

Ethics at a Glance

Principles of Justice

A general principle of **justice** requires that we act in ways that treat people equitably and fairly. Actions that discriminate against individuals or a class of people arbitrarily or without a justifiable basis would violate this basic principle.

Of special concern in the health care context is the notion of **distributive justice**. This conception of justice refers to an equitable balance of benefits and burdens with particular attention to situations involving the allocation of resources. Munson (2004) offers four specific principles of distributive justice that can be considered in situations involving the distribution of material goods and resources, especially those that are scarce. The **principle of equality** requires that all benefits and burdens be distributed equally. The advantage to this conception of justice is that everyone is entitled to an equal share of resources; however the principle becomes problematic when not everyone is perceived as equally deserving of an equal share.

A second principle is the **principle of need**, which suggests that resources should be distributed based on need so that those with greater need will receive a greater share. In theory, this supports the principle of equality in that everyone will end up with the same share of goods. A difficulty common to both of these principles is the question of exactly what material goods and resources we are entitled to. Definitive agreement has not been reached in this society as to whether health care is such a good.

The last two principles address more directly our sense of fairness. The **principle of contribution** maintains that persons should benefit in proportion to their individual contribution. Those who contribute proportionately more to the production of goods should receive proportionately more goods in return. Similarly, the **principle of effort** recognizes the degree of effort made by an individual as the determining factor in the proportion of goods to be received. Obvious difficulties with these principles lie in defining the exact nature and impact of a contribution and accounting for the inherent differences in the outcomes of individual efforts regardless of the amount of effort expended.

Two very specific categories of justice, included under the broad umbrella of distributive justice, are also relevant to the health care context and health care leadership. **Procedural justice** requires processes that are impartial and fair. This form of justice underlies the requirement of due process when conducting

disciplinary action against an employee or the manner in which a patient complaint is investigated. Procedural justice might also relate to how resources are allocated in situations where other relevant criteria such as need or effort are substantively equal.

The second category, **compensatory justice**, involves compensation for wrongs or harms that have been done. Damage awards to patients for malpractice or negligence are obvious examples of compensatory justice, along with damages awarded for discriminatory personnel practices or fines levied for violations of legal or regulatory requirements.

For more on the principles of justice see:

Ascension Health

http://www.ascensionhealth.org/ethics/public/key_principles/distributive_justice.asp

Beyond Intractability

http://www.beyondintractability.org/m/distributive_justice.jsp

Midwest Bioethics Center

<http://www.midbio.org/mbc-forum15-2.htm>

University of Washington School of Medicine

<http://eduserv.hscer.washington.edu/bioethics/tools/princpl.html#prin2>