

## I. COVID-19 as a kind of natural experiment

Political theorists sometimes use thought experiments. Some are abstract. Rawls' 'original position' represents people simply as free and equal; they are behind a veil of ignorance that denies them knowledge of a kind that might bias them in their choice of principles of justice to regulate society.<sup>2</sup> Others, like the (in)famous 'trolley problems', are specific. Would you switch the points on the runaway train if you knew that the result would be to save 10 but kill 5? What about intentionally sacrificing just one very heavy person to stop the train altogether?<sup>3</sup> Some theorists don't like this kind of thing, but defenders claim that constructing imaginary scenarios is an effective way of revealing our intuitions and honing the principles that underlie, or should underlie, our judgments about real world situations.<sup>4</sup>

The pandemic might have been a thought experiment (rather as it might have been a disaster movie). 'Imagine a new deadly virus suddenly appeared in the world. It is highly infectious and can be carried without people knowing they've got it. It doesn't affect all people equally: how likely people are to get it, and how bad it is for them if they do, is affected by their age, sex, ethnicity, health status, economic situation...' This is the kind of dramatic scenario that might be used to explore a wide range of normative considerations: how to balance the interests of young and old; how to weigh economic and health considerations; how to distribute risks between rich and poor; what limits on people's freedom of movement and association may justifiably be imposed on them to reduce risks to others; how to make morally responsible political decisions in conditions of urgency and uncertainty; and so on.

The pandemic is not, alas, a thought experiment. But we could think of it as a kind of natural experiment. That term is used in various ways ([Titunik 2020](#)) but I mean by it simply something that just happens in the world but yields evidence that helps us test theories and increase our knowledge and understanding. It is an experiment without an experimenter. So conceived, we can ask what we have learned from the pandemic. Sometimes natural experiments generate genuinely new insights: new observations lead to new theories and new true beliefs about the world. I don't want to claim that the pandemic has taught us *nothing*. Many have been surprised by the extent to which citizens of liberal democracies have been willing to comply with serious restrictions on their freedom of movement and of association. Like those subject to more authoritarian regimes, they have shown themselves capable of the discipline needed to solve collection action problems at least for a while, and at least in the face of a serious and widespread threat to life. But for all the unprecedented experiences and sense of changing possibilities that have undoubtedly been part of the story, most of what the pandemic has thrown up counts, for me, as confirmation of what many already knew: *we live in societies where people are subject to unjust laws made in unjust ways*. That hardly qualifies as new knowledge, so it is hard to conceive this as a genuinely epistemic gain. Rather, the pandemic has provided more vivid evidence of that claim. It has starkly revealed how bad things really are.

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<sup>1</sup> I am grateful to Matthew Adams, Katharina Bauer, Anca Gheaus, Julia Hermann, and the two editors of this volume for very helpful suggestions in the writing of this piece.

<sup>2</sup> The seminal text is Rawls (1971, revised edition 1999) but the easiest way in to his theory as a whole is Rawls (2001).

<sup>3</sup> The locus classicus is Thomson (1976).

<sup>4</sup> For an accessible introduction to the issues, see Brownlee and Stemplowska (2017).

At school, chemistry lessons sometimes consisted of what we called ‘experiments’ but were really ‘demonstrations’: seeing chemicals react to produce a different coloured compound wasn’t exactly generating new knowledge but it did teach us something. I see the pandemic as ‘demonstrating’ some truths about the way we do politics. In laying bare the nature of politics – and its pathologies – we can hope that the pandemic will yield educative benefits. Whether people will learn the lessons is another matter, and whether they will in fact be motivated to act on them even if they do is different again. We know enough about the self-serving processes by which people form their beliefs, and about the challenges facing individuals who need to act collectively to pursue shared goals in situations where many of them do not feel personally at risk, to doubt that even clear evidence about how bad things are will prompt sustained attempts to make them better. Still, those lessons are worth setting out clearly.

## II. Unjust decisions unjustly made

Politics is really quite simple. At least it is the way I propose to understand it, as concerned with the state and its laws. There are more expansive approaches – perhaps there is politics wherever there is power – but my narrow definition allows us to focus on some key points. The state is a coercive apparatus. It will resort to physical force to get people to do things: things they may not want to do, things they may think they shouldn’t do, and things they may very well think they shouldn’t have to do. It does this by making laws and requiring compliance with them. Disobey, and the state’s agents – police, courts, prison warders – will try to make you. Politics, then, is essentially the process by which some people decide the rules and force others to follow them.<sup>5</sup>

From a normative perspective – concerned with moral issues about how human beings are permitted or required to treat one another – there are three big questions we can ask about all this. First, and most fundamentally, is this kind of coercion justifiable even in principle? Could it *ever* be permissible for some people to decide the rules and set up an apparatus to impose them on others? Though I think the pandemic could be used to argue against anarchism, I’m not going to make that case here; I’m simply going to assume that the answer is ‘yes’. Second, there is the issue of *procedures*: assuming that a rule-making compliance-enforcing institution could in principle be justified, how should the rules be made? Which ways of deciding what people should be forced to do are, or would be, just or legitimate? Third, there is the matter of *content*: bracketing the issue of who should get to choose the rules, what rules should they choose? Which coercively imposed arrangements give people justice – that is, distribute benefits and burdens justly between them – while leaving them free to do those things they should be free to do?

In my view the pandemic has starkly exposed injustice in both the content of the political decisions with which we are expected to comply and the procedures by which those decisions are taken. Unlike the innocent defendant mistakenly convicted after a fair trial, those on the wrong end of unjust policies are wronged twice over. Here I’m going to focus only on matters of content. To address procedures would involve me in discussion of all sorts of defects in the way we do politics, such as politicians’ lack of honesty and openness in their communications with the citizens they are elected to serve, their refusal to accept responsibility when things go wrong, and their unwillingness to set aside self-interest,

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<sup>5</sup> Here I draw on Swift (2019).

partisan gain, and personal friendships when deciding policies, who to put in positions of authority, or which companies should be awarded contracts spending public money. Merely listing those desiderata might suggest to readers the kind of thing that might be said about the injustice of our current political procedures, and about how they have been demonstrated by the COVID-19 crisis. But I don't have the space to do more than offer these hints in that direction and so I will confine myself to unjust decisions, rather than the unjust ways in which they are taken.

To claim that the pandemic has starkly revealed injustice is not to say that it has systematically increased its level. The symptoms of an illness can become clearer without any corresponding increase in its virulence. It has *always* been the case that some people make decisions that determine how well others' lives go – from how long they live to how much free time they have – and those decisions were *already* unjust, both procedurally and in terms of their content. My point is not that the pandemic has made things worse, though it has certainly exacerbated some existing inequalities (Blundell et al. 2020). It's rather that the pandemic has revealed how bad they are.

### **III. Highlighting and exacerbating injustice**

'The pandemic' might be regarded as an entirely natural – perhaps biological – phenomenon. What we are talking about, on that view, is a new virus which reproduces itself in human beings, and impacts on their health, to differing extents depending on their age, sex, ethnicity, disability, prior health conditions, and so on. Some people get it and others don't, some die from it while others experience no symptoms at all, and so on, because they differ physically or physiologically. One might think that while it's *unfair* that some people are more likely to suffer illness, or die early, than others – and that kind of unfairness has indeed always been with us – it's not *unjust*. Nobody has wronged anybody. It's simply the luck of the biological draw.

There are two problems with this way of thinking about things. First, even if the virus and its immediate impact on people's health were simply 'natural' phenomena, how we *respond* to them is clearly subject to normative evaluation – and is surely a matter of justice. We can simply leave victims of the virus to suffer the costs of their bad luck or we can seek to mitigate its impact on them. The obvious way to do the latter is by devoting collective resources to medical care, but there are many other ways in which policy decisions can affect the impact of people's health on their overall wellbeing; e.g. decisions about how much income support they get if they are too ill to work. Societies differ greatly both in how they choose to distribute medical care and in how well they provide in other ways for those who suffer ill health. People disagree a lot about what justice requires in these matters, but policies that respond to health conditions are social decisions that can surely be judged to be less or more just, even if the incidence of the conditions themselves can't.

But, and this is the second point, social arrangements – and hence policy decisions – also make a huge difference both to who gets and doesn't get the virus in the first place, and to how badly they suffer, strictly in health terms, if they do. It is common to talk about 'the social determinants of health', and medical sociologists have produced swathes of research documenting the extent to which people's health status itself is influenced by social factors (see, e.g., Marmot and Wilkinson 2005). So when, two paragraphs back, I talked about the effect of the virus depending partly on people's 'prior health conditions', I was sneaking into

my list of supposedly ‘natural’ causes a category that already reflects social arrangements. It is well known, for example, that being obese increases the risk of death if one contracts COVID-19 (Wadman 2020), but it is also widely agreed that, in Western countries, obesity is strongly associated with poverty ([Bentley et al. 2018](#)). Similarly, when I listed ‘ethnicity’ under the same heading, I was inviting the thought that that members of different ethnic groups might differ in relevant ways as a matter of basic physiology. In fact, however, any contribution of such factors to the explanation of inequalities in COVID-19 death rates, for example, is trivial. People with non-white skin are more likely to die than their white fellow citizens because they are more likely to be poor, more likely to suffer from other health problems (like obesity itself) that themselves have social influences, more likely to work in high-risk settings, more likely to live in overcrowded housing, and so on ([Bentley 2020](#), [Platt and Warwick 2020](#)). The distribution of ethnic groups across income levels, or health, employment and household statuses is not a fact about the natural world. Nor is the fact that people living in poverty are more likely to be obese. Nor, indeed, is the very fact that poverty exists at all in wealthy countries.

Social arrangements make a difference to how the virus affects people’s health: how likely people are to get it and how badly their health will be affected if they do. And they make a difference to how people’s health affects their overall wellbeing – how much the quality of their life as a whole depends on how ill or well they are. These arrangements result from policy decisions, and both social arrangements and the policy decisions that generate them can be evaluated as less or more just. In other contexts I would address carefully the question of how exactly to make such judgments – inequalities aren’t necessarily unjust, policies that permit inequalities aren’t either – but here I am simply going to assert that both the arrangements and the policies are unjust (see Swift 2019, parts 1 and 5 for a more cautious discussion). They do not properly weigh the interests of those affected by the policies, they do not distribute justly the benefits and burdens that result from the policies, they do not strike the right balance between holding individuals responsible for their lifestyle choices and sharing in a solidaristic way the risk of bad health outcomes. *All this was always true*. The social gradient in health was there all along. In the UK, indeed, recent policy decisions taken in the name of ‘austerity’ had caused that gradient to steepen well before the pandemic came along, just as – by lowering the ‘safety net’ – they had also increased the overall suffering of all those who get ill (Dorling 2018). What’s new is only that the virus has upped the stakes and increased the effects of the injustice.

But this is only the beginning of the story. In narrowly treating ‘the pandemic’ as a virus that affects people’s health, I’ve said nothing yet about the steps that states have taken to combat it. The policy responses to the pandemic – lockdowns, social distancing measures, income replacement schemes, and so on – have affected everybody, whether or not they have suffered any ill effects of the virus itself. They have not, however, affected everybody equally. Those on low incomes have been harder hit than those on high incomes in *every* way: in addition to their higher health risk, they are more likely to lose their jobs, less likely to be able to work from home, more likely to be locked down in smaller spaces and so on. To be clear, those worse affected by the policy response are not always those affected by the virus itself. For example, men are more likely than women to get and die from the virus, but the interaction between the closure of schools and nurseries and traditional gender roles mean that women have been harder hit than men by the measures taken to control it. Similarly, middle-aged and older people are more vulnerable to the pandemic, while it is the young who have suffered most from states’ attempts to manage it. Like the impact of the virus itself, the

overall effect of the policy response has been to highlight and exacerbate existing unjust inequalities.

The intergenerational issue is perhaps the most interesting. Put simply, many of the elderly, whose interests in health and longevity are being protected by the sacrifices of younger people, have lived through better times than look likely to be enjoyed by those doing the sacrificing. The inequality, between those born at different times, in what we might think of as ‘expected lifetime wellbeing’ was already there before COVID-19 came along. Young people might – and did – already complain that their parents’ and grandparents’ generations had enjoyed levels of wellbeing that would no longer be available, while destroying the planet in the process. Their sense of injustice will presumably be all the greater when they realise that, while relatively unlikely to suffer badly from the virus itself, they will be the worst affected by the economic impact of the lockdown and social distancing, to say nothing of its effects on their mental health.

Compared to that complex case, the way in which the policy response to COVID-19 has exacerbated class inequalities – roughly, inequalities between those with different levels of education, in different kinds of job, and with different levels of income and wealth – is obvious and straightforward. While people with a university degree, and on higher incomes, have generally been able to stay at home, stay safe and get paid, the worse paid, less educated are much more likely to have risked their lives (if essential workers) or their livelihoods (if not). Longer-term, the shift to working, communicating and socializing online all favour the more educated, just as the move to e-learning works better for their children. Even without class-related inequalities in the quality and quantity of online teaching that schools provide, better-off parents are better able to help their children take advantage of it. Here, clearly, we see an exacerbation of unjust inequalities that have been there all along.

Education policy in the UK provides a great example of how the policy response to the pandemic has exposed pre-existing inequalities. The lockdown meant that students were not able to sit the exams that they would normally have taken at 16 (GCSEs) and 18 (A levels). Instead, teachers were required to say what grades their students would have got, indeed they were required to rank them individually. Going by teachers’ predictions, however, would have led to considerable grade inflation, so the government’s Office of Qualifications and Examinations Regulation (Ofqual) ran them through an algorithm designed to bring the (otherwise anomalous) 2020 results into line with earlier years. It did this by adjusting the predictions in light of schools’ previous results, so that, in effect, the grades of students in 2020 would depend not on their own efforts and achievements alone, but on the results attained by those who had gone before them. As is well known, there is an association between the class composition of a school and its results – children from more advantaged backgrounds tend to do better – and it is widely accepted that the inequalities in exam results, and resulting inequalities in opportunities, are unjust. The algorithm, then, was building that very injustice into the grading system, and laying bare the extent to which children’s opportunities are socially determined. As one commentator put it, Ofqual tested the algorithm for various biases ‘and found that it was broadly speaking fair, in the sense that it accurately reflected the injustices inherent in the system’ (Taylor 2020: 10).<sup>6</sup> In the end, there was such a public outcry that the government backed down and agreed to treat teachers’ predictions as

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<sup>6</sup> Even by that standard, the algorithm wasn’t entirely fair. For good statistical reasons, the algorithm made smaller adjustments to teachers’ predictions where class sizes were smaller. Since smaller classes are more common at private schools – itself part of the explanation of their better exam results – the results of children at private schools were less likely to be downgraded.

authoritative, though to my mind it was striking that many people objected more to the very idea that individuals' results should depend on others' than to the fact, nakedly exposed by the algorithm, that they reflect social circumstances.

#### **IV. Business as usual?**

For all the shocking changes it has brought to our lives, the pandemic has plainly demonstrated, and in vivid terms, something about our political business as usual. It has brought to the surface injustice in the procedures by which political decisions are made: politicians 'spin', massage statistics, and, increasingly, lie; they seek personal and partisan advantage rather than the common good; they give jobs and contracts to cronies. And, the topic I focused on here, it has exposed injustice in the political decisions that are made by those procedures. As far as the latter are concerned, some specific effects may indeed have been starker than they were before – some unjust inequalities have been exacerbated, for example – but the underlying story is nothing new.

I said at the beginning that political theorists like to use thought experiments. Those experiments have their limitations, educationally speaking. After all, they happen only in the realm of thought, and are in any case read only by a tiny minority of the population. Certainly there's little sign of their effectiveness in challenging injustice in the real world. Indeed, the dissemination of Rawls' 'original position' was famously accompanied by political changes in the wrong direction as far as his conception of social justice was concerned (Scheffler 1992). Faced with this evidence about the inefficacy of her usual method, one could imagine a crazed theorist deciding to get her message across by doing something people couldn't fail to notice: releasing a deadly virus into the world. That would not be an experiment, strictly speaking, more of a demonstration. Her aim would not be to generate new knowledge but simply to illustrate her claims, and to demonstrate them in terms so stark that they would be hard to deny. But just as she was about to put her plan into action, the world came along and supplied exactly the thing devised by her warped mind...

One big difference between political theorists and normal people is that the former are quick, and indeed eager, to imagine ways of doing things different from our own, while the latter tend to be more fatalistic.<sup>7</sup> It's not that most people disagree that current arrangements are unjust, it's more that they don't see much point in going on about it, since they don't see things changing any time soon. All teachers of courses on social justice will be familiar with the 'But it's not going to happen, is it?' student response. By disrupting normality, while simultaneously laying bare the injustice which we might otherwise simply accept as given, might the pandemic do what all our books and articles couldn't? I'm not optimistic. After all, business as usual resumed soon after the near collapse of the global economy in 2008, with the policy response of 'austerity' unjustly imposing the greatest costs on those both least responsible for the crisis and least able to bear them. Still, viewed as a lesson in politics - as a wake-up call alerting us to how bad things have got and as evidence that big changes are possible - we can at least hope that it will be more effective, educationally speaking, than political theorists have been.

#### **FURTHER READING**

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<sup>7</sup> I owe this formulation of the thought to a conversation with Stuart White (somewhere around 2006).

D. Dorling *Peak Inequality: Britain's ticking time bomb*: section 6 (Policy Press, 2018)  
M.Marmot and R.Wilkinson (eds.) *Social Determinants of Health* (2<sup>nd</sup> ed. 2005, Oxford University Press)  
A. Swift *Political Philosophy: A Beginners' Guide for Student and Politicians* (4<sup>th</sup> ed. 2019, Polity Press)