief determinant of their income in their old age. Our choices now, both as individuals and as a society, will affect how we will live as we get older. Will we have enough to live with security and dignity in a society with higher expectations of life? Will there be large income inequalities between the rich and poor of our elderly?

There has been considerable public policy effort directed towards pensions over recent years. The National Pensions Policy Initiative was launched in 1996, culminating in a report from the Pensions Board entitled 'Securing Retirement Income' (1998) that has guided subsequent policy.

In 2000 the Government initiated the National Pensions Reserve Fund in an effort to anticipate the future shortfall in state pensions funding. The proposed Pensions (Amendment) Bill 2001 will give effect to recommendations contained in the Pensions Board report. This includes the introduction of Personal Retirement Savings Accounts (PRSA) with the aim of promoting more extensive pension coverage particularly among lower income earners.

Against the background of this current legislation and concerns over the long term sustainability of pensions due to demographic trends, it is timely to consider underlying issues of justice and equity that underpin the pensions regime in Ireland. There are two levels of analysis required:

- (a) Firstly, considerations of the adequacy of state social welfare pensions and the ability to maintain the value of these pensions in real terms.
- (b) Secondly, the relationship between tax expenditure on state and occupational pension schemes

"Around 60% of all elderly persons were living on less than EUR 127 (£100) per week, with 90% living on less than EUR 254 (£200) per week."

A recent report by the ESRI[i] concludes that a disproportionate amount of government pensions expenditure is being directed (as tax relief) towards occupational schemes where high-income earners are the major beneficiaries in comparison with direct expenditure on social welfare pensions that benefit lower earners proportionally more.



Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

Our primary question is whether the proposed legislation will ensure adequate provision for retirement income for all. Or will it further institutionalise income inequalities into retirement?

The current legislative changes will determine the distribution of income among our elderly for generations to come.

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

Does Your Vote Matter

on Sunday, 29 June 2003.

Seamus O'Gorman, SJ

April, 2002

1. Election day - 2002

It's a bright sunny day in May 2002. At last, after five long years it's polling day again. You grab a moment and run around to your polling station. You're in the little booth, attached pencil in hand. There's a long list of names in front of you: some you recognise, others not really. You take a deep breath. You begin to tick off the boxes... 1... 2... 3... from best to worst or maybe 14, 13, 12 from worst to best, depending on the kind of person you are.

Many others will not grab a moment to vote. They will stay away, largely ignoring what is going on on polling day. The whole election event will leave them "underwhelmed"; they may be slightly bemused to realise that some people still think voting is such an important thing. They will wonder at the naiveté or inexplicable zeal that would mean you could tear yourself away from the alternative goods life offers - an evening's rest, the football match, the soap, the pints - so as to mark a few numbers on a card.

2. Do Non Voters Count?

That Slip of Paper

Not voting is a way of voting. In some ways, in a democracy, it could be argued that it is one of the more interesting ways. Much will be made of the fact that the only real poll is the one on election day. Certainly that poll counts more than all the opinion polls. But in a healthy democratic society, the count of those who will express their preference by not voting at all also deserves consideration as an indicator of the will of the people.



Of necessity, it is a difficult task to draw an accurate profile of these "voters". Clearly some short-term non voters do not vote for more accidental practical reasons, such as lack of time, or being away from home. There are people who fail to vote out of laziness and a lack of concern for society. It is easy to dismiss more deliberate and long-term non voters as people failing in their democratic responsibility. Some even suggest the state should force all citizens to vote. Before doing that it is worth considering what kind of people might not vote. Among them, it seems likely there will be very many people who carry in their bodies the wounds of what living in Ireland does to people today. Might this diverse group be united by a sense that - despite the almost unanimous media discourse in the opposite direction - the last thing they want is more of the same? Many of those

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

who suffer the greatest deprivation in our society cannot conceive that the political system would ever make a genuine effort to solve their problems. Among them, there are many young Irish people at risk from the world of drugs and homelessness who will not vote. Unskilled Irish emigrants have no vote. There will not be many refugees and asylum seekers who can vote.

Before you start marking your card, you might glance around your polling station and ask yourself where are the young people, where are the sick people, where are the homeless people, where are the people suffering from the drug scourge, where are those living in communities the Celtic Tiger bypassed, where are the asylum seekers? Do they have no interest in who sits in the Dáil?

3. Factors influencing non-voting

It is virtually impossible to predict why people will not vote. However, in order to make a more convincing case for the importance of voting as a significant and meaningful way of participating in society, and especially of contributing to the creation of a more just society, it is worth giving some thought to understanding why people may not vote. It seems that the Irish political system has difficulties persuading some people of this because of both image and structural problems.

A. Image

i) A Taste of corruption

Some people no doubt will choose not to vote as a result of a sense of disenchantment with the whole of official public life. While the numbers ever proven to have been directly involved in corruption may remain small, the whole system remains tarnished. The silence of so many who must have had questions leaves unchallenged the impression that the system is actually designed and run by the connected for the connected. The impression that connections, whether friendly, familial or financial shape public life, deadens the will of the unconnected to get involved.

ii) Lack of real differences

Even the increased political hype around election time can add to such disenchantment. It is understandable that politicians need to compete for seats: to be elected they need to emphasise their distinctiveness. In a media age, politicians must play to the camera. The same data will be presented in totally contradictory ways. On the one side there will be proud boasts about all that has been achieved, peace in Ireland, jobs and tax cuts while the others will point to years of lost opportunity, the increase of social exclusion, the failure to develop an adequate infrastructure. Though entertaining to the politically committed, such adversarial point scoring fails to actively engage a wider public. Having experienced regular government changes over the past thirty years, many people cannot see that any of the conceivable governments will deliver such different programmes. It is almost as if the closer they come to each other the louder they shout. Nor does it seem that many people are that convinced of the trustworthiness of different parties. Elections mean promises must be made, but all know that unforeseen circumstances can result in them being undone. This is all the more so since post election coalition formation is the norm. Big promises can be made with the certainty that government formation will occasion significant post election renegotiation of government policies.

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

iii) Lack of representativeness

The image of politics, and what we are being asked to take seriously as our democratic duty is further restricted by the narrowness of the groups which seems to provide our political class. That only 12% of the TDs elected to the 1997 Dáil were women casts a fundamental question mark over the representativeness of the Dáil. Similarly a sense of identification with the Dáil cannot be helped by the fact that over 70% of TDs are aged over 40, while only 34% of the adult [over 21] population are over 40. The fact that so many TDs come from such a limited range of careers - teaching, law, farming and business - further hinders identification. The lack of connection gives the impression that politicians are almost as removed from the real concerns of life as the clergy.

B. Structures

i) TDs removed from policy

Beyond the problems of image there are other more substantial structural factors which seem to undermine the ability of elections to the Dáil to engage people. The extent to which deputies elected to office have any real influence over policy seems to be a lottery. The gap between your vote for a candidate who takes a stand on a particular issue and something positive happening on that seems enormous. All policy initiatives must face the battle of the constraints of Europe, of the social partnership model, of the pivotal role of ministers and of the limits set by civil service orthodoxy. While there has been some improvement in the committee system, there is still a real feeling that the ability of many politicians to input at this level is seriously restricted by their lack of resources and research back up. Elected opposition TDs and even back bench government members seem far removed from positively shaping the agenda in the direction of improving life for the most vulnerable in Irish society. The exception, typified in Independent TDs holding the balance of power, clearly proves the rule, by highlighting the relative political ineffectiveness of the many.

ii) Priority of local context

Largely incapable of influencing national policy, candidates must ever keep an eye to the local issues which offer them a chance of re-election. This is also indicated by the very high percentage of candidates who enter national politics through local politics. The amount of time they have to dedicate to attending to and responding to the wide-ranging concerns of their constituents restricts their time to make a contribution to national policy debates. Politicians are seen as people who intercede for us, largely to get things done which others should have done and should be doing anyway. Our political system, and what we as citizens have come to expect of our politicians, in effect works against people who are focused on advancing policy initiatives for the greater good of the country, not to mention of the world.

iii) Civil Service Control

Perhaps the most significant factor in weakening belief in the importance of the election system is the realisation of the strong, dominant, role played by the Civil Service. Across all departments it is clear that the Civil Service play a vital role in setting the parameters within which policy can evolve. There is much to welcome in the attempts to reform the civil service through the Strategic

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

Management Initiative though its impact is very uneven. While the civil service undoubtedly make many positive contributions to Irish life, there does seem to be grounds for questioning whether they can provide the imaginative and groundbreaking type of thinking that is needed to tackle the most radical problems of Irish society. In the final analysis departments often seem to be able to prevent change through the power of non-decision. The more we have "government by the civil service", with departmental lines only ever changing very gradually, the less likely it is that people will rate highly the effective significance of electing politicians.

4. Reasons why voting matters

Though it is useful to try to identify these factors which may play a part in shaping a climate where voting is not supported, it is more important for the foundations of our common social and political life, to identify the positive reasons for voting.

i) Others will vote

A first case in favour of voting can be made on the most pragmatic grounds of watching what others do. If voting were so inconsequential why would so many people do it? Voting matters because for all those who will not vote, there will be many people who will vote. These will include many of those who benefit most from the successes of modern Ireland, those with jobs, with cars, with good health care, with holidays, with travel plans. It matters because the people who receive the greatest share of the benefits of living in this country, what it is, what it has become, will get out and make their preferences known.

ii) Politicians do legislate

It matters because politicians do make decisions. In the last Dáil politicians have introduced legislation on a whole range of issues which largely influence the possibilities of life for the worst off people in Irish society. This happens each year through the continual stream of legislation which is introduced and passed in relation to topics such as housing, social welfare increases, taxation, access to medical cards, immigration. The Ireland we live in is not an accident. It is a product of conscious and deliberate processes and decisions. It may seem remote. You may not read or watch Dáil reports. Yet key decisions are made, and implemented through legislation put through by ministers. The reasons they lean certain ways, and why TDs and Senators only raise certain types of questions and propose certain kinds of amendments, is because we put those politicians there, and those politicians respond largely to "our" preferences

iii) Who you vote for

How you vote matters most of all to the candidates seeking your vote. While there is much cynicism about political life, it is worth recalling the difficult and demanding lives that TDs live. In a quite unique way all TDs face the fact that their continued participation depends on your support at the ballot box. There is no guaranteed job security. Even when elected they have to combine numerous tasks including staying active in local politics, merging local and national concerns, looking out for the party while also protecting one's own seat. Overall pay even allowing for pension rights -

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

despite popular perceptions - is not high compared to what many could hope to earn in other areas of life.

Those who offer themselves as candidates deserve to be treated with a basic respect. One of the best ways to do this is not to just treat them as names on the ballot sheet. It is possible to meet with candidates, to get to know the kind of people they are, how they will respond to various challenges, and their views on a broad variety of issues. This can be done through talking with them and through reading their election materials. Most importantly it can be done by asking them real questions about the real concerns people have.

Taking candidates seriously as persons would also mean acknowledging that they are more than party members and local representatives. Like us all, candidates will behave to an extent as they are treated. The main reason we have a high degree of localism and partisanship in Irish politics is because people use their votes that way. Citizens do honour to their political representatives when they seek to find out where the candidates stand on major issues. So when they or their representatives come knocking at our doors, we don't have to make easy promises about our votes. It is possible to ask them about what we think are the crucial issues for Ireland: what they will do about homelessness in Ireland, about the increasing gap between the poor and the rich, about education and health systems which discriminate so cynically against the poorest, about the scandal of how we process asylum seekers, about their readiness to support Ireland's taking a more active role in support of global poverty reduction.

iv) Voting purposefully

It is also worth remembering that a significant number of candidates will be elected by a small number of votes. The example of the US presidential election, the recent abortion referendum, and the memory that marginal seats have been decided in the most dramatic way by a few handfuls of votes reminds us in a graphic way of the potential decisiveness of a few votes. For this reason, it is important to fully use the potential of the Single Transferable Vote. With this vote you have a chance to express a series of preferences either negative or positive. It is particularly important to use opportunities personally and collectively to lobby candidates who are likely to be competing for last seats in constituencies.

For those who are unhappy with some of the distortions in the representativeness of the Irish political scene this is something that can be addressed by positive discrimination in favour of women candidates, or of younger candidates. Similarly, for those whose complaint is the dominance of pragmatism, and a lack of idealism amongst political leaders, a voting pattern that reflects that concern is a way of contributing to change. For example, it is not wasting a vote to give a first preference to a candidate who, though unlikely to be elected, takes a more idealistic position. Strong first preference votes for candidates who take a stand on hard issues which require analysis is a way of communicating to all the candidates strong electoral concern about certain issues.

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime



5. Conclusion: The bigger picture behind your vote

In the end the decision to vote on a day in May will be a matter of free choice. It may come down to a question of finding the time on the day. But voting can also be usefully seen as part of a much bigger project. Marking your preferences on the day is important, but it is only one specific part of participating in the democratic political process. Just as we have a say in who represents us, we can also follow up by keeping in touch with our representatives, by lobbying them, and most especially by following up on their promises. To expect that change will come about, in the direction we hope, just because you

mark a few preferences is to expect too much.

The opportunity to vote is not just about the moment of writing a few numbers down. Every time you exercise your vote you exercise a democratic right that for most of human history has been denied most people, and to women up 'till the early part of the twentieth century. It is a right which has been earned by bravery and courageous resilience throughout history. The right to vote - still denied in many countries around the world - gives all of us a chance to reflect now and think more deeply on the kind of society we want to be part of. It provides an opportunity to discuss this with friends, family, work colleagues. It gives us a chance to say which direction we want our country to be led.

How we vote, how we prepare ourselves, what leads us one way or another says a lot about the kind of people we are. It is also an indication of whether we believe a better society is possible; that working for change is worth doing, even if change is messy, slow and not easily achieved. For all the limitations of our society, it indicates a belief that is better to be involved, and to support the good efforts others make than to begrudge their failures. There are plenty of options where we can vote for our own narrow self interest, where we can vote for the local candidate or party which is most likely to look after our concerns. Manifestos will be shaped with lots of promises about favours that will be done. Candidates will promise goods for our area or region.

But another possibility is also before us, when we have that pencil in our hands. In our own way we can break the mould, and take steps towards a more inclusive vision of Irish society. If we are lucky enough to have enough, it is possible to go beyond asking what is in it for us; it is possible to ask what it is in it for the worst off. We could vote for those we believe are serious about an Ireland which would be less embarrassing in terms of how it treats the homeless child, the chronically sick older person, the desperate asylum seeker. It is possible to vote for those we believe will do their best to ensure that those who are now last in Irish society will in time become the first.

And of course, if having surveyed all the options, having heard all the promises, you can still find nobody you believe it is worth voting for, the option always exist that you could stand yourself the next time round. You should just be ready for a sunny day in May 2006, or thereabouts!

**Working Notes Issue 42:
Pensions Time Bomb? Equity and Justice in the Pensions Regime**

END

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

Social Justice And Christian Faith

on Saturday, 05 July 2003.

Seamus Murphy SJ, lecturer in philosophy in the Milltown Institute , explores the christian understanding of social justice.

Contemporary Irish society reflects a growing diversity of cultures and values. In particular, Christian values and perspectives are no longer the predominant moral culture. In the more pluralistic society that is emerging, the Christian contribution has to be made with due respect for the contributions of other groups. This is indispensable for arriving at a degree of consensus on some notion of our shared good.

At the same time, it is accepted that not merely pluralism but also genuine equality requires valuing our diversity. This raises the question for each group of what that group's distinctive contribution is or ought to be. For Christians, this includes the issue of what distinctive insights the Christian tradition could contribute to a shared understanding of social justice.[i]



In the case of the Catholic Church, much of its recent thinking on issues of social justice is found in a number of documents written by popes and councils of bishops in the 1891-1991 period. While overall thematic summaries of a century of development are inevitably sweeping, it seems not unreasonable to say that during that period Catholic social thought developed as a distinct position with respect to liberal capitalism and collectivist communism, and critical of both.

Deep in the Christian Tradition, lies an unease with money-making and wealth-creation and an attraction to the socialist ideals of sharing and solidarity

Although it was sometimes taken to be an alternative to capitalism and socialism, a kind of 'third way' between them, it could not actually have been so since it did not offer a worked-out alternative model of how to run an economy.[ii] Its main criticism of both liberal capitalism and strict communism was their economism. This is a sort of economic determinism which implies that if the basics of the economy were got right, whether by having unrestricted property rights, free trade and virtually no taxes, or by the state taking over the economy, then social well-being would follow more or less automatically. The Catholic view was that this view was naïve, since the human person is not essentially an economic unit, a consumer or worker, but something beyond that.[iii]

In this article we want first to set the scene by outlining the present pluralist context and its implications for debate about the common good. Then we reflect (in Sections 2-5) on four

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

distinctively Christian contributions to our understanding of social justice namely, a particular openness to the world, a fundamental valuing of every human person, a way of connecting justice and mercy, and elements of a radical alternative tradition in the Christian socialists.

1) The Contemporary Situation: Pluralism and the Common Good

A number of contextual factors are relevant to the topic of this article.

First, since nobody knows how to run a non-capitalist economy which delivers the goods, the capitalist model (by which I simply mean an economy not entirely controlled by the state, involving market mechanisms and private property) is now almost universally accepted. Serious ideological clash in that area is history, at least for the present. The Christian tradition (like many other cultural traditions) has historically tended to acquiescence in state policy and to assimilate to the dominant culture. Owing to this fact it will be both difficult yet vitally important for the Church to continue to be a critical and effective voice in the socioeconomic arena. Deep in the Christian tradition, and rooted in the teaching of Jesus in the New Testament, lies an unease with money-making and wealth-creation and an attraction to the socialist ideals of sharing and solidarity. It will be important for the Church to connect with its tradition in order to avoid uncritical assimilation and to be fired to articulate coherent critique of individualistic capitalism.

Second, liberal capitalism is typically accompanied by pluralist democracy. In theory, pluralism values different perspectives and is open to them. It by no means commits one to concluding that all are equally valid or that there are no intercultural criteria by which to evaluate them, a position that is called relativism. In practice however, the popular sense of pluralism tends (and I emphasize that it is a tendency, rather than something definitive and explicit) in the direction of relativism or an 'anything goes' view. Even where it falls short of an 'anything goes' view, the value of pluralism is often set against the value, or even the very notion, of the common good.[iv] This is most notable in the media where so often a debate ends with the statement "that is your opinion I have mine" as if no common agreement were possible and both arguments were necessarily of equal value. Thus, pluralism tends in popular culture to be seen as undermining the notion of an objective moral order. It thereby leads people to think of notions of justice as quite arbitrary and made up, varying according to culture, and with no compelling force of their own.

Capitalism depends on market choice. Choice then becomes a central value. The culture that forms and coalesces around such an economic structure tends, unless resisted, to expand the sway of that value into every area of human life, treating all issues as areas where consumer choice should be maximized. A culture wherein consumer choice is supreme is one in which those with the greatest purchasing power will decide what the rules are, and in which everything, including human dignity, is reduced to a cash value.

Third, pluralist democracy, to function well, requires the input of the distinct groups in society. This input is not just on the relatively superficial level of dressing up in ethnic costume on festivals, but also on the deeper level of contributing to the emergence of a society capable of deciding what it is about. In other words, it means working out an appropriate notion of common public good for society at that point in its development. The common good is not something static, but something

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

which changes according as society changes.

To achieve this, two demands are made of the different groups in society. The first is that the task of achieving social order be not seen as a zero-sum game by each group, i.e. each group seeing it as simply a free-for-all in which one tries to get the most for one's own group. In other words, each has to see the common good as something more than the aggregate of group or sectional interest. The second is that each group be somewhat resistant to being so culturally assimilated that it loses its identity, and, paradoxically, its ability to contribute to the public good and society at large.

The three factors listed and discussed above set some of the significant elements of the context within which to consider what Christian faith can contribute to a shared vision of social justice in a pluralist democracy.

2) Openness to The World And Affirmation of it

This might seem like an odd one to begin with, but it is important that it be recognized, both by Christians and others, that Christian faith values the world and embodied life.

The physical world is not to be seen as an illusion or a valueless vale of tears, but as the arena within which humanity emerges and develops. As a result of the ecological movement, as well as the growth in scientific awareness of the negative aspects of development's impact on the ecosystem, there is a move in the direction of wanting to treat planet Earth with a bit more reverence. The religious sense is that the world is God's gift (or at any rate, not something we made or can replace easily) to be treated reverently. This approach can shake hands with the non-religious sense that Earth's resources are not inexhaustible and not to be wantonly used up by a few, excluding the many poor and robbing future generations of their heritage.

The social, human world is also affirmed in Christian faith. On certain issues the wider secular world has been ahead of the Christian community, for instance, in recognizing the importance of equality in all its forms, in promoting democracy and in valuing political and social freedom. Following the French Revolution at the end of the 18th century, the Catholic Church of the 19th and early 20th centuries was often (with some exceptions, notably in the Anglophone world) identified with politically conservative forces. These forces were royalist, anti-democratic, anti-egalitarian, opposed to political freedom, suspicious of human rights, and occasionally anti-Semitic.[v] This changed in the 20th century, and in latter part of that century, the Church became a vigorous defender of human rights and champion of the poor in Latin America and other third world countries.

In addition, the Christian tradition tends to raise the question that fascinated the ancient Greeks such as Socrates and Aristotle, viz. what the purpose of society is. Beginning with Thomas Hobbes 1588-1679, modern political individualism has been inclined to see personal freedom as paramount, the best society as the minimal society since society (like the state) ought to impinge on the individual as little as possible. Furthermore, since the late 19th century, governments have devoted much of their time to the economy, reflecting the growing assumption that by far the most important purpose of the public forum we call 'society' is trade, commerce, consumption (including

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

conspicuous consumption), and employment. To put it crudely: contemporary society's most representative icon is the shopping center.

In historical perspective, wealth and affluence seem to have corrosive effects. It is surely not the wealth as such, but the fact that once the material kingdom has arrived, life can seem to have lost its purpose. In that context, regardless of what answers one comes to, the Christian tradition (like the other major rel...DL&GET http://www.itx.ie/webmail/src/left_main.php HTTP/1.0 ccept: image/gif, image/x-xbitmap, image/jpeg, image/pjpeg, applcation/msword, application/vnd.ms-powerpoint, application/vnd.ms-excel, */* RDeferer: http://www.itx.ie/webmail/src/webmail.php Accept-Language: en-i Proxy-Connection: Keep-Alcountries, so that the wealthy may settle down to "enjoy what they have worked so hard for". The wisdom in the Christian tradition here lies in the knowledge that a society cannot enjoy wealth in peace under those circumstances, and that this closedness to the wider world will do more harm than good, as well as being unsustainable in the long run.

3) The Value Of The Person

The core-idea at the heart of the distinctively Christian view of the human person is that he or she is made in the image and likeness of God, and for that reason has a transcendent value, which goes beyond anything quantifiable in monetary terms. The social implications of this idea are larger than many people realize.

This idea is not universal, contrary to what is often thought in societies carrying cultural heritage (or baggage, as some might call it) from the Judeo-Christian ethic. The secular modern equivalent of that idea is expressed in the notion of human rights, which developed from the 18th century idea of natural rights. Unlike social or political rights, which are entitlements created by law and granted by society to its citizens or selected groups of its members, natural or human rights are supposed to be inherent in the human person, inalienable, and prior to society and its laws. Society creates social and political rights, whereas it recognizes human rights as already existing. The historical origin of the notion of natural rights lies in the Judeo-Christian idea of the human being as not just a member of a natural species but also a person, i.e. a type of being capable of consciousness, rationality, free choice, agency, an 'I' capable of relationship with God.

A strictly utilitarian mindset has difficulty with the idea of natural rights. Utilitarianism is an ethical theory which holds that consequences alone determine what one ought to do, that one should always act so as to produce the best possible consequences, and that what makes consequences good is their giving pleasure, meeting needs and gratifying desires. It thinks of the human good in terms of aggregate pleasure and desire-satisfaction, an idea captured in the slogan 'the greatest (aggregate) good for the greatest number of people'. In many ways, utilitarianism is dominant today in much public policy thinking.

The founder of utilitarianism, Englishman Jeremy Bentham (1748-1832), remarked during the French Revolution that the revolutionaries' notion of 'the rights of man' was nonsense on stilts, for there was no empirical evidence to support the claim that rights could exist apart from their being

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

created by law. It is interesting to note that the Report of the Constitution Review Group (1996), providing a general review of the Irish Constitution, was unhappy with those passages of the Constitution which spoke of natural rights.[vi]

Belief in natural rights is rather like belief in God or belief in an immortal soul: it is accepting the existence of something largely on faith (this doesn't have to be religious faith, of course). In certain ways, it is arguable that belief in the value and dignity of the person is fundamentally religious. Personal dignity and value are not the sort of thing whose value can be quantified.

In democratic politics, having a voice to make one's desires and preferences heard is important in having those desires and preferences met, and without a voice not merely the preferences but also the dignity and value of the persons concerned may be overlooked or walked on. In a capitalist consumer culture, provision of that which matters to human dignity may be left to the same mechanisms which respond to preferences; and lack of money may mean inability to ensure either.

This can affect a variety of groups, many of whom are the type of group that will be unable either to give voice to their sense of oppression or to apply effective political pressure on the political system. They are classically the groups who are perceived as a burden and as unproductive, even a waste of human resources that might more "usefully" be deployed elsewhere. They include the chronically homeless, those with mental illness, the disabled, the elderly needing long-term care, and (increasingly) the unborn suffering from physical deformity, and the traveller community. To some extent, this is also true of unmarried mothers. Some of these groups (travellers, unmarried mothers, the homeless) may be blamed, or seen as sponging off the tax-paying public. Others may be subtly dehumanised, by means of the language used about them. In all cases, there is a tendency to deny their intrinsic worth, because we tend to see human worth in terms of economic value.

While modern capitalist societies value the individual person far more than did Nazism or Communism, and there is space in capitalist societies for a human rights ethic quite lacking in those dictatorships, the valuing of the person tends at times to shade into valuing the person as consumer and producer. In dealing with persons who have little value as producers, there sometimes occurs a shift towards the good of the species (society) over the individual. While the eugenics of the Nazis revolts us, eugenics of a milder sort is not as unacceptable today as might be imagined. Thus, abnormality in the case of the unborn child and the expense of long-term care for the elderly are increasingly likely to be cited as reasons for abortion and euthanasia, owing to the burden they place on society, just as mental deficiency is often seen as sufficient reason for sterilisation. This implies withdrawal of human rights from certain categories of human beings on the grounds that they are a burden.

Socially-concerned Christians have in recent times expressed the range of their concern by putting it under the heading of the 'consistent ethic of life'. The idea behind this is an opposition, not merely to direct violence against human beings, whether by aggressive war, indiscriminate bombing and terrorism, the death penalty, and abortion,[vii] but also against poverty, social exclusion, and any treatment of human beings which views them essentially as means to the ends of others, rather than ends in themselves. The idea that human beings have innate dignity and value, that human rights

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

are not assigned by the state or the law, but something transcending and prior to the civil law, is important. In general, social exclusion of any category of individuals from full recognition as persons must be opposed, wherever it appears.

4) Justice and Mercy



An Ant Hill

Social planners of whatever stripe can sometimes slip into the technocratic assumption that getting the social structures right should largely eliminate social problems like crime. This is an understandable mistake, if one has made the prior mistake of assuming that crime is just a social problem. However, the lesson may be being learned through growing awareness that poverty or social exclusion in certain areas are not cured simply by having money thrown at it. And even under relatively good social arrangements, human beings can and do bring harm and suffering to others.

Besides, societies are not ant-hills; while we want social organization, we do not want so much of it that individual freedom ceases to mean much. The novels 1984 by George Orwell and Brave New World by Aldous Huxley present in different ways the nightmare visions of totally coordinated societies where any significant individual difference has been removed. While the brutal terror that governs the world of 1984 seems currently irrelevant, the more sophisticated massaging of people's desires and aversions for the purpose of social control graphically portrayed in Brave New World seems far closer to us.

On the other hand, one does not want to worship individual freedom, since great wrong has sometimes been done in its name. The IRA's campaign was waged in the name of Irish freedom and the oppression of workers by bosses was often justified by the claim that the right of private property meant freedom to do with it as the owner pleased. In short, the proper exercise of freedom involves moral responsibility.

While nobody would argue with the points in the preceding paragraphs, nevertheless the implications of the limits of social planning for social justice have not yet been fully thought through.

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

The obvious one is that a just society depends on having just persons as well as just social structures. It is trivial, even trite, to say so, yet the point cannot be taken for granted, for at least two reasons. First, no realistic public policy planner could feel entirely confident in the state's ability to formulate an education policy which would achieve that goal. Second, achieving that goal depends in practice on the various different non-governmental groups who have special responsibility (such as parents) or traditional expertise (such as religious denominations), both of which bring one straight back to the problem of education in a pluralist society.

Owing to constraints of space, little can be said here about how to tackle those problems. But what is clear is that at the end of the age of ideological clash between left and right, there is a weariness with ideology, and even a cynicism about visions of a better world. The moment may be ripe for the Christian insight that a just society cannot be made to order. No government can have sufficient information to know what a just society would look like, nor powerful enough to impose it against the will of the recalcitrant, nor wealthy enough to have the resources to satisfy all desires.

Governments must still try to make society more just, and in any case there are certain necessary things that cannot be done by the private sector. What is needed is partnership between governments and voluntary groups on the other, as is generally accepted. But more than just participation in community development and input on spending public funds is needed from voluntary and other groups. Their input too is also needed on how to build a social solidarity that involves communicating a vision of social justice to the next generation. Social justice requires education of the citizens so that they too may be just, and able to transcend self-centredness and consumerism

Christian faith indicates that becoming a just person involves a degree of personal redemption or conversion, since we all, in one form or another, have our own "inner demons" to contend with. It represents something of a lifelong process of conversion for the individual person to learn, in freedom, to accept and respect others. (This has obvious social implications with respect to accepting, for example, people of different ethnic origin or sexual orientation.) It is here that some of the very distinctive Christian moral values outlined in the Sermon on the Mount come into play. The call to love one's enemies and refrain from retaliation, the insight that justice without mercy is heartless and possibly counterproductive, the prediction that it is the poor and powerless who will inherit the earth – all hold up a very distinctive model of the just person. The value of each life is equal whether it be that of a financier killed in the WTC or a blameless victim of collateral damage in the war on terror in Afghanistan.

5) Radical alternatives

In the 19th century, there were a number of people who developed socialist traditions of a distinctively non-Marxist variety. In Britain, they included forerunners of the cooperative movement such as Robert Owen, literary figures like William Blake, Coleridge and Thomas Carlyle, and Christian socialists such as William Morris and Charles Kingsley.[viii] In France, the anarchist and syndicalist traditions also were influential in the co-operative, union-based, anti-state socialist forms that emerged in the Mediterranean countries around 1900.

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

The major disagreements between the above-named and the Marxist tradition centred on the role of the state and, more importantly here, whether freedom or justice was primary. The Marxists believed in the importance of the state and saw the socialist goal as obtaining control of the state, so as to remake society. The Christian socialists and the anarchists disagreed with this, arguing that state power could be just as oppressive as capitalism. The cooperative movement, which developed in the late 19th century and had its most notable success in the great Mondragon cooperative in the Basque country in the 20th century, was partly also a product of radical Christian social thought.

The other disagreement had to do with freedom and justice. The Marxist view saw history as having an inner dynamic leading to total emancipation or liberation, and rejected the Christian socialists and the cooperative theorists as ‘utopian’, and moralistic rather than scientific (as Marx believed his system to be). On the Marxist view, the coming of that emancipation had little to do with moral choice or moral action, since it would result from changes in economic development. Paradoxically, while the Marxists would denounce the oppression resulting from the advance of capitalism, on their view capitalism was progressive in its sweeping away of the old, pre-capitalist order.

The non-Marxist socialists took a different view, and the theme of justice, rather than freedom, was central to their critique. The Industrial Revolution had led to a new capitalist order, in which the worker was exploited, the fruits of his labour appropriated by the owner of the business, and the worker had little or no control over the productive process. In the early 19th century, that process was at its most brutal and socially disruptive phase. Of course, many of the things they aimed at (union-recognition, shorter working-hours, public or social housing, better pay and conditions, etc.) have become institutionalized in most western countries. At the same time, changes in the contemporary industrial world have the potential to reverse many of these gains.

What is of interest here? It is the grasp by non-Marxist socialists of the idea that socialism was to be understood, not as an economic mechanism, but as a kind of moral ideal representing social solidarity and social justice, as opposed to the selfishness, acquisitiveness and consumerism engendered by capitalist culture.[ix] The interest in their views is sharpened by the fact that the “scientific” material in Marx is quite dead, (e.g. dialectical materialism, historical materialism, “scientific” socialism). Yet the more “moral” stuff has not entirely lost relevance, viz. his work on exploitation and alienation. Marx criticized capitalism for its inefficient use of resources, and declared that its inherent irrationality meant that it was doomed to be superseded historically; neither point will stand up today. As one contemporary writer has put it, the critique of capitalism is a moral critique or it is no critique at all.

Another drawback in the Marxist tradition was its insistence that the tension between individual freedom and social solidarity was denied, in that it was claimed that the coming of communism (the perfect society) would show that the tension was unreal. A realistic view accepts that such tension is inevitable to some extent, and seeks to work at some notion of social justice, as distinct from liberation, which would balance them.

The older Christian socialist tradition (and the subsequent Catholic social teaching) took a different view, and took justice to be the key-notion. Liberation cannot be spelled out, since it is about

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

liberating people's potential and it would surely be oppressive to try defining in advance what it would contain. But justice could be described, either in terms of the good, both the common good and the individual good, and/or in terms of people's rights and entitlements.

It is also noticeable that the academic western world suddenly developed an interest in justice with the publication of John Rawls' landmark work, *A theory of justice* (1971). This was the first attempt at producing a theory that would try to describe the basic institutions of a just society, and the enormous interest it generated showed a world interested in, yet uncertain of finding, some coherent theory of social justice.

Conclusion

The point at issue here is that society has need of a political philosophy that will be able to provide a constructive critique of an ethos which is directly derived from the logic of the market, where consumer choice is the supreme value. Two points illustrate the need for a constructive critique.

First, the collapse of communism in Eastern Europe briefly produced a period in which certain authors took the view that there was no longer either any need for, or any political possibility of, serious political thought about the nature and organization of society. One thinks of Francis Fukuyama's *The End of History*. While few might be convinced of that, it is nonetheless undeniable that many people feel that alternative visions are idle utopianism.

It is not uncommon for lecturers in ethics to encounter the remark from third-level students that 'Morality is all very well, but it isn't really relevant, since people don't behave like that.' This reflects the fact that the students in question assume that all disciplines containing real knowledge are descriptive, and that there is no normative discipline offering genuine knowledge. This is particularly noticeable in technological institutes, and seems to be arousing some concern among lecturers in such institutes that their students, while well-educated in technological and commercial disciplines (which are all descriptive disciplines), are underdeveloped in the humanities and such normative disciplines as ethics. In some ways, this trend towards a kind of relativism or moral nihilism (admittedly of a mild, unconscious kind) may in the long run be more socially destructive than we at presently realize.[x]

Second, unless there is a counter to the culture of the market, that culture spreads itself into every aspect of human relations, reducing all to a cash value or consumer choice. A view of society, at all levels, as just one big market is simply inadequate. There are those who do well out of that market, but not all do and even in their own self-interest those who do well cannot ignore those who are excluded. The exclusion of too many breeds a society constantly at war with itself.

There are resources for such a re-visioning in the Christian social radical tradition. A social critique which implicitly accepts the basic assumptions of current society will quickly find itself effectively co-opted, and on the other hand mere critique of liberal capitalism is insufficient unless some positive road forward is developed. Christian faith has something to offer here. We have outlined some aspects of that contribution in this article, for example, in the original response of the 19th century Christian socialists to the challenge of liberal capitalism. It can be also found in the

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

tradition of social critique and social care of the Christian community, and in the model of the just person presented by Jesus, Dorothy Day, Vincent de Paul and many other Christian saints.

No blueprint for society can be handed down from on high, but discussion of the public good, affirmation of the claim that there is a public good, can continue, and maybe together the different groups in a pluralist society can develop an appropriate vision.

Notes

My thanks to Tom Giblin SJ whose detailed and vigorous commentary on an earlier draft greatly improved this article

[i] Needless to say, the Christian tradition has had much to learn about justice from other traditions over the centuries, and has often been slow to learn those lessons. The fact that this article concentrates on the Christian contribution in no way implies that the Christian tradition, both with respect to theory and practice, couldn't be improved.

[ii] In any case, between an economic model with market mechanisms and one without there cannot be a third option. (In section 4 of this paper, the term 'socialism' will be used in a moral sense, rather than the strictly economic sense being used here.)

[iii] In practice, the emphasis varied, with some of the earlier documents in the 1890-1930 period being more critical of socialism than of capitalism, with the opposite emphasis in the 1960s.

[iv] In this instance, the phrase 'common good' does NOT refer to the Catholic Church's notion of the common good. The same point applies to the phrase 'objective moral order' in the next sentence. In a pluralistic society, the common good is to be negotiated (as far as possible) between the different cultural groups in society.

[v] One wonders if the Church was doomed, willy-nilly, to be on the right in the modern era. Liberals and socialists accused it of having deliberately and culpably chosen to be so, so that the clash between them and the Church was entirely of the Church's making. As in so much else, the crucial formative experience was the French Revolution, in which the initial attitude of the clergy was quite progressive. Precisely what went wrong has emerged more clearly in recent work; see, for instance, William Doyle, *The Oxford History of the French Revolution* (Oxford University Press 1989), chap. 6.

[vi] Or was perceived to be unhappy by a number of commentators. An example of a passage reflecting this unhappiness was the group's discussion of the Constitution's Art. 41.1.1, which states: 'The State recognizes the family as the natural primary .. unit group in society .. possessing inalienable and imprescriptible rights, antecedent and superior to all positive law'. The review group remarked: 'Giving [sic] to the family unit rights which are described as "inalienable or imprescriptible", even if they are interpreted as not being absolute rights, potentially places too much emphasis on the rights of the family as a unit compared with the rights of individuals within the unit' (p. 323).

[vii] In speaking of abortion, I am not commenting on Irish current affairs. Nor should the reader take it as a comment on women who choose abortion. My focus here is on social abortion as a disposal of unwanted human beings; for instance, the high incidence of abortions in India and China

Working Notes Issue 42: Pensions Time Bomb? Equity and Justice in the Pensions Regime

because the unborn child is female, and the growing acceptance of the moral appropriateness of abortion where the unborn child's post-natal life will be of low quality, owing to disability, and liable to impose burdens on others.

[viii] On the following points, see John Milbank, 'On baseless suspicion: Christianity and the crisis of socialism', *New Blackfriars* 69 (Jan. 1988) and his *Theology and social theory* (Oxford: Blackwell, 1990), chaps. 7-8. Tony Benn, the grand old man of the British Labour left, remarked that socialism in Britain, unlike the mainland of Europe, had more to do with Methodism than with Marxism, although E.P. Thompson's *The making of the English working class* is sharply critical of the Methodist contribution. One of the landmark books in trade union history, Robert Tressell's *The ragged-trousered philanthropist* captures well the moral ingredient in the 19th century trade union movement.

[ix] William Charlton et al 1986, *The Christian response to industrial capitalism* (London: Sheed and Ward 1986) is highly informative on this topic. Paul Misner, *Social Catholicism in Europe: from the onset of industrialization to the first world war* (New York: Crossroad 1991).

[x] The claim that morality is irrelevant to real world economics is tackled impressively in Daniel M. Hausman and Michael S. McPherson, *Economic analysis and moral philosophy* (Cambridge University Press 1996). For a very different approach, see André Gorz, *Critique of economic reason* (London: Verso 1989).