

THE DIVISION OF MORAL LABOUR

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EQUALITY AND DIVISION: VALUES IN PRINCIPLE¹

ABSTRACT Are there distinctively political values? Certain egalitarians seem to think that equality is one such value. Scheffler's contribution to the symposium seeks to articulate a division of moral labour between norms of personal morality and the principles of justice that regulate social institutions, and using this suggests that the egalitarian critique of Rawls can be deflected. In this paper, instead, I question the status of equality as an intrinsic value. I argue that an egalitarianism which focuses on the status of equality as valuable in itself embraces a theory of value with the worst elements of utilitarianism (in particular its consequentialism) while leaving behind any of the intuitive appeal that utilitarianism has. In its place I press that we need a political conception of egalitarianism which stresses the role of equality as a political ideal without presupposing any values with which we engage beyond those found in the norms of personal morality.

I

Talk of values in relation to politics might most immediately bring to mind 'family', or 'old-fashioned', and the point of talking of values in the political sphere might then, quite cynically, be taken to gain votes rather than understanding. Still there is a question concerning value and the political domain which is really quite fundamental to political philosophy and its methods, even if it is difficult to address head on: Are there values which belong distinctively to the political domain? That is,

1. I am grateful to Sam Scheffler for letting me see the draft of his article 'Is the Basic Structure Basic?', forthcoming in a festschrift in honour of G. A. Cohen, which contains an illuminating discussion of Rawls's Basic Structure. For helpful discussions of the idea of equality I am indebted to G. A. Cohen, Miriam Cohen-Christofidis, Brian Feltham, Brad Hooker, Mark Eli Kalderon, Niko Kolodny, Mike Martin, Alison McIntyre, Hans Oberdick, Martin O'Neill, Mike Otsuka, Joseph Raz, Sarah Richmond, Tim Scanlon, Scott Sturgeon, Larry Temkin and Jo Wolff, as well as to audiences in Oxford, Wellesley College, Louvain-la-Neuve and Harvard.

are there values which we can recognize, or at least engage with, only in the context of social institutions and the expectations they give rise to? If there are any such values, then one might expect that equality would be one among them. For we can certainly make sense of the idea that a just society should aim to be an equal society, while at the same time it is not at all clear what it would be for a man to pursue equality for its own sake within his individual life, quite apart from any social concerns or purposes.

Certainly the claims of equality seem to focus one of the most interesting and powerful critiques of liberal tradition in theories of justice that have developed over the last half century. In Rawls's liberal egalitarianism, 'justice as fairness' is a concern principally at the level of the basic institutions of society: we need to fashion the fabric of the social world around us to meet the needs of all. But Rawls does not insist that the participants in this just society should all equally strive for equality. Egalitarian theories question whether this liberal egalitarianism really takes the value of equality seriously. For this position seems to limit the virtue of equality or fairness to its political institutions. So G. A. Cohen presses Rawls in his commitment to an ideal of equality. He insists that if you leave the task of preservation of equality solely to your institutions, and do not require that individuals also care about it, then you do not take seriously the central claims that equality makes on us. Proper attention to the demands of equality require us all to be moved to alleviate inequalities around us, and not merely to strive for the kinds of institutions that Rawls deems just. Since Rawls focuses the concern with equality at the level of the basic structure, Cohen suggests that Rawlsian principles of justice are consistent with a society stocked with self-interested entrepreneurs. So if Cohen's complaint is right, the liberal egalitarian must move beyond Rawls's commitments and insist that individuals, and not just political institutions, pay due attention to equality.

In his contribution to this symposium, Samuel Scheffler seeks to disarm Cohen's challenge (as well as the criticisms levelled at Rawls along similar, if slightly different, lines, by Murphy and Nagel—the latter more sympathetic to Rawls). Scheffler proceeds by appealing to a division of values which can be located within an individual, as well as a division of labour between individuals and institutions. Individuals will care about

equality as they care about the welfare of others. But, in addition, the well-being of any individual requires that they both possess and pursue personal goals and interests. So as much as impartial or impersonal values matter to individuals, they must make room for the central pursuit of their personal goals, and for their partial concern for those they care for. Scheffler suggests that we can understand Rawls's division of labour as realizing a way of reconciling and integrating these two sets of concerns. Our institutions aim at looking after the impartial values of equality and justice, and thereby busy themselves with redistributing resources and meeting needs. 'The task of realizing the values of justice and equality will be assigned primarily to what Rawls calls "the basic structure of society"' (Scheffler, 2005: 236). Within this context, individuals can then pursue their own goals, devote themselves to their partial affections and engagements, without denying the importance of equality and benevolence. Thus Scheffler argues for a 'division of moral labour'. This division of labour is rooted in recognition of pluralism about values, and seeks to reconcile values that would otherwise come into conflict. Scheffler contrasts this view with a conception of justice and equality which treats them as purely institutional values and would obscure the appeal and plausibility of a Rawlsian conception. Hence he rejects Murphy's view that Rawls's project is to make justice less costly and burdensome for individuals, and Cohen's charge that Rawls provides a justification for 'unlimited self-seekingness in the economic choices' of individuals'. Scheffler also criticizes Nagel's own moral division of labour, with which he is otherwise more in sympathy, for attributing the personal and impersonal standpoint to two divergent aspects of the self, and for overlooking the variety of non-institutional values (for reducing them to personal concerns).

So has Scheffler disarmed Cohen's concerns as we highlighted them above? One way to dramatize a doubt is to ask whether the division Scheffler suggests will result in the requirement that individuals should care about equality. From the fact that many people will be concerned to foster the value of equality in furnishing these institutions, surely it does not follow that all who are governed by these institutions will likewise care; nor that anything should be done to make these people care. And Cohen's concern is that Rawls will admit as perfectly just a

society in which a minority of entrepreneurs extract benefits from the many as long as the society as a whole still satisfies Rawls's constraints on how the institutions of the basic structure should maintain equality. As long as these individuals do not act so as to undermine the order of society, we do not seem to have anything to criticize in them from Rawls's point of view.² Does Scheffler's re-telling alter this? If not, how has Cohen's initial complaint been answered?

I am sure that there is more for Scheffler to say at this juncture, but here I want to open up another avenue for understanding the division of labour and the status of an ideal of equality. Once we recognise the idea of equality as a value in itself, then it is difficult to deny that individuals, and not solely institutions, should be concerned with equality, and hence that there is some failing in a society which does not encourage its citizens to care about this value, that is a society which lacks an *egalitarian ethos*.³

On the other hand, isn't there something puzzling about the idea that one should care about equality as such, rather than just care for the needs of others? Well, that is the idea I shall explore here. For, I want to suggest that we can understand the liberal egalitarian's position here as one which seeks to maintain an ideal of equality without thereby recognizing a substantive value of equality. This suggests an alternative and more direct response to the egalitarian critique of Rawls. And it suggests that some things may matter in the political domain without thereby being of value in themselves—we need to contrast our political ideals, with the moral values which underpin them.

In his defence of liberal egalitarianism against a variety of opponents, Scheffler contrasts egalitarianism with consequen-

2. The worry that Rawlsian institutions do not require virtues of their citizens is a criticism that David Wiggins takes up from Cohen, and develops from a non-egalitarian outlook (Wiggins: 2004).

3. This, I take it, is Cohen's main complaint against Rawls. His argument against the Basic Structure is that the idea is either too confined—if it is restricted to the legal structure, or conceptually vague—if it is supposed to go beyond, and thus to contain some individual choices within this legal structure. However Cohen's criticism of the Rawls's Basic Structure is aimed at showing 'decisively, that justice requires an *ethos governing daily choice which goes beyond one of obedience to just rules*' (Cohen, 2000: 136, emphasis added). I shall return to the idea of an egalitarian ethos to supplement institutional justice at the end of this paper—my suggestion will be that the attraction of this idea derives its main appeal through an oscillation between principles and policies.

tialism. Here, in contrast, I want to highlight a certain parallel between Cohen's egalitarianism and consequentialism. One may find this echoed already in Scheffler's strategy. For suppose that Cohen is unsatisfied, as I have suggested, with Scheffler's division of moral labour, and his attempt to secure a space for the individual pursuit of a good life. The obvious riposte back to egalitarians like Cohen is that if equality were really a value as they conceive of it, then our engagement with it would be susceptible to the kinds of problem long outlined by critics of consequentialist accounts of values. That is: the complaint back to authors who insist on the value of equality is that they have an objection to Rawls only to the extent that they present us with a picture which is aptly described in the terms used by Scheffler for consequentialism, namely that they 'make room for the traditional norms of personal life only insofar as their use can be justified at a putatively more fundamental level where a thoroughly impartial concern for all individuals prevails' (Scheffler, 2005: 235).⁴

In what follows, I shall develop this line of thought further. I shall argue that the particular understanding of the value of equality that Cohen needs echoes some familiar foundational problems in utilitarian conceptions of value; that both approaches are committed to a form of consequentialism. But before I proceed, a clarification is in order. Egalitarianism is diverse, and not all egalitarians have the commitments to which I just referred. Many people consider that equality constitutes an attractive political ideal, one which is part of the promise of a just society. We recognize the importance and legitimacy of the claims that others have on us through political institutions, and many of these have traditionally been expressed in the language of egalitarianism. So the concern here is not to attack egalitarianism as such, but rather a particular philosophical understanding of it. That is to say, my concern here is to work out *what* we value or should value through a political ideal of egalitarianism; not to question whether we do or should have such an ideal in the first place.

4. Of course in (Scheffler, 1982) Scheffler has made one of the main contributions to the significance of this worry, and the shape that moral theory may take in the light of it.

Consequently, I will employ the term *intrinsic egalitarianism* for the view that there is a value that equality has *in itself*: that there is an autonomous, impersonal, political value, and hence that proper engagement with this value may be in competition with the pursuit of personal aims.⁵ Egalitarianism, more broadly conceived, is simply the espousal of a political ideal of equality, whatever values that ideal is to taken to be grounded in. And in contrast to intrinsic egalitarianism, I aim here to sketch a conception of egalitarianism which embraces the political ideal of equality but denies that there is any distinctive value to equality in itself. Such egalitarianism need appeal to no more than the ordinary values that we can all recognize in the pursuit of our own personal aims. Of course, even on this view, one must admit that conflicts can and do arise between the pursuit of equality and one's concern for a good life; but no such conflict will be an instance of a deep division among our values, between the personal and impersonal values. For on this conception of egalitarianism, there is no reason to think of equality *as such* as of value.

I proceed as follows. I start out from the connections noted by Thomas Nagel between egalitarianism and utilitarianism, before turning to the separate strands of ethical and metaphysical doctrines that the two exhibit in order to isolate some common traits, but also to highlight some key dissimilarities. The main difference between these two doctrines is that intrinsic egalitarians substitute the intrinsic value of equality for the impersonal value of welfare within what remains a broadly consequentialist framework; and this, I argue, is not a welcome move. In particular, someone who makes this move will find him- or herself committed to encouraging equalization, which

5. For intrinsic egalitarians equality may be instrumental to achieve valuable political or social goals but it is also a value to be promoted for its own worth. Examples of intrinsic egalitarians are G. A. Cohen, whose criticism of Rawls Scheffler discusses in his article, and also Larry Temkin (who uses the term *non-instrumental egalitarianism* to characterize his own position). Thomas Nagel also sometimes writes as if he is committed to this idea. (See Section II below.) Of course those who are intrinsic egalitarians might not envisage their view in such a way that the stress on equality is what they highlight—the manner in which I present their view is one that they will not necessarily endorse. Authors sometimes termed 'luck-egalitarians' may or may not be committed to intrinsic egalitarianism. At any rate the debate about luck-egalitarianism is principally centred on responsibility and choice rather than on the intrinsic value of equality, and therefore covers a different set of issues.

commitment, or so I contend, is not appropriately explained by invoking fairness. In its place, my suggestion is that, instead of mirroring utilitarian theory of value, egalitarians could do worse than to retake the *political* legacy of utilitarianism, its political concern to find a response to claims of need of individuals, and its appeal not to be selfish in one's demands on common resources. I conclude by saying that this political element, common to the egalitarian tradition and to utilitarianism, can be separated out from the particular theory of value adopted by consequentialism.

My main suggestion in this paper is that exploring and developing the political ideal of equality thus understood might allow for egalitarianism to be individualized rather than consequentialist, and, to use a Rawlsian phrase out of its original context, political rather than metaphysical.⁶ Scheffler suggests that we need a moral division of labour within the individual among impersonal and personal values. When it comes to equality, however, I want to suggest that we do not need to appeal to this kind of division. Rather we need to understand the division of labour within society as organized such that we can provide an adequate institutional response to needs, in particular through political institutions so arranged that they guarantee that everyone has enough to enjoy safely a life of value.⁷ The attractions and the claims that society so organised has on us can be understood just by reference to what we all value in the pursuit of our individual goals, without having to step outside of that into impersonal values.

But now to egalitarianism and utilitarianism.

II

I am not the first writer to draw attention to the connections between egalitarianism and utilitarianism. In his article 'Equality', Nagel notes in passing a similarity between his favoured

6. I use the term *metaphysical* just to indicate the commitment to a certain metaphysics of value, namely the intrinsic (and not merely instrumental) value of equality.

7. By needs I do not mean what is sometimes called 'basic needs'. Rather, I start out from the idea of need as that which is a requirement for someone to flourish. For discussions of this way of looking at needs, See (Wiggins 1998: 1–59) and (Foot 2001).

view, egalitarianism, and a certain outlook on ethical theory, utilitarianism, or more specifically, utilitarian consequentialism. Both conceptions are, he writes, ‘applied first to the assessment of outcomes rather than of actions’ (Nagel, 1979: 117). The parallel he notes between utilitarianism and egalitarianism is not generally embraced by intrinsic egalitarians. A superficial explanation of this neglect of kinship would be that utilitarianism has had a very bad press, so no one wants to be seen keeping its company. But let me tentatively offer what I think might be a more charitable and plausible account of why this parallel has been otherwise left unremarked.

Nagel compares egalitarianism and utilitarianism in terms of their shared consequentialism: their holding that the rightness or wrongness of actions (or policies) depends on their tendency to lead to good or bad outcomes or state of affairs. Now the rejection of utilitarianism in contemporary political thought does not focus on its consequentialism, if by this we mean the simple (but contentious) thought that states of affairs are to be compared and ranked as better or worse than each other, and that there is always a reason, or even a duty, to bring about a better than a worse state of affairs. Rather, objections to utilitarianism typically treat it as a theory of distributive justice, and point out, following Rawls, that utilitarianism ‘fails to take seriously the distinction between persons’ (Rawls: 1999, Sect. 5: 24).⁸ That is, the counter-intuitive consequences of embracing pure utilitarianism tend to be the focus in discussions of it, and in turn are offered as reasons to reject it. So critics tend to overlook the positive grounds for endorsing it and fail to consider how one can avoid a commitment to it in the light of them.

Moreover, one may think that these implausible, or unacceptable, political directions of utilitarianism can be challenged without having to abandon the appealing idea that morality (or indeed rationality) requires that we choose the action or social policy which, of those available to us, delivers the best state of affairs. Indeed, as I shall go on to argue (taking

8. Rawls also considers that utilitarianism ‘mistakes impersonality for impartiality’ (1999, Sect. 30: 166). This second line of criticism has not received as much attention as the oft quoted separateness of persons. I shall return to this distinction between impartiality and impersonality, and in particular to what might be contentious in attaching impersonal values to state of affairs in Section III.

my lead from Philippa Foot), it is difficult to escape the appeal of this way of putting things, unless we challenge the very *possibility* of meaningfully ranking overall social states of affairs from best to worst in a morally significant way.

Once we distinguish the consequences, so to speak, of utilitarianism and the grounds for endorsing it, it becomes easier to see how one might explicitly reject utilitarianism through concern with what follows from it, yet still tacitly be moved by what led to the doctrine in the first place. And hence it becomes intelligible how the constitutive, formal consequentialism of many contemporary theories becomes invisible. (To repeat: by *consequentialism* I mean the idea that morality requires that we should bring about the best outcome of those available to us. Properties of states of affairs are thus the primary end of our actions.) For those who find the ranking of state of affairs an appealing way of thinking about what morality requires while also recognizing difficulties with utilitarian political and distributive principles, it becomes tempting to leave foundational consequentialism unquestioned, and instead to seek to avoid the problematic aspects of utilitarianism by an appeal to, for example, individualistic side-constraints. The resulting theory thus remains consequentialist at heart, while being held up as a departure from utilitarianism. This, I hypothesize, is the main reason why those contemporary defenders of the moral worth of equality (those who are committed to the thought that, other things being equal, the best action or policy is that which brings us closest to an outcome in which equality obtains) do not term themselves consequentialists. And this is why they ignore the formal similarities with consequentialist reasoning in their theories.

Let us be a little more precise about what egalitarian consequentialism with side-constraints is. An 'unconstrained' consequentialist egalitarian would be committed to the thought that the right action, the right social policy, is that which, out of those available to us, brings us closest to a valuable state of affairs, equality. But, anyone attracted to this form of definition of egalitarianism will swiftly qualify it. The most salient way in which intrinsic egalitarians have modified this is simple model is in order to take into account the role that desert might play in distribution. And in addition, they will insist that we need not conceive of equality as the *only* intrinsic value: other values

come into conflict with equality. (Standardly, this is held of liberty.) Hence the need to appeal to side-constraints. So a more precise formulation of egalitarian consequentialism is this: the right action, or the right social policy, is that which, out of those available to us, and subject to whatever restrictions need be imposed in order to respect other values such as liberty, brings us closest to a state of affairs in which people are rendered as equal as possible.

How does this relate to G. A. Cohen? He describes his own theoretical attitude thus:

I take for granted that there is something which justice requires people to have equal amounts of, not no matter what, but to whatever extent is allowed by values which compete with distributive equality; and I study what a number of authors who share that egalitarian view have said about the dimension(s) or respect(s) in which people should be made more equal, when the price in other values of moving toward greater equality is not intolerable. ... An *equalisandum* claim specifies that which ought to be equalized, what, that is, people should be rendered equal in. A qualified or *weak equalisandum* claim says that they should be as equal as possible in some dimension but subject to whatever limitations need to be imposed in deference to other values ... [M]ine will be a weak proposal ... (Cohen, 1989: 906ff)

This seems to be just an expression of what we have outlined as intrinsic egalitarianism with side-constraints, committed to (i) identifying fundamental respects in which it is good that people be made equal, and (ii) balancing and adjudicating the claims of this value against other values also to be promoted. This picture also seems to be what Nagel has in mind when he presents us with the task of assessing how much overall goodness would be brought about by an appropriate combination of values to be promoted:

If equality is in itself good, then producing it may be worth a certain amount of inefficiency and loss of liberty ... (Nagel, 1979: 108)

In contrast to classical utilitarianism, then, I will assume that intrinsic egalitarianism espouses a plurality of values, but still focuses on the centrality of equality: intrinsic egalitarianism presses that we must recognise or promote equality as a value,

while adjudicating its claims relative to other values. But of course, as I indicated above, I don't think this is the only or the best way of conceiving of egalitarianism as a political doctrine. So before I proceed, let me conclude this section by highlighting two of the ways in which one might question this conception of the moral value of equality.

- (i) Although it may be common to conceive of liberty and equality as distinct and conflicting values, this is not the only way of conceiving the relation between them. A long tradition envisages liberty as something we care about, and as of deep importance to us, but which needs to be protected *through* political equality. On this way of viewing things, equality is nothing *but* instrumental.
- (ii) In as far as equality is treated as a fundamental, intrinsic, moral value to be promoted, it is not distinctively *political*. Again, there is an alternative, long-standing, and specifically political ideal of equality which is elaborated by reference not to any outcome (with its corresponding additive model of moral considerations or reasons), but rather by reference to the legitimate claims that others have on us through political institutions.

What this suggests is the existence of two rival conceptions of equality, what I called consequentialism with side-constraints, and a more political conception. But in order to separate these two strands *within* egalitarianism we need to gain a better understanding of what draws intrinsic egalitarians to consequentialism. I turn to this task in the next section.

III

We saw that for some key contemporary exponents of egalitarianism the right action, the right social policy, is that which, out of those available to us, and subject to whatever restrictions need be imposed in order to respect other values, brings us closest to a state of affairs in which people are rendered as equal as possible. In embracing this view, these theorists commit themselves to two contentious theoretical tenets, namely (i) the intrinsic worth of equality and thereby (ii) the acceptance of various formal aspects of consequentialism. These two aspects

may be combined with a third, namely a maximizing model of moral considerations (according to which one should bring about more rather than less good). On the resulting view what is to be maximized is the degree to which people are rendered equal.

The first elements of utilitarianism to highlight in comparison are those which make it a distinctive ethical and *metaphysical* doctrine. These are (i) its postulating the intrinsic worth of well-being and, consequently, (ii) its commitment to consequentialism. That is: the utilitarian supposes that goodness, utility, or welfare, suitably aggregated, are what morality requires that we should bring about. This goes together with the idea that the property through which we establish a comparison and a ranking of policy options is welfare conceived as a property of states of affairs as such. The conception of welfare involved in this account is that of an *impersonal* value, a value attached directly to the outcome brought about, in contrast to a conception of the welfare of particular individuals, and how some things can thereby be good for a given individual.

I mentioned earlier that political philosophers have tended to concentrate on the counterintuitive consequences which stem from unrestricted aggregative considerations. In response, they have placed limits on what can be done to each person in pursuit of the greater overall social good. But the adoption of a deontological framework (in order that fundamental individual rights should not be violated in pursuit of the overall social good) leaves untouched the idea that there is such a thing as the goodness of states of affairs to be promoted through individual actions or policy-making.

In contrast, anti-consequentialists such as Foot have opted for a different strategy; one which investigates the intuitive grounds for endorsing the starting point. In particular, they point out against this conception of overall goodness that thus having to protect individuals against pursuing (relentlessly) the best state of affairs should give us pause. (That is to say: when we understand the best state of affairs precisely as that which promotes things which are good for individuals.) They therefore treat counterintuitive consequences of this perspective as a *symptom* of a prior mistake, and they suggest that an earlier and more fundamental departure from the consequentialist framework is called for. More importantly, Foot and others have called into question

the very reliance on the *meaningfulness* of ranking overall social states of affairs from best to worst from an *impersonal* perspective (the perspective of a supposed *shared end*). ‘Consequentialism in some form’, Foot writes, ‘follows from the premiss that morality is a device for achieving a certain shared end. But why should we accept this view of what morality is and how it is to be judged? Why should we not rather see that as a consequentialist assumption, which has come to seem neutral and inevitable only in so far as utilitarianism and other forms of consequentialism now dominate moral philosophy?’ She suggests that we ask ourselves *who* is supposed to have this end, and concludes with a challenge: ‘Perhaps no such *shared end* appears in the foundations of ethics, where we may rather find individual ends and rational compromises between those who have them.’ (Foot, 1985).

Utilitarians posit a value (welfare of states of affairs as opposed to welfare of an individual) which, according to critics such as Foot, we have no reason to believe exists. Of course, a specific commitment to welfare as a property of state of affairs need not be part of egalitarianism. But the commitment to ranking outcomes of actions as better or worse, which is the consequentialist aspect of utilitarianism, *is* present in intrinsic egalitarianism, as we saw above.

Of course to this complaint of Foot’s one might respond with puzzlement: ‘What’s so wrong about aiming at good states of affairs?’ What is there to object to in the idea of good (and thus better or worse) states of affairs? It is obvious that we aim at good things; the adjective *good* can qualify a great diversity of things. Why should the idea of good *states of affairs* be any more puzzling than, say, there being good shoes or good manners?

This is not the place to provide a full exegesis of Foot’s position. However exploring her resistance a little more will help to underline what is controversial in the consequentialist conception of the goodness of state of affairs. So it is worth trying to spell out more exactly where consequentialist reasoning is supposed by her to be creative or controversial. So, the consequentialist is liable to recommend to us that:

- (i) We value a good, *Fness*.
- (ii) A state of affairs a feature of which is the realization of *Fness* is, to that extent, a good state of affairs.

- (iii) A state of affairs in which there is more rather than less of *Fness* is, at least in that respect, a better state of affairs.
- (iv) Of those available to us, we should bring about the best state of affairs.

None of the moves from (i) to (ii), or (ii) to (iii), or (iii) to (iv) is uncontroversial, nor do they just follow from the idea of a good. By the end of the list, the good at which we aim *also* has to play a key role in evaluating the resulting action; it becomes a *measure* of whether we have acted rightly. Now to make goodness do this kind of work is to attribute to it a new role in our conception of value and practical reasoning, and one which doesn't simply follow from our use of the word 'good' when applied to such things as shoes and manners. The consequentialist and her opponent can agree about our aiming at a range of good things. But what is at issue between them is the way in which the goodness of states of affairs provides a different kind of reason. This conception of goodness does not parallel the way in which we talk about good shoes or good manners, for it introduces the output of practical reasoning as if it were an (additional) input. In other words: this conception of a way in which a state of affairs can be good already brings with it a consequentialist conception of how actions are to be evaluated.

Now we can see that the intrinsic egalitarian conceives of the value of equality as being a property of states of affairs: for a situation will exemplify equality (as they conceive of it) only when the individuals within it stand in certain relations to each other. So for the intrinsic egalitarian, equality couldn't be simply a property of individuals or of goods (unlike welfare). But as we have just seen the worry with goodness as a property of states of affairs that Foot raises doesn't turn solely on this being an attribute of a certain *kind* of entity, namely a state of affairs. Rather the concern arises when the value in question bears on practical reasoning in a novel way. So the question is: does the intrinsic egalitarian think of the equality of state of affairs as policing our options for action, as the utilitarian thinks of the welfare of state of affairs as doing so? I think the best strategy for addressing this question is first to put it in the context of a line of thought which is liable to make consequentialism in general

seem to be inevitable as our theory of value. In particular, I have in mind the attractiveness of a maximizing conception of rationality.

We can approach the matter by envisaging the maximization of rightness. For some, rightness is an essentially distinct form of assessment of actions and policies from wrongness. For example, according to Scanlon, wrongness is what would be disallowed by any principle that people moved to find principles for the general regulation of behaviour could not reasonably reject. (Scanlon, 1998) If one adopts this perspective, wrongness has a definite status which is not matched by rightness: there need be no such thing as *the* right thing to do. After all, it may be that there are an indefinite number of ways of acting, any of which would be an answer to the question 'What shall I do?', and all of which would be right just in the sense of not being *wrong* for one to do.

However there is something very attractive about a conception of practical reason which centres on the possibility of there being (always, or for the most part) a determinate answer to the question 'What to do?' and, in that case, rightness rather than wrongness will be centre stage, with the focus on what you have most reason to do: the right action or policy, all things considered. (Here 'all things considered' stands for overall burdens and benefits which befall individuals.) And this might go hand in hand with a maximizing conception. Other things being equal, if you can produce some good rather than none, then surely morality and even rationality demand that you choose that course of action which maximizes goodness. The picture I propose is that a fundamental appeal of a consequentialist account of reasoning lies in this maximizing conception of practical rationality. This second aspect is completely independent from welfare: rather than being focused on any particular end of practical reason, it is concerned with its form. And if one embraces it, it might seem to make consequentialism inevitable. So one might think that this is what some intrinsic egalitarians who are not utilitarians are responsive to.⁹

We are now in a better position to see what the connection between intrinsic egalitarianism and consequentialism might be.

9. Note that this is not to say that the ethos of maximizing leads *unavoidably* to consequentialism.

The two concerns discussed above can be combined in order to explain the consequentialism of intrinsic egalitarianism. We saw that intrinsic equality is not a property which individuals or group of individuals have. All the same, just because it is a property of state of affairs it doesn't mean that it does play the same role as goodness does within consequentialism. Indeed, thinking from the perspective of a plurality of values, one might think that equality just forms *one* of the considerations into what one ought to do. In accord with this, we saw earlier that intrinsic egalitarians conceive of the goodness of equality as just one among the many considerations which bear on what makes an action right, rather than that in terms of which actions are evaluated as better or worse. So far one might conceive of someone who affirms the value of equality but still rejects consequentialism, in embracing a plurality of values, with equality just one among the goods we pursue. But, in fact, this is not the position intrinsic egalitarians occupy for the way in which other values are conceived as bearing on the claim of equality is only as side-constraint; and the model of egalitarianism with side-constraints treats values as if they are that *relative to which* actions are better or worse. (Rather than, those things a concern for which ought to move us to act, or those things which are input into our deliberation.) Egalitarians, that is, seem to suggest that equality is that through which we measure the success of policy-making. It may not follow from identifying a property of states of affairs, such as the equality realized within them, as something of value that a theorist is thereby committed to a consequentialist understanding of how that value bears on right action. Nonetheless, we can see that intrinsic egalitarians have in fact embraced the further move, and conceive of the way in which equality in states of affairs polices our actions on the same model as utilitarians conceive of welfare of states of affairs doing so. That is, that states of affairs are better or worse in terms of their closeness to perfect equality, *modulo* the side-constraints imposed.

Let us take stock. So far I have highlighted possible common consequentialist and/or maximizing threads which might be running through utilitarianism and some forms of intrinsic egalitarianism. But there is a definite and important difference between them, a difference located in their theory of value. For

their main point of disagreement lies in the value in the world which is to be promoted, and with reference to which outcomes can be compared and ranked from best to worst.

It is helpful to set this disagreement in the context of the political impulses that have been associated with utilitarian thought. In terms of its recommendations regarding policy-making, utilitarianism starts from an immediate political concern, namely the concrete sufferings and deprivations of individuals. The specifically political view of utilitarianism, put very roughly, would be this: there is something which has an immediate pull on us, namely claims of need, and one must be responsive to it through building a society which is properly attentive to the well-being of individuals. An insistence on the virtue of beneficence, the appeal not to be selfish in one's demands on common resources, and the impulse to find a formula which properly arbitrates between needs of individuals in the best or most reasonable way, are all consequences of this original political concern.

To call this aspect of utilitarianism *political* is meant to underline how, in its early development, utilitarianism should be understood as having been a social movement in which people were moved, in a particular social setting of limited available resources, by claims of need of others, and so sought a doctrine within which to articulate their responses to those claims; and we can make sense of many of the views they put forward in terms of how they hoped to arrange the main social institutions in order to be properly responsive to those claims. This is surely a more plausible explanation of the huge impact that early radical utilitarianism had on political thought, and political discourse more broadly, in contrast to any account which hypothesizes that people were in the grip of some aspect of abstract ethical thought.

In turn, this suggests that we can make sense of how people can be moved to political action by certain political messages, without necessarily being in the grip of any specific ethical picture. So, in looking at the history of utilitarian writings, one might wish to separate out the political picture of utilitarianism, the way in which it drew quite wide support, from what one might call more strictly philosophical utilitarianism. Although the latter might be the only coherent philosophical account of all the claims that a utilitarian makes, still it may not best

explain the initial political impulse. Instead we might seek to distil the following *political legacy* of utilitarianism away from its philosophical consequences: the insistence on principles of distribution and of social policy which can negotiate claims of needs others have on us, in a context of scarcity of shared resources.

Now this political impulse is equally present in a very long tradition of egalitarian thought. One way of putting the main thesis of this paper is that this distinctively political element, present in both egalitarianism and utilitarianism, can be separated out from particular ethical doctrines, and in particular the theory of value adopted by consequentialists.

As we have stressed, intrinsic egalitarians do not take this route. The focus of their concern is at the level of the theory of value and not that of the discussion of political messages or impulses. They retain the formal consequentialist aspects of utilitarianism, but substitute the value of equality in the place of the impersonal value of welfare. Yet even if philosophical utilitarianism is creative in positing welfare as a value of states of affairs which measures the rightness of our actions; the idea of welfare it exploits is still at least partially intelligible in terms of the welfare of individuals and our feelings of benevolence towards them. In contrast, taking bare equality as a value is to substitute something which has no independent appeal at an individual level and so ought to be seen as mysterious when conceived as a valuable feature of states of affairs. Consequently it seems to me that the intrinsic egalitarian's point of departure from utilitarianism is not particularly welcome. To this I turn in the next section.

IV

I noted at the beginning of the previous section that there were two contestable theses to which contemporary intrinsic egalitarianism is committed, namely the moral worth of equality and a form of consequentialism. Taken together, these define a ranking of state of affairs from best to worst in virtue of how equal people are. We saw some significant formal similarities with utilitarianism, but also an important contrast, namely that well-being is replaced by equality. The precise contrast is

this: One might think that the impersonal value of overall welfare can be understood in terms of, or derived from our conception of how things can be good for individuals, how things can be of value to particular persons. However we cannot understand equality in this way; rather it can only be understood as being *directly* posited as an *independently* valuable state of affairs, as was noted many years ago by T. M. Scanlon:

Beyond...instrumental arguments, fairness and equality often figure in moral arguments as independently valuable states of affairs. So considered, they differ from the ends promoted in standard utilitarian theories in that their value does not rest on their being good things *for* particular individuals: fairness and equality do not represent ways in which individuals may be *better off*. They are, rather, special morally desirable features of states of affairs or social institutions. (Scanlon, 1978; stress in original.)

Here, as later in his ‘Diversity of Objections to Inequality’, Scanlon’s position is that the moral case for intrinsic equality would seem less urgent if other ends, such as humanitarian or anti-domination concerns (to which equality is instrumental) were achieved. There might be an important role to be played by a moral idea of substantive equality beyond the values to which equality is instrumental, but, he writes ‘it remains unclear exactly what that idea would be’ (Scanlon, 2002: 57).

However we may press the oddity of ranking states of affairs with regard to how equal people are made in them just a step further. For intrinsic equality is not only difficult to spell out precisely; there is, on reflection, something really mysterious in setting it up as quite independent of any individual good. Let me explain. Of course there will always be a limit to what can be done to illustrate to someone that something is of value when they are sceptical—for people to recognize the value in something involves appreciating it in some way which doesn’t necessarily purely result from a piece of reasoning. Still, for many values, we can illustrate to someone how it is a value by pointing out some individual’s life which involves engaging with that thing as a value, and noting how intelligible that person’s life is. In the case of welfare, there is no difficulty in us recognizing the personal value of welfare; that is: being moved by concern with

the welfare of individuals. As Foot stresses—and I have echoed in the discussion above—welfare so conceived should not be confused with the value of welfare the utilitarian needs. Still, we might be thought to understand how the latter is a value by analogy with the former. And here we have a stark contrast with equality: as we noted at the outset, equality just isn't the kind of thing that an individual can pursue or care about in isolation within his or her own life. If equality is a value then it is a value we engage with socially, through our political and social institutions. So the intrinsic egalitarian has to illustrate to us that it is intelligible that we pursue equality as a value by indicating how our institutions and policies could be responsive to this value. But this takes us back very close to what is already in dispute: whether we can only understand the kinds of political ideals and the social policies which egalitarians espouse in the political realm in terms of a value of equality.

One of the ways of bringing out quite how strange it is to think of equality as a value has of course long been pressed through the familiar objection of levelling-down. (Sometimes the only way to realize equality is through levelling everyone down, thus making nobody better off and some worse off.) However, to those who press the implausibility of equality as a genuine value through this objection, intrinsic egalitarians have an answer. Believing that there is something valuable in a state of affairs in which things *are* equal doesn't mean that one is committed to equalizing. In Larry Temkin's oft quoted words:

The non-instrumental egalitarian claims equality is valuable in itself, even if there is no one for whom it is good. . . . But, the anti-egalitarian will incredulously ask, do I *really* think there is some respect in which a world where only some are blind is worse than one where all are? Yes. Does this mean I think it would be better if we blinded everyone? No. Equality is not all that matters. But it matters some. (Temkin, 2002: 155, slightly reformulated from Temkin, 1993: 282—the difference is that the sensible person who asks for more clarification is now termed 'anti-egalitarian'.)

Now some feel that this commitment to a plurality of values is enough to escape the oddity of the position. 'Equality matters, but it is not all that matters', they repeat sagely. But if not

silenced by the sheer force of rhetoric, one wants to ask *why* it should matter that a state of affairs be more equal than another. Or to put it in other terms: the answer only works against the charge that intrinsic egalitarians are committed to realizing a certain kind of affairs (equalization by levelling down). But the deeper puzzle is in intrinsic egalitarians finding something valuable in these situations in first place. Where the utilitarian can appeal to a value which has some immediate pull on us, the well-being of individuals, the intrinsic egalitarian appeals to something much more mysterious: the intrinsic goodness of a state of affairs in which people are equal (*even if* this equality is obtained at the cost of depriving each and all individuals of some of what they previously possessed).

However intrinsic egalitarians have an answer. The explanation we seek comes in terms of another value, namely fairness. Equality matters because fairness matters. Here is what Temkin says:

Non-instrumental egalitarians care about *equality*. More specifically, on my view, they care about *undeserved, nonvoluntary*, inequalities, which they regard as bad, or objectionable, because unfair. Thus, the non-instrumental egalitarian thinks it is bad, or objectionable, to *some* extent—because unfair—for some to be worse off than others through no fault or choice of their own. (Temkin: 2002, 129–130, stress in the original.)

This way of putting things may have initial appeal, but on reflection it really should leave one even more puzzled. Not only is it unclear *why* fairness should matter in itself (this clarification just pushes the puzzle one step back), it is also quite unclear why fairness should be invoked at all. Yet the discussion is not normally pushed beyond this point. So in what ways can fairness be invoked without raising controversy?

Fairness is an important virtue, and there are situations which demand that an *agent* acts fairly. Fairness so conceived is a virtue of the way in which one acts: it is a procedural value of acts or decisions. Though fairness may be a moral requirement on an agent in a particular situation, it cannot be a goal of action, a state of affairs to be promoted (apart from, that is, the irrelevant end here of promoting people being fair in their decisions and

actions). And on the face of it there is something puzzling in thinking of justice as a duty to repair inequalities which are termed 'unfair', if we cannot point out to the agent or the process which introduced them 'unfairly'.

One might recommend (as Rawls famously does) that we think of principles of just distribution from an *initial* position of fairness in which parties to a contract cannot introduce an arbitrary bias in the agreement reached. (The thought parallels Rousseau's view that we should abstract from human-made inequalities which we have come to find 'natural', and start from a hypothetical state of nature in which they do not exist.) But this is still to think of fairness as a *procedural* virtue. It would be a mistake to deduce that this commits us to envisaging fairness as the *outcome* or state of affairs we should arrive at, and to believing that justice *is* fairness. That Rawls is so often thought to be committed to just this seems to me a mistake. He wrote: "[T]he name "justice as fairness" . . . conveys the idea that the principles of justice are agreed to in an initial situation that is fair. The name does not mean that the concepts of justice and fairness are the same, any more than the phrase "poetry as metaphor" means that the concepts of poetry and metaphor are the same' (Rawls, 1999: 11).

Be this as it may, the idea that it is bad, because unfair, that some be worse off than others through no fault of their own has a strong initial intuitive grip on us. But are we *really* moved by fairness? I think that there might be another explanation. For consider the following example:

A small, fantastically prosperous, community is such that each and all of its members have more than enough to live extremely well, to meet not only their needs but to take advantage of opportunities open to them and to exercise talents they decide to develop. Still wealth varies within the community from those who have more than enough to those who have several times more than enough. This unequal distribution is the result of luck rather than individual choice or effort.

This is just the kind of distribution which some intrinsic egalitarians are inclined to call 'unfair', for there is inequality, and it does not result from personal choice or desert. Yet the

intuitive grip that fairness might have had on us in a world with some fundamental individual needs unmet does not seem nearly as pressing in these heavenly circumstances. One may even think that there would be some fetishism involved in insisting on equalizing in such conditions. It would also appear strangely moralistic to call 'bad' the attitude of these who, having more than others, yet do not feel an impulse to redistribute towards the less fortunate, for these are still *very* fortunate: they have more than enough.

What this suggests is that fairness becomes extremely important solely in conditions of scarcity. This would also explain the common, but on the face of it perplexing, rider that inequalities suffered by the worst off matter fundamentally, but solely when it is 'through no fault or choice of their own'. The thought might be this. Where in a community some individual needs are unmet, it would seem selfish of these who are better off not to devote resources to those whose well-being is adversely affected. Given conditions of relative scarcity which prevail in all human societies, common resources devoted to this purpose will not meet every need that there is. So we must have a *fair procedure* to attribute resources. In particular, it would seem *unfair* for some to demand a share of scarce resources (and thus deprive others in dire conditions) if they could do without.¹⁰

If this is right, though, what matters fundamentally is neither equality nor fairness, but individual needs. Fairness regains its place as a procedural virtue for institutional agents responsible for adjudicating the distribution of goods. We should hold off, that is, embracing intrinsic egalitarianism. Does this mean that we should just give up egalitarianism as a political doctrine and repudiate the political ideal of equality? As I have already indicated I think there is no need to take this course. We can make sense of someone being an egalitarian in a political sense, who is moved just by values that we find intelligible within the personal domain—I have in mind principally the recognition of the welfare and needs of others that engages our benevolence. What would make such a view egalitarian is not the distinctive

10. For a development of the idea of a reasonable threshold of demands on others see my 'The Distribution of Numbers and the Comprehensiveness of Reasons', *Proceedings of the Aristotelian Society*, Volume 105 (2005).

values the view is grounded in, but rather the political policies one is moved towards—namely the espousal of policies with are equalizing in their effects, that lead to re-distributions which are more equal than the current status quo. To make sense of this is to see how there can be a distinctive role for political institutions in relation to equality without there having to be a role for equality as a value. This is to return us to the debate with which we started, and Cohen's complaint against Rawls. Before applying ourselves back to Scheffler's debate with Cohen, though, we need to draw out a little more issues of values, principles and policies of distribution.

V

Earlier in this paper I distinguished between several aspects of utilitarianism. In particular, I made a distinction between its postulating a metaphysics of value through the comparison of state of affairs (in terms of how they fare with regard to overall welfare), and a more direct political impulse, grounded in the concern for well-being of others. Now we have re-encountered claims of needs of other individuals as the source of the current egalitarian concern with fairness. Can a *political* egalitarianism rooted in this important impulse be defined? And if so, can it escape the ways in which political utilitarianism becomes self-defeating? I think that such an account might be sketched, and to this I will turn at the end of this section. But first let me remove a misunderstanding that might arise regarding the political implications of egalitarianism.

It is very tempting to think that the divide between theoretical positions is located in the policies of distribution which ensue from the principles they define. Egalitarians start from the assumption that principles or values advocated by other perspectives support less strictly egalitarian distributions than a proper concern for equality would recommend. The thought would be that an egalitarian society is to be distinguished by the preparedness of individuals to give more to others, and to be more responsive to claims of needs of others, for example because their actions are more fully informed by an egalitarian ethos. But tempting as this is, it is a mistake. To see this, it is

useful to envisage policies advocated by intrinsic egalitarians and by their opponents.¹¹ Take as an example of the latter Frankfurt's stance against the moral worth of equality and in favour of sufficiency.¹² (Frankfurt famously claims that 'if everyone had enough, it would be of no moral consequence whether some had more than others'; Frankfurt, 1988: 134–35.)

One of the main foci of egalitarian objections to Frankfurt's position, it seems to me, is the misconception that his is a political argument in favour of something like a 'safety net' to meet minimum needs. But Frankfurt himself notes that his concern with sufficiency 'differs from merely having enough to get along, or enough to make life marginally tolerable' (1988: 152), that by 'enough' he means 'enough for a good life, not...merely enough to get by' (1999: 146), and even that sufficiency might lead to prefer an equal distribution, for 'it might turn out that the most feasible approach to the achievement of sufficiency would be by the pursuit of equality' (1988: 135). So Frankfurt and the intrinsic egalitarian might well be arguing for exactly the same policy, namely an equal distribution.¹³ They just would do it for different reasons.

Still, critics who accuse Frankfurt of not being sufficiently egalitarian could have a different thought, namely that, in some circumstances, an inegalitarian distribution will be consistent with Frankfurt's principles. However, a moment's reflection should show that this can't be a cogent criticism either, for as our discussion of the levelling down objection highlighted, even the proudest intrinsic egalitarians do not advocate egalitarian

11. On the question of policies advocated by egalitarians, compare Samuel Scheffler's analysis of the striking rise of luck-egalitarianism during the period in which welfare-state liberal societies have become much less redistributive (Scheffler 2003).

12. For an illuminating discussion of the idea of equality which shares some elements with Frankfurt's position see Joseph Raz (Raz, 1986).

13. Note that in his second article devoted to the idea of equality and respect Frankfurt goes even further in meeting egalitarian concerns, for he highlights that someone can be legitimately offended by inegalitarian treatment, though he is 'quite satisfied that he has as much of everything as he can use' (Frankfurt, 1999: 150). The thought is that this inequality of condition might still be objectionable, though sufficiency is met, if there is an agent responsible for this discrepancy, and that agent failed to distribute advantages and/or disadvantages treating each person with respect (that is: impartially and without arbitrariness). Frankfurt's point is that still, in this case, the claim of equality is derivative: it is grounded in the more fundamental moral notions of respect and impartiality.

policies of distribution in all circumstances. (Otherwise they would exhort us always to level down.)

Thus intrinsic egalitarians might appear threatened by a dilemma: if what makes them egalitarians is the intrinsic worth of equality, then they are only egalitarians if, and when, they say that the right thing to do is to level down. Whereas if they remain neutral as to what the right thing to do *all things considered* is, then it seems that they have no ground to say that Frankfurt isn't an egalitarian. As we have seen, intrinsic egalitarians escape this dilemma by saying that to be egalitarian is to be moved by equality itself, as well as by other values. But that this seems the sensible thing to say to show that Frankfurt is not properly egalitarian only comes from thinking that there is some claim equality has on us which is *more* than what Frankfurt endorses. There must therefore be something *other* than the political policies aimed at meeting claims of sufficiency, policies of which Frankfurt is, as we have seen, happy to concede that they might be best achieved through pursuing equality. Now the commitment to something more is precisely what is puzzling (in a way utilitarianism is not). This is what the example of levelling down highlights: the concern is not just whether there are other values which make us refrain from levelling down. The real problem is finding the worth in levelling down such that we have to be restrained from it.

What this brings out is that there tends to be a conflation of principles and policies as the focus of egalitarian debate. One has to decide: is one an egalitarian because one advocates an *egalitarian policy of distribution in the actual world*, or must there rather be *a distinctive set of principles which justify policies of distribution in an egalitarian way for any possible circumstance?* As we have been discussing intrinsic egalitarianism, it seems to be focussed on the later (the commitment to equality *per se*, regardless of circumstances). But the justification for this leads to a questionable metaphysics of value, and seems to confuse a concern for fair distribution of scarce resources in the actual world with fairness as a desirable outcome. By thus framing the issue, intrinsic egalitarians present us with the unattractive choice of either being termed 'anti-egalitarians' or embracing levelling down (a type of equalization which would deserve Hume's words that 'however specious these ideas of *perfect* equality may seem,

they are really, at bottom, *impracticable*; and were they not so, would be extremely *pernicious* to human society¹⁴).

Ironically, this unpalatable alternative is also the one we are presented with by critics of intrinsic egalitarians such as Frankfurt, for these see no need to stress that one can be moved by egalitarian concerns even where one is sceptical of the foundations of intrinsic egalitarianism. That is: both sides of this debate about the metaphysics of value have chosen to associate the term 'egalitarianism' just with a controversial attitude within ethics proper. And the regrettable result is that so few people seem to recognise the natural demand to connect this debate within philosophy with what has actually moved people in political action when they have been stirred by talk and thought of equality. Yet it is important to recognize how people in being moved to political action can genuinely have a concern with equality in that context, and how such motivation can be intelligible independent of any ethical controversy.

I think this now puts in our hands the resources to address the debate with which we started between G. A. Cohen, on one side, and Rawls and Scheffler, on the other. Cohen's criticism now appears ambiguous between two quite different concerns. The first concern, which is shared by liberal egalitarians, is that it is possible to imagine policies quite different from the ones we do have, policies which redistribute more to the least well-off and take less seriously the self-interested motivations of those who have a lot. As Scheffler and others have pressed, and as I have just highlighted through a different route, this concern is not well grounded. Intrinsic egalitarians, *sufficientists* à la Frankfurt, and liberal egalitarians may all be committed to exactly the same policies of distribution in the real world; and sometimes these policies will be ones of equal distribution. It is also open to all of these different ethical viewpoints to argue for distributive equality for reasons others than the mere possession of goods, say to foster what Rawls calls the social bases of self-respect. (I take it that this is what some people mean by the importance of equality of status.) But in these further cases the claim of equality is still merely derivative, and grounded in attention

14. Hume, David, *Enquiry Concerning the Principles of Morals*, Section 3, Part 2, ¶26, stress in the original.

to needs or respect for persons, not in the value of equality *per se*.

This suggests that Cohen might have a second, quite different, concern in mind: namely, that while the policies of redistribution argued for by liberal egalitarians such as Rawls or Scheffler might be quite just; still, compatible with this, self-seeking entrepreneurs within such a society could fail to affirm the importance of equality, thereby indicating a less than good society. They do not, that is, affirm the right principles, even if they give willy-nilly to support the right policies, and hence the right distribution. Now this seems to commit us to the view that it is the role of society to educate people in what really matters, even if we derive enough from them to meet the need of all. (This thought might then be what underpins the talk of the need for an ‘egalitarian ethos’.) Of course some will be happy to embrace this view, but I take it that it constitutes quite an illiberal thought, one which need not form part of the political ideal of equality. If the principal political impetus for egalitarianism is the desire to meet the claims of the needy, why should we also be focused on the task of re-education, when those less concerned with the claims of the poor are still resigned to contribute their bit to their welfare?

That is to say, we can see the dialectic developed between Cohen, Rawls and Scheffler like this. Cohen complains that Rawls does not do enough to recognize the value of equality as a value for individuals—consistent with the basic structure, there may be people who pursue their own self-interest and care not at all for equality. Scheffler responds, that the liberal egalitarian can indeed recognize the importance of equality as a value for individuals: it is just that the way in which we engage with this value is through creating institutions which seek to maintain equality among people, in such a way that these people can also properly pursue their more personal aims and goals. At the outset, I suggested that this wouldn’t satisfy Cohen. He could still complain that the just society might harbour individuals who do not properly respect the value of equality, if the institutions are concerned solely with maintaining equal distributions. That is to say, he seems to suggest that a just society should be concerned to create institutions which seek to maintain equality but which also seek to inculcate a proper appreciation or respect of this value.

In the discussion above, I have suggested a somewhat blunter rejection of Cohen's challenge. Where Cohen goes wrong, I have argued, is in supposing that we should value equality in itself in the first place, and hence that we should explain the appropriateness of the institutions we construct by reference to this value. What should move us towards favouring equal distributions are concerns which can be found just within each person's pursuit of a good life: recognizing the claims of need that others have on us. From this perspective, there need be no further value which our institutions have to embody in order for them to express an egalitarian outlook. Of course, we may add, the society which results may contain many individuals whose outlook fails to reflect what we think a good agent ought to care about. But it is doubtful that a liberal egalitarian would then conclude that what we should engage in is the re-education of these people the same set of concerns that we have.

Intrinsic egalitarians have written as if there is no way for equality to be of value to us unless it is of intrinsic value. In this context, the question 'Why value equality?' has become the question what form of consequentialism should we endorse. A consequence is that where one might have expected an echo of political debate about the demands and limits of equality, one finds instead a purely theoretical debate about the existence of certain kinds of value and what can show us that the structure of states of affairs or the presence of fairness should matter to us in itself. In effect: they seem to have undermined the political appeal of equality, and thus, contrary to their intention, the very possibility of a widespread egalitarian ethos.

My alternative suggestion is this. A properly political form of egalitarianism, one which is less creative in the values it posits to justify its principles, is liable to generate egalitarian distributive policies in the actual world (and in relevantly similar worlds). We can conceive of equality as an ideal drawing on an individualized ethics as opposed to consequentialist concerns (that is, as based in our concern for other individuals rather than as an essentially consequentialist value which has to be constrained by our respect for other individuals). So thinking of equality is to locate its appeal for us directly in the political domain. We are to think of equality as a political not metaphysical concern. That is to say that in engaging with equality we are not to suppose that

some additional value whose nature and status may be a matter of ethical controversy need be introduced. Rather on the basis of values which are already entirely intelligible to us, we can be moved to demand equality among people in actual circumstances of scarcity and claims of need. Egalitarianism is rooted in our concern for the needs of other individuals; its values should be these things which can impact on a point of view that an individual occupies, things that can intelligibly matter to individuals.

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