

Michigan Philosophy News



for friends, alumni, and alumnae
of the Department of Philosophy,
The University of Michigan, Ann Arbor
Fall, 1994

Dear Friends of the Department:

This April, we had a memorable ceremony that served to recognize graduate student contributions to undergraduate education, and to remind us of the tradition of philosophical excellence in our Department. Jeffrey Kasser received the first John Dewey Prize for graduate student excellence in undergraduate instruction. Dewey joined the Michigan faculty after completing his doctorate in 1884. He had pursued graduate studies at Johns Hopkins, where Charles Sanders Peirce and George Sylvester Morris were on the faculty. Morris went to Michigan as a professor in 1883, and Dewey, who was quite taken with Morris' idealism, followed him to Michigan the next year, as an instructor. Dewey became assistant professor in 1886. He left to take up a position as full professor at Minnesota in 1888-89, returning to Michigan as chair of philosophy the following year. Dewey left Michigan for the last time in 1894 to head the department of philosophy, which also included psychology and pedagogy, at the University of Chicago. Dewey wrote extensively in the philosophy of education. Mr. Kasser is a superb teacher, with a special gift for drawing out the views of students of varied background and abilities. Our graduate students are excellent and committed teachers, and the award in Dewey's name is a marvelous way to take note of this. Thanks are due to David Velleman for conceiving the Prize.

Our faculty is of course the centerpiece of our educational programs, for both undergraduates and graduate students. Since I last wrote, Allan Gibbard has been appointed Richard B. Brandt Distinguished University Professor, one of only four faculty to be appointed Distinguished University Professors this year. Lawrence Sklar has been appointed James B. and Grace J. Nelson Professor of Philosophy. The Professorship, funded by the Nelson Endowment for the Teaching of Philosophy, is awarded to "a person of outstanding reputation for learning and teaching ability in said field [of philosophy]." Elizabeth Anderson was one of six University faculty members appointed Arthur F. Thurnau Professors for excellence in undergraduate teaching. Kendall Walton was selected a Fellow at the Institute for the Humanities, where he will be Steelcase Research Professor. Stephen Darwall has been selected to receive the Julia Lockwood Award to support research and publication by distinguished scholars and teachers; this was one of four such Awards in the

College. Finally, three members of the Department received LS&A Excellence in Teaching Awards: Sally Haslanger, for general excellence in undergraduate education; Jack Meiland, for classroom teaching and course development; and David Velleman, for curriculum innovation utilizing instructional technology. This is a remarkable list of honors and recognitions in a single year for a small faculty. They are well-deserved, and a clear indication of the research and teaching excellence of our faculty overall.

With pleasure we welcome Mark Crimmins this fall as Associate Professor. He will be an outstanding addition to our resources in philosophy of language, philosophy of mind, epistemology, and metaphysics. His publications include an influential book, *Talk about Beliefs* (MIT Press, 1992), and a number of important articles in exciting interdisciplinary journals, *Mind and Language* and *Linguistics and Philosophy*. His paper in the *Journal of Philosophy* (co-authored with John Perry) was reprinted in the *Philosopher's Annual*, a collection of the ten best articles published in our field each year. Professor Crimmins comes to us from Cornell University.

We also welcome Dan Sperber and Roderick Long. Professor Sperber comes to Michigan this fall for the first of two one-term visiting appointments — joint with Law and Psychology — over the next three years. He is Research Professor at Centre de Recherche en Epistemologie Appliqué, École Polytechnique, Paris, and has written a number of important works on anthropological method. More recently, his interest in understanding normative social phenomena has led him to develop a general theory of communication. His most recent book is *Relevance: communication and cognition* (Blackwell and Harvard, 1986). Professor Long, of the University of North Carolina, who works in ancient philosophy, is visiting this fall.

Crispin Wright resigned from the Department, effective this past summer, to return to a full-time position at St. Andrews. He joined the faculty here in 1987-88. Though this loss had not been unexpected, we had very much hoped to retain Professor Wright — he is among the leading researchers in the world in central areas of the discipline. I know that his former colleagues at Michigan join me in wishing him well.

Courses at the advanced undergraduate level offer undergraduates some of the best opportunities to benefit from the

faculty at a research institution. Our offerings at this level have not kept fully up-to-date with the field or with faculty interests. We have now added advanced undergraduate (400-level) courses in a number of areas: two courses in aesthetics, Camera Arts, the philosophy of film and video (David Hills), and Philosophy of Music (Kendall Walton); Action Theory (David Velleman), Decision Theory (Jim Joyce), Formal Semantics (Ian Rumfitt), Philosophy of Biology (Ruth Millikan), Topics in Feminist Philosophy (Elizabeth Anderson), and Topics in the History of Philosophy (Ed Curley). I indicate in parentheses the faculty member who is, or most likely will be, first to offer the course. In addition, Jack Meiland is reviving our long dormant course in American Philosophy — James, Peirce, and Dewey. The new courses include (to this point) cross-listings with Linguistics, Psychology, Women's Studies, and the School of Music.

We have also secured approval for changes in two intermediate or 300-level topical outreach courses, courses that do not carry a philosophy prerequisite. The first is the introduction of Law and Philosophy at the 300-level, where it can be taught in a lecture and discussion section format. This will provide many more students access to the course than its existing format, restricted to fifty students. We expect an enrollment of three hundred students when the course is first offered this fall. In addition, the 300-level course in Problems of Religion has been reformatted, so that it will divide into discussion sections.

Two of our courses, Honors Introduction to Logic (296) and Mathematical Logic (414), have been approved as fulfilling the College's new Quantitative Reasoning requirement. Philosophy's classification with "the humanities" has never been entirely apt. These courses are reminders that aspects of our discipline have more in common with, for example, mathematics and economics.

We have every reason to be proud of our students, graduate and undergraduate. Last April, Jonathan Harrison received the third William K. Frankena Prize for excellence in the undergraduate concentration. Harrison is also a recipient of a Mellon First-year Graduate Fellowship. He takes up doctoral work in philosophy this fall at the University of North Carolina. Both Harrison and Sara Ferguson, the recipient of the Frankena Prize the previous year, have been recipients of a National Endowment for the Humanities Younger Scholar's Award.

Seven graduating seniors wrote Honors theses in Philosophy this past academic year: David Adox, "What's Missing from this Picture: A Conception of Work for Rawlsian Liberalism"; Aron Bornstein, "The Effect of Quantum Mechanism on our Understanding of Cause and Effect Relationships" (joint with Physics); Yael Citro, "Pornography"; Sara Ferguson, "Kant's Conception of Freedom"; Jonathan Harrison, "The Universalization of Mutual Cooperation"; Jason Radine, "From Religion to Spirituality"; and Paul Szpunar, "An Outline of an Objectivist Theory of Meaning." These concentrators deserve congratulations for their accomplishments.

In April, we awarded the second Charles L. Stevenson Prize for excellence in the graduate program to Laura Bugge. The Prize is awarded for an outstanding candidacy dossier, a portfolio of work expected to lead to a dissertation, and presented as part of

the requirements for admission to candidacy. Ms. Bugge's dissertation is on the philosophy of language. In October, we had awarded the first Stevenson Prize to Jeffrey Kasser, whose dissertation is on Peirce.

The Stevenson and Frankena Prizes are funded by an endowment established by Marshall M. Weinberg, who graduated from Michigan with a B.A. in philosophy in 1950. We had delayed the first award of the Prize (from Spring, 1993 to October) so that Mr. Weinberg and Anne Stevenson, Charles Stevenson's daughter, could be on hand. Ms. Stevenson is the author of a number of volumes of poetry, including *The Fiction Makers*, a Poetry Book Society Choice. She treated us to a reading of "Elegy," written in memory of her father, and of a poem written by her father. Both Ms. Stevenson and Mr. Weinberg shared reminiscences of Steve, as Charles Stevenson was always known in Angell Hall.

Justin D'Arms and Paul Torek were awarded Rackham Predoctoral Fellowships for 1994-95. D'Arms works on the bearing of evolutionary theory on ethics and moral psychology. (He received a National Endowment for the Humanities Dissertation Grant and a Charlotte Newcombe Fellowship for 1993-94.) Torek's dissertation research is on personal identity. As I mentioned last year, there is no expectation that students will have publications during their graduate careers. Our graduate students have nevertheless been active in publishing their work. "Expressivism, Morality, and the Emotions," co-authored by D'Arms and Daniel Jacobson, was scheduled to appear in the July issue of *Ethics*. David Sobel's "Full Information Accounts of Well-Being" appears in the same issue. Leon Porter's "Semantic Naturalism and the Liar" appeared in the October, 1993 issue of *Analysis*. Steven Schulz' "Modal Situation Theory" appeared in 1993 in *Situation Theory and its Applications*, Volume 3. Finally, Alex Miller has more than a half-dozen papers in the philosophy of mind and other areas published in 1993 and 1994, or forthcoming.

There is remarkable external evidence of the quality of our graduate program in the form of data on philosophy recipients of the Charlotte Newcombe Fellowship. Newcombe Fellowships are awarded in a national competition, administered by the Woodrow Wilson Foundation, to support dissertation work on subjects relating to ethics and value. Between 1987 and 1993, there have been seven philosophy recipients at Michigan, four at Harvard, two at each of Berkeley, Pittsburgh, and UCLA; no other institution had more than one recipient in the period.

A number of recent entrants to the job market have accepted regular positions: Steve Angle (who works in Chinese philosophy and philosophy of language) at Wesleyan; Alex Miller (philosophy of language, philosophy of mind, and metaphysics) at Nottingham; and José Zalabardo (philosophy of language) at Birmingham. In addition, Stephen Burton is taking up a three year Harper Post-doctoral Fellowship at the University of Chicago. Of eighteen students who entered the market the past four years, fifteen have secured tenure-track positions (or the British equivalent), in philosophy or law. No one here is content when highly deserving students do not find positions, but statistically

this is a splendid record in what continues to be a difficult market.

For the third year in a row, graduate students organized the annual spring colloquium (our thirteenth), and served as commentators on the talks. The topic was "Rationality"; the speakers were Tamara Horowitz (Pittsburgh), Brian Skyrms (Irvine), and Robert Stalnaker (MIT). The graduate student commentators were Justin D'Arms (on Skyrms), David Sobel (on Horowitz), and John Devlin (on Stalnaker). This format continues to work very well. James Woodbridge did a fine job arranging the colloquium and associated hospitality.

Derek Parfit (Oxford) visited for one week in the Fall as Nelson Philosophers-in-Residence. Other speakers during the year, included Susan Okin (Berkeley, Political Science), Sally Sedgwick (Dartmouth), Holly Smith (Arizona), Ken Taylor (Rutgers), Michael Williams (Northwestern), and George Wilson (Johns Hopkins). Maria Lugones (State University of New York, Binghamton) delivered a lecture on the occasion of the University observance of Martin Luther King, Jr. Day. This year's informal discussion groups have been devoted to ethics (organized by Steve Darwall), aesthetics (Ken Walton), feminist philosophy (Sally Haslanger and Mika Manty), metaphysics (Haslanger), and John McDowell's Locke lectures at Oxford (David Hills). Jim Joyce and Eric Lormand presented papers in our faculty colloquia series.

The Tanner Lecture for 1993-94 was delivered by William Julius Wilson, The Lucy Flower University Professor of Sociology and Public Policy and Director of the Center for the Study of Urban Inequality at the University of Chicago. He is the author of three books: *Power, Racism, and Privilege*, *The Declining Significance of Race*, and *The Truly Disadvantaged*. His Tanner Lecture was titled "The New Urban Poverty and the Problem of Race." Taking note of the American belief system that poverty is a reflection of individual inadequacy, and of the resistance to programs targeted for the truly disadvantaged, Wilson calls for a comprehensive initiative for the poor and working class of all racial groups. The participants in the Symposium on the Tanner Lecture were: Theda Skocpol (Professor of Sociology, Harvard University), Roger Wilkins (Clarence J. Robinson Professor of History and American Culture, George Mason University), and Terry Williams (Associate Professor of Sociology, The New School for Social Research). Wilkins, who served as Assistant Attorney General of the United States, 1966-69, holds a B.A. and J.D. from the University of Michigan. His comments included a moving contrast between the progress in regard to the representation of minorities on this campus since he was a student here in the 1950's, and the terrible erosion in the economic conditions of working class and unemployed blacks in the same period. The Tanner Lecture and Symposiasts' comments were published in the Spring, 1994 issue of the *Michigan Quarterly Review*. Copies are available from the *Review*, which is housed on campus.

I reported in last year's letter that the Governor had authorized renovation of Angell Hall, and that construction would begin no later than January, 1994. Construction began about a month behind schedule. At the request of the College, the Department of Philosophy and the Department of Classical


Studies, which has also been located on the second floor of Angell Hall, have relocated to the Administrative Services Building at the corner of Hoover and Greene. The relocation will help to expedite the renovation, but involves substantial burdens for undergraduates, graduate students, and faculty alike. Our new location is a ten to fifteen minute walk from central campus. (There is also commuter bus service.) Undergraduates will for the most part lose convenient access to faculty and graduate student instructional staff. Graduate students will have to commute to campus both to teach undergraduate sections, and to take lower-level graduate courses that also serve advanced undergraduates. Faculty will have to commute to central campus to teach undergraduate courses. Central campus support for teaching and research will be inconvenient for faculty and graduate students alike. (Fortunately, the Tanner Philosophical Library has relocated with us.) There is the risk, as work patterns adjust to the circumstances, that interactions among undergraduate and graduate students and faculty will be reduced, with a corresponding loss in our sense of community, and potential impact in the long-term. These prospects are disturbing, and we are doing what we can to reduce the various burdens and risks. We expect the relocation to last until the summer, 1996.

When we return to the second floor of Angell Hall, our physical facilities will be much improved. We will have a new seminar room. Located on the first floor across from the Tanner Library, it will also serve as a Library adjunct. Adjacent to the seminar room, there will be improved space for graduate student teaching assistants to meet with undergraduate students. We will have a room for meetings — Department meetings, informal talks, and small upper-level undergraduate courses —, in addition to a lounge with a kitchenette. For some years we have had a shortage of faculty offices, and there will be a net gain of three. Angell Hall will be air-conditioned, and equipped with ethernet (the current standard for infrastructure for electronic communication), and otherwise updated.

We customarily include in each issue of *Michigan Philosophy News* a philosophical article by a member of the faculty. This year is no exception. These annual articles are our way of thanking you for your interest in the discipline generally and in our programs at Michigan. This issue Elizabeth Anderson contributes "Recent Work on Equality," a fascinating commentary on central debates in recent political philosophy. A biographical sketch follows her article.

Our telephone numbers remain the same during our relocation, and we retain an Angell Hall address for regular mail. There is ample visitors' parking in lots just west and south of the Administrative Services Building. I invite you to keep in touch, and to visit us in our temporary quarters.

Sincerely,



Louis E. Loeb,
Chair

RECENT WORK ON EQUALITY

INEQUALITARIANISM, TRADITIONAL
AND CONTEMPORARY

Few political disputes are more controversial than those surrounding claims to equality. Yet there is a serious sense in which we are almost all egalitarians now. Traditional inegalitarianism—whether of the aristocratic kinds supported by the likes of Plato, Aristotle, and Burke, or of the more modern and violent versions found in racist and nationalist ideologies—is dead as a credible political doctrine, however much it persists in practice around the world. These forms of inegalitarianism held that social order must be based on a hierarchy of human beings, determined by ascribed identities such as race, gender, nationality, religion, class, caste, or family ancestry. They held that the people deemed inferior should be subordinated to those deemed superior, excluded from, confined to, or segregated within certain spheres of social life, deprived of cultural autonomy, basic liberties, and opportunities, publicly despised and stigmatized, and/or subjected to violence, enslavement, or even genocide, on account of their social identities. Inequality referred in the first instance to hierarchical social relationships, not to distributions of goods such as income and wealth.

Egalitarians opposed these claims by arguing that all persons must be regarded as equals. This claim of equality repudiates social orders that rank individuals according to birth or social identity. It asserts that all persons are equally moral agents: capable of taking responsibility for their actions, cooperating on fair terms with others, and pursuing a conception of their own good. Contemporary debates over equality largely operate within this egalitarian assumption. Accordingly, they have shifted away from disputes about citizenship status or inherited social rank. Instead, contemporary inegalitarians dispute claims to equality in the distribution of goods such as welfare, income, property, and employment opportunities.

Recent work on equality has been preoccupied with identifying the right space of egalitarian concern. Should egalitarians aim at equality of opportunity, income, need satisfaction, equal pay for equal work, or equality in some other dimension? One can't plump for them all, because the diversity of human beings in needs, talents, aims, and circumstances guarantees that any system that secures equality in one space will generate inequality in others. An acceptable egalitarian theory must therefore identify the space in which it demands equality, and offer an account of the basis for egalitarian concern that explains why equality should be sought in that space rather than others.

Recent work on equality has also been powerfully shaped by inegalitarian objections to distributive equality. These objections rarely contest the claim that equality would be a good thing. Most inegalitarians agree that it would be nice if everyone were happy and prosperous. But they hold that other important values conflict with and seriously limit the scope of claims to equality. Two such types of inegalitarian objection have exerted a special influence on recent egalitarian thought. Objections based on

desert and responsibility hold that people deserve unequal rewards for unequal contributions, and that demands for equality undermine a moral order based on desert and personal responsibility for one's actions. Objections from liberty claim that egalitarian regimes interfere with individual liberty and dangerously expand the role and powers of the state beyond its legitimate limits.

Two branches of egalitarian thought have responded to these objections, working from two different conceptions of distributive justice: desert and entitlement. Desert theories claim that goods should be distributed on the basis of meritorious conduct or worthy traits. Entitlement theories claim that goods should be distributed on the basis of contracts, promises, and other free agreements made within a fair system of legal rules and property rights. In other words, desert theories say that we should agree to pay someone a certain good because she possesses some prior moral claim of merit; entitlement theories say that she is entitled to the good because we have freely agreed to pay it to her. As one would expect, the desert-based egalitarian theories have focused on the inegalitarian objections from desert and responsibility. They defend principles of desert and responsibility that have egalitarian implications. The egalitarian entitlement theories have focused on the objections from liberty. They argue that the ideals of equality and liberty do not conflict, but complement each other.

DESERT AND PERSONAL RESPONSIBILITY

Consider first desert-based egalitarian theories. Call "merit goods" those goods that should be distributed according to desert. Praise, awards, and honors are merit goods. But are income and resources merit goods? This is equivalent to asking whether there is an independently determinable "just wage" for someone's contributions or efforts against which we can judge the justice of a wage contract. Political economists have developed the chief arguments in this debate, which turns on two competing principles of desert: reward according to productive contribution, and reward according to effort.

The principle of reward according to productive contribution would seem to offer an excellent basis for defending the large inequalities in income distribution generated by capitalism. After all, people differ widely in their talents, productive assets, and ambitions, and hence in their contributions to economic production. If producers deserve to be paid the value of what they make, then the distribution of income should be very unequal. Furthermore, economic theory shows that in competitive markets, the price for any given factor of production corresponds to its marginal product—that is, to the value of the additional product that would be produced by adding an additional unit to the production process. Thus, P. T. Bauer (1981) argues that capitalist economies reward people in proportion to desert, so that the inequalities found there are just.

Bauer's theory has been criticized on factual, technical, and normative grounds. In fact, many capitalist markets are uncompetitive, so wages do not correspond to marginal contribu-

tions. Technically, marginal product theory yields consistent results only under the special condition of constant returns to scale (otherwise the sum of the marginal products of each factor unit does not equal the total product). And it does not allow us to attribute specific quantities of output to individual factors in cooperative production processes, since the productivity of any given individual is a function not just of her meritorious intrinsic features (talent and effort), but of the cooperation and number of the other individuals and the other factors of production. Finally, from a normative point of view, it is hard to use desert theories to justify payments to the passive owners of productive resources, who do not engage in production themselves. Since the most spectacular fortunes in capitalist economies are acquired not through personal hard work, but by getting other people to work hard for oneself (that is, by returns on capital), desert theory does not offer much support for the greatest income inequalities in capitalism.

Indeed, the difficulty of justifying profit, interest, and rent within the terms of contributory desert theory once made it attractive to socialists. Some argued that since workers are the only people who personally contribute to production, they have the right to appropriate the entire product. They used Marx's theory of exploitation to defend the right of each worker to a nonexploitative wage—that is, to an income capable of buying products embodying as many quality-adjusted labor hours as the worker himself contributed. Marx opposed this normative use of his theory, because it ignored the need to provide for capital investment, public goods such as roads and sewers, and the needs of those unable to work. Analytical Marxists such as John Roemer agree that Marx's technical concept of exploitation does not track any normatively significant egalitarian conception of just factor compensation. Roemer's models (1986) show, for example, that poor workers with few capital assets can sometimes "exploit" those with many.

Socialists such as Albert and Hahnel (1991) have therefore turned to a rival principal of desert: reward according to effort or sacrifice. They argue that workers who engage in dangerous, dirty, boring, unpleasant, unprestigious, and physically onerous labor deserve higher incomes than those who occupy intrinsically more desirable jobs. This principle eliminates income differences due to inequalities in ownership of external productive assets and in innate talent. Although incomes would vary in proportion to personal sacrifice, this factor is under individuals' control, so resulting income inequalities are freely chosen. Moreover, those who choose jobs that pay lower wages are compensated by the greater safety, ease, or intrinsic rewards of their work. Overall welfare would tend toward equality under Albert and Hahnel's proposal, while preserving incentives to work hard.

Albert and Hahnel's work expresses two other socialist concerns: expanding the spaces of egalitarian concern beyond consumption to production, and attending to the claims of need. They argue that everyone should have roughly equal opportunities to engage in pleasant, interesting work, and to participate in decisions about how their firm should be run. Jobs would be

reconfigured so that most would rotate through both pleasant and unpleasant work assignments, and all workers would participate in management on a democratic basis. Participatory democracy would extend to local consumption counsels, which would be empowered to grant individuals' requests to consume more than they have earned if they can demonstrate need.

Albert and Hahnel's work exhibits a common tendency in egalitarian thought to move from contribution to effort to need as bases for distributing rewards. This tendency reflects a subtle shift between two principles of desert. One says that people deserve to benefit from beneficial or meritorious action. The second says that no one should suffer due to undeserved disadvantages. The principle of reward according to effort expresses an unsteady compromise between the two principles. It eliminates inequalities due to inheritance, whether of external property or of genetic endowments, on the ground that no one deserves the advantages or disadvantages of birth. But once that ground is admitted, its logic leads to an attack on inequalities due to all forms of bad luck and misfortune, including the misfortunes of neediness. The implications of this line of thought can be summed up in the principle of redress: people should be compensated for undeserved disadvantages (Nagel 1991).

Moral philosophers have taken up this second line of recent desert-based egalitarian theorizing with relish. They use it to reply to the objection that equality of outcome fails to hold individuals responsible for their actions, and thus undermines a moral order based on personal responsibility. Almost all contemporary egalitarians affirm that individuals are responsible for their free choices. The principle of redress makes room for this: it demands compensation only for disadvantages for which individuals are not responsible, which are not due to their own free choices. Those who take the principle of redress to express the basis of egalitarian concern use the boundaries of individual responsibility to delineate the space in which to promote equality.

Recent egalitarian reflections on responsibility stem largely from two famous arguments of Rawls'. The first is known as the argument from agents' responsibility for their ends (Rawls 1982). Some people have modest aims for themselves and are satisfied with little, while others have insatiable appetites and expensive tastes. A welfare egalitarian, committed to satisfying everyone's wants equally, would have to devote vastly more resources to those with expensive tastes. But a system of justice should not be held hostage to the demands of extravagant, greedy, or spoiled people, as if they had no control over their aims. It should rather regard persons as responsible for adjusting their ends to fit within the means they can legitimately expect to acquire through a fair system of entitlements. Considerations of personal responsibility motivate a move away from welfare toward resources or what Rawls calls primary goods (basic liberties, income, education and employment opportunities) as the space of egalitarian concern.

Rawls' second argument can be found in a notorious passage in his *Theory of Justice* (pp. 103-4):

[N]o one deserves his place in the distribution of native endowments, any more than one deserves

one's initial starting place in society. The assertion that a man deserves the superior character that enables him to make the effort to cultivate his abilities is equally problematic; for his character depends in large part on fortunate family and social circumstances for which he can claim no credit. . . . Thus the more advantaged [person] cannot say that he deserves and therefore has a right to a scheme of cooperation in which he is permitted to acquire benefits in ways that do not contribute to the welfare of others.

As the last line makes clear, Rawls' aim was to argue that neither talent nor effort intrinsically deserve monetary reward, independently of the ways their exertion benefits others. But he was widely taken to have argued from the premise that no one can take credit for their superior talent or efforts to the conclusion that no one deserves extra reward for their superior achievements.

Thus, despite Rawls' rejection of the principle of redress, some egalitarians read Rawls' two arguments as a guide for applying it. Ronald Dworkin (1981) reads Rawls' two arguments as suggesting that egalitarians should strive to eliminate inequalities due to differences in individuals' capacities or talents but not inequalities due to differences in individuals' tastes. This motivates a principle of equality of resources: individuals should have equal shares in the external means to happiness, but they are responsible for using these means effectively in pursuit of happiness.

Dworkin's theory runs afoul of numerous objections. It defines equality of resources in terms of an "envy-free" distribution—one that leaves no one envying anyone else's bundle of resources. This definition invites the devastating charge that the pursuit of equality is based merely on envy, a despicable and destructive emotion that gives no one else any reason to attend to its claims. The theory also supposes that people bear no responsibility for their capacities, as if their development were totally beyond individual control. But most of the capacities that enable people to produce and compete successfully for goods can be developed through individual effort and choice. Finally, the dramatically different treatment Dworkin gives to tastes and talents has no persuasive normative ground. Both are partly subject to individual control, so why should individuals be held fully responsible for their preferences and not at all for their capacities?

This last consideration has moved G. A. Cohen (1989) to propose that under the principle of redress, people should not be compensated for inequalities due to voluntary failures to develop their talents, but should be compensated for inequalities due to involuntary psychic misfortunes. Thus, the state should pay monetary compensation to individuals for the misfortunes of intractable pain or a gloomy temperament. It should even subsidize the satisfaction of involuntarily expensive aims due to a character bored by any but resource-intensive hobbies, or to rearing in a religion that makes onerous demands on one's resources. On his view, the space of equality should be that of access to advantage, where access comprehends both external

resources and opportunities and the internal powers required to make effective use of them.

FROM DESERT TO ENTITLEMENT

The theories of Cohen and Albert and Hahnel develop the logical implications of the two principal paths open to desert-responsive egalitarianism. So they offer an excellent opportunity to examine the merits of desert-based theories in general. One of the most surprising results of recent work on equality is how closely left-egalitarian criticisms of desert-based theories agree with inegalitarian criticisms.

Consider first Cohen's theory. It shows how far the principle of redress takes us from the original political motivations of egalitarianism. Egalitarianism began as a political movement to abolish oppression due to hierarchies of caste, race, and the like. But in the hands of philosophers such as Cohen and Nagel, it has become a metaphysical aspiration to eliminate the supposed cosmic injustices of bad luck, such as the misfortunes of a melancholic personality. This difference matters politically. One can make a strong argument, based on the imperative that the state treat its members as equal citizens, that the state may not sponsor oppressive social hierarchies. But to demand that the state insulate individuals from all "cosmic" bad luck seems to dangerously expand its role. It may be too bad that people suffer from bad luck, but this is not enough to justify coercive state intervention. On this point both libertarian inegalitarians such as Hayek (1976) and left-liberal egalitarians such as Korsgaard (1993) agree.

Distributive regimes based on the principle of redress also threaten the conception of persons as morally responsible agents, despite their formal acceptance of this conception. In hanging compensatory awards on agent's demonstrations of their lack of free choice over their undesirable psychic states or circumstances, they give agents an incentive to regard themselves as responsible for as little as possible, and to evade situations in which they can be held responsible for the consequences of their actions. Moreover, regimes based on the principle of redress express disrespect for individuals in submitting the details of their psyches and conduct to constant moralizing judgment (Korsgaard 1993).

Albert and Hahnel's regime, based on the principles of effort and need, leaves individuals no freer from others' intrusive, moralizing scrutiny. It requires individuals to lay bare their sacrifices and needs before their neighbors and workmates—precisely those most likely to bear personal dislike, envy, smugness, intrusive curiosity, and other partial and unsavory motives toward those they judge. The prospect of competition over who has subjectively sacrificed more at work, or over which neighbor's needs are greatest, hardly inspires confidence that participatory democracy will promote the cozy solidarity socialists expect. Albert and Hahnel propose to deal with these problems by making data about personal sacrifice and need anonymous. Quite apart from the difficulties of preserving anonymity in parochial settings, the disrespect entailed by public scrutiny of matters

cutting so close to the self is hardly diminished by the thought that at least the community councils don't know precisely whom they are moralizing about. Today the principles of need and desert govern income distribution mainly in means-tested welfare programs for the "deserving" and "undeserving" poor. The demeaning experiences of welfare recipients dependent for their existence on passing the moral scrutiny of public bodies offers a glimpse of what citizens generally could expect from a comprehensive desert-responsive system of justice.

Hayek (1976) argues further that regimes that distribute resources according to merit or "deserving" need undermine individual freedom. For they must determine how much the good or bad outcomes produced by or affecting individuals is due to their own meritorious efforts or irresponsible conduct. This requires a public judgment as to what use individuals ought to have made of their opportunities and capacities. Thus, merit- and deserving need- based distributive systems force individuals to conform to others' judgments of how they ought to act. But a truly free society would not hold individuals' prospects hostage to others' views about their moral merit. It frees them from others' moralizing to follow their own judgments about how best to take advantage of their opportunities and talents.

Egalitarian liberals such as Rawls and Korsgaard share and amplify Hayek's critique of desert-responsive schemes of justice. The principles of effort, deserving need, and redress make compensation dependent on judgments of individual freedom. Individuals' capacities to exercise freedom—to take advantage of the opportunities formally open to them—depend partly on education, whereby they learn what their opportunities are and how to use them, and partly on self-respect and self-confidence, without which they would be unable to accept the authority of their own judgments. But education, respect and self-confidence depend partly on the good fortune of a favorable upbringing. Reflection on these facts allows us to read Rawls' notorious remarks on effort in a different light. They question both the egalitarian and libertarian credentials of the principle of reward according to effort. The principle is objectionable, because it does nothing to ensure that the conditions for human freedom are equally available to all. It therefore leaves those who are less free to act with fewer opportunities to lay claim to the resources that might some day free them to make great efforts.

These reflections suggest that schemes of distributive justice should rather aim at promoting individual freedom than at ensuring reward in proportion to desert. If social arrangements secure the conditions for individual freedom, then we can presume that whatever individuals choose and achieve within them is their responsibility. Public bodies can avoid judging whether individuals are getting what they deserve and constantly redistributing the outcomes of free agreements so that they accord with a preconceived pattern of distributive justice. These considerations support theories of pure procedural justice. Such theories judge distributive outcomes fair because they flow from fair entitlement rules. By contrast, "pattern" theories of justice, such as desert theories, judge distributive rules fair because they generate distributive outcomes already judged to be fair. Theo-

ries of entitlement or pure procedural justice are chiefly inspired by a vision of what a free society should look like. Debates over them have mainly focused on the extent to which they can support egalitarian ideals as well.

EQUALITY AND FREEDOM IN THEORIES OF ENTITLEMENT

Contemporary political rhetoric represents the pursuit of equality as a threat to freedom. This way of framing the issues has put egalitarian theorists on the defensive. But recent work by egalitarians on the idea of freedom has allowed them to defend equality in the name of freedom itself. Amartya Sen (1992) argues that to pit equality against freedom is to commit a category mistake. Equality specifies a pattern of distribution over some space; freedom is a space over which a distributive principle such as equality may range. One could seek equality over the space of freedom itself. So these two ideals cannot essentially conflict.

Sen's argument is formally correct, but it hardly silences the libertarian critics of those who seek equality in some other space than freedom—such as resources or income. A deeper response to the objection from freedom is latent in the work of egalitarian entitlement theorists: the thought that equality in the space of freedom may require or even be constituted by equality in other spaces. This idea emerges from egalitarian work influenced by the famous debates between Rawlsian egalitarians and libertarians in the 1970s.

Rawls argued that the just principles for regulating the basic structure of society are those that would be accepted by free, equal, and rational individuals under fair conditions. Fair conditions induce individuals to choose principles acceptable to all, by depriving them of information they could use to choose principles that specially favor themselves over others. Rawls argued that people in such conditions would choose two principles of justice: first, that everyone shall be guaranteed equal basic liberties (such as freedom of speech, association, religion, movement), and second, that inequalities in income and wealth must work "to the greatest benefit of the least advantaged, and be attached to offices and positions open to all under conditions of fair equality of opportunity."

Robert Nozick, in Anarchy, State, and Utopia objected that Rawls' second principle of justice, which secured equal employment opportunity and dramatically constrained income inequalities, was a "patterned" theory of justice, which prescribes a particular distribution of goods independent of people's agreements to provide or pay for them. A free society inevitably upsets patterns, so the maintenance of patterns would require constant interference with individual choices.

Ironically, Hayek (1976) was one of the first to point out that Rawls' theory rejected patterns in favor of pure procedural justice, a fact that led him to minimize his differences from Rawls. Rawls justified his second principle of justice not by the justice of its pattern of outcomes, but by the fairness of the conditions in which it would be chosen. Moreover, the second principle does not guarantee any particular pattern of income

distribution, because it only regulates opportunities to earn income, which are "attached to offices and positions." In other words, the principle guarantees individuals access to a range of employment opportunities, the lowest paying of which has a wage as high it could be. But it is still up to individuals to work and take advantage of those opportunities as they choose.

Thus, the difference between libertarian and Rawlsian entitlement theories comes down to a question, not of outcomes, but of the structure of opportunities. Can the state legitimately constrain the structure of opportunities, so that every willing worker can find a job at a living wage, and no one can acquire a high income at the expense of the least advantaged? Or must the state refrain from regulating contracts and property transfers, accepting whatever structure of opportunities emerges from laissez faire capitalism? Nozick argued that Rawls' system entailed constant state interference with individuals' liberty to do as they wish with their property. Only libertarianism, which guarantees absolute property rights and freedom of contract, secures maximum freedom to everyone to act without state interference.

Nozick's argument has great rhetorical power. But it trades on an illusory asymmetry between libertarian and egalitarian property rules. All property rules interfere with some people's liberty, so that others may be free. Rawls' system of property, which guarantees workers a living wage, interferes with the liberty of employers to set wage rates (or to keep their income free from progressive taxation). But Nozick's system of property rights interferes with the liberty of the poor to produce or take what they need to survive—even if, say, the land they need to farm is held in idleness by a landowner who does not need it. It uses state power to block workers' access to the means of production and employment. To protest that these means of production are other people's property begs the question. For the question is, what system of property rights ought to be established by the state. One cannot say that Rawls' system interferes with liberty, while libertarian systems protect it; each system defines and protects a different set of liberties through its system of entitlements.

Thus, egalitarian theorists such as Taylor (1985) argue that to assess how free egalitarian and libertarian entitlement societies are, we must distinguish between more and less significant liberties. The system that protects more significant liberties will be the freer society. Following similar reasoning, Sterba (1994) argues that the liberty interests of the poor override those of the rich in the above conflict case. It is more reasonable to ask the rich to give up their liberty to withhold surplus resources and means of production from the needy poor than it is to ask the poor to give up their liberty to take the means of production or the final goods they need to survive. So there are good libertarian grounds for accepting egalitarian entitlement rules similar to Rawls'!

The trend of recent egalitarian entitlement theory has thus been to argue that freedom itself is the space in which equality should be sought, and then to argue that equal freedom involves much more than libertarians think. The logic of this trend was already implicit in Rawls' argument (from persons' responsibil-

ity for their ends) that equality should be sought in the space of primary goods, not welfare. A person enjoys greater freedom, the wider the range of significantly different and valued opportunities she has effective access to. The shift from welfare to primary goods represents a shift toward freedom, because primary goods are resources or multi-purpose means toward freedom: they open up a wider range of accessible options. But if the means are valued for the sake of the end, then shouldn't egalitarians define the space of equality in terms of what they ultimately value, namely freedom itself?

Following this line of thought, Amartya Sen (1992) has produced the most significant objection to resource equality yet to come from within egalitarianism. Sen argues that welfare should be conceived pluralistically, as states of being and doing that he calls "functionings". Being healthy, literate, self-confident, having friends, exercising initiative, and participating in community life are all functionings or dimensions of well-being. A person's capabilities consist of the set of functionings she can achieve, given the personal, social, and material resources available to her. Capabilities directly measure a person's freedom to achieve well-being. If egalitarians should seek equality in the space of freedom, then they should seek equality of capabilities. Resource egalitarianism does not secure equality of capabilities, because people differ in their ability to convert resources into functionings. For example, an income that enables one person to participate in public life may not be sufficient to enable a physically handicapped person, who needs a motorized wheelchair and ramps on buildings, even to enter public spaces. Two individuals with equal external, divisible resources may thus enjoy very unequal freedom.

Libertarians have not yet responded to Sen's capability egalitarianism. But Sen's view does bring to mind one of the most prominent and devastating objections to equality: if those with least capability cannot be raised up, does capability egalitarianism demand "leveling down" the most able and talented? Must great pool players be handicapped, so that poor ones are equally able to compete with them? These questions express several distinct concerns. One is alarm at the thought that capability egalitarianism might call for grave violations of bodily integrity and individual freedom. Another is derision at the thought that all human capabilities whatsoever ought to be equalized, combined with skepticism that such a broad goal is any of the state's business. Sen concedes that capability egalitarianism does not offer a complete vision of justice; it must be supplemented by strong individual rights against violation. And he claims only to have identified capabilities as the proper general space of egalitarian concern, not which particular capabilities egalitarians should care about.

The incompleteness of Sen's proposal points up a shortcoming in the entitlement debates over the space of equality. Egalitarian entitlement theorists, unlike their desert-theory counterparts, have always understood the political basis of egalitarianism: to express the demands of equal citizenship in a democratic state. But the concept of democratic citizenship has not been much used in recent disputes to discriminate among com-

peting candidates for the space of equality. Perhaps, if egalitarians recalled what they found objectionable in traditional inequality, they would be better able to define the scope of egalitarian demands and clarify why it is the state's business to meet them.

To this end, Iris Young (1990) argues that the ground of egalitarian justice is opposition to group-based oppression: to social hierarchies of domination and contempt, whereby persons are systematically subordinated, exploited, marginalized, stigmatized, and subjected to violence by groups who designate themselves as superior. Clearly, the ideal of equal, democratic citizenship requires the elimination of these oppressive, hierarchical relationships. Since this ideal is constitutive of the democratic state's aims, it is clear why it is the proper business of the state to dismantle any oppressive hierarchies it has constructed, and to promote the social and material conditions for citizens to relate to one another as equals. Young's view thus helps answer the questions left open by Sen's capability egalitarianism. The capabilities that matter for egalitarians are those involved in functioning as equal citizens in society. Thus, material deprivations that marginalize the disabled and prevent them from participating in community life—such as a lack of wheelchair-accessible bathrooms at work and school—are oppressive and require redress by the state. But differences in the ability to play pool have no bearing on oppression, so are of no concern to egalitarians.

Young's view accounts for two other features any egalitarian theory ought to have. One is an explanation why "leveling down" by attacking people's talents is bad. Political egalitarians attack not the intrinsic diversity of human beings, but the construction of diversity into hierarchy. Their ideal is one in which social arrangements enable the diversity of human talents, cultures, and characteristics to work to everyone's advantage, not one in which that diversity is abolished, nor one in which diversity is turned into an occasion for oppression. So they see no intrinsic value in "leveling down" or homogenizing human diversity, which would only oppress those who are different.

The second feature an egalitarian theory ought to have is a resolution of the supposed conflict between freedom and equality. Young's view lets us see how equality between persons is constitutive of freedom. For example, a person is unfree if she is at the mercy of others' wills. But this is just to describe the parties as standing in unequal relations of subjection and domination. This fact guides the construction of a basic egalitarian distributive principle: to oppose distributions of external goods that cause, constitute, or flow from unequal social relations of domination, or other oppressive relationships. This principle would require significant changes in distributive rules, but far fewer than the principle of redress would demand.

The ironies of these recent developments in egalitarian thought should not go unnoticed. Desert theory, traditionally considered a stronghold of inequality, has become the home of the most sweeping egalitarian claims. "Oppression theory," commonly thought to be the province of the most extreme ideas, turns out to offer a narrowly tailored account of the

scope of egalitarian claims that is highly responsive to libertarian concerns about freedom and the limits of state action. No doubt, as work on equality continues, it will produce more ironies to contemplate.

Elizabeth Anderson
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