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Why the intrinsic value of public goods matters

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ABSTRACT
Existing accounts of public-goods distribution rely on the existence of solidarity for providing non-universal public goods, such as the humanities or national parks. There are three fundamental problems with these accounts: they ignore instances of social fragmentation; they treat preferences for public goods as morally benign, and they assume that these preferences are the only relevant moral consideration. However, not all citizens unanimously require public goods such as the humanities or national parks. Public-goods distribution that is based only on citizens' preferences, therefore, means that non-universal public good are at a constant risk of under-provision, and has negative implications for human flourishing. The paper, therefore, develops a complementary justification for the distribution of public goods, that decouples the distribution of public goods from ad hoc preferences, and grounds the distributive justification in the intrinsic value of these goods. There are three reasons to include intrinsic-value considerations in public-goods distribution: responding to crowding-out effects; promoting shared heritage and cross-fertilization. Finally, the intrinsic-value justification may indirectly promote solidarity. Thus, the intrinsic-value and the solidarity justifications need not be mutually exclusive, rather they can be mutually reinforcing.

KEYWORDS Public goods; intrinsic value; subjective preferences; solidarity

Justice in the distribution of public goods is an issue which only recently has begun to attract attention in the political philosophy literature. The lack of a comprehensive account of normative principles for public-goods distribution is worrying, because in its absence, certain important public goods are at risk of constant underfunding or disappearance. This state of precarity has important social implications: it helps to enshrine a social reality which disproportionately leans toward private consumption goods. The opportunity to engage with and appreciate goods such as nature, culture, or artistic achievements comes to depend on the ability to purchase these things on the private market, rather than by making them accessible to the public through national parks, state-funded museums, and public libraries.

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When *non-universal* public goods (NUPGs) are concerned, the need for a comprehensive account of distribution becomes even more urgent. NUPGs include language, culture, vibrant cities, conservation areas, arts, the humanities, and basic science. These goods are special because they are not in everyone's direct interest, yet citizens are often required to subsidize them nonetheless. Justifying this sort of state authority is even more urgent in multicultural and fragmented societies, where a shared 'common good' is either limited or non-existent, in which case citizens will not be willing to cross-subsidize each other.

This is not merely a problem of justifying taxation. Rather, the type of public goods the state will provide, or the possibility that it will disinvest altogether, determines the sort of society we live in: whether it will be a society that secures the existence of public spaces or rather privatizes land; whether it will lean toward individualism or toward a shared common good; whether it will promote equal access to valuable goods (arts, nature) or leave them up for grabs.

In this paper, I argue that in order to achieve a comprehensive account of public-goods distribution, we need to replace state-neutrality toward conceptions of the good life with an approach that explicitly accounts for intrinsic value. Precisely because public goods are in the realm of the public, state-neutrality – usually reserved for the private realm (Nagel, 1987) – is conceptually inappropriate for approaching the question of public goods.

Moreover, previous discussions on public-goods distribution appeal to reasons such as solidarity and good-will (Claassen, 2013; Miller, 1999), yet overlook social contexts in which these are weak or absent. Moreover, these accounts attend only to subjective preferences, yet they end up disadvantaging minorities and are, therefore, not conducive to justice. Introducing intrinsic-value reasons for public-goods distributions can circumvent the problems of weak solidarity and disadvantaged minorities in one distributive framework.

I start by motivating the discussion of NUPGs and justice, arguing that NUPGs merit distinct distributive justifications. I map the normative background in which public-goods distribution has been discussed, highlighting the areas that require more theoretical and normative attention. I do this by introducing an analytic distinction between 'subjective-preferences' and 'intrinsic-value' accounts of distribution, showing how the latter, developed in this paper, can complement the former, to provide a comprehensive theory of public-goods distribution.

NUPGs and the distributive problem

The standard economic understanding of public goods is that they are material goods that the private market cannot provide efficiently (Stiglitz, 2000). The collection of essays in this volume, however, provides a richer background for the concept of public goods. The 'public' is thus understood as encompassing non-material public goods as well. For example, the existence of a just society is in itself a public good, a good that the private market will not supply. Normatively,

it is desirable that the state foster certain non-material public goods, like a just society, not only because the private market will be less efficient, but because it is intrinsically good even if aggregate individual preferences suggest otherwise.

Very few public goods are perceived by all (reasonable) citizens as serving a basic interest. National security, police protection, and clean air are among these uncontroversial goods that all reasonable persons have reason to support. Most other public goods, however, are not a basic interest in this sense. Vibrant cities, conservation areas, arts, basic science, etc. are goods that do not reflect a basic interest that every person in society has. In addition, even when persons do have an interest in these goods, their degree of interest might not be equal. They might prefer different combinations of these goods, or deny that these goods should be provided by the state. Finally, the absence of these goods does not violate basic justice (Miller & Taylor, forthcoming).

The distributive problem of such NUPGs, for example, the humanities, is that persons who are less interested in the humanities bear more of the cost of its provision compared to persons who gain more benefit from it. It may be the case that some citizens prefer another NUPG, like a network of bicycle lanes. Should bike lovers help pay for the humanities? Do they have a legitimate complaint if they are compelled to pay for the humanities even if they would rather use their taxes for more bike lanes, or for purchasing private goods? I begin by reviewing current liberal accounts of public-goods distribution, and demonstrating how they might lead to unwanted distributive outcomes.

Subjective preferences: existing justifications for distribution of competing NUPGs

Liberal-neutrality accounts of public-goods distribution (Claassen, 2013; Miller, 2004; White, 2003) ground the justification for distribution in a combination of two considerations:

- Demand: the number of people who are interested in a NUPG;
- Cost: the relative cost of a NUPG compared to other state-supported goods.

The distributive question, in these liberal accounts, is how to make necessary tradeoffs among NUPGs which attract different levels of interest among persons, and have varying costs. Implicitly, this is a 'subjective preferences' account of the justice in NUPGs distribution, as it assumes that what matters in determining whether justice has been achieved is whether the allocation of NUPGs corresponds to citizens' aggregate individual preferences. For example, let us imagine two groups: group (A) prefers the humanities and group (B) prefers bicycle lanes. So long as no group or individual express an interest in a third NUPG, e.g. public broadcasting television, the state has no reason to provide it.

Tradeoffs among NUPGs in the subjective-preferences approach are concretized by cross-subsidization. Cross-subsidization is taken to mean that when a

certain group (A) prefers NUPG1, while another group (B) prefers NUPG2, group (A) will help support NUPG2 and group (B) will help support NUPG1. This way both groups will receive the NUPG that they prefer. The important conceptual point here is that it is assumed that group (A) prefers only NUPG1 and group (B) prefers only NUPG2. This qualification is important because it is assumed that there are no spill-over effects across the different groups.

Assuming no spill-over effects, cross-subsidization requires a per-capita allocation: in a society in which distinct groups are interested in distinct public goods, providing these goods will be done through general taxes, whereby each tax-paying citizen is supporting not only her preferred NUPGs but other groups' preferred NUPGs as well. Importantly, so long as there are different groups with competing interests in distinct NUPGs, it is morally required that the majority does not impose its preferences on the minority (Claassen, 2013). A per-capita distribution, therefore, allocates NUPGs according to the relative share of groups. For example, if 80% of the population prefers the humanities and the remainder prefers bicycle lanes then the NUPG allocation would follow these proportions. In fact, so long as the NUPGs in question do not violate basic rights and liberties, their content does not really matter. This content-neutrality will become problematic once we learn of the implications of per-capita distributions, discussed shortly.

Per-capita distribution requires solidarity, a sense of majoritarian good-will, or a commitment to rights-based fairness. The more homogenous the society, the higher the degree of willingness to cross-subsidize, and the greater the likelihood that the different groups will make a conscious effort to reduce their demands from extravagant to modest (Miller, 2004). In the absence of solidarity, however, some NUPGs may not be capable of crossing the threshold that is needed for their existence. For example, endangered languages require more support than a national language. Yet without cross-subsidization, its speakers may not be able to acquire sufficient resources to keep the language viable. The absence of solidarity, therefore, weakens the willingness to cross-subsidize leading to under-provision of NUPGs.

In the absence of solidarity, the liberal accounts may turn to justify cross-subsidization by appealing to fairness as even-handed treatment (Patten, 2014). When a majority prefers NUPG1, and a minority prefers NUPG2, the decision on how many units of resources should be allocated between NUPG1 and NUPG2 will be made according to a democratic decision. In order to avoid 'majority tyranny', the majority lends a helping hand to the minority (Claassen, 2013), resulting in a per-capita distribution. Yet the even-handed approach is not problem-free, as follows.

The extension of good-will and the problem of small minorities

A per-capita approach may disadvantage small minorities who may find that their per-capita share is insufficient for covering the cost of their NUPG. To

illustrate: not all minority languages can be encompassed by a multilingual policy, as certain languages do not have enough speakers. There must be a cut-off somewhere and it will inevitably be arbitrary, whether grounded on sheer numbers or on relative power (Weinstock, 2003).

One way to avoid this problem of systematic minority-disadvantage is to over-extend the good-will of the majority. In other words, to provide a higher than per-capita support for small minorities. The justification could go like this: 'it is unfair that small minorities are systematically disadvantaged in a per-capita scheme, so they should receive more resources than a per-capita distribution prescribes'.

This, however, is also problematic. Imagine a majority that prefers team sports and a small minority that prefers experimental physics. The minority wants to build a LIGO-type facility[1] that would cost millions of dollars. Applying the extended good-will argument, the majority has to subsidize the physicists, in virtue of their being a systematically disadvantaged minority. The majority has to accept the minority's preferences and withhold complaints that LIGO is too expensive.

Now let us revise the example, and substitute the physicists with a group of persons whose purpose in life is to count 'blades of grass in variously geometrically shaped areas' (Rawls, 1999, p. 380). Let us also assume that providing and maintaining grass fields is very expensive. Can members of the majority legitimately claim that they should not be compelled, as a matter of justice, to support an activity that they view as completely worthless?

According to the extended good-will argument, they cannot. They will have to disproportionately support such activities, even activities they consider wholly worthless or silly, simply because it so happens that a tiny minority is interested in them. Such a distributive principle seems to be licensing too much: any activity that corresponds to subjective preferences will have to be supported, regardless of its value, purpose, or cost. This might strike some as a tyranny of the smallest minority.

Minority preferences as expensive tastes

Another problem with the preference-based approach is that it might end up withholding support for many important public goods. This is because a preference-based approach may eradicate the distinction between private goods and public goods, disregarding the cultural context and social value of public goods (see Kohn, this volume). When we approach public goods as things that are allocated according to preferences, we treat them, essentially, as consumption goods. This is because the subjective-preferences approach implicitly relies on an 'expensive-tastes' argument. According to the expensive-tastes argument, treating individuals equally requires that each individual receive an equal share of resources (Dworkin, 2000; Patten, 2014) to use according to their best judgment. One person may want to purchase consumption goods, another may want to join others and together invest in a collective project. The value of a

good (regardless of whether it is private or public) is determined according to its demand on the market: the more people share a 'taste' for a certain good, the lower its cost will be. Persons should be held responsible for their tastes and preferences, and it is, therefore, unfair to demand that others with less expensive tastes subsidize the higher cost of these extravagant preferences (Dworkin, 2000, 2004, pp. 339–350).

The distributive criterion for public goods that follows is: 'any taste that costs above per-capita should not be supported by the state, unless there is an independent reason for state-support'. The caveat is important, because it distinguishes between public goods that are essential for justice (e.g. national security, basic education) and non-essential public goods (NUPGs). So long as a public good is essential for justice, the state may provide it without regard to a per-capita allocation. However, because we are dealing with NUPGs (e.g. parks, libraries, museums) which are not essential for justice, we may not invoke a reason of justice to override the per-capita allocation. The upshot is that according to the expensive-tastes argument, a per-capita distribution is required for state support of NUPGs.

To illustrate, a person can choose to spend her equal share of resources on consumption goods, or she can group with other people and try to realize a collective project, like an institution for experimental physics. However, she may not demand that others support her and her fellow physicists with an above than per-capita share so that they could build the expensive LIGO. The group's own resources will not suffice and they will not be able to build the LIGO. Museums, national parks, and public libraries are likewise expensive and will not be feasible if the group that is interested in them is too small.

The risk with the expensive-tastes argument, originally invoked to ensure that people with average tastes in consumption goods (e.g. beer) do not have to subsidize people with extravagant tastes (e.g. champagne), is that it can be hijacked by a majority that happens not to want to subsidize public goods like national parks, public libraries or humanities departments. Treating such public goods as mere extravagant tastes misses their important social and cultural role. Yet a content-neutral, preference-based approach is conceptually bound to treat libraries, museums, and parks as consumption goods that are dependent on ad hoc tastes. This strengthens the need to introduce distributive considerations that go beyond subjective preferences.

Reasons for including intrinsic-value considerations in public-goods distribution

The preference-based approach should be supplemented by an account of intrinsic value. A thing is intrinsically valuable when it is good in itself, when it is not (merely) instrumental as a means for achieving another good. The criterion for judging when a thing has intrinsic value, adopted in this paper, is derived

from human flourishing theories (Hurka, 1993; Sher, 1997). It treats subjective preferences (e.g. hedonistic pleasure, desire satisfaction) as only part of the explanation of what is of value. Briefly, a thing will be judged to be of intrinsic value when it contains the following: knowledge, achievement, loving relationships, moral virtue, and pleasure. These goods have more value when they are combined: things will be judged as intrinsically good when they promote a well-rounded life, and when they cross-fertilize each other, both within an individual and across individuals (Hurka, 2006). Since this essay is concerned with public goods, I restrict the discussion of intrinsic value to institutions or practices that provides opportunity for well-rounded flourishing (and not to particular discrete goods like works of excellent art).

Different NUPGs correspond to different things that have intrinsic value. The opera, for example, provides opportunity for musical knowledge and achievement; bike lanes provide the opportunity for physical achievement, health, and protection of the environment; public libraries provide an opportunity to encounter new ideas. A pluralistic value theory will not rank these intrinsic goods against each other, but it will nevertheless insist that a combination of these goods is better than achieving only one of them (Hurka, 2006).

Of course, intrinsic value exists not only in public goods, but in private goods as well. Does this mean that there is no distinction between these categories? Not necessarily. Compare, for example, a Stradivarius and the symphony. Both have intrinsic value but the symphony can do much more for collective flourishing compared to a Stradivarius. In general, public goods have a normative role that private goods do not have: they are supposed to secure the perpetuation of their intrinsic value, in order to promote human flourishing and to create the conditions for the even spread of the good across persons. The state is responsible for supporting certain public goods precisely because of market failure, because the commodities market will fail at distributing their intrinsic goodness evenly across persons. So while private goods and public goods may both have intrinsic value, the way this value is distributed across persons differs significantly. To the extent that the state is responsible for creating the conditions for leading flourishing lives, it is responsible for the provision of public goods that contribute to flourishing. The following elaborates.

The crowding-out effect

Competition between different types of public goods can drive less popular goods out of existence. If in the competition between grass fields and the humanities the grass fields win, the result is that the *combination* of intrinsic goods that humanities provides – knowledge, aesthetic awareness, meaningful relationship with others, etc. – becomes less viable.

Michael Kessler (this volume) examines the relationship between goods of intrinsic value and the responsibility of society to support them. He considers

Thomas Nagel's argument, which stipulates the following (Nagel, 1991, pp. 132–136):

(1a) Some things, like 'high art', have intrinsic value.
(2a) Reasonable persons will recognize the existence of this intrinsic value.

It follows, therefore, that

(3a) The state should support these things of intrinsic value.
Kessler agrees with Nagel on premises (1) and (2), but rejects the conclusion. According to Kessler, the fact that some things have intrinsic value does not automatically translate to state responsibility to support this value. In other words, reasonable persons can acknowledge the intrinsic worth of high art yet coherently hold that it is not the job of the state to support them, just in virtue of their excellence. As an analogy, consider the intrinsic good of love or friendship. It is not the job of the state to actively promote love or friendship through the distribution of resources (for example, by giving money to happily married couples). Friendship and love are best left for individuals to pursue in their private lives. The implication is that the intrinsic value of art is not enough, by itself, to justify state-support. Other arguments in favor of support need to be given (such as promoting the value of citizenship through arts, as Kessler proposes).

The crowding-out effects of certain public goods provide some support for Nagel's conclusion (3) that the state should (sometimes) fund things of intrinsic value, in virtue of their having intrinsic value, and independent of other instrumental arguments, like the value of citizenship. The difference between Kessler's approach and the intrinsic-value approach is grounded in the varying degree of optimism about the resilience of things of value. Kessler's reluctant tax payer is optimistic about things of intrinsic value: they are excellent enough that someone will support them, through the private market. They will have become someone's expensive taste, and this someone exists and protects high art from disappearing.

My own view is more pessimistic. When things of intrinsic value disappear from our mental map, we are deprived of the opportunity to know or appreciate them. If public libraries disappear from the public sphere, our lives are impoverished. This is true not because we will have to pay for books from our own pockets, but rather because the opportunity to gain knowledge, collectively, is severely diminished. The tax payer, in this scenario, no longer acknowledges the intrinsic value of goods that exist through the institution of the public library, because she lacks the epistemic background to appreciate its value. There is a similar rational for protecting natural environments: it will be difficult to appreciate the Great Barrier Reef or the Dead Sea if they were, for example, to be exploited for natural resources beyond recognition.

Martha Nussbaum (2010) tells the story of the Chicago Children's Choir, as an illustration of the effects of non-exposure to arts and music. Chicago is

characterized by huge socioeconomic gaps and deep de facto racial segregation. Chicago public schools suffer from a severe arts budget cut back. The Chicago Children's Choir, a philanthropic organization, has stepped into this void and set up a network of school, neighborhood, and concert choirs that includes 3000 children, 80% of which are below the poverty line. The choir gives the children an unparalleled opportunity for an intense experience side by side with children from different racial, economic, and ethnic background. Also, since the choir members sing music from different cultures, the children connect, expressively and intellectually, with these cultures. By learning music from different times and places they cultivate their curiosity in other persons and in other things. They often become role models for other children in their neighborhoods. Needless to say, Nussbaum continues, these effects multiply across parents, families neighborhoods, and the choirs' audiences.

Being part of a choir is a lived and felt experience. The children train themselves to synchronize their breathing with others, they memorize everything they sing, and involve facial expression, gestures, and dance in their performances. They have to produce sounds from within their body, which at an age where they feel uncomfortable in their bodies gives them an opportunity to develop a sense of ability, discipline, and responsibility (Nussbaum, 2010, chapter 6).

This experience is not something that can be replicated by reading a book about music, humming a tune or forming a band in one's garage. Children who do not have the opportunity to participate in a choir, therefore, are not only deprived of the opportunity to tap into the goods described above. They remain unaware that these goods could even exist for them. To generalize, so long as goods like arts and the humanities are underfunded, they are at risk of being epistemically crowded out. In the future, they will not feature in citizens' preference sets. We can, therefore, restate Nagel's argument to reflect this implication:

(1a) Some things, like 'high-art' genres, have intrinsic value.
(2a) If such things of value disappear, so does the capacity to appreciate them.
(3a) Reasonable persons would (or should) oppose the disappearance of these capacities.
(4a) The commodities market alone will not protect the existence of these things of value (Dworkin, 1985).
(5a) The state should support these things of intrinsic value, otherwise they might disappear.

It follows, therefore, that

(6a) Reasonable persons will then come to recognize the existence of this intrinsic value, and be willing to support them.

The reworked steps show that appreciating things of intrinsic value requires knowing them, in the experiential sense, and this in turn requires state action, through the provision of public goods.

Creating the conditions for good lives

The state has another reason to support intrinsically valuable things when these things help in creating a social environment that promotes human flourishing. Recall the analogy drawn above, between love/friendship and the arts. This analogy was used to show that a liberal would insist that the state should not support things of value simply in virtue of their intrinsic goodness. Yet there is a distinction worth making between a state of affairs in which individuals achieve goods like love or friendship, and a state of affairs in which there are social conditions that enable or hinder the potential for achieving friendship and love. So while it is not the job of the state to interfere in persons' friendships or love-lives, it may very well be the job of the state to create the public environment that will enable people to form meaningful relationships and for example,

> [p]ublic policy can address a culture of anomie or alienation that breeds loneliness; support for a rich and diverse public culture of clubs, festivals and concerts, drop-in centers, nature walks, libraries and swimming pools can provide opportunities for social interaction and community. (Sypnowich, 2014, p. 186)

Waheed Hussain (this volume), invokes a similar argument about the role of institutions in creating an environment supportive of social connectedness. Hussain argues that the structure of resource distribution in extreme competitive markets, like the US, encourages competition between individuals which is anathema to meaningful social relations, because it forces persons to step over each other in order to protect their own interests. Competition is bad, according to Hussain, because it pits persons against each other, eliminating the good of meaningful relationships. On this view, it is very much the job of the state to structure the economic market such that it provides the conditions for more meaningful relationships (intrinsically good) and less competitive, aggressive behavior (intrinsically bad). State intervention through the support of less competitive environments can, therefore, be grounded in two reasons: instrumentally, there are social benefits from eradicating harmful competitive institutions. The second reason is non-instrumental: the intrinsic goodness of friendship, and the goodness inherent in social connectedness are themselves reasons for creating environments that reduce harmful competition.

Using this analogy, it is possible to generalize the scope of state responsibility to the following: the state can legitimately create the conditions for the perpetuation of intrinsically valuable goods, such as the arts, the humanities, basic science, and meaningful social relationships, through the support of libraries, museums, concert halls, nature reserves, and viable public spaces. Note that this does not entail that the state should support all intrinsically valuable goods all

of the time. Rather, it provides the state a reason to allow the intrinsic goodness of something to count in its favor in the distributive calculus, when the stakes are high, or when the good in question is at risk of being crowded out.

The shared-heritage argument

Things like great architecture, human languages, and other human achievements are valuable, in part, because they have a collective-agency component: they have been created, appreciated (and criticized) by people in society, often across generations. For example, a language has intrinsic value because it is a human achievement, because it is a representation of complex systems of thought and communication structured over generations (Reaume, 2000).

The shared-heritage argument rests on a similar understanding of the nature of value – its cooperative essence – and adds a non-material component. I argue that since intrinsic value of non-material things like art, knowledge, friendship, etc. is partly due to its cooperative and collective nature, we have reason to recognize this value within distributive calculations.

The story of Stonehenge is illustrative: one of England's most significant monuments was, until 1918, privately owned. In 1915, there were speculations that a wealthy American might buy Stonehenge, dismantle it and transport it abroad. As of 1918 it is owned by the Crown; the grounds surrounding it belong to the National Trust. Imagine that nowadays, Disney Corporation approaches the British government, offering to buy Stonehenge, in order to dismantle it and recreate it in Disneyland, California. The offer is very high and the British government – motivated by an egalitarian sentiment – distributes the proceedings among its citizens in such a way that reduces economic gaps. The shared-heritage argument holds that the British government and the British people have reason to resist the Disney offer because Stonehenge, in its original location, has intrinsic value, which is incommensurable with its instrumental value.

David Miller (2004) also employs the shared-heritage argument, albeit differently, to justify cross-subsidization. Miller argues that a shared heritage provides reason to cross-subsidize, because members in a society recognize the value of belonging to a society, even if they are not interested in supporting particular NUPGs that other members prefer. The shared heritage acts like the social cement, helping to create trust between citizens, which, in turn, is instrumental for the effective administration of social justice (Miller, 1995). For Miller, therefore, the value of shared heritage is instrumental for promoting social justice.

I argue from the opposite direction: the value of the shared heritage is in part due to its intrinsic value. While for Miller heritage can theoretically include anything that performs as the social cement (barring unjust or evil things), the intrinsic-value argument is more discriminatory: it does not provide a blanket justification for any NUPG, but rather to those NUPGs which act as the social cement because they are intrinsically good. More specifically, NUPGs which the

state should try to support, shared heritage included, are things that encourage well-rounded lives, and that enable cross-fertilization, as discussed in the following.

The cross-fertilization argument

The final argument in favor of introducing intrinsic-value considerations into distributive tradeoffs is that this has the potential of spreading the value more evenly. In other words, there is an implicit multiplier effect that the subjective-preferences approach does not capture. Recall that the preference-based approach treats each NUPG as reflecting the preferences of one group and one group only. The intrinsic-value approach, in contrast, can account for spill-over effects of NUPGs, such that their distribution may be analyzed in a less artificial manner.

The liberal accounts of NUPGs distribution assume that there is a one-to-one relationship between persons and public goods: distinct NUPGs are treated as if they are in the interest of one group and one group only. Moreover, the literature tends to position NUPG 'lovers' against 'market-good' lovers (Claassen, 2013; Miller, 2004) delineating each distinct group with a distinct preference. Thus, Opera is treated as if only Opera lovers want it, bicycle lanes as if bicycle lovers want them, etc.

This might be a useful simplification for interrogating distributive obligations, yet it misses one of the constitutive features of NUPGs – that they are indeed public. Once these goods are made available, they no longer need to cater only to the interests of the group which initially asked for them. Their very existence can attract new people, and can therefore both promote more flourishing and reduce distributive burdens, since more people will benefit from these goods. Cross-subsidization can therefore become cross-fertilization, where different NUPGs are made more accessible to people who may otherwise not be aware of their existence or of their intrinsic value.

From the point of view of human flourishing this is important, because cross-fertilization invites encounters between people and ideas that may not occur in the absence of certain NUPGs. Thus, encountering a NUPG that one may not have initial interest in may spark one's imagination or invite one to engage in new and different activities. Because public-goods distribution does not have to follow a zero-sum calculation (as entailed by the subjective-preferences approach), the multiplier effect of intrinsic value provides another reason to introduce intrinsic value into the distributive calculus.

Admittedly, some NUPGs are going to be more accessible than others: bicycle lanes are going to be accessible to anyone who has access to a bicycle, whereas the Opera is going to be accessible to people who already have some sort of knowledge, experience and appreciation of this genre (Bourdieu, 1977); nature reserves are going to be more accessible than experimental physics. Yet

the Opera or experimental physics have important spill-over effects that may contribute to cross-fertilization indirectly, for example by inspiring interest in popular science.

Spill-over promotes a more egalitarian access to things of intrinsic value. An accessible public library can reach many people, providing them with the intrinsic value of knowledge and aesthetic appreciation. This provides a reason to support a library, compared to a collection of geometrically varied fields of grass, in which there is no growth or intensification of intrinsic value. It also provides a reason for the state to support the library over the option of distributing book-vouchers to individuals. Both options provide access to intrinsic goods, but the institution of the library creates greater and more evenly distributed spill-over compared to the privatized option.

Conclusions

In this paper, I develop a complementary justificatory approach to NUPGs distribution that can account for non-solidaristic social contexts, and thus contributes to a more comprehensive framework for public-goods distribution. The most distinctive feature of the intrinsic-value approach compared to previous accounts of justice in public-goods distribution is that it breaks with the liberal commitment to neutrality toward conceptions of the good. The new approach explicitly attends to the intrinsic value of the goods that should be supported by the state.

NUPGs do more than merely create distributive benefits and burdens. They are also agents of socialization. They perform an important role in creating and upholding the institutions through which we come to shape, revise, and change our conceptions of the good life and our conceptions of human flourishing (Galston, 2010). Therefore, determining which NUPGs deserve more support than other NUPGs is not only a matter of resource allocation that corresponds to preferences. Rather, it is an engagement in shaping society and culture. Precisely because NUPGs are public goods, they enable access not only to those who initially demand them but to a wider population.

Thus support for the humanities, for example, influences public discourse, raises awareness to different points of view and modes of thinking. It creates a public environment very different from an environment in which the humanities are not supported, or confined to the connoisseurs, as the Chicago Children's Choir demonstrates. NUPGs distribution should not be merely an exercise in justice as preference-satisfaction. It is an exercise in the distribution of the theoretical and practical resources that persons are equipped with to engage with the world. The potential for cross-fertilization and the role of NUPGs as socialization agents invite us to treat NUPG distribution not as a framework for adjudicating between competing, incompatible goods, but rather for determining which NUPGs serve the interest of human flourishing.

Introducing intrinsic-value considerations to public-goods distribution no doubt invites complications, compared to the more straightforward preference-based approach. In the preference-based approach we only have to count heads, while in the intrinsic-value approach we have to include judgments about the relative value of different NUPGs. There is no straightforward recipe for doing this, but two points are nevertheless worth mentioning.

First, recall that generally speaking, goods are valuable when they promote well-rounded lives and allow for cross-fertilization. This does provide a rough rule of thumb, although hard cases remain when different NUPGs may demonstrate a similar potential to promote well-rounded lives and cross-fertilization. Adjudicating between these goods will then require an independent distributive criterion, such as even-handed treatment, equality, or efficiency. Yet these independent criteria are introduced after intrinsic-value considerations have been weighed. This is significantly different from a subjective-preferences approach in which intrinsic value might not be considered at all. Second, despite the indeterminacy in hard cases, the introduction of intrinsic-value considerations is meant to break the mold of preference-based, liberal-neutrality distributive approaches that refrain from taking a stand on what is good, and to create a space for a deliberative discourse in which persons can reason and argue about the value of different things in a comprehensive, informed manner.

Finally, there is an important connection between solidarity and NUPGs. Previous sections argue that solidarity cannot be the only justification for cross-subsidization of NUPGs, for the simple fact that such a justification neglects ubiquitous contexts of social strife and social divisions. In the discussion above I argue for an alternative justification for NUPGs distribution that does not depend on the existence of solidarity. Yet I would like to argue that one does not have to exclude the idea of solidarity altogether from the discussion of NUPGs distribution. Given the potential for cross-fertilization discussed above, support for different types of NUPGs that have intrinsic value may actually prove to promote solidarity. Having access to, engaging with and experiencing different NUPGs that one might initially not have been interested in, and seeing others engaging with new NUPGs, might help to promote a sense of having shared non-political values (Kallhoff, 2014).

Thus, NUPGs play an epistemic role by raising awareness to different ideas, lifestyles and people. I.M. Young argued that physical separation can make persons oblivious to injustice (Young, 2000). Physical desegregation, therefore, plays an important epistemic role in making people aware of injustice. In a similar vein, having access to different NUPGs may raise awareness and appreciation of the ideas, values, and pursuits that they embody, and thus help to strengthen solidarity. Thus, the intrinsic value of NUPGs and the solidarity justifications need not be mutually exclusive, but can rather be mutually reinforcing.

Note

1. Laser Interferometer Gravitational-wave Observatory (LIGO) are detectors for measuring ripples in the fabric of spacetime – gravitational waves.

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References

Bourdieu, P. (1977). *Reproduction in education, society and culture*. London: Sage.
Claassen, R. (2013). Public goods, mutual benefits, and majority rule. *Journal of Social Philosophy, 44*(3), 270–290.
Dworkin, R. (1985). *A matter of principle*. Cambridge, MA: Harvard University Press.
Dworkin, R. (2000). *Sovereign virtue*. Cambridge, MA: Harvard University Press.
Dworkin, R. (2004). Ronald Dworkin replies. In J. Burley (Ed.), *Dworkin and his critics* (pp. 339–395). Malden, MA: Blackwell.
Galston, W. A. (2010). Realism in political theory. *European Journal of Political Theory, 9*(4), 385–411.
Hurka, T. (1993). *Perfectionism*. New York, NY: Oxford University Press.
Hurka, T. (2006). Value theory. In D. Copp (Ed.), *The Oxford handbook of ethical theory* (pp. 357–379). New York, NY: Oxford University Press.
Hussain, W. (this volume). Why should we care about competition?
Kallhoff, A. (2014). Why societies need public goods. *Critical Review of International Social and Political Philosophy, 17*(6), 635–651.

Kessler, M. (this volume). Engaging the reluctant taxpayer.
Kohn, M. (this volume). Solidarity and social rights.
Miller, D. (1995). *On nationality*. Oxford: Clarendon Press.
Miller, D. (1999). Social justice and environmental goods. In A. Dobson (Ed.), *Fairness and futurity: Essays on environmental sustainability and social justice* (pp. 151–172). Oxford: Oxford University Press.
Miller, D. (2004). Justice, democracy and public goods. In K. Dowding, R. E. Goodin, & C. Pateman (Eds.), *Justice and democracy: Essays for Brian Barry* (pp. 127–149). Cambridge: Cambridge University Press.
Miller, D., & Taylor, I. (forthcoming). Distributive justice and public goods. In S.Olsaretti (Ed.), *The Oxford handbook of distributive justice*. Oxford: Oxford University Press.
Nagel, T. (1987). Moral conflict and political legitimacy. *Philosophy & Public Affairs, 16*(3), 215–240.
Nagel, T. (1991). *Equality and partiality*. Oxford: Oxford University Press.
Nussbaum, M. C. (2010). *Not for profit: Why democracy needs the humanities*. Princeton, NJ: Princeton University Press.
Patten, A. (2014). *Equal recognition: The moral foundations of minority rights*. Princeton, NJ: Princeton University Press.
Rawls, J. (1999). *A theory of justice* (revised ed.). Cambridge, MA: Harvard University Press.
Reaume, D. G. (2000). Official-language rights: Intrinsic value and the protection of difference. In W. Kymlicka & W. Norman (Eds.), *Citizenship in diverse societies* (pp. 245–272). Oxford: Oxford University Press.
Sher, G. (1997). *Beyond neutrality: Perfectionism and politics*. Cambridge: Cambridge University Press.
Stiglitz, J. E. (2000). *Economics of the public sector* (3rd ed.). New York, NY: W. W. Norton.
Sypnowich, C. (2014). A new approach to equality. In D. Weinstock & R. Merrill (Eds.), *Political neutrality: A reevaluation* (pp. 178–209). Basingstoke: Palgrave Macmillan.
Weinstock, D. M. (2003). The antinomy of language policy. In W. Kymlicka & A. Patten (Eds.), *Language rights and political theory* (pp. 251–270). New York, NY: Oxford University Press.
White, S. (2003). *The civic minimum: On the rights and obligations of economic citizenship*. Oxford: Oxford University Press.
Young, I. M. (2000). *Inclusion and democracy*. New York, NY: Oxford University Press.