

RADICAL EGALITARIANISM REVISITED: ON GOING BEYOND THE DIFFERENCE PRINCIPLE

by
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A conception of egalitarian justice is articulated and defended. Two questions are posed and answered: "How much equality is enough equality?" as well as "What are people to have equally or to be equal in?". In answering these questions the underlying aspirations and rationale of egalitarianism is characterised. Sticking with ideal theory, but also stressing that for a complete account of justice that certainly is not enough, it is argued that, for stratified societies, under conditions of moderate scarcity and limited altruism (conditions obtaining in the rich capitalist societies), a strict reading of the difference principle is appropriate. However, the aspiration of egalitarianism is for a world of equals: for a classless, genderless, non-racist, non-stratified world. For that world, a more radical form of egalitarianism is required. That form is specified as well as what, in achieving equality of condition, we humans are to be equal in.

Nouvelles pensées sur l'égalitarisme: au-delà du principe de la différence

Le présent article formule et défend une conception de la justice égalitaire. Il répond à la question: "Combien d'égalité suffit?" et à cette autre: "Qu'est-ce que les gens doivent avoir en quantité égale, ou en quoi doivent-ils être égaux?" En y répondant, l'auteur caractérise les aspirations fondamentales de l'égalitarisme et sa raison d'être. S'en tenant à la théorie idéale, tout en insistant que celle-ci ne suffit point pour faire la description complète de la justice, il affirme que, pour les sociétés stratifiées, sous des conditions de rareté modérée et d'altruisme limité (conditions qui valent pour les sociétés capitalistes aisées), il est approprié d'interpréter le principe de la différence dans un sens strict. Mais l'égalitarisme aspire vers un monde composé d'égaux, un monde sans classes, sans sexes construits, sans racisme ni stratification, pour lequel il faudrait une forme d'égalitarisme plus radicale. Cette forme est décrite, et il est précisé en quoi les êtres humains doivent être égaux pour atteindre l'égalité de condition.

INTRODUCTION

Would be egalitarians try, where their inclinations are theoretical, to clearly articulate and display a conception of egalitarianism and egalitarian justice that answers to our reflective moral sensibilities (including, of course, our egalitarian sensibilities), that responds to the deep social injustices in our societies and that proffers an ideal conception of a better and more just society and, beyond that, of a just world. Egalitarians cannot simply be concerned with domestic justice. Moreover, and of course crucially, they attempt to set out a cluster of sound and clear arguments for a morally attractive conception of egalitarianism and egalitarian justice.

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In turning to their task, two central questions egalitarians face are *how much equality is enough equality* and *what* are people to have equally or to be equal in. Concerning the latter problem, suppose that issues about the relations of equality to liberty, fraternity, desert and incentives are resolved, it is at least plausible that the question of *equality of what* would remain. What, if we are to have anything in an equal amount, should we have equal amounts of or be equal in? How much of it should we have and when and why we should limit it would remain — or so it seems natural to suppose — separate issues.

In Part A, I consider how much equality is enough equality. Here I am doing what John Rawls calls *ideal theory*, and in doing that I try to say, abstracting from practicalities, what a perfectly just society would look like in conditions of very considerable abundance, but not so counterfactually abundant that the circumstances of justice (moderate scarcity and limited altruism) do not obtain. Running against what is at least conventional wisdom, if not more, I argue that it is reasonable and morally justified to urge a form of egalitarianism that is stricter than the liberal egalitarianism of John Rawls and Ronald Dworkin and even the socialist egalitarianism of G.A. Cohen. For all three, their egalitarianism is constrained by the difference principle. I too, in circumstances where there are classes, genders, racism or hierarchical strata, would argue for the *difference* principle. However, I also argue, in trying to characterise what a perfectly just society and world under ideal conditions would look like, that we should favour a more extensive equality which I call radical egalitarianism. (Nielsen, 1985) I am well aware that such conceptions are often rejected out of hand. I face that right at the beginning in Part A, Section I.

I should also say — though it may seem to cut against my pragmatist bent — that it seems to me that these “Platonic enterprises” of ideal theory, whether in the form of my radical egalitarianism or the liberal egalitarianism of Rawls or Dworkin or the anti-egalitarianism of Robert Nozick or David Gauthier, are important enterprises in which to engage. We should do ideal theory in order to gain, free from all strategic questions concerning instrumentalities and the like, a sense of what our practices, institutions, laws etc. would have to be like to be perfectly just. This gives us a sense of the direction we should ideally go in if we can. We have to know, if we can, and as a matter of informed and plausible conjecture, what can be done, what are the feasible possibilities and how we can move from the kinds of societies we live in now to genuinely better societies. We need to face hard live political and economic questions concerning what is to be done and what realistically is to be aspired to and fought for. But to help give us a sense of direction — of what it is we would dearly want to see our lives and our world be like — we also need to confront the questions of ideal theory and that is what I limit myself to here. But stopping there is irresponsible, except as a kind of division of labour, where people caught up in common engagement put to best use their special skills.

In Sections II through IV of Part A, I consider, coming a bit closer to earth, the role of merit, desert, entitlement and incentives. These are often thought, in one way or another and with greater or lesser severity, to restrict

how much equality we can reasonably and rightly have. I try to show that none of these considerations undermines either radical egalitarianism or liberal egalitarianism and that, on the liberal side, even Rawls's defence of incentives will not pass muster. On a strict reading of the difference principle, I follow G.A. Cohen in arguing that Rawls' incentive claims are not justified and are not in accordance with the central thrust of his own liberal egalitarianism. (G.A. Cohen, 1992)

In Part B I turn to the issue not of how much equality, but of *what kind*. I argue on fairly familiar grounds against both resource egalitarianism and welfare egalitarianism. I then turn to a consideration of the equal capabilities of functioning conceptions of equality. Although I criticise such conceptions, while also proceeding from them and building on them, I develop most fully (though still critically) first an "equal effective freedom conception" and then an "equal satisfaction of needs conception". Finally and tentatively, I consider a more complex conception of *equality of what* by combining these last three conceptions with the "primary goods conception". I indicate in my manner of combining them how they compensate for each other's lacunae. I consider whether together they forge a coherent and plausible conception, yielding a more adequate conception of egalitarianism than do the less complex views of *equality of what*. I seek in this essay both to defend egalitarianism against some anti-egalitarian objections and to articulate a perspicuous and sound form of egalitarianism.

In both Parts A and B, I refer to egalitarian aspirations, to egalitarian hopes and aims, to the egalitarian impulse and to the underlying rationale of egalitarianism. Reflection of these notions is not at all sufficient to answer our questions about *equality of what*, how much equality we should have, how equality and liberty go together and what our principles of egalitarian justice should be. But without a good sense of what is involved in having egalitarian aspirations and the like, we will not know where to look in facing and trying to answer these questions. Without a firm sense of egalitarian aspirations, some sense of the world egalitarians ideally want, and a sense of the underlying rationale of egalitarianism, we will not know what is involved in asking those questions or when we are going in the right direction in our attempts to answer them or even when, after long trying, we have correctly answered them. They are our touchstone for what is involved in our inquiries into what would be an adequate egalitarian theory or account. So, in my account, I frequently return to them.

PART A

I

Let me start by examining some acute remarks of another socialist egalitarian, G.A. Cohen, remarks that in effect cut against my radical egalitarianism. In his "Incentives, Inequality and Community", Cohen argues against a radical egalitarianism or, indeed, any, as he calls them, strict egalitarian conceptions which urge a stricter egalitarianism than that sanctioned by the *difference* principle, namely the principle "that inequalities are justified when they render badly off people as well off as it is possible for such

people to be". (G.A. Cohen, 1992, 265) He takes, quite rightly, I believe, the difference principle "in its more generous form, in which it allows inequalities that do not help but also do not hurt the worst off". (G.A. Cohen, 1992, 266, 268)

Socialist egalitarians, Cohen has it, will not find it easy "to set aside the Rawlsian justification of inequality. They cannot just dismiss it, without lending to their own advocacy of equality a fanatical hue which they could not themselves on reflection find attractive". (G.A. Cohen, 1992, 266) It is often thought to be unreasonable and morally untoward, in order to gain a strict equality, either to make the badly off worse off still, or "to make the badly off no better off, while others are made worse off to no evident purpose". (G.A. Cohen, 1992, 267) An egalitarian view becomes incoherent or untrue to itself, if, in a world with badly off people, it rejects the difference principle and cleaves "to an egalitarianism of strict equality". (G.A. Cohen, 1992, 268)

What, Cohen believes, most fundamentally concerns egalitarians is not such fanatical levelling, but the injustice of some people being so badly off when other people are so well off. (G.A. Cohen, 1992, 267) Egalitarians are not exercised by the fact that some people are just less well off than others. In a world of millionaires and billionaires, in which no one's life is hard, they would not care much, Cohen maintains, about the inequalities between millionaires and billionaires. What exercises them is that in capitalist societies, and the other class societies that preceded them, there is what they take to be unnecessary hardships at the lower end of the social spectrum. There are people badly off, some very badly off, "who, they believe, would be better off under an equalising redistribution". (G.A. Cohen, 1992, 267) In such a world they want to use the difference principle to spot the inequalities that are acceptable and those that are not. It is a litmus test for justified and unjustified inequalities. Equality, within the limits of the difference principle, is a good thing because, if followed, it would make the badly off better off, indeed as well off as they reasonably could be in such circumstances. But it would not make the well off worse off, when it is not necessary to obtain this end. Reasonable egalitarians do not think that it is "a good thing about equality that it would make the well off worse off". (G.A. Cohen, 1992, 267) Egalitarians, in short, are not — or at least should not be — motivated by envy.

In a world of reasonable abundance with strata of badly off people, I too, accept the difference principle in its more generous form. To spell out in that context an egalitarian conception of social justice, that is just what is needed. *In such circumstances*, to reject it in the name of a more radical or stricter equality would be wrong, and indeed, not only wrong, but irrational.

However, we cannot leave things just like that. Egalitarians aspire to a society, indeed a world, of equals: people with equal human rights, equal in power, equal in access to advantage, equal (in so far as this is possible) in whole life prospects. Egalitarians want, as far as that is possible, equal well-being for all at the highest level of well-being it is possible to attain. The egalitarian impulse and aspiration is not (*pace* Cohen) *just* to make the badly off well off, or, if that is not possible, to make them as well off as

possible, but to have a world in which there are *no badly off individuals or groups of people*, a world that is not hierarchically stratified (if that is not a pleonasm) along the lines of “the worst off”, “the next worse off”, “the middlingly situated”, “the well off”, “the better off” and “the best off”. Put in political terms, socialist egalitarians are *socialists* and not welfare state social democrats. In practical terms (and aside from *ideal theory*), in societies situated as even the better off and more progressive of our societies are situated (*e.g.*, Denmark, Holland, Finland, Iceland, Norway, Sweden), radical egalitarians will, *vis-à-vis* equality, opt for very much the same things that social democrats will opt for: to make the worst off strata of society as well off as they can be. But their underlying aim, is to bring about a society of equals: a classless, genderless, non-racist society in which there are, if that is possible, no social strata or at least a society where the necessary strata hierarchies are as minimal as they possibly can be and not the source of some people having power over others. Perhaps that is an ideal impossible to even reasonably approximate, as the radical historian Eugene Genovese, along with many others would insist, but, it is for egalitarians, there as a heuristic.

It is vital to keep firmly in mind that we (Rawls, Cohen and myself) are in this context doing *ideal theory*. (It is, for example, a completely counterfactual idealisation of ideal theory that everyone always acts justly.) We are trying to give an account of basic justice for the design of social institutions and social practices: an ideal blueprint for such societies. Assuming full compliance for the purpose of ideal theory, we are trying to set out the design of a just society. And, where we turn to global justice, we are trying to say what a perfectly just world would look like under conditions of abundance, where the circumstances of justice still obtain, *i.e. moderate* scarcity and limited altruism. We assume, again counterfactually for the purposes of ideal theory, that all people have a sense of justice and consistently act from it. But we do not assume that they are all saints.

II

In such contexts, I do not give more than pragmatic weight to considerations of desert and merit. I do not think that the traditional maxim that justice is giving each person her due is meaningless but that, in articulating principles of *social* justice, we need to specify how the assets, benefits and burdens are to be distributed in a society and in the world as a whole. We are not seeking, beyond giving parameters, to solve questions of individual justice. We will, in giving that very specification, determine *what is to count as*, getting one’s due in various circumstances. Talk of giving each her due has no meaning that is independent of such a social construction. Once we have fixed the design of a just society, we will have a sense of what is due individuals in particular contexts, but not before.

Particularly when, like Rawls and Stuart Hampshire, we keep firmly in mind the arbitrariness of social circumstances and genetic inheritance, we will not give merit, desert or entitlement a central place in our moral firmament. (Hampshire, 1972) It is not that we are denying free agency. In good compatibilist fashion we recognise that we (some of us more than others)

have some control over our lives, that we can and should take responsibility for our lives, and that we have some capacity to forge life plans and to act on them. This is a plain enough sociological fact that any metaphysical theory of free will or hard determinism will have to accommodate if it is to be reasonable. We make, as Marx stressed, our own history, but not under conditions of our own choosing. Some of us are more industrious or skillful than others of us. Some of us, can more adequately stick with what we would do or are better able to realize being the sort of persons we want to be or are better at being able to form some tolerably determinate conception of what sort of persons we want to be. Many of us, perhaps most, but not all of us, are rather at sea here. But just a little reflection on the contingency of social and genetic circumstance will give us a firm sense of the "luck of the draw" here. Jane is bright and industrious and Jim is dull and lazy. But the brightness and dullness are largely a matter of genetic inheritance and social circumstance and even the ability to make an effort, to stick with what one decides on or what one must do, is rooted in some combination of our social and genetic inheritance. When we recognise that and take it to heart, we will discount talk of "moral merit" and, while not denying the depth of human differences, will not have an elitist, meritocratic, anti-egalitarian conception of justice. With such an understanding, there will not be even a tinge left of a Platonic conception of human nature.

III

Desert goes the same way as moral merit or merit *sans phrase* and for much the same reasons. To say that is not to deny that, if Jane finishes her dissertation and Jill does not, that Jane should get her degree and Jill not or that, if Fred is a rapist and Frank is not, that Fred goes to jail and Frank does not. And, if Bill, in fair competition, wins the music competition that he should have his award. That is largely the way things go and that is the way they should go. Whatever we should say about the ultimate deterrents of human behaviour, life — the ordinary day to day social interactions — could hardly go on if things like this did not obtain. Given the contingency of our social and genetic inheritance, this should be recognised but should only be treated as a pragmatic necessity. (Nielsen, 1985, Part III) *It will not go deep and will not affect our belief in the equal moral standing of all human beings.* Recognising our secular equivalents of "There by the grace of God go I", we will not, by the evident differences between people that obtain in many ways and in many domains be jolted from a deeply embedded and considered conviction that the life of everyone matters and matters equally, a conviction that has appropriately been called *moral equality*: the belief in the equal moral standing of all people. (Hurka, 1992)

IV

We should not say quite the same thing about entitlements. Entitlements, as Frederick Hayek and Robert Nozick pointed out, are distinct from merit or desert. If my Father, in good legal order, bequeaths me his farm I am entitled to it whether I deserve it or not, whether I have any "moral merit" or not. I may, being a wastrel, have little or no merit. There are all sorts of

entitlements that have nothing at all to do with deservingness or merit. But their being recognised is essential for the smooth running of society and a just society will acknowledge them. But *what* entitlements we have is not a natural fact about us or our society anymore than is what is our due. Rather what they are, and when they can rightly be overridden, is set out in the design we construct for a just society. Whether any of the following things obtain is socially set: that individuals have an unlimited right to private property, that we all have a right to an equal share in the means of production, that we all are entitled to health care, that we are, if we are poor, entitled to legal aid, that we have a right to vote, that we have a right to equal access to advantage. These things are not natural facts there to be discovered in the world (including the social world) or self-evident truths or even truths there to be intuited or discovered, but matters that we design in constructing a conception of a just society. Where what we have designed has come to have an institutional existence, they then become constitutional realities or something dependent on constitutional realities.

In this manner we also determine when entitlements can be rightly overridden. I am entitled to my front lawn if I legitimately own it. But, if there is a pressing need to drive a road through it, by the right of eminent domain, my entitlement is rightly overridden. I am entitled, given Canada's health care system, to a free flu shot if I am sixty-five or over, but sometimes this right can be overridden if there is not enough serum to go around. There, depending on the supply, it could rightly be decreed that the ill and over seventy-five preempt my entitlement.

What entitlements we have and when they can be rightly overridden is fixed by the system of social justice we devise. An egalitarian one — seeking a society and a world of equals — will *for starters* insist on equal human rights. What entitlements people have, in such a society, will be entitlements which they have had equal opportunity to obtain and will be the same for all when they are relevantly similar (e.g. all children, all those with kidney failure, all university graduates) and when they are in a relevantly similar situation, e.g., if A is entitled to a flu shot then B is too unless there is a relevant difference between A and B or in their situations. But, even in an egalitarian society, not all actual individual entitlements will be the same. If my father legitimately bequeaths me three houses and, if to do so is legal in the society in which I live, as it probably would not be in a thoroughly egalitarian society under conditions of moderate scarcity, they are mine. Your father may have bequeathed you only one house or none at all. So here your entitlements are different than mine. But if it turns out that others have no place to live, it may rightly be fixed by law that two houses can be taken away from me. In this way an entitlement may be overridden in the interests of justice. Constructors of accounts of justice will often argue, and sometimes rightly, for changes in law and sometimes even in the constitution. And, starting from the constitution, but going beyond it, additional argument will have to be made for what justice requires for certain types of difficult and constitutionally unforeseen cases. Indeed, sometimes a whole constitutional system and the political order that goes with it should be swept aside. But that, plainly, is not the usual case. Where,

if anywhere, we can get a claim that has both *de facto* and *de jure* legitimacy, is, in such contexts, a very difficult question. (Nielsen, 1990b, 218-250)

V

I shall now turn to speaking of incentives. The belief that incentives are necessary for the efficient running of an economy is a widely accepted belief in our society. It is widely believed that even the difference principle requires them, if the worst off strata of the society are to be no more badly off than they must be. John Rawls stresses this need for incentives in the articulation of his liberal egalitarianism. (Rawls, 1971, 79-82) Often in arguing for incentives, issues of desert, merit and entitlement get mixed in. But, where the argument for incentives is careful, such considerations are set aside *and just the need for incentives is appealed to*. We have then what Cohen calls “a naked...use of the incentive argument” for giving extra remuneration to the talented rich to get them to work harder and more efficiently than they otherwise would. The result of that will be, where the incentives are arguably justified, that the poor will be better off than they otherwise would be.

Cohen subjects this familiar claim — a set piece in the defence of capitalism, even social democratic welfare state capitalism — to a careful and nuanced criticism. This criticism puts the claim, even in its strong Rawlsian articulation, very much on the defence. (G.A. Cohen, 1992) I cannot rehearse, let alone critically inspect, Cohen’s detailed and careful argument here. But I shall, oversimplifying considerably, give one core part of it which seems to me to be right. (That does not mean, or suggest, that that is the only thing that I think that is right in Cohen’s account.)

The following argument is likely to be accepted by many people, including most Rawlsian liberal egalitarians:

1. Economic inequalities are justified when they make the worst off people materially better off.
2. Giving material incentives to the talented rich will cause them to work harder and the result will be that the worst off are materially better off.
3. Therefore such material incentives should be given to the talented rich.

The first premiss could be queried — as I queried it in my *Equality and Liberty* — where the society in question is one of considerable abundance. Being materially better off is not all there is to being better off. This fact, for Brechtian reasons, is of little functional importance where the society is poor, or where the worst off (a kind of lumpenproletariat) in a society of considerable wealth are both very poor and very vulnerable. It would, however, be salient in rich societies where even the worst off are not in desperate straits. (I do not say there are any such societies yet, but with advanced social democratic welfare state capitalism we might get some. And perhaps we already have some approximations.) Where there is abundance and a system of firm welfare nets for the poor — it is not the world of *The Three Penny Opera* — the poor might reasonably reject the first premiss. They might do so because they realise that, in such circumstances,

increased material inequalities, if they are sufficient to cause the desired effect on the talented rich, are likely to lead to increased imbalances in power, increasing the control of the rich over social life. The poor (in such societies not being so terribly poor), prizing autonomy and the gaining of an equal say in how their society is run, might rightly forgo these material advantages. (Nielsen, 1985, 221-235, 244-246 and 296-297)

However, here I want to set that aside and concentrate on the second premiss. Suppose the poor — including, of course, the most disadvantaged — ask the rich, “Why do you need material incentives to work harder?”. If the reply from the rich is that they are *unable* to work harder without more remuneration, then this response, given that they are already living well, seems at best implausible. If to the further question “Why are you unable to work harder without the extra remuneration?” they answer “It would not be worth our while” the question in turn comes trippingly on the tongue: “Why would it not be worth your while?”. Since considerations of merit, desert or entitlement are not at issue here — a naked use of the incentives argument is being presented — the only answer that the rich person can relevantly give is “Without the extra pay I just do not *feel* like working harder” or “Without more money I have no *intention* of working harder”. But why, since *justice* is at issue, is how they *feel* or what their *intentions* are relevant here? If they are really unable to work harder and the second premiss is, as matter of inescapable fact, true then, given an acceptance of the first premiss, egalitarians will reluctantly accept the argument. It seems, so viewed, sound enough. But, as Cohen argues, where it is not *ability* but *intentions* that are at issue, then the situation is very different. In such a situation, the second premiss is not true as some impersonal sociological or social psychological fact, but is *made* true by the *intentional* actions of the talented rich. It rests on what they *prefer* to do or not do.

In some rich capitalist societies (the United States, France and Canada, for example) there are homeless people. Suppose, in such a circumstance, the homeless ask the rich “Why do you insist on material incentives?” If the rich answer “I have no intention of working harder without extra remuneration so that you can have shelter”, the poor will see that the rich *make* the second premiss true by their *acting on their intentions*, intentions rooted in their *preferences*. They are already well off and they could work harder without the extra-remuneration and, if they did, the poor would not be as badly off as they are now. They would have shelter and a little more food. Moreover, working harder does not entail that they drive themselves to the limits of their endurance or anything remotely like that. They just need to put in a little more time and a little more effort. The rich show clearly by their attitude and by making the second premiss true that they do not care about the poor, or at least do not care very much about them. They also show that they do not (though this is very much like a corollary), no matter what rhetoric they use, care about *moral* equality either. They care very little, if at all, that the life of everyone matters and matters equally. They have no, or at least very little, interest in there being a society of equals. But their not caring about moral equality means that they do not care, or care very little, about justice, given what justice has become in modern societies.

They presumably have a sense of justice, but they will not act from their sense of justice — assuming that an essential component for having a sense of justice in our societies is to have a belief in *moral* equality. (This is something that even Nozick will not deny.) If they would be just, they would not *make* the second premiss true, but they do make it true. In such circumstances, they show that they really do not care that some people are unnecessarily badly off, while other people, including themselves, are very well off indeed. They are not prepared to act on a strict interpretation of the difference principle, namely that *inequalities are justified only when they render badly off people as well off as it is possible for such people to be.*

We need, as Cohen well puts it:

[T]o distinguish between inequalities that are necessary, apart from human choice, to make the worst off better off, and inequalities that are necessary to that end only given what some people's intentions are. And this distinction, between, as one might say, intention-relative and intention-independent necessity, generates a question about how we are to take the word 'necessary' in John Rawls's difference principle. When he says that inequalities are just if they are necessary to improve the position of the worst off, does he countenance only inequalities that are necessary (to achieve the stated end) apart from people's intentions, or also, and more liberally (in more than one sense of that term), inequalities such as those that are necessary when talented people lack a certain sort of commitment to equality and are set to act accordingly? We confront here two readings of the difference principle: in its *strict* reading, it counts inequalities as necessary only when they are, strictly, necessary, necessary, that is, apart from people's chosen intentions. In its *lax* reading, it countenances intention-relative, necessities as well. So, for example, if an inequality is needed to make the badly off better off but only *given* that talented producers operate as self-interested market maximisers, then that inequality is endorsed by the lax, but not by the strict, reading of the difference principle. (G.A. Cohen, 1992, 311)

Justice, at least in a stratified society of abundance, requires the strict reading of the difference principle and this means that to claim the justifiability of incentives is to claim that they are justifiable *as a matter of justice*. But justice requires the impartial consideration of the interests of everyone alike where each is to count for one and none to count for more than one. (Nielsen, 1994) But, as we have seen above, there is, where the talented rich so reason, no impartial consideration of interests on the part of the rich. From their positions of superior power, they press their superior bargaining power. They have reasons all right, but they are self-interested ones, not ones that could be defended from the perspective of an impartial consideration of interests.

It should be noted that this critique of the use of incentives is not directed at, and does not apply to, extra-remuneration for people taking especially unpleasant, demanding, dangerous or stressful jobs. In such circumstances the provision of extra money could be justified as balancing up an inequality caused by the very nature of the job. Where workers suffer much more

from their jobs than is normally the case, then, in the name of equality, they are rightly given more money or other extra-remuneration, such as longer holidays. This could very well apply to miners, to test pilots, to air control officers in airports, to nurses, to bus drivers, to checkout clerks and the like.

Similar things could be said, and with a similar egalitarian rationale, for extra-remuneration for those workers who suffer deprivation during long years of training at little or no remuneration. There is, of course, lots of room for rationalisation here, indeed even self-deception. After all, life in graduate school, law school, engineering school or even medical school is not such bad thing. It's plainly a lot better than pumping gas or working in a supermarket or collecting garbage. But *perhaps* there are genuine cases of this sort.

If, on either of the two grounds discussed above, the talented rich could really make out a case that their work is either so stressful and demanding or that their training required such great sacrifices on their part (including loss of income) that they need some extra remuneration to come out equally with others, then this could be justified and again justified in the name of *equality*. However, it seems to me that here there is a vast amount of rationalisation, self-deception and perhaps other deception as well. It is highly improbable that their work is more stressful and unpleasant than most work at more menial jobs at a much lower wage. And, as for their taking on more responsibilities, what is so bad about that? It goes well with the good of self-respect and nicely squares with Rawls' Aristotelian principle. The very taking on of responsibility enhances their work and with it their lives. It is not something for which they need to be compensated. But the conceptual-cum-moral point still remains. If, contrary to what I have just claimed, they, because of their responsibilities and the demands of their jobs and the like, are disadvantaged, then, in the name of equality, they should have sufficient extra remuneration to bring them up to the level of others. It would be like a test pilot or a miner getting more money. But to think in the general case that anything like this obtains for the talented rich seems to me pure Alice-in-Wonderland. But, whatever should be said about the sociological realities here, *such arguments for extra remuneration do not violate considerations of equality, but are required by them* and they are quite different from the naked argument for incentives that we have been considering, where the talented rich demand more, not because they are in any way disadvantaged, but simply to gain as much self-interested market maximisation as they can. That is just plain immoral.

VI

Unlike Rawls, and like G.A. Cohen and Brian Barry, I do not take, even from the moral point of view, justice to be always overriding any other moral or even prudential or other practical considerations. "Justice," Rawls tells us, "is the first virtue of social institutions" by which he means that "laws and institutions must be reformed or abolished if they are unjust." (Rawls, 1971, 3.) But sometimes — and here we depart from ideal theory — justice is unattainable and sometimes acting on principles of justice would have horrendous consequences. In such circumstances other normative considerations

override considerations of justice. Morally we must not, in Michael Kohlhaas fashion, do justice, though the heavens fall. Sometimes, indeed very often in real life situations, whatever *we do*, *justice is unattainable*. Cohen is right in saying that in such a circumstance “we do well to settle for something else”. (G.A. Cohen, 1992, 327) That holds from the moral point of view itself. A critical morality will not hold that considerations of justice are *always* overriding, that justice is absolute with respect to all other considerations. (Wood, 1984 and 1985) Sometimes utility outweighs justice, just as justice frequently — indeed standardly — trumps utility. It all depends on the circumstances. (Nielsen, 1996, Chapters VII and IX)

This is clearly seen in arguments about incentives. Recall how Cohen distinguishes in talking about the difference principle between *intention-relative* and *intention-independent* necessities and between the lax reading and the strict reading of the difference principle. In considering what inequalities are just inequalities, inequalities necessary to improve the position of the worst-off, we are, where considerations of justice take pride of place, only to countenance necessities that are *intention-independent necessities*. (G.A. Cohen, 1992, 311) But suppose, departing from ideal theory with its conception of full compliance, we look at the real world. Even in our most benign capitalist democracies — to say nothing of such places as the United States, the United Kingdom, France, Canada, Brazil or Argentina — we find staggering disparities of wealth and social empowerment. Vast numbers of people live thoroughly rotten lives (in Canada one person out of six lives below the poverty line), a similarly large number of others fare badly, while a few are both very well off and some of them are also very powerful. It is clear that it is in the power of the rich (taken collectively) to change this or at least radically to ameliorate it. But it is also perfectly plain — and has been so for a long time — that they will not. Indeed, anyone who expected that would reveal a very considerable naiveté. It is also, as a small part of this problem, quite possible for many of the rich to work, and as well, with as much self-realisation from their work, without demanding material incentives. They can do this while still living comfortably and pleasantly. They are *able* to do it, but they are *unwilling*. They just will not. Moreover, at least for now and for the foreseeable future, they are in *stable* situations where they are in positions of power and control. The media, including much of the Academic media, as Noam Chomsky so persuasively argues, will provide the conventional wisdom about the necessity of incentives and the like. The poor, and others as well, if they are not hoodwinked by ideology, will recognise that, with few exceptions, the talented rich “lack a certain sort of commitment to equality and are set to act accordingly”. (G.A. Cohen, 1992, 311)

In such circumstances, as a matter of *social policy*, but not of *justice*, it may be very well to go for what Cohen calls the lax reading of the difference principle. (G.A. Cohen, 1992, 311) The rich will, whatever moral arguments we give them, go for their material advantage. The only conditions under which they will seek to make the badly off better off is where there is a material advantage in it for the rich or at least where there would be no material disadvantage to them. In such circumstances, where no

overthrowing the capitalist order is possible or where its results would be predictably still worse, what should be done is to give the talented rich the incentives they need to induce them to put their shoulders to the wheel. Do not go for justice *in such a circumstance*, for to do so is not what will make the worse off better off. It is a bit of “ancient Marxist wisdom that justice is not the first virtue of institutions in conditions of scarcity. Under those conditions a just distribution may be impossible to achieve, since powerful people will block it. In that case striving for justice may make everyone worse off. ...” (G.A. Cohen, 1992, 327) Cohen remarks, and I would echo:

Along with Nikolai Bukharin, I would have said to the kulaks: “Enrich yourselves!” without supposing (any more than Bukharin did) that I was thereby voicing a demand of justice. If we are concerned about the badly off, then we should sometimes concede incentive, just as we should sometimes satisfy even kidnapper’s demands. We are not then acting on the difference principle in its strict interpretation, in which it is a principle of justice governing a society of just people who are inspired by it. We are acting on the lax version of the difference principle, which endorses incentives and which has application in societies of the familiar unjust kind. On the assumption that they are indeed unavoidable, incentive payments may be justified, but it does not follow that no injustice occurs when they are provided. (G.A. Cohen, 1992, 326)

They are, in such circumstances, *justified* inequalities. But let us not imagine for a moment that they are *just* inequalities. Remember Brecht: Eat’s first, morality afterwards. (Or better, in Brecht’s own language, with the distinctive meaning of ‘*das Fresen*’, “*Erst kommt das Fresen dann kommt die Moral.*”)

PART B

VII

I now move to another subject. Assuming egalitarian commitments, aspirations, aims, hopes and attitudes, *what* is there that justice requires that there be *equal* provision for all. In what dimension or respects should people, where this is possible, come to be more equal? What aspects of our condition should count in a fundamental way for us if we are egalitarians? What metric should egalitarians use to establish the extent to which their ideal is realised in a given society? We are back to Amartya Sen’s familiar question, *equality of what?* (Sen, 1987) What is the right way to treat people equally?

In asking about *equality of what*, we also need, as Thomas Nagel and Joshua Cohen have well argued, to consider the facts about the normative import of human diversity. Joshua Cohen puts the matter well when he remarks:

Does a commitment to equality blind us to human differences? Consider some dimensions on which equality may seem attractive: rights, resources,

achievements, and happiness. And consider some of the facts of human diversity: people differ in social circumstances, ability and skills, tastes and preferences, and ultimate values. Diversity appears to cause troubles for equality because differences along the latter dimensions preclude simultaneous equalisations on all the former: different skills and the differences of reward they typically command imply that equal rights will likely translate into unequal material resources, differences of preference and value imply that equal material resources will translate into unequal proportional achievements (measured in terms of those values). A blanket embrace of equality, then, implies blindness to diversity. (J. Cohen, 1995, 275)

In starting a consideration of this cluster of problems, let me give a table of conceptions of egalitarianism. It is a catholic table for well-being, self-realisation, human flourishing (to take one cluster) *may* come to mean much the same thing and opportunity for welfare, access to advantage, opportunities to develop capabilities (to take another cluster) *may* also come to much the same thing. But different egalitarian thinkers have utilised one or another of these ideas and there are at least differences in nuance between what is meant. The Table illustrates the range of possibilities that are to be considered in facing the question *equality of what*.

One thing that egalitarians have stressed is that, beyond *formal* equality of opportunity, a deep egalitarian aim is to achieve for everyone *equality of condition*. But what this is is not very clear. Where, for example, would it go in the following Table of Egalitarianisms? Is equality of condition an equality of means or an equality of ends: an equality of opportunity or an equality of result? And does the latter pair come to the same thing as the former pair? It is both or, if the pairs are significantly different, all these four things. We do not have equality of condition until we have some appropriate combination of an adequate specification of both equal means and equal ends or, what is not exactly the same, equal opportunities and equal results or outcomes. (But would the attainment of this blot out the differences of which Joshua Cohen spoke?) But nothing determinate has been said about equality of condition or its elements until we specify and justify claims about which specifications are the most appropriate, and that takes us back to our Table.

However, in trying to get a fix on our problem, we should remind ourselves, of what the egalitarian aspiration is, if indeed it is one thing. (Daniels, 1990, 293-296) Vague as it is, it is *an equality of condition for all at the highest level achievable of human flourishing that is the underlying ideal of egalitarianism*. We egalitarians, radical or liberal, socialist or social democratic, want everyone to be as well off as they possibly can be, for their lives to go as well as they possibly can go. And our concern, from the impersonal perspective of the moral point of view, is an equal concern for everyone. We want a world of equals in which the life of each and everyone will go as well as possible. (This is quite compatible with a clear recognition that different people will — though not, of course, for everything — want and need different things. They will have different projects and some different critical interests. An egalitarian will want to see all the compatible

Table of Conceptions of Egalitarianism

Quality of means (Equality of Opportunity)	Equality of Ends (Equality of Result)
1 Equal rights	1 Equal welfare
2 Equal primary goods	a) Equal hedonic welfare (equal enjoyment or agreeable states of consciousness)
3 Equal resources	b) Equal satisfaction of preferences
4 Equal opportunity for welfare	2 Equal advantage
5 Equal access to advantage	3 Equal capabilities (Equal capacities of functioning)
6 Equal access to develop capabilities (capacities)	4 Equal effective freedom
7 Equal opportunity to achieve effective freedom	5 Equal satisfaction of needs
8 Equal opportunity to satisfy needs	6 Equal satisfaction of critical interests
9 Equal opportunity for the realisation of critical interests	7 Equal whole life prospects
10 Equal opportunity for equal whole life prospects	8 Equal well-being
11 Equal opportunity to achieve well-being	9 Equal self-realisation
12 Equal opportunity for obtaining self-realisation	10 Equal human flourishing
13 Equal opportunity for human flourishing	11 Equal achievement
14 Equal opportunity for achievement	13 Equal respect and self respect.
15 Equal opportunity for sustaining or achieving respect and self-respect	

ones realised as well as the incompatible ones where they do not in practice conflict with each other.) We also do not think, as we have already noted in a different context, that it is a good thing about equality that it would make the well off worse off. That is not the kind of equality — an equality with a *meanness* in it — that we want. We just do not want them to be well off at the *expense* of others who are badly off. We do not want them to be in a position where they can exploit those who are less well off and less powerful. If some must be worse off than others, we do not want to make others who are not so badly off worse off than they now are, where doing so will not improve the lot of the worst off. But what we deeply want, as egalitarians — our central heuristic ideal, if you will — is a world in which *everyone* is very well off and there are no worse off or better off, but where everyone is equally well off at the highest well-offness that can be achieved in world where its potential for the achievement of universal well-offness is high. This, no doubt, is no more than a heuristic, but it is a heuristic that deeply reflects the sentiments of egalitarians.

Where the latter does not obtain, indeed where we are very far from that, if we were effective in going for equality in such a circumstance we might just be spreading the misery around more equally. There doesn't seem to be

much point in that and it is anything but clear that fairness requires it, though fairness does indeed require all of us to share burdens (where this can be done) that are rooted in a fair design of our social world or in the inescapable conditions of the world we inhabit. Still, in such a harsh world egalitarians would want to improve the lot of the worst off as much as it can be reasonably improved. But there the vagueness of “reasonably” leaves a lot of *lebensraum*. Perhaps, in such a circumstance, what we should be governed by, to revert for a second to Part A, is to reason in accordance with the lax reading of the difference principle.

However, I do not want to be taken to be insinuating that our world is *this* harsh world. Our world is a harsh world — but it is not *this* harsh world. In our world the productive forces are developed enough so that we do not have, in going for equality, to spread the misery around. Our harsh world is not only harsh — very harsh — but *unnecessarily* so, given our material and cultural resources (including our store of scientific and technological expertise). It is not only harsh but *unjustly* harsh in ways that could never be sanctioned by the strict use of the difference principle. (Nielsen, 1992, 17-34)

Vague though it is, this is a crucial part of the underlying egalitarian *aspiration*. It will serve as a touchstone for considering, with reference to our Table, more determinate and philosophically articulated specifications of what egalitarianism comes to.

VIII

We can start by assuming what even most anti-egalitarians in *modern* societies also assume, namely *moral* equality, *i.e.*, that the life of everyone matters and matters equally, notwithstanding the fact, highlighted by Nietzsche, that people have rather different moral and intellectual capacities and that they make quite variable inputs into their societies. Still we moderns (perhaps *non-rationally* but, not *irrationally*) take them all to be persons of equal moral worth. This might be said to be a common contemporary moral assumption right across the political spectrum from Robert Nozick and David Gauthier on the Right, to John Rawls and Ronald Dworkin in the Centre to Andrew Levine and G.A. Cohen on the Left. With that belief, we will favour social arrangements that will yield an equal protection of the rights of all human beings and we will, as well, have the belief that the satisfaction of their genuine interests matters and matters equally. We will, however, sometimes disagree about what are interests and, of course, about what are *genuine* interests. And some of us will even be suspicious of such talk. We might think that the very concept of interests is a slippery one while still thinking that it at least gestures at something that each of us, and equally, should have satisfied. But these disagreements notwithstanding, the broad claims made above can be taken as safe background assumptions to make in trying to give an answer to *equality of what*. These are, to repeat, background assumptions of modernity, but I do not say that they cannot be justified by being put into wide reflective equilibrium. Indeed I think they can be so justified. (Nielsen, 1996, Chapters V and VIII)

IX

An adequate conceptualisation of *equality of what* cannot simply stick with equal rights, though no acceptable accounting of what people are to be equal in could leave out basic or human rights. But there are many things that at least most believers in moral equality and the equal worth of human beings will regard as in the sway or ambience of their egalitarianism which go beyond the provision of equal rights. There are things which matter to almost all of us, indeed things which matter to us very deeply, which could be a matter of social provision, or at least could be aided by social design. They are things that we have an equal claim to, where they can be provided, which are not a matter of our having rights. (There are, of course, claim rights, but not all claims are such rights claims.) Interesting and challenging work is one; a pleasant and attractive neighbourhood environment is another; a pleasant and non-stressful working environment is still another; attractive parks readily available is yet another. It is easy to multiply examples. Social provision can, though in different ways, make a very considerable difference here. It can make the having of those things more nearly equal and with that enhance the lives of people. But there is no secure sense in speaking of a right to challenging and interesting work or of a right to attractive parks or perhaps even of a right to a non-stressful work environment. But in aiming at equal whole life prospects or at equal human flourishing at the highest levels possible — all crucial parts of the egalitarian aspiration — these will be matters with which egalitarians will be concerned. We will seek their equal provision and equal access to them. And indeed, where this can be done without making other still more vital matters worse than they are then justice requires that this be done.

Moreover, given the fact of unequal talents and capabilities and the like, simply sticking with equal rights will lead to unequal welfare, well-being and the satisfaction of needs. Given that our underlying aim as egalitarians is the achievement of an equality of condition and, as far as that is possible, equal whole life prospects at the highest level possible, bringing the highest human flourishing for many people as possible, we plainly cannot remain content with equal rights.

X

The same obtains for equal resources. Given different talents, intelligence, self-discipline and the like, provision of equal resources will lead to different results. Where all are receiving equal resources, some will flourish much more than others. Resources can be equal, but that will not at all lead to, to say nothing of insuring, the best approximation we can get to equal human flourishing at the highest level of flourishing attainable or the best life possible for as many as possible. Ronald Dworkin, the leading advocate of resource equality, argues that egalitarian justice should ignore welfare comparisons. (Dworkin, 1979, 1981, 1987, 1988 & 1990) Put crudely, the attempt to achieve equality should, Dworkin believes, be limited to attempting to ensure everyone equal means (equal resources) for pursuing what will inevitably be their disparate aims and ends. But, while equalising resources is certainly very central, it is not the only relevant equality consideration.

Suppose a person, or an identifiable group of persons, suffer constantly from dull but persistent headaches. These headaches are not so bad that they affect the person's capacity to work or to normally function in society or even in their family life or other personal relations. They do not diminish their capacities for functioning properly at all, but they are always there causing mild discomfort. A welfare-insensitive, resource-only-respecting egalitarianism could not consistently compensate for the pain and discomfort of those headaches. But an egalitarianism that sought equality of condition or equal life prospects or equal well-being would. (In the case of well-being it most plainly would.) Resource egalitarianism is for this reason, if for no other, inadequate.

It may be right, against welfare egalitarianism, not to compensate people for welfare inequalities that result from their deliberately cultivating expensive tastes. Thus, if Fred cultivates a taste for expensive wines and truffle pasta, there is no need to compensate him so that he can continue his deliberately acquired habit, without loss of equal welfare, where others would suffer a loss of welfare if we were to equal things up. As long as we have any significant scarcities there is no call for the State or for society to support Fred's costly habit. If Fred can, without stealing from others or swindling them, make do with his equal bundle of resources and continue to support his habit, fine; but he is not entitled to any extra resources so that he might do so, even though this will result in lower welfare (lower preference satisfaction) for Fred.

In contrast, suppose Eric, growing up in an aristocratic and rich French family, as a matter of course without reflection or initially without even noting that they are expensive, comes to like these wines very much, wines that as a matter of fact turn out to be expensive. But, as a matter of fact, he has from early on become habituated to them and has become very partial to them so that now he can hardly change his tastes. Suppose later in a more resource egalitarian society he can no longer, except on rare occasions, afford them, yet he misses them. Indeed, his level of enjoyment of life is to some degree lowered by their absence. But, in contrast to Fred, he is certainly not responsible for those tastes. He did not set out to cultivate those tastes or form those habits. Still there is no strong call, or *perhaps* any call at all, to compensate him here, since there is no urgency, and his critical interests are not adversely affected. (Scanlon, 1975)

However, resource egalitarianism to the contrary notwithstanding, where the springs of social wealth flow fully and freely, there is *some* reason for egalitarians to compensate him. But these considerations are welfare considerations. We would, as egalitarians, like the lives of everyone to flourish as much as possible. Eric's will not unless he receives extra resources — resources that upset the balance of equal resources — but, as thorough egalitarians, we should be for it, *if* taking those extra resources will not diminish the lives of others.

Consider now a more telling and more common case developed by G.A. Cohen against resource egalitarianism.

People vary in the amount of discomfort which given low temperatures cause them, and consequently, in the volume of resources which they need

to alleviate their discomfort. Some people need costly heavy sweaters and a great deal of fuel to achieve an average level of thermal well-being. With respect to warmth, they have what Dworkin calls *expensive tastes*: they need unseemly large doses of resources to achieve an ordinary level of welfare. They are losers under Dworkin's equality of resources, because...it sets itself against compensation for expensive tastes. (G.A. Cohen, 1989, 920)

Cases like this (including my headache case) seem to be decisive against resource egalitarianism, but the last two are not decisive against Ronald Dworkin. He *supplements* and amends his resource egalitarianism — the familiar philosophical phenomenon of first saying it and then taking it all back — by being willing to compensate for *handicaps* but not for tastes or preferences. He thereby in effect goes to a more complex view of appealing to equal capabilities as well as to equal resources. His conception redistributes for handicaps and, in line with that, those who are abnormally cold in winter (cold where most others would not be) are handicapped and so can be, on Dworkin's view, legitimately compensated for their handicap. But this, unless we engage in linguistic legerdemain, is still a departure from the principle of going for equal resources only. People, on Dworkin's account, should “be compensated for shortfalls in their powers, that is, their material resources and mental and physical capacities, but not shortfalls traceable to their tastes and preferences.” (G.A. Cohen, 1989, 921) But, even extending the very notion of resources so that it is meshed with people's capacities and incapacities, it still fails for at least two of the above three counterexamples to resource-egalitarianism require attention to ill fare considerations *as such*, as does G.A. Cohen's Tiny-Tim example as well. (G.A. Cohen, 1989, 917-919) The egalitarian case for helping the poor with their fuel bills in winter is founded on the *discomfort* they experience and not just on their disablement. Their thermal incapacities would not matter, or at least would not matter very much, if they did not cause them suffering. And, in the persistent dull headache case, the case for redistribution is founded entirely on ill fare considerations, namely the pain their non-disabling or non-incapacitating headaches cause. The same was true in the case of Eric to the extent, in a society of abundance, there is any case for compensating him at all.

Dworkin's “resource egalitarianism” is more nuanced than the straightforward, plain sort, though it achieves nuance by departing from resource egalitarianism. But he is mistaken in thinking an egalitarianism is adequate which compensates for “resource deficiencies only and not also for pain and other ill fare considered as such.” (G.A. Cohen, 1989, 921) People, on Dworkin's account, whose pain and suffering do not diminish their capacity, fall beyond an egalitarian net. But we egalitarians need a bigger and more finely meshed net which includes welfare considerations as well as resource and capability considerations. To not do so, as the above examples and the arguments concerning them show, is just a moral mistake. It does not square with our considered convictions in wide reflective equilibrium. It is not in accordance with our informed reflective moral sensibilities.

XI

However, I do not want the above argument to be taken as giving to understand that welfare egalitarianism is adequate. It, if anything, is even more vulnerable than resource egalitarianism as John Rawls, Ronald Dworkin, Thomas Scanlon, Amartya Sen and G.A. Cohen among others have well argued.

By “welfare egalitarianism” I mean what is sometimes called *subjective* welfarism and is frequently just taken to be welfarism *sans phrase* (that is, “subjective welfarism” is taken to be a redundancy.) It is the view on my Table that has two subspecies: 1) equal hedonic welfare and 2) equal preference satisfaction welfare. The latter, with the demise of hedonism, is by now the more common view. It is to be contrasted with *objective* welfare theories which are cashed in variously in terms of well-being, self-realisation, achievement, need, capabilities of functioning, critical interests, human flourishing and the like. I shall not, following what is by now a rather common convention, call them welfarisms or welfare theories at all, but treat them separately. (However, nothing substantive turns on that bit of putative tidying up.)

The criticisms I trot out below of equal welfare apply equally to the two subspecies of subjective equal welfare (what I shall call equal welfare). As egalitarians we are committed to treating people as equals, but, if that is interpreted as being committed to trying to attain for everyone equal welfare as equal preference satisfaction or equal happiness, we get something which is self-defeating. Preferences and what will make us happy, when coupled with the tendencies we have to adapt to circumstances (psychological fact), lead to counter-egalitarian conclusions. People who are so socialised as to be accustomed to little tend to demand little and so are easily, or at least more easily, satisfied than others more fortunately situated. However, no one with the egalitarian commitment of treating people as equals would believe or accept for a moment that those who have become accustomed to little are thereby entitled to less, or should have less, even though they are as satisfied as those who have greater resources and more opportunities. This flies in the face of everything that egalitarianism is about. (Here is another place where we need to keep in mind our egalitarian aspirations.) To think that they should have less or are entitled to less is paradigmatic of anti-egalitarianism. Yet consistent welfare egalitarianism would commit us to that. That is why it is self-defeating.

There are as well the familiar problems of *offensive* preferences and *expensive* preferences. Equal welfare where it is read, as we are reading it now, either as equal preference satisfaction or equal enjoyment, treats offensive and expensive preferences as having equal moral standing with preferences which are morally inoffensive (not at all morally untoward) when arguably the former should have *no moral weight at all*. (That they should have no weight *at all* is more evident for offensive tastes than for expensive tastes.) *Welfare equality equates preferences which differ radically in moral character*. Some, for example, take pleasure in dominating or torturing others or just batting them around. But these offensive preferences should not count at all in “a calculus of justice”. We do not determine

what is a just distribution as being a function which includes such preferences. Offensive preferences, at least of the sort that I instanced above, do not count in the metric of justice. The satisfaction some get from discrimination against others, from dominating or belting them around, will not, from a moral point of view, count in a favourable way in ascertaining what is just. (If, contrary to what I said above, we allow them to count they can only count negatively.) That there is more *such* satisfaction in the world is a bad thing, indeed an evil thing, not a good thing. Rather than counting them in with *inoffensive* preferences, they are, from the point of view of justice, and morality more generally, to be condemned. Such preferences have no claim on being satisfied. But they would have to count equally if we were to go for an equality of welfare. Again we have a *reductio* of welfare egalitarianism.

Expensive tastes are also a stumbling block for equality of welfare, but in a somewhat different way and less severely so. (I will argue the point about severity later in this essay. See Section XIV.) The person, as Fred in our previous example, who deliberately cultivates a taste for expensive wines and truffle pasta has preferences which, of course, are not to be condemned or even *per se* to be disapproved of. The satisfaction of his preferences, however, still does not count in recognising what people in the circumstances of justice (moderate scarcity and limited altruism) may justly claim, though, if we take a welfarist position, these preferences would have to count and count equally with other morally relevant preferences in a welfarist "calculus of justice". But they do not so count and this constitutes still another *reductio* of welfarism. A is satisfied with a diet of milk, bread and beans, to use Rawls's example, while B requires expensive wines and exotic dishes and is distraught without them. Welfare egalitarianism is committed to the claim that, where doing this will yield an equality of preference satisfaction, justice requires that B be provided with a higher income than the person with modest tastes until he is equal with her in overall preference satisfaction (welfare). The beans and corn people go down in welfare to equalise welfare to compensate for the people with the expensive tastes. But justice requires no such thing. Indeed it forbids it. So welfare egalitarianism must be mistaken.

Similarly C converts resources into welfare more efficiently than D. C buys groceries at the local market where they are cheaper while D goes to the local convenience store, where they are much more expensive, because he is too lazy to walk the three blocks to the market. He, of course, is entitled to so use his resources, but he has no claim, if he does so, on additional resources to bring his welfare level up to C's. Let's say that C and D start with equal resources, but, because C converts her resources more efficiently than D, where D, with a little effort could do likewise, D has less welfare than C. Welfare egalitarianism must require that D be compensated until his welfare is equal to C's, but again this is a *reductio*. Justice does not require such compensation. Indeed it repudiates it. As Rawls stresses, and G.A. Cohen echoes, moral agents have the capacity to assume responsibility for their ends. D could have chosen otherwise. (We can, and should be, compatibilist about this and avoid venturing into the "deep waters" of the

metaphysics of free will.) Why should C, if D or others on his behalf, were to press for compensation to equalise welfare levels, bear the costs of D's laziness and lack of self-discipline? (Rawls, 1982, 168-9 & G. Cohen, 1989, 913) It is not fair to let other people pay for the readily avoidable wastefulness of others. Here C is being exploited by D. Egalitarian justice condemns such exploitation. Welfarism is not the right kind of egalitarianism.

Besides these considerations there are the more familiar difficulties, perhaps impossibilities, of making *objective* interpersonal utility comparisons so that we can at all accurately gauge what welfare and ill fare so construed come to. However, if a blind person needs a seeing-eye-dog or a disabled person a wheelchair, an egalitarian, unless held captive to welfarist ideology, will argue that we should compensate such persons for their *disability*. We will not try to calculate their ill fare, *i.e.*, determine how much they suffer, let alone *exactly* how much they suffer, from their disability, though presumably something is only a disability if it, in one way or another, causes the person who has it some discomfiture (if nothing more than some inconvenience) of some kind. That is a background assumption about what a disability is. Still, the thing to do is to compensate the disability *as such* without trying to calculate just how much having it makes the person with the disability suffer.

This seems to me to be good sturdy common sense, but all the same I am not entirely happy with it. Suppose N needs a seeing-eye-dog and M needs a wheelchair (I assume for simplicity that the total costs of the dog and the wheel chair are the same). Moreover, they seem at least to be equally incapacitated by their disability. Suppose further, we do not have enough resources to provide for both N and M, then, if we can get some reasonable sense of it, we need to figure out, or at least shrewdly guess, roughly how much suffering and other discomfiture the two incapacities cause and compensate the one with the greater discomfiture. We should, of course, first make sure, if we can, that they are equally incapacitated. Still, as far as we can tell, they might sometimes be equally incapacitated. Where this obtains, we should try to ascertain which one suffers the greatest discomfiture. If we cannot make objective interpersonal utility comparisons here, we should make subjective ones: shrewd guesses, that is all we have to go on. But it is better than nothing. This would be a way — perhaps not the only way — of figuring out, or at least reasonably guessing at, how severe their incapacities are.

In rejecting welfarism we should not throw the baby out with the bath water. Still, that complication notwithstanding, the practice of compensating for the disability as such seems generally a sound practice. So we have further reason to believe that while welfare egalitarianism is an egalitarianism, it is not of the right sort, for it answers the question *equality of what* incorrectly. (The dogma that we cannot make interpersonal utility comparisons at all should not stand in our way here. Sometimes we can make rough comparisons and sometimes they suffice. Anyone who thinks we cannot has never watched with any attention young children playing on a playground. We can get a pretty shrewd idea for many of them which are playing happily and which are not. I am not claiming that this would provide us with

anything like a metric, but it does give us something to go on that is not utterly subjective.)

XII

Resource-egalitarianism and welfare-egalitarianism have been centre stage in many recent discussions of egalitarianism and egalitarian justice and understandably so. I have given both of them some play here. However, I actually think some other candidates for responding to the question of *equality of what* are more adequate responses. I cannot here canvass all the candidates in my Table, but I will look at what I regard as the more promising candidates. On the *means* side of the Table, they are equal primary goods and equal provision of the opportunity to satisfy needs; on the *ends* side they are equal satisfaction of needs and equal *effective* freedom.

We should also keep in mind that some of the conceptions listed in the Table may not be all that different. Equal opportunity for welfare, equal access to advantage, equal provision of opportunities to satisfy needs, equal opportunity to develop capabilities, equal opportunity to achieve effective freedom, equal access to the realisation of critical interests *may*, when clarified, be seen to come to much the same thing. It is still an important question which conception (if any of them) more perspicuously captures what we want to say about egalitarian justice and egalitarianism more generally. Similar things obtain on the *ends* side about equal well-being, equal self-realisation, equal satisfaction of needs, equal capabilities (equal capabilities of functioning), equal satisfaction of critical interests, equal effective freedom and equal human flourishing. Which if any of these notions, or which combination of them, most adequately captures what we egalitarians are getting at, vaguely, though centrally, when we assert that what we want is *equality of condition* for all humankind?

Some egalitarians might, trying to simplify things (a good thing where it can be done without sweeping important matters under the rug), say that the goal of equality should be to try to approximate as fully as can be done an arrangement of things where the distribution of resources would lead to everyone living equally good lives, where the good lives they would lead would be the best possible lives that human beings could live. We have already seen how, if “equally good lives” is couched in terms of equal enjoyment or equal preference satisfaction that that cannot be the egalitarian aim. It runs against too many of the considered judgments that egalitarians have. Besides, people are too different in their capacities, capabilities and talents, including their capabilities or capacities for enjoyment, for us to use such a measure of the good life. Some people are just gloomy, others are (like Tiny Tim) happy in all sorts of circumstances (including adverse ones); some are talented, imaginative and have a lot of self-discipline, others are lacking in talent, dull and are not very disciplined. The former often, though as things go now, certainly not always, can find interesting, self-fulfilling work, the latter cannot. We can do *something* by way of altering social conditions to increase the number of the former and decrease the number of the latter. But there still will remain such differences, and many similar differences as well, such that, by any reasonable definition of

“better”, the lives of some will go better than those of others. All we can do is increase the opportunities for a good life for everyone by making the conditions for its achievement — different though it will be for different persons and across cultures — more propitious. We cannot ensure, or even do much in the way of bringing it about, that everyone will have equally good lives. That is at least an empirical impossibility. We know that they will not. Also, if we go much beyond truisms and get at all detailed, we have no very clear idea about what a good life is. It is without question a deeply contested — I did not say an *essentially* contested — concept. Things get much worse when we try to go to The Good Life. It is entirely reasonable to be thoroughly skeptical about that.

However, we can try to achieve the social conditions where it would be possible, where people are capable of it, or can be aided into becoming capable of it, for their having good lives at the maximum level of *whatever their variously conceived conceptions of good lives turn out to be, where their various conceptions of a good life would not involve harm to others or a diminishment of their lives*. (Here Rawls’ insistence is crucial that the admissible conceptions of the good be in accordance with the principles of justice.) Still, this way of seeing things is rather empty for it leaves out entirely the question of *what* is it to have a good life. But dispute about that is legion. In an attempt to make a little more headway here we shall see if we can gain some more specification of content by turning to the *ends* side of my Table. But perhaps we will only be re-packaging familiar difficulties.

Equal well-being might seem the most obvious candidate, but, aside from its being very vague, it arguably, as Amartya Sen contends, needs to be spelled out as a matter of human functionings, if it is to have much in the way of content. A person’s well-being is chiefly a matter of such functioning: the beings and doings that that person actually achieves. (Sen, 1992, 39) But this may turn out to be the near blind leading the near blind. Moreover, and distinctly, there are, as Sen perfectly well realises, many and diverse such functionings and they, or at least some of them, to a certain extent, vary from culture to culture, from sub-culture to sub-culture, and even from person to person. These functionings include satisfying work, friendship, life-expectancy, morbidity and self-respect. They are plainly a rather heterogeneous lot. (Sen, 1992, 39)

Sen stresses that actual well-being is a matter of such attained states and activities (beings and doings), some of which involve enjoyment or preference satisfaction, but others, whether we value them or not, whether they yield enjoyment or preference satisfaction or not, we still have *reason* to value. So, to ascertain what constitutes our well-being, we need to collect together the many and varied states and activities, rank them in the face of the fact that there are competing views about their importance or their proper scheduling and distinguish between the merely valued and the valuable, so that we can ascertain what people have *reason* to value. Moreover, if we are to get little more determinate about well-being, we need to go from functioning to *proper* functioning and this leads, or at least seems to lead, to the need to give something like an Aristotelian account of *essential* human powers and their *proper* exercise. But skepticism is in order con-

cerning whether with this Aristotelian trip anything much more definite has been attained that would better anchor an equality of ends than what has been achieved with talk of well-being. Again it looks like the near blind leading the near blind. Similar problems obtain for the idea of equal human flourishing and equal self-realisation.

However, and the above notwithstanding, we should distinguish, as Sen does, well-being, as a matter of attained states and activities, from the freedom to achieve well-being. This *may* come from or be constituted by, as Sen believes, a combination of beings and doings which are within our reach. This combination, Sen claims, is a person's effective freedom to achieve well-being. It is, in Sen's language, a person's capability of functioning: the different combinations of functionings open to a person. What we should seek, on Sen's conception of proper equality, is *equal access to develop equal capabilities of functioning*. The idea is to approximate as much as possible a world where people are equal with respect to capabilities of functioning. To quote Joshua Cohen's gloss on that: "people who care about equality...ought to care about ensuring that equally desirable possibilities for functioning lie equally within everyone's grasp, not about ensuring equal means or equal achievements". (J. Cohen, 1995, 276-7)

Still, many of the previous difficulties return like the repressed. Again given human differences, we have the problem of how it is possible reasonably to expect that people can be equal — or even nearly so — with respect to capabilities of functioning. And our previous problems about the diversity of the elements and conceptions of well-being transfer to the freedom to achieve well-being, as do problems about determining *proper* human functioning, "desirable possibilities of and for functioning" and, relatedly, how we determine what we have *reason* to value or how we are to distinguish the *desirable* from the merely *desired*, the *valuable* from the merely *valued*. (Hall, 1964 and Nielsen, 1977)

XIII

I want now to discuss two other views from my Table that I think may be useful in answering the question of *equality of what* and which may be free of at least some of the difficulties that I have already discussed. I have in mind, 1) *equal effective freedom* and 2) *equal satisfaction of needs*. Or, more accurately, keeping John Dewey's and Charles Stevenson's emphasis on a continuum of means and ends in mind, the harnessed view 1*) equal opportunities to achieve effective freedom (means) and equal effective freedom (ends) and 2*) equal provision of opportunities for need satisfaction (means) and equal satisfaction of needs (ends). The reason for the harnessing is that the achievement of either end is not even remotely possible unless we have in place the corresponding means. In serious thinking about what is to be done we, as Dewey never tired of arguing, must have both in mind. We should avoid a specialist's conception which tries, in the grand tradition of moral philosophy, to just fasten on ends.

I shall discuss 1) and 1*) — equal effective freedom — first because it obviously links with Sen's stress on the importance of our ability and our opportunity to achieve equal well-being. Only in 1) and 1*) well-being, at

least officially, drops out and the stress is on the importance of our ability and opportunity to achieve effective freedom or autonomy. Autonomy, however, may very well be a central part of what well-being is. On such a conception we should be concerned with the distribution of means (resources, primary goods, opportunities for welfare, access to advantage, opportunities to achieve effective freedom or satisfaction of needs) to the extent that it will be crucially instrumental in achieving an equal distribution of freedom or autonomy. Moreover, to be concerned with effective freedom, as distinct from merely *formal* freedom, is to be concerned with the *worth* of freedom. Those egalitarians, including myself (here we are all Rawlsians), will value not only *formal* freedom, but *effective* freedom (autonomy) as well, if we are concerned with the good of self-respect, with the achieving of equal respect for all human beings and for their being persons with a firm sense of self-respect (that is, for it to be a functional part of their lives) and with an understanding of the value for each person of having that sense. (Here we have a deep Kantian strand in Rawlsian thinking.) Again these matters, whether we are Kantians or not, are central considered convictions of ours.

Such freedom is essential for the dignity of human beings, for sustaining their self-respect, for their taking responsibility for the setting of their ends, for their living meaningful lives and for giving sense to any public affirmation of their equal worth. For these things to obtain in society, and to be equally provided for all, the familiar basic liberties that Rawls stresses must be a stable staple of the society. This is so because people must have them to be able to do the various things they may want to do in the living of their lives. They will have no effective freedom without them and without them there will be no enhancement of their lives. (Here Rawls and Sen supplement each other. See J. Cohen, 1995, 281-88.)

Effective freedom comes, most essentially, to autonomy. To be autonomous is to be able to direct and control one's life, to be able reflectively to set one's ends, to be able to change them in the light of further reflection, more information or changed circumstances, to be able to guide one's action by one's own convictions, to be able to form convictions reflectively, to sustain those convictions, and to be able to criticise convictions inherited from one's life-world. With this we gain the capability of modifying them or even rejecting them: capabilities essential for autonomy. More generally, it is to be able to order one's behaviour in accordance with one's understanding of the world and one's reflective wishes: rationally sustainable wishes.

Such autonomy — such effective freedom — is bound up with the good of self-respect. Whatever else well-being, self-realisation and human flourishing come to, autonomy would be a very important part of it, though still not the whole of it. Having control over one's life, having reflectively controlled and ordered desires, being able to act on such desires, in short, being autonomous, is intrinsically good: it is worth wanting and having for its own sake and will be wanted for its own sake by reasonable people. But it is also a fecund instrumental good, empowering one in all sorts of domains of life and enabling one to more effectively live as one wishes as well as to reflectively and intelligently assess one's wishes.

Egalitarians will desire a world in which the whole life prospects of everyone are equal. Without equal autonomy — effective equal freedom — we will not have that. Therefore, the *equality of what* egalitarians should recommend is an equality of effective freedom or, more accurately, equal opportunities to achieve effective freedom with the hope that this would yield equal effective freedom at the highest level possible. Without trying to deny the reality of our interdependence, or to negate its value, and without taking it to be at all in conflict with human autonomy, that is the world that egalitarians want. (Nielsen, 1989a, 87-95) It is a world in which all interdependent human beings are as autonomous as it is possible for normal human beings to be in ways that do not fail to acknowledge both the reality and value of our interdependence. (See here the essays by Baier, 41-56, Code, 357-382 and Nielsen, 383-418 all in Hanen and Nielsen, 1987.)

An essential means to come within even a country mile of this is to have the provision of equal primary goods and the having of equal opportunities to achieve autonomy (effective freedom). The having of equal autonomy, particularly in a world where people have very different ends, is one way of partially specifying something of what it would be like for everyone to live equally good lives. Here, it seems to me, for the reasons I have given above, we have a more adequate conception of egalitarianism and egalitarian justice than we have with either equality of resources or equality of welfare. (Remember that equality of welfare accounts were accounts of subjective welfare.)

It might, in turn be responded, “More adequate yes, but not as adequate as an egalitarian account could be, for autonomy, though plainly a strategic and fundamental good is not the *sole* good — nothing is — and it is not by itself adequate for spelling out what it would be like for people to live equally good lives”. Two people could be equally autonomous and yet the life of one might go much better than the life of the other. That is as evident as anything can be. Such claims about autonomy do not, the claim goes, capture the deepest aspiration of egalitarians which is for *everyone* to be as well off as it is possible for humans to be: for their lives to go as well they can go.

XIV

This takes us back to 2) and 2*) — to equal satisfaction of needs — to see if it can be an improvement on 1) and 1*). This candidate for a more adequate response to *equality of what* comes to urging, for a full egalitarian conception of justice, equal provision of the opportunity to satisfy needs (the means part) in order to achieve equal satisfaction of needs at the highest level possible of needs satisfaction (the ends part). The more *compossible* needs — needs that can be jointly satisfied — we can satisfy, and the fuller, the better. (Note that here, as in the equal effective freedom conception, there is both an equal distribution dimension and a maximising dimension. For, *whatever* the *what* is that we are to have equally, we are also to have as extensively as possible and to the fullest degree possible. Thus, if self-realisation is what we are to have equally, we are also each to have it as fully as possible.)

So how are we to understand this equality of meeting needs view? First, needs are not to be taken as social constructs but as something there to be discovered of which we can produce lists. Moreover, there can and should be some considerable intersubjective agreement about most of the items on the list and most particularly over some claimed basic needs. One might want to add some items and even want to delete some, but, for the conception to have the desired objectivity, there would at least have to be a rough intersubjective agreement concerning a central core. Moreover, it is also the case that claims that something is a need are subject to empirical confirmation and disconfirmation. We do not just have to rely on a consensus, no matter how reflective, for we have empirical testing as well, though such testing is, of course, like all testing, theory-laden.

Such egalitarians believe that there should, in a society of considerable abundance and ideally in a similarly abundant world, be constructed and sustained, as far as these things are possible, socio-economic conditions (centrally involving the provision for meeting needs) which will enable everyone, as far as they are physically and psychologically capable of it, to have equal whole life prospects, prospects which are equally desirable. This requires an equal consideration of everyone's needs and a refusal to just regard anyone's needs as simply expendable: as something which does not count, or counts for less, than anyone else's needs. Each person's needs must have an equal *initial* weight.

I say "an initial equal weight" because consider what is to be done where there is a conflict of needs and they all cannot be met. When we live in a moral world where each is to count for one and none to count for more than one, the need(s) must be met which yield(s) the fullest satisfaction of needs for as many people as possible, given a consideration of the full set of needs and an impartial equal consideration of the needs of all the people involved. In that situation, where the reasoners have been impartial and there still remains an unresolved conflict of needs between the people involved, then something must give. Suppose in a given situation it is impossible to meet both A's need and B's need. Where this is so, we should consider, as well, both A's other needs and B's other needs and, the type and urgency of A's need which conflicts with B's and the type and urgency of B's need which conflicts with A's and both A's and B's other needs as well and the needs of others affected. In going through what may be rather complicated reasoning, we seek the most extensive meeting of equally distributed *compossible* needs that can be had for the above mentioned people. Where this can be ascertained, or reasonably guessed at, we should go for that. Where it cannot be ascertained, or some reasonable informed guess made concerning it, we should only consider the relevant urgency of A's particular need and B's particular need in relation to their other needs and go for the satisfaction of the need that is the more urgent. Where we cannot even do that we should consider only A's and B's particular conflicting needs in that specific situation. There we would be limited to considering just the relative urgency of the two particular needs themselves. The most urgent one is the one to be met.

Where not even that can be reasonably guessed at, we have no basis for

acting one way rather than another. If a choice must be made as to which need is to be met, then, beyond the fairness of something like a flip of the coin (though following such procedural matters *there* is important), there is no reason to act in one way rather than in another. Thus, the choice *there* must be arbitrary. Though we must not commit the Sartre-fallacy of thinking that because *some* choices cannot but be arbitrary they all must be. (Falk, 1986, 259-60) Generally, however, we should seek the most extensive set of equally distributed compossible satisfactions of needs that can be had. That is, we should meet equally, and as fully as possible, *for everyone*, as many of their compossible needs as possible. Where there are the material resources and the intellectual skills to pull it off — the resources and the skills to sustain a very high level of the development of the productive forces — we will seek to construct stable institutions and to develop social practices to provide everyone with resources and the social conditions to satisfy their needs at the highest level of need satisfaction that is possible to achieve.

For this to be a viable conception of egalitarian justice, we must be able to say what needs are, to distinguish types of need, and to provide grounds for believing that our purportedly universal needs are really universal or at least near universal. We must also be able to distinguish basic needs from non-basic needs, to draw a tolerably clear distinction between needs and wants (preferences) and to show why the satisfaction of our non-destructive needs is a good thing. In a rather sketchy way I have tried to show something of this in my “Justice, Equality and Needs”. David Braybrooke has tried to do some of it, in considerable detail, in his *Meeting Needs*. (Nielsen, 1989b, 211-227, Braybrooke, 1987) I shall concentrate here on the part most essential for making the case, that an appeal to needs is a good candidate answer to the question *equality of what*.

First, a cautionary note. A lot of needs-talk is ideologically inspired and inflated. It is very easy to call anything we very much want a need and a lot of needs claims will not withstand critical inspection. We also should distinguish between *adventitious* needs and *course-of-life* needs. It is the latter that we will focus on and that is important for our argument. *Adventitious* needs, like the need for a really good fly rod or computer, come and go with particular projects. A *course-of-life* need, by contrast, such as the need for exercise, sleep or food, is such that, as Braybrooke puts it, “every human being may be expected to have it at least at some stage of life.” (Braybrooke, 1987, 29)

To spot a need, to speak first of *adventitious* needs only, it is useful to use the relational formula “B needs x in order to y,” as in “I need a heavy duty fly rod in order to sport fish for salmon”. In contrast, for a basic course-of-life need, the relational formulae occurs distinctly, and in a certain way platitudinously, but also in way that is philosophically illuminating. It would go like this: “B needs food and water in order to live” or “A needs exercise in order to function normally or well”. But this gives to understand, with their references to survival or to human functioning, that they are basic needs. Moreover, it is also, at least arguably clear, for at least statistically normal cases, that when these things are specified no further question arises

in the standard case about the justification of having the need or having it met. Braybrooke puts the matter thus:

[O]ne cannot sensibly ask, using the language of needs, "Does N need to live?" or "Does N need to function normally (robustly)?" N does not have to explain or justify aiming to live, or aiming to function normally. It is not the only end that he might be expected to have as a moral agent; for one thing it notoriously does not automatically harmonise even with the same end pursued by other agents. However, there is no more fundamental end that he could invoke to explain or justify this one. Being essential to living or to functioning normally may be taken as a criterion of being a basic need. Questions about whether needs are genuine, or well-founded, come to the end of the line when the needs have been connected with life or health. (Braybrooke, 1987, 31)

Here we touch ground in basic course-of-life needs, "some questions about the importance of needs reach firm answer at last." (Braybrooke, 1987, 33) To live or to flourish (if you will, to function well), we must have these things and so we properly call them basic needs. Adventitious needs, by contrast, will vary greatly in terms of the not infrequently very different ends we have or the projects we have, but there is plainly more of a case for ascribing the same course-of-life needs to everybody. Whatever projects they may have, they will require that their course-of-life needs be met. These needs are not project-relative or intention-dependent or preference-dependent.

Can we actually find or construct a minimal list of such basic needs concerning which we can all agree? Abstracting from some well known lists, Braybrooke gives the following course-of-life needs which are basic. It has two parts. The first part highlights notions about physical functioning. The second part has more to do with our functioning as social beings, though the connections with physical functions make it difficult to draw a hard and fast line between the two parts. However, it is not necessary for our purposes to do so here.

Part One

1. The need to have a life-supporting relation to the environment.
2. The need for food and water.
3. The need to excrete.
4. The need for exercise.
5. The need for periodic rest, including sleep.
6. The need (beyond what is covered under the preceding needs) for whatever is indispensable to preserving the body intact in important respects.

Part Two

7. The need for companionship.
8. The need for education (or its equivalent in primitive societies).
9. The need for social acceptance and recognition.

10. The need for sexual activity.
11. The need to be free from harassment, including not being continually frightened.

This is a handy list, but there is no claim that it is even near to being complete. Indeed, though this list can be extended, there is good reason to believe that it cannot be completed, nor could any list. There may be things about us or our environment, or both, not previously recognised to be necessary which are in fact necessary for us to live and to function well. Indeed it may sometimes take considerable sophisticated scientific investigation to discover them. If it is so discovered and confirmed, then there is a newly recognised need that will have to go on our list. Since this is always a possibility we should not conclude that our list or any list is complete. We should be good fallibilists here as elsewhere. That does not mean, however, that we do not have a good working list; indeed a list which may very well suffice for giving some more robust content to a conception of egalitarianism and egalitarian justice.

The list was constructed by considering what human beings must have if they are to continue to live and function. The list seems, at least, to have gone some considerable way to doing just that. There are many more things that we need: meaningful work, for example, and an interesting cultural environment, relaxation, amusement, challenges and the like. Relaxation and amusement might well have gone on Braybrooke's list, though not quite so obviously as the ones he did note. The other three are sufficiently important, and so linked with being able to function well, that they should count as needs. They are not, however so utterly uncontroversially, something that everyone needs to live and function. This being so they would not be the best candidates to be added to a list concerning which we would expect a thorough consensus. These complications aside, Braybrooke's minimal list does give us things which uncontroversially all human beings must have to live well. Here we have an anchor for our *equality of what*.

What is important to stress is that needs generally trump preferences and basic needs in turn trump non-basic needs. I may want to fish a famous Norwegian salmon river. Having that desire I have at least two adventitious needs which are necessary to satisfy: I need a fly rod to fish salmon and I need an air ticket to get to Norway. I, of course, would not even have these adventitious needs if I did not want to go salmon fishing in Norway. In that way these needs are dependent on, and have no importance for me, except in the light of, my wants: wants that I by no means *must* have. In that way adventitious needs are dependent on purposes and wants. Purposes and wants which some people have and some do not. But suppose I am poor and I do not have money to buy both the food and the clothing I need to live as well as the fly rod I require for salmon fishing and the airline ticket to get there. Here these basic needs (my need for food and clothing) normally trump my wants with their attendant adventitious needs. This is compounded if I have a family which is dependent on me. This gives my wants and adventitious needs a still lower priority. However, if I am all alone and I know in six months I will die of cancer and I want one last fling — one

last doing of what I very much want to do — it might be reasonable for me in this situation not to let my needs trump my wants and to go on the salmon fishing expedition. Still these course-of-life needs are necessary for my normal functioning, indeed often, for functioning at all, for they are necessary for life. We should also keep firmly in mind that, over the course of a life, they are necessary, but surely not sufficient, for flourishing, self-realisation or proper functioning. We may not properly function even with having them firmly met, but we surely will not properly function without their being met. Whatever else we may require, or think we require, we cannot have a condition of human flourishing or a copious life or good life prospects unless these needs are met. We very well may not have such a life, but we cannot have one otherwise. If we really believe that the life of everyone matters and matters equally, we shall, where we have the material abundance and technical expertise to make this possible, seek — and as a matter of justice — to bring about a world in which everyone's needs are so met or at least a world where everyone has an equal opportunity of having their needs so met.

With this specification of needs, we gain some determinate specification of the needs-based egalitarian principle of equality of condition which asserts that, as far as reasonably possible, conditions should be brought into existence or, where in existence, sustained, which make for an equal satisfaction of the needs of everyone at the highest level of need satisfaction for each compatible with the needs of everyone being so treated. (Though we still must allow, as discussed above, for conflicts of needs.)

We can ascertain in some objective fashion what our needs are and social science inquiry, if carefully pursued in these domains, can give us better answers than we have now. There is plenty of common sense that is adequate here, but social science inquiry can usefully supplement it. With the above understanding and utilisation of needs, we can give content to our notions of equality of condition and, without trying to reduce talk of good to talk of needs, help provide content to our conception of good lives. If there were to be equal need satisfaction, we would have a good start on what it is for people to have equally good lives, though surely the latter notion is not exhausted by the former. There is more to a good life than the satisfying of needs. Still, to gain equally worthwhile and satisfying lives, or the best approximation we can get of this, people would still have to have lives in which, as far as possible, their needs are met, and met equally, even when they are not the same needs. When that is established — recall we are doing ideal theory — and the springs of social wealth flow very freely, then, after the full meeting of needs, human wants are to be met as well, where this is possible, and met equally — assuming that we can guess what that would be.

There is the hope, under this conception, to so approximate an equality of well-being where that equality is not purchased by lowering the well-being of some capable of greater well-being, to compensate those capable of less, but to develop social structures which help each person to attain the most complete well-being of which that person is capable, compatible with everyone being treated in the same manner.

The meeting-of-needs conception gives the most essential *content* to well-being here. Hence the importance of answering *equality of what* in terms of equal satisfaction of needs. But, as can be seen from the foregoing, the meeting-of-needs egalitarianism is supplemented by an attempt to include, but only as a supplement, where needs have been met, an equal satisfaction of *compossible* wants.

Welfarism was sunk by, among other things, the problems of offensive and expensive preferences. But neither are a problem for the account sketched above. For needs normally trump wants and only compossible wants are admissible. Offensive preferences are ruled out on both counts and expensive tastes are given back burner contingency. Under most — perhaps all — real life conditions the latter are also ruled out *sans phrase* because compensating for them would lessen both the satisfaction of needs and lessen the total, and fairly distributed, satisfaction of wants. That is compensating for expensive tastes would lessen the possibilities for others to satisfy their wants. To compensate someone for deliberately cultivating expensive tastes is, as we have seen, both unfair and goes against the maximising thrust of egalitarianism as I conceive of it. But under wildly abundant — counterfactually abundant — conditions, where there are no costs to others, both the equalising and the maximising side of egalitarianism favour such compensation. In that counter-factual situation, if the expensive tastes are satisfied, there would be still more preference satisfaction in the world and more equal preference satisfaction as well. The expensive wine lover's life would go better and no other person's life would be hurt or diminished. Only confusion, Puritanism or meanness (both offensive preferences) would oppose it. Welfarism, as we have seen, is mistaken, but behind welfarism there rests an important consideration. Would it not be a maximally good moral life for all to live in a world where as many people as possible would have as much as possible of whatever it is that they want and would continue to want with good information and where what they, as individuals want, and take as legitimate to receive, would it be compatible with others satisfying their wants in the same way? Put more simply, but not quite as accurately, would it not be a good thing if as many people as possible were to have as much as possible of whatever they would knowledgeably and reflectively want, where having their wants satisfied, does not harm others? (Nielsen, 1984, 121-142) We egalitarians want the lives of everyone to go well and equally well and at the highest level of going well achievable. How then could we consistently reject the above "pleasure principle"? Let us beware of the coldness of religious residues. Or, put more flipantly, let us not be Kant's grandparents.

XV

Finally, on a more sober and eclectic note, I want to suggest that we *might* get a still more adequate answer to the *equality of what* question if we combined in an ordered and coherent way some of the conceptions of egalitarianism in my Table of Conceptions. I have in mind, along with integrating into that conception the limited role for "welfarism" sketched above, to combine the equal satisfaction of needs conception with the equal

effective freedom conception, the equal capabilities of functioning conception and the equal primary goods conception.

To start, the equal satisfaction of needs conception with its relatively rich content has at least two plain lacunae: 1. We have no ranking at all of the basic course-of-life needs. We just have a rather heterogeneous list. In trying to get a clearer or more determinate picture of what a good life would come to we need some ranking and, as well, a perspicuously arranged conception of our various needs. 2. As we have seen, in order to know what a course-of-life need is, we have to know about human functioning. It looks like the equal satisfaction of needs conception presupposes something like a Sen-like conception of capabilities of functioning. Without it we have no way of determining what course-of-life and basic needs are. However, we also saw that Sen's conception of human functioning was in many ways indeterminate. There are many diverse and conflicting human functionings and the content yielded by such a conception is thin. To make it less so, and more coherent as well, so as to make it more fruitful normatively, it looks like we need to go to some Aristotelian or quasi-Aristotelian conception of the *essential* function or the *proper* functioning of human beings or to some conception of the *essential* powers or capacities or capabilities of human beings. But the difficulties with such essentialism are well known. (Nielsen, 1990c, 9-50) Sen, and Martha Nussbaum as well, have done something to de-mythologize such Aristotelianism. (Nussbaum and Sen, 1993 and Nussbaum, 1992) But it is still only a partially drained swamp. Perhaps by combining the equal capabilities of functioning view with the equal satisfaction of needs view, we can, from the specification of needs side, give more content to our conception of egalitarian justice and, from the function side, particularly if its conception of proper functioning can be given some determinate and unproblematical sense, get some ranking and rationalising of our diverse basic needs. This, if it can be done, would yield a more coherent account. Still, and whatever may be the case about the above, an appeal to human functioning seems to be presupposed in the very determination of what are our course-of-life needs.

Coherence along these ranking of needs lines will be further enhanced by integrating the primary goods conception into the needs-and-functioning conception. Primary goods, as Rawls occasionally acknowledges, are needs — course-of-life needs. Moreover, they are our very fundamental needs, things we would have to have to get anything else that we might want. Their provision is absolutely essential for a commodious life: any commodious life. Furthermore, Rawls has also provided an index of primary goods. This will help provide something of the ranking that the satisfaction of needs conception lacks. So, unless this turns out to be a just so story, with its incorporation, we have still another gain in coherency and determinacy.

The equal effective freedom view (very Rawlsian in inspiration) carries that a step further. It, as we have seen, is somewhat, though not excessively, one-sided. Autonomy and self-respect are not the only fundamental goods, but, on Rawls' primary goods conception, and not unreasonably, they are, under conditions of at least modest abundance and security, highest on the index of primary goods. The equal effective freedom view shows why and

so we have with its incorporation yet another gain in coherency and determinacy.

Finally the capability of functioning approach might, in certain limited but vitally important situations, be a useful supplement to the primary goods approach. There are specific situations where the primary goods approach does not work, but where the capability of functioning approach at least seems to work. I have in mind situations of destitution and severe disablement. Let me explain. Standardly the primary goods approach is best for specifying what very basically we must have to live a good life. It points to what are the very essential instrumentalities here. By contrast the capability of functioning approach is normally near to being useless because of its indeterminacy and its severe informational requirements — requiring information for making judgements about capabilities that is simply unavailable. But for certain extreme cases, such as destitution and severe disablement, the capability of functioning approach does enable us to assess what capabilities are wanting and can enable us to see what would be needed in those situations to ensure an equal worth of freedom so that, for the destitute and the severely disabled, we can have some reasonable understanding of what must be done, if anything can be done, to bring them into a condition where they can achieve something approximating equal effective freedom. It is here, where the primary goods approach will, by simply providing the severely disabled and the destitute with equal primary goods, still leave them with a lesser worth of liberty than people with the same primary goods but not so afflicted. People found in the abandoned Nazi concentration camps and children in the Third World who have been severely malnourished over a long period of time will not gain an effective worth of equal effective freedom by simply coming to have primary goods equal to those of others living in normal situations. So provisioned the disabled and the destitute have the same primary goods, but they can not do the same things with them. They cannot use them to achieve equal effective freedom. But here, where we can see clearly what the lack of proper functioning is, we can see *what* it is that they need to gain equal effective freedom and we can know how to correct for it, if it can be corrected, which, in many circumstances, may, to put it minimally, be problematical. So employed, the capacity of functioning account will aid in helping us to come to see more clearly what must be done, where the primary goods approach fails, to move toward enhancing and equalising the quality of life of certain specifically situated people at the highest level possible compatible with the same possibilities obtained for everyone alike. Still the primary goods approach is what we need in ensuring the equal worth of freedom in the standard cases. Again, we have by coherently marshalling these conceptions, different as they are, yet still mutually supportive for a common task, attained a greater coherency and determinacy. By so proceeding we have, we hope, moved some distance toward a more adequate, though more complex, account of *equality of what*. That in turn will make our egalitarianism more definite and articulated. (J. Cohen, 1995, 281-288)

This eclectic approach is only sketchily set out and is not very clearly articulated. I do not have the details at all worked out or, more importantly,

even have the project clearly conceptualised. Moreover, like most eclectic approaches, it may very well, when pressed, come apart. It may be too much of an *ad hoc* cobbling of things together in trying to have the best of all things. I throw it out, with considerable hesitation, as a suggestion that might provide a more adequate rationale for both a liberal and a radical egalitarianism.

XVI

I return, as I close, to what I have tried more firmly to achieve. One crucial claim was for, in the ideal case, going beyond the difference principle. The brunt of the argument for going beyond the difference principle and for going from liberal egalitarianism to a radical egalitarianism was worked out in Part A. In Part B, I tried, by contrast, to give determinate content to *what* equality we egalitarians, both liberal and radical, should hope for, and can do so reasonably, given the underlying aspirations and aims of egalitarianism. This is, as I stressed, to work in the realm of *ideal* theory. Here, liberals and radicals, social democrats and socialists, can, rather extensively, join forces. When we turn, as for the most part I did not attempt to turn in this essay, to the real world and to a consideration of the thick texture of facts and conceptualisations of political sociology, history and political economy, I would argue, as I argued in *Equality and Liberty* and as Andrew Levine did in *Arguing for Socialism* and as Richard Norman did in *Free and Equal*, that the prospects for an extensive equality of condition which also carries with it autonomy — equal autonomy for all — and fraternity are, as near as near can be, to being impossible without socialism and that socialism, as we can see now, must, to be acceptable, be some form of market socialism. (Roemer, 1994, Schweickart, 1993 and Wright, 1994) With such a socialism we can have both justice and efficiency. If hopes for socialism are impossible, then hopes for an autonomy respecting egalitarianism or indeed for any kind of attractive egalitarianism are dashed. Equality of condition — a world of equals — may be impossible anyway, but it will not be possible without socialism and a socialism that cannot, where it comes into fruition and stabilises itself, just be a socialism in one country or cluster of countries.

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