

***What's Fair?
Ethical Decision-making in an
Aging Society***

by

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Executive Summary

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Executive Summary

1.0 Introduction

The aging of Canadian society raises a number of crucial public policy issues relating to the meaning of aging, to the fair and equitable allocation of resources between and among the generations, and even to social cohesion. How can Canada meet the goal of becoming a society of justice and fairness for all ages? Or, to frame the question more broadly, how does an aging society make ethical public policy choices now and for the future?

The aim of this project is to enrich the opportunity for anticipatory reflection and informed choice by policy makers and citizens confronted with issues of sharing resources in an aging society. The aging of Canadian society can be a cause for alarm and increased competitiveness, or an opportunity to develop a richer concept of public policy as the sharing of common resources. Using the concept of intergenerational equity, this paper represents a first step toward laying a foundation for ethical decision-making that benefits all Canadians.

2.0 The Demographic Shift: Aging for Individuals and the Canadian Population

Today, we are experiencing a profound shift in the shape and make-up of Canadian society, due in part to a declining birth rate and to the huge post-war generation of “baby boomers,” which has resulted in several population “bulges”. Rather than a large number of infants and young children at the base of the traditional population pyramid, and a tapering of the population in the 55-years-plus group at the top, we are seeing smaller numbers of young children and a larger group of seniors than ever before. Indeed, the apex is widening, as life expectancy for individual Canadians increases and the population over 80 years of age expands.

These changes are intimately connected to other major social change in the last forty years, including the increased labour force participation of women with children, increasing numbers of family structures, and a relative decrease in the availability of secure, full-time jobs. The changes in personal, family and employment circumstances associated with these demographic trends may affect attitudes toward family obligations, as well as policy choices about the allocation of public resources between and among the generations.

3.0 Framing the Discourse: Intergenerational Equity

In thinking about a society for all ages, the paper rejects the more libertarian and individualistic concept of “generational equity” that originated in American public policy discussions in the 1980s in favour of the concept of “generational interdependence” or “intergenerational equity.” In contrast to generational equity, which is predicated on the inevitability of competition and conflict between the generations, *intergenerational equity* is a more egalitarian and communitarian approach, with emphasis given to sharing and collective decision-making. It is concerned with justice and fairness in the here and now as well as to future generations. Although we can learn from both of these established discourses, the discussion that follows is

framed in terms of intergenerational equity in order to reflect the more communitarian concerns found in Canadian public policy.

But why focus on intergenerational equity at all? What is the significance of age as a criterion of public policy? What are the consequences of generational inequity? To answer these questions we need to understand the ethical significance of the different perspectives that result from thinking about generations.

There are basically two different ways of looking at the concept of a “generation.” On the one hand, generations can be understood as *birth cohorts* who move through life together. For example, individuals born between 1950 and 1970 constitute one generation. On the other hand, a generation can also be understood as a *stage in life*, so that, at any given time, there is a generation of young, “middle-aged” and seniors. Because age cohorts are inherently diverse, and the concept can mask key differences among individuals within the same age cohort, we need to find a way to think of both individual and generational lives that go beyond comparisons of perceived cohort inequities.

One such approach is the concept of *lifespan*. The lifespan approach reminds us that, over a given lifetime, resources are distributed within stages of life rather than among age groups. Such an approach requires a shift of perspective. Justice is no longer defined as equity between distinct groups in competition for common resources. Instead, the lifespan approach focuses our attention on each age group as a stage in our own lives and promotes a sense of interdependence and shared experience.

4.0 Equity as a Particular Conception of Justice

Equity is a particular conception of justice as fairness. As such, it is concerned with both process and outcomes. A consideration of equity requires that similar cases be treated similarly. This same consideration includes a presumption against all forms of discrimination. Equity directs our attention to the ethical significance of relevant dissimilarities and requires that they be taken into account. It recognizes that treating persons the same way – equally – can be profoundly unjust if there are substantive differences that should be taken into account.

In Canada, the practical implications of equity have been played out very clearly in health care. The response in this area of public policy has been an assumption of shared risk in solidarity. Equity in other social welfare policy fields does not have the same public support. Equity among people in similar circumstances, sometimes called “horizontal equity” has been promoted by a redistribution of resources from the healthy to the sick, from the employed to the unemployed, and from young and middle-aged workers to children and seniors. Since the 1960s, there has been an increasing emphasis on “vertical equity” expressed as programs targeting the poor.

Our discussion here of intergenerational equity in public policy, using the examples of health care and income security, suggests that we need to re-vision equity as fairness of access, response to need, and outcomes in all social welfare policy fields.

5.0 Ethics and Public Policy

If public policy is a moral endeavour, how do we clarify its moral and ethical dimensions and implications? *Ethical frameworks* and sets of *guiding principles* have become tools for this process of clarification in public policy. While principles are normative generalizations that guide and direct choices and actions frameworks are intended to help us to see an issue from varying perspectives and to identify the consequences of different policy options from points of view of “affected others.” Both are tools to stimulate our moral imagination and help make transparent the values at stake in policy options.

A meaningful framework or set of guiding principles should recognize the importance of both procedural (process) and substantive (criteria) ethical concerns. In turn, ethical analysis of both the process and criteria for decision-making can be descriptive, theoretical or normative. Descriptive ethics – as manifest in polling data and focus groups, for example – helps explain and clarify values people actually hold. However, descriptive ethics do not express what we *ought to do*; it is not normative. This is a crucial distinction to keep in mind as we proceed, for the process for public involvement envisioned in this project is more than a descriptive exercise. It is concerned with how public decisions *ought* to be made.

6.0 A Framework of Guiding Principles

Because we have positioned public policy as a moral/ethical enterprise where decisions are made that affect others and justice and fairness are central, we need to find an ethical framework that respects individual needs and rights but gives priority to the care and interdependence that is central to intergenerational equity. We need to surface a framework for deliberation, in other words, that is concerned with fostering solidarity and equity rather than one concerned only with resolution of the values conflicts that will inevitably occur. The framework will have to address how decisions are made precisely because this is not just a reflective or descriptive process. The goal of a framework is to direct and shape how public policy *ought* to be made.

We need to develop an ethical approach for public policy development that resonates with a framing of policy as a moral endeavour and fosters intergenerational equity. The **ethic of care** is one such approach. This approach holds that moral/ethical decision-making is not so much about rights or finding rules to arbitrate conflicting interests as it is about finding solutions that reduce conflict by fostering human dignity and the good of the entire community/society. This ethic does not see people as individual, autonomous and unconnected but rather as rooted within *relationships* – for instance family relationships, social relationships, work relationships, and political relationships. The ethic of care says that every time decisions are made, there needs to be consideration of what kind of relationship the decision comes from and what kind of relationship is at stake.

This perspective is very meaningful for any work that attempts to look at those progressively difficult decisions about the sharing of common resources. It requires us to look at individuals not in competition but as interconnected. It also asks how decisions can be made fairly across time and age and stages of life, when there are different needs and dependencies. This centering of care is compatible with the framing of intergenerational issues within the sense of the unity of

the lifespan and a conception of justice understood primarily as equity. Both care and justice should be seen as types of practice, particularly in serving as the basis of claims to reallocate resources from more to less affluent individuals, or from one age group to another. IN this perspective, justice and care are necessary for each other.

Because the ethic of care in an intergenerational context is *a general theoretical framework* only, a set of basic principles is needed both to distinguish it from other ethical approaches and to suggest how it can be used to inform actual policy decisions. The ethic of care framework can be enriched, and its potential utility for decision makers enhanced, by adopting some basic principles of justice:

- respect for persons of all ages
- meaningful autonomy
- solidarity
- protection of the vulnerable
- responsible citizenship
- accountability
- sustainability

These principles are only *a starting point* for thinking about the ethic of care as an ethical framework for decision-making in an aging society. Some are clearly inter-related, such as respect for the dignity of persons of all ages and meaningful autonomy. Some of the principles are in potential conflict, such as meaningful autonomy and solidarity or responsible citizenship. All or some of these principles may need to be applied to specific issues.

The principles outlined here provide no magic answer to difficult public policy choices, but they have the potential to help us frame and focus our deliberations on the ethical issues at stake. They are proposed as a possible lens for making public policy choices that is consistent with the relationships that underpin the concept of intergenerational equity.

7.0 Health Care, Income Security and the Ethical Framework

Since ethics is a practical discipline, any ethical framework for public policy will be meaningful only if it helps us make better decisions. Health care and income security are two key policy areas with implications for intergenerational equity. They can function as test cases for whether this ethical framework can foster inclusive, interdependent and equitable discussion and debate. It is critical for us to attend to the assumptions held by Canadians on these two distinct but powerfully related issues. These assumptions reflect the beliefs and values that shape, among other things, how people think they ought to act, how they believe they ought to treat others, and how they understand their duties and commitments.

Providing public resources for health care and income security have very different meanings and therefore a different priority for most Canadians. If health care is generally perceived to be of crucial importance, there is a lesser degree of consensus among Canadians about income security. Yet there is a powerful link between income, income inequality and health. There is a different social response to a health need as compared with other kinds of need, even when these

other needs – housing, food, meaningful employment and nurturance, especially in the first few years of life – have more direct impact on long-term health and well-being than the health care system itself.

Despite the importance of these determinants, income security policies are viewed very differently from health care policies. For policies focused on intergenerational equity to achieve goals of inclusion and equity, we need to incorporate into the information provided to citizens some clear factual messages, including that such effects cut across all income groups; they do not just affect the poorest. There are consequences to all members of society from income inequality. If a focus on intergenerational equity is to be meaningful, it needs to find ways to promote reflection on both health care and income, as well as on the crucial links between them.

The paper includes four case studies that invite readers to use the ethic of care framework to reflect on the best use of common resources to foster intergenerational equity in an aging society.

8.0 In Closing: A Dialogue with Nuala Kenny

The paper closes with the transcript of an interview with the study author, Nuala Kenny, who highlights some of the key points raised in the text.