

Counting the Costs of Equality

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I

Some have argued that the costs of a Rawlsian egalitarianism are just too high.¹ That that argument could be applied with even greater force to my more radical egalitarianism should be evident enough. (Nielsen 1984) Equality, one version of the argument goes, is not the only thing worth achieving; it is not the only value or such a prominent or overriding value that it can rightly have the pride of place most egalitarians give it. Its position in any reasonable value hierarchy is not such that when we consider what else we would lose, if we pushed in the egalitarian direction Rawls defends and I do as well, that we should come to see that its costs are so high that it is irrational, or at least wrong, to push for such an egalitarianism. If we will carefully reflect, we should come to see that its costs are too high. To achieve equality we would have to subordinate and sometimes even thoroughly undermine too many other things—other values—that are of enduring value to us.

What are the specifics of this costs-of-equality argument? Robert Nisbet, with a good bit of rhetorical fanfare, and Frank Parkin, with fewer rhetorical flourishes, have argued for it. (Nisbet 1977; Parkin 1971) The latter, in his *Class, Inequality, and Political Order*, has argued that the cost of eradicating inequality is unacceptable because it would undermine our democratic structures. (Nisbet argues this as well.)

In trying to establish this Parkin first makes a *realpolitik* remark that leads one to expect an egalitarian argument.

A political system which guarantees constitutional rights for groups to organize in defense of their interests is almost bound to favor the privileged at the expense of the dis-privileged. The former will always have greater organizing capacities and facilities than the latter, such that the competition for rewards between different classes is never an equal contest. This is not merely because the dominant class can more easily be mobilized in defense of its interests, but also because it has access to the all-important means of social control, both coercive and normative. Given this fundamental class inequality in the social and economic order, a pluralist or democratic political structure works to the advantage of the dominant class. (Parkin 39)

But then, in what at first looks like a reversal, he delivers his *coup de grace* to the egalitarian:

Socialist egalitarianism is not readily compatible with a pluralist political order of the classic western type. Egalitarianism seems to require a political system in which the state is able continually to hold in check those social and occupational groups which, by virtue of their skills or education or personal attributes, might otherwise attempt to take claims to a disproportionate share of society's rewards. The most effective way of holding such groups in check is by denying them the right to organize politically or in other ways to undermine social equality. (Parkin 39)

Even under the best of conditions in Eastern Europe when social coercion was extant, attempts made by the Communist Part to achieve greater equality led to repeated state and party interference in social life. This, the argument runs, has led to a very extensive interference with people's liberties and even with what normally would be regarded as their civil rights. Concerning this, Parkin observes:

The fact that the humanistic ideals central to the socialist tradition have found little if any expression in the European socialist states highlights an unresolved dilemma; namely, whether it is possible to establish the political conditions for egalitarianism while also guaranteeing civil rights to all citizens within a system of 'socialist legality'. (Park 39)

In this respect, Robert Nisbet makes a remark about American society which could equally well be applied to Canadian or Australian society and to Japan and much, if not all, of Western Europe:

[T]here is not the slightest evidence that a majority of Americans, once they understood what was involved, would willingly support the New Equality. I do not mean Americans are passionately fond of the immensely rich or the way of life of the international jet set. But once the majority consciousness fully grasped that most of what was to be given to those early less than \$10,000 a year would have to come from those earning or hoping to earn \$20,000 to \$40,000 a year, something stronger than the majority itself would be required to effect such economic altruism. Jencks is aware of this, and acknowledging frankly what his policy of redistribution would do to the family, to inheritance, and to the whole play of what we call, for want of a better word, luck, tells us that an enormous reshaping of American attitudes through political action would be necessary. He is under no illusion that we will reach the New Equality through representative democracy. (Nisbet 44)

If we appeal to our actual considered convictions—to what the majority of people actually sincerely believe—egalitarian sentiments, Nisbet argues, will not be sufficiently strong to support such a redistribution. Such egalitarianism is hardly the sort of thing that is likely to be voted in or supported. As Nisbet puts it, the majority, left to their own desires in the matter, would not wish to go much beyond what we now hope to have: reasonable equality of opportunity and equality before the law.² (Nisbet 45) If we prize democracy, if on such a matter we would rest our judgments on a moral consensus, we will not press for even a

Rawlsian egalitarianism, let alone a more radical egalitarianism such as mine. We know that such a consensus favoring egalitarianism isn't there and that it will not be in the foreseeable future. Moreover, we will find an undemocratic use of state intervention to force more equality on people—a form of despotism. If we are reflective moral agents and if we believe in democracy we will not, Nisbet argues, try to 'force people to be free'. We will remain wary of a centralized state, corporate or religious state power which will, in its inexorable leveling drive, create an undifferentiated mass society. Such a centralized power, even when benevolent, is paternalistic, invariably despotic and thus destructive of freedom and individuality. If we push with success for an egalitarian society, a "disunited, atomized, pathological mass" will result with no social bonds and with a courtier-like docility before Big Brother, the state. At the very least, human autonomy will be undermined. This is so, Nisbet maintains, because a corollary of egalitarianism is greater centralized power. You cannot have one without the other.

II

Let us first consider the response to Nisbet by Herbert Gans, a liberal (though not a neo-liberal) and one of the more 'moderate' of those whom Nisbet, as has Charles Frankel, labelled the New Egalitarians. (Gans 1977, 50-58) Gans notes that here, as well as elsewhere in Nisbet's writings, we find urbane and often witty remarks. But we also find with that rhetorical exaggeration, inaccuracy and (at crucial points) empirically unsubstantiated claims. In short, once we discount its rhetorical finesse, his arguments, Gans remarks, are often rather shoddy. Nisbet himself is a very literary, very impressionistic and very unempirical imaginative social scientist. Indeed he is much more of the *philosophe*, the

ideologue, than he himself would regard as morally and intellectually acceptable. As he makes clear in talking about Rousseau and Rawls, he disapproves of the *philosophe* and tries to turn Rawls into one, yet his very attacks on Rousseau and Rawls reveal Nisbet in just the role he disapproves of so much. Indeed he is a paradigm case of a *philosophe*. (Gans 1977, 50-51; 57-58). What he falsely ascribes to Rawls and disapproves of so vehemently shows itself in his own work. Moreover, like his philosophical counterparts, Antony Flew and J. R. Lucas, he proceeds too much by innuendo and too little by way of argument, imputing, without any attempt at substantiation, motives to the New Egalitarians they do not have. (Lucas 1971, 138-52; Flew 1976; Flew 1978) All this should be noticed and not forgotten. But what is crucial is that we distill from this whatever there is by way of rational argumentation in Nisbet's ironic critique of egalitarianism and examine that.

Gans does indeed turn to Nisbet's argumentation. In typical liberal fashion, he remarks that he does not accept what Nisbet calls 'perfect equality' and he does concede to Nisbet that if perfect equality is seriously sought as a primary societal goal it could become despotic and lead to an intolerable amount of state intervention in our lives. (Here he makes a claim that would generally be accepted by the 'New Egalitarians'.) Gans concedes that even his more moderate egalitarianism in its "reducing of economic inequality will result in a more powerful government, since only government can bring about the reduction in the first place." (Gans 1977, 55) He also concedes—again, in typical liberal fashion—that "increasing the power of the federal government is not desirable." (Gans 1977, 55) However, he immediately and significantly adds, "But if we must choose between being controlled by large multinational corporations or by a more powerful democratic government, it would be more reasonable to choose the second as the lesser of two evils." (Gans 1977, 55) He then

nicely captures Nisbet's underlying conservative attitudes by remarking perceptively, "Worrying at length about the dangers of immense federal bureaucracies, Nisbet never once mentions the dangers of corporate ones." (Gans 1977, 55)

However, Gans goes on to challenge whether it is in fact true that pressure for a more egalitarian society would threaten democracy so that we might have to make a difficult choice between two evils. He argues that what Nisbet and many conservatives fail to note in making these claims about democracy being threatened by egalitarianism is that "more economic equality will reduce the economic and political power of the wealthy, thus creating more political equality" and thus at least the reasonable possibility of a more democratic society. (Gans 1977, 55) The reduction in economic inequality will, Gans continues, among other things complicate decision making. Gans writes:

[W]hen people have enough economic security they become more interested in using the political liberty which is their constitutional right. Nisbet suggests that more equality can be achieved only at the price of less liberty. But this is the conventional anti-egalitarian argument, one that fails to consider whose equality will affect whose liberty, and does not mention that under conditions of economic inequality, *de facto* liberty is maximal for the affluent but minimal for the poor. In fact, the income and resulting liberty of the very rich are made possible in part by the existence of the poor, who lack most of the liberties which Nisbet—and I—prize. The aim of the New Egalitarians, as I see it, is to increase the liberties of the many, while reducing among the few only the liberty to dominate the rest of us with their economic and political power. (Gans 1977, 56)

Martin Sklar, writing from a definite Socialist perspective, puts the egalitarian response in an even stronger form. Liberty without equality does not provide liberty for all. What it does is protect the liberties, principally the property rights and marketplace liberties,

of the ruling class—the few who are the wealthy and privileged elite of the society—while in effect depriving the unequal, and particularly the most disadvantaged, of any real chance to practice their liberties, i.e. to actually assert control over their own lives. In an egalitarian society, “liberty becomes the power and privilege of the few, an instrument for the manipulation and exploitation of the many.” (Sklar 1977) Conservative talk about liberty, as is evident in Robert Nozick’s work as well as Nisbet’s, is a mask for protecting the power and privileges of the rich. When they defend liberty they are in reality defending their own self-interest or at least their own class interests, e.g. their property and their freedom to do what they want in the running of their business empires or, if they are capitalist small fish, their business enterprises.

More economic equality would, in short, further rather than undermine democracy. But beyond that not having it is also costly in a way in which Nisbet, who wants to count costs, utterly ignores. Gans remarks:

Nisbet displays the same curious blind spot as other critics of the movement for more equality: he pays no attention whatsoever to the effects of inequality. Indeed, he implies in his argument that inequality is preferable. Yet the harmful effects of inequality are not only more dangerous than the effects of more equality; they even touch the lives of the more-than-equal and impair the quality of the entire society. The physical and emotional suffering, the restrictions on liberty and creativity which accompany poverty, these are so obvious as to require no further discussion. But what of the financial and non-financial costs that the rest of society must pay for poverty? These include the financial costs of caring for those poor who become victims of chronic mental and physical illness, alcoholism, and drug addiction, and the much higher costs of protecting the rest of society from such victims. There are also the financial costs of abounding street crime and seemingly senseless juvenile violence—and, again, the cost of protecting the rest of society from these and other forms of lower-class anger against an inequalitarian system. (Gans 1977, 56-57)

Moreover, Gans, as a good welfare state liberal anxious to stabilize and protect the capitalist system as well as to ameliorate the lot of the most disadvantaged, recognizes that inequalities are destabilizing to capitalism where they are as extensive as those which are our present lot. Such inequalities are costly because they threaten to bring into existence class conscious groupings of people who will attack the system rather than to passively integrate themselves into the system. (Gans 1977, 57) Here we have an argument for welfare state capitalism on the part of Gans which is now (2015) out of fashion with capitalists.

This last argument by Gans is plausible but certainly not beyond challenge. Now in the 21st Century it is just ignored. There is the more likely coming into being of the Occupy Movement or of the challenge of the Syrian government—matters which are anti-capitalist. It may, however, be true that some more equality than we have at present is even in the interests of the ruling class and those strata closest to it. Too many capitalists have become too greedy for their own good. Grinding poor people into the ground is not always good for capitalism. But I am not speaking of a ‘compassionate capitalism’ or suggesting something like that is in the interests of capitalists. It is not so evident that such egalitarian policies characteristic of ‘welfare capitalism’ will continue to be system-stabilizing. More equality may very well, with the rising expectations that would go with it, lead to a demand for still more equality, particularly when an associated rising level of education will make it ever more evident to more and more of the disadvantaged that these inequalities cannot be justified and need not be sustained. Once a belief in equality has been legitimized and certain expectations arise with it, it is very difficult to limit it, for these limitations can easily be seen to be morally arbitrary and self-serving. This was written in the 1970s. What seemed plausible then seems implausible in the 21st Century. A demand for an extensive

equality would cause the demise of the capitalist system if it were met. But it was never met or even approximated. Have not those defenders of capitalism been nearer to the mark who have seen the egalitarian tradition as its mortal enemy?

III

What Gans's overall case does show against the claims of conservatives such as Nisbet, Nozick, Flew, Lucas and Kristol, is that there can be much more equality than these conservatives seem at least to regard as desirable without an undermining of liberty and democracy. Indeed, both would be enhanced by more equality. But that does not show that an egalitarianism as radical as mine or perhaps even as Rawls's would not come into conflict with democratic institutions and it does not show that even Gans's rather modest demands for more equality would not set in motion a demand for ever greater equalities which would eventually destabilize capitalist societies. Once people got in the habit of requiring that inequalities be justified they, in the words of Orwell, might desire very strongly and strive to obtain a society in which there is "no boss class, no menial class, no beggars, no prostitutes, no lawyers, no priests, no bootlicking, no cap-touching."

What is to be said here? I will start with my own position. One of my principles of justice commits me to economic equality. This would involve an extensive leveling of wealth because it, to put it mildly, is plainly anything but equal now. This doesn't *only* mean just reducing the wealth of the miniscule capitalist class (two to five percent of the population), but going anywhere in the direction of achieving equality across the board would require reducing through taxation the wealth of perhaps twenty percent of the population. This will not be sufficient to achieve equality and the condition of equal moral autonomy where what

we have in mind is something to be achieved in the long run. With the overall increase in social wealth in the society, such a lowering of the standard of living of this professional stratum may not be necessary. But in the short run it very well might and, from the standpoint of many of those people it is the short run (say, several decades), that is likely to count. What is necessary to face is the possibility that in the short run these people, at least in monetary terms, will be in for some losses. But it is these very people who are among the most articulate people in the society and, after the ruling class, the most powerful part of the population. Is there any reason to believe that they would accept that loss voluntarily? It is surely not unreasonable to be skeptical concerning whether they would voluntarily accept such losses. And if they would not, wouldn't this mean class conflict and strife and social dislocation? We might even speak of class war. Moreover, it is the wealthy, particularly the extremely wealthy corporate wealthy, who have effective control of government and the media. The government, we should not forget, rules principally in their interests. (Miliband 1977) In such a situation, how are a few radical workers and intellectuals going to get through to the people so that the justice and rationality of such egalitarian plans of redistribution will be generally recognized and accepted?

I do not think it can be achieved without class conflict and struggle. That, I think, we need to face if we would be realistic. Moreover, we should not, if possible, let the dominate ideology in our society disguise the fact that there is already a muted conflict—though in North America where the working class has such a poor grasp of what is in its own interests and indeed even a poorer understanding of its own class position and what that involves—that is for the most part hidden or, where it surfaces or threatens to surface, ideologically underplayed by the consciousness industry. In such a situation the advantage clearly goes

to the ruling class. (If for some reason you don't like the phrase 'ruling class', substitute 'dominant elite' or 'dominant class'.) But struggle and conflict here—at least in most situations and within certain limits—is generally to the advantage of the working class. There is, in short, no way for the working class to attain self-emancipation except through struggle. Class collaboration and a belief in an implicit social contract which they are likely to honor serves as an ideological device to weaken their position in the struggle and to perpetuate their bondage. It is true that in the short run the strife may harm workers— analogously to the way in the short run they may be hurt by a long strike—but in the long run class struggle is in their interests. They need it for their liberation.

There is, moreover, nothing undemocratic about such a redistribution and such struggles, for an egalitarian redistribution would serve the interests of at least 80 percent of the people. It would, of course, harm the interests of the two percent to five percent, to say nothing of the one percent of the ninety percent who are the fundamental masters of the world. When Obama and Harper go on about democracy in our societies the toughminded response would be to laugh or cry or perhaps to sarcastically snort. Such taxation might harm the interests of those wealth minorities who have long exploited the multitude of the people, the great mass of the citizenry in the world. The very wealthy and perhaps the next fifteen percent would lose out. But the multitude would gain. But no one's human rights (something which cannot be rightly brushed aside by even an overwhelming majority) have been violated by such egalitarian measures. (Lukes 1974) With such an egalitarian redistribution no one's rights of free speech and assembly will have been touched or their rights to equal citizenship infringed, their rights to education and an equal share of the stock of means in the world will not have not been undermined, their right to some personal

private property (consumer durables) would not have been violated, their right to work will not have been denied or their right to believe as they wish or to criticize the prevailing social order will not have been jeopardized. Some property and economic privileges would be taken away from some, but this does not come down to a violation of fundamental rights and the taking away of these privileges well serves the interests of the vast majority who have long been exploited. Rights can be inalienable while they can still be overridden. But in their being overridden, the moral agent does not forfeit them. (Feinberg 1980, 143-58)

Such an egalitarian redistribution would give the working class at long last the means to gain effective equal citizenship and effective equality before the law in a way it could not have had before. What has been taken from a very few people is their unequal power, privilege and control of society and, in some cases, their opportunity to exploit others. But there is no violation of rights here or anything undemocratic if this redistribution action actually reflects a democratically arrived at decision (as it could). Something that answers to the interests of the great majority of people but only marginally affects adversely the non-vital interests of a small minority and only runs clearly against the non-vital interests of a miniscule (two percent to five percent) exploitation ruling class. We should also not forget that it is this ruling class which has been for a long time extracting surplus value from the working class yielding increased ruling class power and enrichment. And this has been going on at an escalating rate since the 1970s. This has served not only to enhance their financial power at the expense of the working class but it has enabled them to control the working class which must sell its labor power as a commodity. In the struggle between the classes you can view the working class as struggling to get something back which is rightfully its own and that its own labor power has created. If it wins it upsets patterned ways of doing

things which have been historically formed under capitalist class rule. But there is nothing undemocratic about this if it actually does reflect the will of the majority. There is no longer such a majority of an industrial working class. But there is a vast majority of poor people whose interests are simply ignored who are part of the industrial working class, not a few of whom are being replaced by robots. Such are the glories of our capitalist world. There is, moreover, nothing unfair about such a redistribution. It does not violate the rights of a minority.

Given ideological bamboozlement about individual rights and the sacredness of private property by a class that controls the media and the state, how can we expect the majority of people to see that they are justified in striving for such a redistribution and for an end to a system in which there is private ownership and control of the means of production? It is indeed ruling class propaganda and ideological distortion which leads many people to believe that their property is threatened by such an egalitarianism, e.g. their homes, cars and other consumer durables. It is important not to forget that the ruling class has effective control of the media and it will create the impression that egalitarian talk involving an attack on capitalist property relations (mainly the means of production) is an attack on such private property rather than principally an attack on the private ownership and control of the means of production. The mass media under capitalist control will deflect from popular consciousness the understanding that it is an attack on the private ownership of the means of production and only incidentally and minimally an attack directed against the possession by the very wealthy of a certain surplus of consumer durables—e.g. several houses, vast tracts of land, private jets—when they have more than they actually need or (as in the case of jets) where their possessions needlessly pollute and consume scarce resources

that should be fairly distributed. Indeed some of these consumer durables should be put out of commission for environmental reasons. The rich can, without any very considerable inconvenience, ride on commercial jets available to everyone and if they do that our resources and environment, which should be our common heritage, will not be put under additional strain.

The simplest sort of situation to illustrate what I intend here is a situation where in a simple society one chap has five houses and another has no place to live. Justice, Nozick to the contrary notwithstanding, requires in such a situation a redistribution. But these questions about such distribution are not the most crucial thing. The most crucial thing is the continued existence of a system of private ownership and control of the means of production: the system that can allow unequal accumulation that provokes such problems of distribution in the first place. A system that puts a very few people in the driver's seat about how a society is to be run. Something that does not reduce to how business is to be run.

Bourgeois propaganda muddies our understanding of these issues. Still, it is this socio-economic order which is firmly in control of the consciousness industry. 'A dictatorship of the bourgeois' may sound too polemical and one-sided given that we do have a parliamentary system and civil rights. But the fact is the capitalist class at present is firmly in control of the situation in North America, South America, Japan and Europe and this has come to pass in China as well in everything but name. But even with our parliamentary system we have a plutocracy, not a democracy.

In thinking about what is to be done in such a situation, it should be stressed that agitation—consciousness raising—and education must go on with whatever means the

working class and its allies have at its disposal until working class people come to have a clear understanding of their interests and needs and are willing to act collectively to realize those needs and satisfy those interests. This will be a long struggle and it will not end tomorrow. In North America at present it is indeed very much muted; less so in South America and Europe. But everywhere egalitarianism is far from triumphant and Europe is becoming more and more Merkelized as neo-liberalism rides high. But this doesn't in the slightest tend to make such egalitarian demands (a) unjustified, (b) unjust, (c) irrational, or (d) pointless. Some very strong supplementary arguments would have to be involved to show that they were any of these things.

IV

It will in turn be responded that I beg the question when I say that such redistribution is not unfair. Quite to the contrary, the objection could continue, such a dismantling of the basic structure of our non-egalitarian arrangements would be unfair. It is grossly unfair, in a way egalitarians never take to heart, to ignore or override historical entitlements rooted in particular arrangements. (Nozick 1974, 149-231) A society, Nozick and Flew argue, which has a state which can take from people what is rightfully theirs cannot be a perfectly just society or even an empirically just one. Such a societal arrangement is not one with maximally just institutions. The ideals of equality and the ideal of justice are different ideas. Equality is *forward looking*, concerned with making and keeping everyone's condition in some appropriate sense equal; justice, by contrast, is a *backward looking* ideal concerned, as Flew puts it, "that everyone should obtain and not be deprived of (or, as the case may be, suffer) their several—and, presumably often unequal—deserts and entitlements." (Flew

1978, 177) Sometimes individuals or groups in a society, say a family, “achieve advantages on which the rest of their society have no proper claim at all.” (Flew 1978, 177) To do justice in the most elementary and fundamental sense of the term is “to see to it that people have what they deserve and what they are entitled to.” (Flew 1978, 177)

If, by contrast, to be just is to be equal, if the terms are synonymous or nearly synonymous or equipollent, then the prescriptions of justice and the prescriptions of equality will coincide or come close to coinciding. However, if that is so then it will also be the case that no one can rightly have any deserts or entitlements other than those which are vested simply in people as such. (Flew 1978, 176-92) And that certainly seems at least to be counterintuitive. It does not square with our considered convictions or at least with our considered judgments in reflective equilibrium. If we recognize that justice, as the very concept denotes, is a backward looking ideal linked with deserts and entitlements, we cannot join what Flew calls the ‘egalitarian clerisy’ and claim that all human beings, simply in virtue of being human beings, are “entitled to an equal share in all relevant goods, whenever and however these goods may arise or may have arisen, and by whomsoever they may be or may not have been produced.” (Flew 1978, 182-84) Instead of starting from a base operating on the maxim ‘Holdings ought to be equal unless there is a weighty moral reason they ought to be unequal’, where the burden of proof is always to justify an inequality, it would be fairer, Flew maintains, to start with the conservative maxim ‘People are entitled to keep whatever they happen to have unless there is a weighty moral reason why they ought to relinquish it’. Starting from this conservative base, the burden of proof is on the redistributionist to justify a redistribution. (Flew 1978, 183-85)

Radical egalitarians and the New Egalitarians mistakenly, Flew would have it, fail to recognize that social justice, as all justice, is something rooted in distinctive entitlements and deserts. They confuse the fact that there are fundamental human rights which people have and have equally simply in virtue of being human, with particular entitlements which are not entitlements rooted in their commonness but are entitlements rooted in their *differences*; entitlements, that is, which are rooted in their particular situations and activities which cannot always or even typically be the same or equal. Justice and fairness here cannot come to equal treatment unless we mean simply the formal but non-substantive requirement that all like cases be treated alike. But such a formal conception is equally compatible with both the most egalitarian and the most inegalitarian conceptions of justices. Justice and fairness require that I take equal care in grading the papers of all my students. That is a particular entitlement the students of my class have in virtue of their particular relation to me. But justice does not require me to seek out either all or as many as possible of the student papers there are in the world and give them equal attention. My obligation is to certain particular students distinctively and contingently related to me. That Jones who is my student is entitled to a certain treatment from me does not entitle Betty who is not my student to the same treatment from me. The Lebanese peasant who has been driven off his land by the invading Israeli Army deserves to get his land back but there is no injustice in not returning the land to a Northern Lebanese who never was on the land. Being just, being fair to people, giving them what they deserve and are entitled to, is necessarily backward looking.

Various particular claims to entitlement can, of course, and sometimes should be challenged. But is there no merit in Flew's remark that "anyone who proposes systematically and at a stroke to devalue the lot, in the interests of a new strictly forward-looking

distribution, is by this move abandoning the whole notion of justice in favor of another alternative ideal?"³ However, this is a jostling with a strawman for this is not a claim egalitarians make or are unwittingly committed to.

We should, as Nozick and Flew argue against Rawls, not treat all goods as if they were 'manna from heaven'. Goods actually have to be produced. "Things come into the world already attached to people having entitlements over them." (Nozick 1974) Moreover, there is no person or group that is entitled to control all resources and to jointly decide how they are to be doled out. This is not even something which is up to a majority, even a huge majority, to decide.

There is no need, both Nozick and Flew contend, to agree that there must be some mechanism, even a democratic mechanism, to decide how redistribution or even distribution is to take place. Justice does not require that. Why must or should it be the case that in society there be a distribution of shares any more than there should be distribution of mates? Why should we, in this respect, allow an all-powerful state or an all-powerful anything to make such a distribution for us? Why should we believe that there is any central distribution center with the rightful authority to make such distributions or redistributions? Why should we not just speak of various entitlements and reject as even being an element of justice such distributive claims?

Plato in *The Republic* wished to develop a theory of justice for institutions. Like Rawls, he wanted to set out an ideal theory concerning how major social institutions are to be developed so that they would produce the most just distribution of rights and duties and produce the fairest division of the advantages of social cooperation. Starting from scratch, how would we design institutions to be maximally just? Plato's guardians, in making their

new social order, believed that they must first wipe the slate clean and start afresh as if society were first coming into being and forgetting the past. Rawls in effect, Flew claims, reasons like that too. But (a) it is impossible to so reason if justice is really the subject, and (b) even if it were, it is morally intolerable to take such a starting point. If we are to maintain our respect for people, we must rebuild the ship at sea and this means starting from and acknowledging in some serious sense the previous entitlements people have.

V

It is surely the case that the relation of justice to entitlements, deserts and the antecedent rights of individuals poses problems for conceptions of egalitarian justice. If we stress, as Rawls does and as I do, the necessity for an appeal to considered convictions in trying to justify accounts of justice, and of morals more generally, certain deeply embedded considered convictions are close to moral certainties while other considered convictions are by no means so certain or are not the considered convictions of everyone, or are not given the same weighting by everyone when they conflict with other considered judgments. Part of our task is to find a perspicuous account of these diverse considered judgments which will show how they fall into a coherent system.

Let me illustrate what I have in mind with respect to egalitarian convictions about justice and entitlements. Our intuitions are firm about the fairness of often requiring an equal division, but our intuitions are also firm about it being plainly unjust to take something away from a person after she has mixed her labor with it and cared for it, as when someone has built and lovingly cared for a house or a family farm. It would, everything else being equal, be wrong—plainly unjust—to take it away from that person and give it to someone

else, though, of course, if it wasn't hers to begin with that would make it a rather different ballgame. In many circumstances I can't make something mine simply by mixing my labor with it. Such judgments are indeed our considered judgments but it also is one of our considered judgments that it is unjust that the benefits of the society are distributed in such a way that some live in squalor and degradation and others have vast riches and, as well, with those riches control over other human beings.

Egalitarians have stressed the latter sort of injustice and set out designs of society to rectify it and similar ills. Rights-based theorists such as Nozick and Flew have kept steadily before their minds the former kind of injustice and have developed an entitlement theory to show what justice requires here. Can both sorts of moral consideration be done justice to in a unified theory? Can egalitarian justice do justice to the rights of entitlement or is the situation one of moral conflict where one just has to decide as best one can which evil to regard as the greater? Can we get a sound theory of justice that combines egalitarian redistribution with entitlements?

I shall see if the egalitarian can articulate his theory in such a way as to do justice to both claims. To do this I want to start by considering a claim of Friedrich Engels that for the socialist the demand for equality is the demand under certain circumstances for *classlessness*. Any demand for equality, he claims, which went beyond that would be a demand which passed into absurdity. (Engels 1939, 118) Vis-à-vis our above two beliefs about justice, one fitting the entitlement paradigm and the other the egalitarian paradigm, this should mean that a Marxist egalitarian, at least in normal circumstances, would not take it to be a requirement of justice—or anything else in morality—to challenge the particular entitlement in the first paradigm or entitlements of that type if it is not compatible with

classlessness. (For those tempted to balk at ‘in normal circumstances’, remind yourself that almost any moral proposition carries an unexpressed *ceteris paribus* clause.) Socialists do not want to take people’s houses or family farms or cars or smart phones away from them. The private property he seeks to eliminate is the private ownership and control of the means of production. That is the private property that is the source and sustainer of class divisions and provides the legal basis for the exploitation by one class of another. It is not the private ownership of such consumer durables which has such effects. It is ownership and control over the means of production—most particularly over the major means of production and production where wage laborers are employed—that is the source of the great power of one person over another and the great advantages of one group over another. It is that private ownership and control that is at the root of so much exploitation and injustice. It is not the private ownership of consumer durables that causes the trouble but the private ownership of the major means of production. It is not the private ownership of houses or small family farms and the like that causes the trouble. So if the equality aimed at is classlessness, such entitlements can generally speaking remain intact. And it is over entitlements of this sort where our moral convictions remain firmest.

To this the entitlement theorists can respond: if the person who builds a house or works a farm up out of the wilderness is entitled to it, why isn’t a capitalist—like the chap who created Argus—who through his own initiative, creativity and doggedness, creates a great industrial empire entitled to keep his property as well? It is, or at least can be, his hard earned and creatively struggled for productive holdings. Why isn’t he entitled to them? But notice that even operating with Flew’s conservative principle we have good grounds for overriding his entitlements and requiring a redistribution. Flew’s conservative principle is

'People are entitled to keep whatever they happen to have unless there is a (weighty) moral reason why they ought to relinquish it'. (Flew 1978, 183) But there are at least two weighty moral reasons entirely absent in the first entitlement case, namely that by no relinquishing it is our historical circumstance the capitalist owner of the means of production (1) causes extensive misery and impoverishment that could otherwise be avoided, and (2) with such property he in effect attains control over people's lives in such a way as to lessen their effective equal citizenship and harm their moral autonomy (impair their freedom) more than it would be controlled or impaired under circumstances where neither a capitalist ruling class nor any other ruling elite owned and controlled the means of production. Given the very liberty that conservatives are supposed to prize so highly, they should hardly object to such a redistribution.

VI

However, it is not only the private ownership and control of the means of production that is the source and sustainer of classes and at least rather extensive social stratification, but the division of labor as well. Marx, in the period of his full intellectual maturity, no longer thought we could dispense in industrial societies with a division of labor, though he did continue to believe that we could rid ourselves of the distinctively capitalist forms of the division of labor. But with such occupational differences as spring up in complex industrial societies, it is very difficult, if not impossible, to keep what Max Weber called *status groups* from forming around certain occupations which will very naturally, because of the skill required and their pivotal place in industry, give rise to their occupants being in positions of authority. In contemporary societies—the ruling class apart and speaking of social

stratification below that class—social status is linked to occupation and occupation is importantly linked to education. But we need in modern complex societies some division of labor and, if possible, a rather extensive division of labor in modern industrial societies. This, unfortunately, will provide with these different occupations some jobs demanding much more skill and training than others. This, in turn, is a fertile source of social stratification and indeed very likely of social stratification sufficient for producing different aggregates of people in different status groups and with different lifestyles whose differences will be so great that they, as members of one or another of these status groups, have very different whole life prospects. Even with a socialist organization of the economy and of society generally, such occupational differences and such differences in social stratification, with its attached sense of rank, will emerge out of that very division of labor. And that causes troubles in life chances.

To combat that, and to combat the power and control of one person over another that such an organization of society would involve, it is necessary to rotate jobs, to widely and diversely educate many people, and to use the state or least some societal mechanisms to reduce this social stratification and to prevent the emergence of elite status groups and a kind of ‘new class’ that controls and dominates society. But this—or so it seems—would require repeated and extensive interference by a centralized and powerful state and a repeated overriding of people’s entitlements. It is one of the worries of advocates of the minimal state. Someone struggles to master a certain skill and comes to do a job which he does well, a job which is useful and which he loves doing. To rotate him out of that or rotate his children out of following in his footsteps is, to put it mildly, of questionable justice. Such repeated interference with human beings to insure no more than a minimally stratified

pattern sets poorly with a love of human liberty, of human enhancement and self-realization, and of many of the things that make life valuable.

VII

I think in coming to grips with this we should go back to Engels's remark that it is a mistake to urge an equality that goes beyond a demand for classlessness. A genuinely classless society would be through and through democratic, there would be social ownership and control of the means of production, education would be free and extensive, every reasonable effort would be made to approximate equality of educational opportunity and equality of opportunity more generally so that people would have something reasonably approaching equal life chances. Equal resources would be given to them at an appropriate age and, while they were children and part of a family, similar efforts would be made to achieve that for them *qua* membership of a family. Much beyond that we should not attempt to go. In such circumstances, as in all human circumstances, individuals would emerge with the energy, the brains, the creativeness and the like to be persons who unfettered would attain positions of respect and prestige and positions that Bakunin referred to as positions of natural authority. Indeed, under such circumstances many more such persons would emerge.

However, with the background conditions described above in place, we need not and indeed should not use the state or any other coercive mechanism to interfere with *such* differences developing between people. We should, as John Rawls and Stuart Hampshire so thoroughly do, recognize a considerable element of good luck in people having those talents. But there is good luck in people homesteading too, and we have seen that we should not, in

a whole range of circumstances, interfere with that. There is no good reason not to regard these talents as their legitimate entitlements to be respects as something they have a *prima facie* right to exercise. Moreover, for many distinctive abilities that give rise to status distinction they would be valuable to others. We need plenty of good doctors and engineers and some musicians and some investigative journalists.

We should, of course, be on guard that the exercise of these abilities does not undermine classlessness or, before we get to a state of classlessness, impede its achievement. We should not allow them to become sources of power and control over other people. In the aftermath of a revolution, where class divisions are likely for a time to remain sharp and bitter, state interference to achieve classlessness is often justified. But where we are on the threshold of classlessness with a democratic organization of society firmly in place and class divisions extensively overcome, there is no need and no justification for such state intervention.

People with such talents will come to have—and rightly—rather special places in a classless society. But with the proper background institutions and practices in place—the type of institutions and practices gestured at above—these special places will not be transferred into anything like a class or a mandarin caste and, trivially as a corollary to that, there will be nothing to be passed on over generations. Take an individual factory or school or office which determines what organizational structure they should have democratically. There is, of course, the formal possibility that they would go for overseers with an unchecked or largely unchecked control. But it is empirically speaking hardly likely. The rational thing for them to do, and what is empirically likely they would do, particularly with experience and under conditions of undistorted communication, is to opt for a structure with a lot of

democratic control, with lots of possibilities for mobility and a structure which would treat individual talents as social assets (though not only as a social asset) to be utilized in various ways that are socially beneficial and which show respect for the person with those talents. But they are also in a society where each is to count as one and none to count for more than one.

A natural response to this is to claim that to allow such talents such *lebensraum* would inevitably be to put the children of the talented into positions of special advantage. To counteract that would be to interfere with the family in a way that is morally unacceptable. Again, I see no reason why this should be so. There is no suggestion here of state nurseries in what I have said. Children would get the advantages and disadvantages of the wisdom or unwisdom of their parents. But there would be schools so structured to compensate for the disadvantages of untalented parents. If, to take an example, their parents lack language skills, there would be institutional places and incentives for children to get such training. This can be generalized with all sorts of creative institutional fiddling, given a society of material abundance equally distributed. There is no good reason to believe that an egalitarianism which also respects individual talents must wreck the family.

Notes

¹ See Robert A. Nisbet, "The Costs of Equality." In Michael Mooney and Florian Stuber, eds., *Small Comforts for Hard Times* (New York: Columbia University Press, 1977), pp. 34-49. Similar arguments have, of course, been made by many other neo-conservatives, including Robert Nozick, *Anarchy, State and Utopia* (New York: Basic Books, 1974) and the collection of neo-conservatives represented in the anthology *The New Egalitarianism*, edited by D. L. Schaefer (Port Washington, NY: Kennikat Press, 1979).

² This was said in 1977 when there was a lot more equality than there is now in 2015.

³ This is the central thrust of all of Flew's essays cited in the text but it is most emphatically in his "Justice: Real or Social?"

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