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**Facing Inequality:
Rawls, Sen and Cohen on the Space of Egalitarian Justice**

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**A Thesis
in
The Department
of
Philosophy**

**Presented in Partial Fulfilment of the Requirements
for the Degree of Master of Arts
Concordia University
Montreal, Quebec, Canada**

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ABSTRACT

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Edvard Lorkovic

This study explores the evaluative spaces in which egalitarians work. Beginning with John Rawls' theory of political justice (i.e., justice as fairness), the thesis examines critiques of Rawls' scheme of primary goods by Amartya Sen and G.A. Cohen and their respective egalitarian evaluative spaces - capabilities and midfare. It is suggested that these spaces are helpful extensions of Rawls' scheme, however, they are not decisive against it. Contrary to Sen's and Cohen's critiques, Rawls' theory and its scheme of primary goods should not be understood as a resource based egalitarian theory. Rather, a Rawlsian egalitarian evaluation will include resource, welfare and capability or midfare considerations. Finally, it is intimated that an approach which remains broad rather than focusing on one egalitarian target will be the most helpful in facing inequalities in the world.

DEDICATION

I dedicate this work to all those who have asked *the* fundamental question - both of others and primarily of themselves: "How could you rise up every living day, telling yourself everything is OK? When you look at life you'll see it slipping away, there are those who cry every moment, every day."

(Buju Banton, "How Could You")

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Dr. Kai Nielsen, whose challenges and enthusiasm over three semesters have helped a stark individualist realise that he is not alone in this world and that there are considerations beyond those of the self and its immediate surroundings. Without Dr. Nielsen's numerous suggestions - above all the suggestion that I *must* read *A Theory of Justice* - this thesis would not have been possible.

Michelle Braiden whose criticisms - both constructive and destructive - have been both humbling and instructive and whose support and inspiration have been immeasurable.

My family and friends along with the faculty at Concordia's Philosophy department and Liberal Arts College (primarily Eudene and Lina who, as everyone knows, run their respective departments). This thesis, after all, may have taken only six months to write, but it has taken twenty two years to prepare.

And finally, the Roman Catholic Ethic and the Spirit of Socialism.

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INTRODUCTION: EQUALITY OF WHAT?

Our world is not an equal world. The empirical evidence to support such a claim is unfortunately too familiar. Even in our seemingly more “free” Western liberal democracies inequalities are numerous and pervasive. There are those who are malnourished, those who are unhealthy because they are unable to obtain adequate medical services, those who are discriminated against because of their gender, race or religious beliefs. In short, many people today are unable to live “adequate” lives. Determining what precisely an adequate life might be is surely problematic, however, it seems uncontroversial enough to assert that far too many people’s life prospects and overall quality of life are not adequate, whatever “adequate” turns out to be.

How might this unequal world be improved, how can it become more just? Making the worst-off better-off is certainly crucial for anyone who takes these disparities seriously, however, how the worst-off are to become better-off is far from obvious. It seems that what is called for is some kind of equalisation, but what needs to be equalised? Perhaps these disparities can be addressed by focusing on equality, but equality of what? This question (perhaps more *en vogue* since Amartya Sen's 1979 lecture fittingly entitled “Equality of What?”) is of fundamental importance to all egalitarians, would-be egalitarians and anti- or non-egalitarians. If we seek to advocate or develop an egalitarian theory we must know what kind of equality is being

sought. On the other hand, if we choose to refute egalitarianism we again must know what kind of equality we are refuting. Human diversity makes it impossible to use “equality” as a blanket term. There is no absolute equality. Because humans are such diverse creatures (faced with diverse environments, diverse genetic structures, diverse socialisation, etc.) equality in one area may lead to inequalities in other areas: “a blanket embrace of equality, then, implies blindness to diversity” (J. Cohen, 1995: 275). Equal income, for instance, will lead to inequalities in welfare because of diverse interests and variations in physiology. A pregnant woman needs more food and, as a result, more income for food than a woman - similar in relevant ways to the first woman (e.g., age, size, lifestyle) - who is not pregnant. Equality is always equality of something, equality in some respect, and determining which respect is relevant is of fundamental importance. We need to be clear about the space in which we, as egalitarians, are working. As egalitarians we must ask ourselves the Senian question: “equality of what?”

Numerous answers to this question have been suggested in egalitarian literature with a primary division - with variations - between equality of means (resources) and equality of ends (welfare). Resource egalitarians suggest that in a just society, all people should be provided with an equal and fair share of resources; they should have equal means for pursuing their varied aims. Welfare egalitarians, on the other hand, suggest that what

should be equal in a just society is citizens' welfare, represented as pleasure, happiness and/or preference satisfaction. This approach seeks to ensure equally good results. Resource egalitarians, arguing against equality of welfare, claim that many people require exorbitant amounts of resources in order to achieve their preferred welfare level. These people inefficiently convert resources into welfare. Some such converters are quite blameless - they may be handicapped in some way - and can potentially be accommodated by resource egalitarians (Dworkin, for instance, considers physical ableness as a resource), but others are quite simply negligent (e.g., they prefer to live extravagantly) and should not be compensated with extra resources. Rather, they ought to be held responsible for their negligence. Why should such persons, the claim goes, be offered more resources in order to attain equal welfare? For their part, welfare egalitarians offer a similar argument against resource egalitarians. Not all people can make do with the same resources. Human diversity leads people to convert resources differently. Equal resource allocation cannot provide people with fair shares since what people can do with their resources will vary. In order to lead equally satisfying and pleasurable lives people require varying amounts of resources. Neither view seems fully satisfactory.

In response to this inadequacy, Sen has responded with a third way of sorts, an "alternate formulation of equality" which has tended to be overlooked (Sen, 1980: 197). This third way, calling for equal capability for

functioning, focuses on what a person can do with her goods. G.A. Cohen, adopts a similar view, namely what he calls 'midfare', which focuses on everything goods can do to and for people, including capabilities but not restricted to capabilities. He proposes an evaluative space which is broader than capabilities to achieve basic functionings alone, yet, like Sen's evaluative space, is prior to welfare and posterior to resources. In suggesting alternate formulations, Cohen and Sen clearly reject both equality of resources and of welfare. In so doing, they both criticise the Rawlsian position with its scheme of primary goods, rejecting it as a resource based plea for equality.

My contention in this thesis is twofold. First, I suggest that both Cohen and Sen misrepresent the Rawlsian position. Rawls' project cannot, I would suggest, be reduced to an advocacy of equal resources. Primary goods as resources are not the primary focus of Rawlsian egalitarian considerations. The Rawlsian scheme does not only consider the means to subsistence, but includes a consideration of ends in its conception of the person and the subsequent moral equality of such persons. Moral equality, for Rawls, is of greater importance than equality of primary goods. As such, Rawls should not be understood as attempting to answer the question "equality of what?" strictly in resource terms (nor strictly in welfare or midfare terms). For Rawls, persons are equal in terms of two moral capacities (i.e., the power to form and revise conceptions of the good and the

power to adopt and act from principles of justice) and primary goods are considered a means to achieving this end, they are the adequate means needed in order to produce the end of moral equality. Rawls, therefore, is also interested in what goods can do for people. Primary goods enable citizens to be free and equal, to live full and meaningful lives.

Second, and stemming from the first contention, egalitarians would be better served by abandoning a search for *the* space in which to work. There is not one single target (to borrow Daniels' term) for egalitarians to consider. The space in which egalitarians should work is manifold and complex. Adequate egalitarian theories, therefore, should pay serious attention to resources, midfare and welfare, and perhaps other considerations as well. As Nielsen has neatly stated: "we egalitarians need a bigger and more finely meshed net which includes welfare considerations as well as resource and capability considerations" (Nielsen, 1996: 139).

Chapter I will examine Rawls' egalitarian theory. This examination will stem from Rawls' *A Theory of Justice* with an attempt to refine that theory using Rawls' subsequent work. The approach will be somewhat eclectic, drawing from various sources. In spite of Rawls' own admission that his later work attempts to correct some of *Theory's* flaws, there seems to be more than enough continuity in his work to justify such an approach. The point will be to show that Rawls' concern is not so much with resources (primary goods) as it is with what those resources can do, which brings Rawls

closer to Sen and Cohen than Sen and Cohen may realise. Primary goods are intended to enable persons to be morally equal (in terms of moral powers), and are distributed accordingly; if an equal distribution leads to moral equality all the better, but an equal distribution is not necessary. Chapter II will turn to Sen's capabilities approach, focusing on some of Sen's criticisms of Rawls. These criticisms, primarily the accusation that Rawls' conception of primary goods is a "fetishism", seem to be misconceived and inadequate. The focus on capabilities, however, is a helpful way of approaching problems of distributive justice. Chapter III will examine G.A. Cohen's development from Sen's account and its criticisms of Rawls. Cohen's midfare, much like Sen's capabilities, is an interesting and important specification of Rawls' theory, but it too does not serve well as a decisive criticism of Rawls. In fact, both Sen's and Cohen's accounts can be interpreted - as they will be presently - as important extensions from Rawls and helpful refinements of inequality evaluation rather than decisive criticisms against Rawls. This last point will be elaborated in the concluding chapter where the intimation that egalitarians ought to abandon the notion of a single evaluative space will be more clearly suggested.

CHAPTER I: RAWLSIAN EQUALITY

"How is it possible for there to exist over time a just and stable society of free and equal citizens, who remain profoundly divided by reasonable religious, philosophical and moral doctrines" (Rawls, 1993: 4)? This is the fundamental question John Rawls has sought to answer in his more recent work. Rawls is concerned with social cooperation and its possibility given the modern condition of pluralism. As a liberal view, justice as fairness accepts the pluralism of reasonable comprehensive doctrines as a fact and as a permanent characteristic of modern society, a fact and characteristic that is neither avoidable nor lamentable. Modern citizens assert varying and potentially conflicting reasonable comprehensive doctrines, yet they cannot, in a liberal democracy, appeal to the coercive power of the state in order to promote their comprehensive doctrines at the expense of others' comprehensive doctrines. Such action would be unreasonable. In short, it is unreasonable and wrong (because unreasonable) for citizens to be coerced to adopt particular conceptions of the good. Because citizens affirm incommensurable yet reasonable comprehensive doctrines, no single conception of the good can regulate the terms of social cooperation.

If we cannot appeal to comprehensive doctrines to regulate social cooperation, how then are the terms of social cooperation to be determined? For Rawls, social unity and citizens' allegiance to social institutions rests, not

on a unifying comprehensive doctrine, but “on an agreement as to what is just for free and equal moral persons with different and opposing conceptions of the good” (Rawls, 1982: 160). Rawls' idea is that, in spite of the incommensurability of comprehensive (and partially comprehensive) doctrines and their possible conflicts, agreement over principles of justice is possible - provided that citizens' comprehensive doctrines are reasonable. Such agreement enables an overlapping consensus, which, to return to our fundamental question, makes it possible for there to “exist over time a just and stable society of free and equal citizens.”

A cynical reader may interpret Rawls' question to ask: how is it possible to find a perfect utopian society?¹ After all, bringing about a *just and stable society of free and equal citizens* is no small feat. Considering further that reasonable pluralism is taken as an inescapable fact of modernity, one might wonder why Rawls even bothers. A just and stable

¹ For criticisms - and fairly cynical readings - of Rawls see Gray, 1995. Mouffe, 1995 and Wolin, 1996. Wolin in particular pushes the utopian criticism, suggesting that Rawls works out a theory which is “a construction that claims merely to be that of a free-standing society but is, in actuality, a utopia in the pejorative sense, an ideological project whose author is unaware that he has fashioned a disfigurement instead of a solution” (Wolin, 1996: 119). My aim is not to defend Rawls against some of these very important and to-the-point charges, but rather to take a Rawlsian approach to understanding Rawls. As a teacher, Rawls felt that making the best of a philosopher was the best way to learn from them (Herman, Korsgaard, Reath, 1997: 3). I will, therefore, not criticise his position, but interpret it so as to make the best of it, using Sen's and Cohen's critiques to help refine his position. For a quick and polite response to this charge of utopianism, however, I borrow from G.A. Cohen who dismissed a similar charge against Amartya Sen (in the following, I quote G.A. Cohen, 1994 page 129, replacing “Sen” with “Rawls” and adding a parenthetical comment): If ‘utopian’ means starry-eyed, Rawls is not. If it means wanting the world to be better, but having no idea how to make it so, then, again, that is not Rawls (although his solutions may be questionable, the tremendous influence he has had on philosophical, political, economic and legal discussions - which in turn affect policy making - seems to indicate that he does

society would be difficult enough to conceive without the fact that those citizens will affirm incommensurable and potentially conflicting comprehensive doctrines. Ideal theory or non-ideal theory, why bother with such utopian idealism?

Rather than asking how a utopia (good-place/ no-place) could be possible (i.e., how the blueprints for an ideal world might be drawn), I take Rawls' question to ask the following: given the fact that people hold, and will, in all likelihood, continue to hold, incommensurable moral, religious and philosophical doctrines, how is it possible to achieve social stability?, how is stability in a liberal society possible?, how will the citizens in a modern liberal society be able to cooperate and form a social union? This is not an idealistic or utopian concern, but an important and practical one. Stable cooperation will be impossible both if people's views are repressed, if they are coerced to adopt a particular conception of the good (the "true" comprehensive doctrine), and if there is no basis for agreement in society conceived of as a fair system of cooperation over time, if some consensus cannot be reached.

Is an overlapping consensus realistic? John Gray, for example, has criticised Rawls' notion of an overlapping consensus for neglecting value pluralism and the need for radical choice between alternatives which are incommensurable or rationally incomparable. The desire for consensus, however, does not deny the need for difficult and potentially radical choice

have some important and helpful ideas as far as making the world better is concerned). If it means wanting the world to be better. then he is, commendably, guilty as charged.

and the possible controversy and loss which can be the result of such choice. Rawls clearly admits Berlin's important point, which seems at the root of Gray's critique, that there is no social world without loss and conflict (Rawls, 1993: 197). Consensus need not mean that all political problems and concerns are decided in advance. Radical choice may be unavoidable, however, there seems to be some basis for the majority of our choices. A foundation from which we can begin to adjudicate between possible alternatives is needed for social cooperation to be at all possible - we cannot be complete relativists and still hope for social cooperation (that murdering another human being seems good for me is not justification for murder - value pluralism, as Gray clearly states, need not mean value relativism).² After all, as Rawls suggests, society as a cooperative venture is marked both by conflict and identity (Rawls, 1971: 126). There is an identity of interests insofar as social cooperation makes it possible for all to achieve a better life than they would were they to fend for themselves, and there is a conflict of interests insofar as persons are not indifferent to the distribution of benefits: everyone prefers securing more rather than less, they prefer a larger to a lesser share. Conflict may be unavoidable in society, however society cannot be marked solely by conflict; it is also marked by interest, by agreement, and by some consensus (at least, we hope, on certain fundamental issues - what Rawls calls constitutional essentials). Incommensurable and conflicting

² On the notion of radical choice and the suggestion that Rawls' scheme neglects such choice and the fact of value pluralism see Gray, 1995.

views, therefore, must be respected (provided they are reasonable), however, some consensus is necessary - there must be enough common ground to make cooperation among citizens possible.

What kind of consensus will be possible given the fact of reasonable pluralism? Rawls tries to isolate the basis of such consensus in a shared political conception of justice, in agreed upon principles of justice which treat all citizens as free and equal. For a contemporary society to be stable, it must treat its citizens as both free (free, for instance, to adopt reasonable comprehensive doctrines) and equal (equal in their capacity to form and revise their doctrines of the good and to pursue those doctrines, provided they are reasonable). We ought not, then, be appalled by Rawls' notion of free and equal citizens when contrasted with the real world's citizens who are both unfree and unequal. Rawls is certainly not so blind as to not notice the enormous disparities in freedom and equality in our contemporary world. He is, however, certainly not blind to the fact that the modern world is not terribly stable either (the Balkans provide a compelling example). Rawls' point, though, is that, in order for a modern society to be stable, citizens must be both free and equal in the required manner. To the question, "why bother with equality?" (or Sen's second question: "why equality?"), we must answer, "because without equality, it will be impossible for a stable society to exist over time" (remembering always that we are dealing with modern liberal and pluralist societies under the condition of moderate scarcity), assuming of

course, as one should, that some form of stability is desirable.³

Rawls offers the following schematised response to the fundamental question which outlines what has been said and what will subsequently be developed:

(T)hree conditions seem to be sufficient for society to be a fair and stable system of cooperation between free and equal citizens who are deeply divided by the reasonable comprehensive doctrines they affirm. First, the basic structure of society is regulated by a political conception of justice; second, this political conception is the focus of an overlapping consensus of reasonable comprehensive doctrines; and third, public discussion, when constitutional essentials and questions of basic justice are at stake, is conducted in terms of the political conception of justice (Rawls, 1993: 44).

A. THE PRINCIPLES OF JUSTICE

Rawls suggests that the principles of justice which will enable this consensus between free and equal citizens will be based on a general conception of social justice. Since Rawls deals with *social* justice, the subject of justice will be the basic structure of society: "the way in which the major institutions distribute fundamental rights and duties and determine the division of advantages from social cooperation" (Rawls, 1971: 7). These major institutions are taken to be "the political constitution and the principal economic and social arrangements" which "define men's duties and influence their life-prospects, what they can expect to be and how well they hope to do

³ I urge anyone doubting the desirability of stability to attempt to imagine life in Yugoslavia and Kosovo over the past few months. If they can conceptualise that situation and empathise with the inhabitants of that region, I would then challenge them to deny that stability is desirable - certainly not at all cost. but desirable none-the-less.

so" (Rawls, 1971: 7). Institutions are an essential consideration for social justice because they exact a pervasive influence in determining the quality of citizens' lives in society. Institutions are capable of determining different social positions into which people are to be born with different life chances determined by those positions. As such, institutions can favour certain starting places over others leading to deep inequalities from the beginning. A theory of justice with its principles of justice will, if it is an egalitarian one, therefore be applied to these inequalities with the hope of eliminating or at least minimising their ill-effects by rendering those very institutions just. By doing so, the hope is that institutions will no longer favour certain starting places over others. Such a theory seeks to ensure that the basic structure of society will be just, that it conforms to our general conception of justice. In short, Rawls' theory seeks to preserve (or perhaps, rather, to impose) background justice.

Rawls' general conception of justice states that: "all social primary goods - liberty and opportunity, income and wealth, and the bases of self-respect - are to be distributed equally unless an unequal distribution of any or all of the goods is to the advantage of the least favoured" (Rawls, 1971: 62, 303). It is not necessary that all inequalities be removed, but rather, those inequalities which disadvantage certain members of society must necessarily be removed. If an inequality can improve my initial equal share, without making others worse off, then it is permitted by this general conception of

justice. If, on the other hand, it takes away from my fair share of primary goods or limits what I can do with that initial fair share, then that inequality is not acceptable. Take for instance a local grocery store owner whose success not only creates a substantial amount of income for her and her family, but makes it possible to supply customers with less expensive goods (more business leads her to buy larger quantities at lower prices which she then in turn sells for a lower price - but not necessarily at less profit - in order to further increase sales). The ensuing inequality between myself and the grocery store owner is acceptable because her increased wealth makes it possible for me to accomplish more with my initial fair share. If my groceries cost less, I can make other purchases with my money or invest it so that I can have even more resources at a later date. We must keep in mind that my improved share is a direct result of an inequality since without her increased wealth and the ensuing inequality, my initial share could not accomplish more. If on the other hand, the same store owner amasses so much capital that she buys out all the grocery stores in the neighbourhood, then, since she has created a monopoly by eliminating her competition, decides to raise the prices thereby limiting what my fair share can accomplish (my groceries will now cost more, leaving me with less for other expenses), the ensuing inequality is unacceptable.

This general conception leads to Rawls' formulation of the two principles of justice:

1. Each person has an equal claim to a fully adequate scheme of equal

- basic rights and liberties, which scheme is compatible with a similar scheme for all; and in this scheme the equal political liberties, and only those liberties, are to be guaranteed their fair value.
2. Social and economic inequalities are to satisfy two conditions: first, they are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least advantaged members of society (Rawls, 1993: 5-6. See as well, Rawls, 1971: 60-61, 302-303; Rawls, 1982: 161-162; Rawls, 1985: 323; and Rawls, 1989: 32).⁴

These principles are ranked in a serial order with the first principle being lexically prior to the second principle and the first part of the second principle being prior to the second part of the second principle (the Difference principle). To make this ranking perspicuous Rawls suggests two priority rules. The first rule (The Priority of Liberty) suggests that “the principles of justice are to be ranked in lexical order and therefore liberty can be restricted only for the sake of liberty” (Rawls, 1971: 302). Of such restrictions there are two cases: first, “a less extensive liberty must strengthen the total system of liberty shared by all”; and second, “a less than equal liberty must be acceptable to those with lesser liberty” (Rawls, 1971: 302). The difference principle and fair opportunity cannot undermine basic liberties. Liberty can only be compromised for the sake of liberty, one liberty can only be undermined if another more essential liberty will be enhanced. The principle of equal liberty must be satisfied before any other principle: “until this is

⁴ Prior to his 1985 article, Rawls’ first principle called for “an equal right to the most extensive basic liberty compatible with a similar liberty for all”. Since 1985, Rawls has amended that, now calling more modestly for “an equal claim to a fully adequate scheme of equal basic rights and liberties”. Instead of demanding equal liberties, the principle now calls for a fully adequate amount of liberty, allowing for variations given people’s varying needs. Because of this change, I have quoted the principles from Rawls 1993 rather than from Rawls 1971.

achieved no other principle comes into play” (Rawls, 1971: 244).

The second priority rule (The Priority of Justice over Efficiency and Welfare) suggests that “the second principle of justice is lexically prior to the principle of efficiency and to that of maximizing the sum of advantages; and fair opportunity is prior to the difference principle” (Rawls, 1971: 302-303). Again, there are two cases: first, “an inequality of opportunity must enhance the opportunity of those with the lesser opportunity”; and second, “an excessive rate of saving must on balance mitigate the burden of those bearing this hardship” (Rawls, 1971: 303). We might say that efficiency cannot undermine justice. We cannot compromise the difference principle or fair opportunity for the sake of utilitarian advantage or efficiency (although we should not want an inefficient society either).

B. PUBLIC JUSTIFICATION, CONSIDERED CONVICTIONS AND MORAL INTUITIONS

It must be emphasised that I am neither offering a defence nor a critique of Rawls’ principles as such. I am more concerned with the *egalitarian motivation* behind those principles, which, it is important to note, are designed to regulate institutions in such a way that *all citizens* will be able to willingly accept those institutions. Institutions must be publicly acceptable, and as such, justice as fairness “aims at uncovering a public basis of justification on questions of political justice given the fact of reasonable

pluralism” (Rawls, 1993: 100). The justification for those institutions proceeds from that which can be held in common: “we begin from shared fundamental ideas implicit in the public political culture in the hope of developing from them a political conception that can gain free and reasoned agreement in judgement” (Rawls, 1993: 100-101). In order to begin from shared implicit ideas, the conception of justice which Rawls seeks must be one which is based on ideas and principles which coincide with our own convictions as individuals: “a political conception of justice, to be acceptable, must accord with our considered convictions, at all levels of generality” (Rawls, 1993: 8; see also Rawls, 1985: 323-324). Considered convictions are those judgements “given under conditions in which our capacity for judgement is most likely to have been fully exercised and not affected by distorting influences” (Rawls, 1989: 23). These judgements are provisional moral fixed points, and as such come to be intuitive fixed points - as when Lincoln claimed that if slavery was not wrong nothing was.

Our considered convictions, however, often conflict with others’ convictions: my moral fixed point could be at odds with your moral fixed point concerning the same issue. What is more, our own considered convictions are often themselves at odds (i.e., “the implications of the judgements we render on one question may be inconsistent or incongruent with those we render on other questions”), which begs the question: “how can we make our considered judgements of political justice both more consistent

within themselves and more in line with the considered judgements of others without imposing on ourselves an oppressive political authority?" (Rawls, 1989: 23).

We can accomplish this by bringing our considered convictions under a wide and general reflective equilibrium. The idea is that we adapt our intuitions to conform to a carefully considered conception of justice which, since it has been considered with great care and rigour, itself conforms with our most basic moral intuitions: we must work from both ends. To do so, we must carefully consider "alternative conceptions of justice and the force of various arguments for them" in addition to carefully examining our own conception and how well these different conceptions conform with our considered judgements (Rawls, 1989: 24). Principles of justice, if they are to be applied to the basic structure of society in order to determine background justice, must cohere with our most basic intuitions about what is just and what is unjust. If there is a deep conflict between our intuitions and the prospective principles, we know that one or the other (or both) is unsatisfactory. As such, our considered convictions are altered or withdrawn accordingly.

It might be prudent at this point to recall that Rawls' basic motivation in *A Theory of Justice* is to provide a systematic theory which makes sense of our basic moral intuitions. Rawls' project attempts to provide an alternative to two unsatisfactory theories of justice: utilitarianism and intuitionism.

According to Rawls, Utilitarians had dominated comprehensive political philosophy, but had neglected certain basic moral sentiments, yet on the other hand, those philosophers whose theories appealed to moral intuitions did not offer convincing systematic alternatives:

During much of modern moral philosophy the predominant systematic theory has been some form of utilitarianism. ... Those who criticized them often did so on a much narrower front. They pointed out the obscurities of the principle of utility and noted the apparent incongruities between many of its implications and our moral sentiments. But they failed, I believe, to construct a workable and systematic moral conception to oppose it. The outcome is that we often seem forced to choose between utilitarianism and intuitionism (Rawls, 1971: viii).

Rawls' theory must be seen for what it is: an alternative to utilitarianism, a systematic political theory which seeks to conform to our considered convictions at all levels of generality. Rawls seeks a median between the traditional theories; he develops a systematic theory (like utilitarianism) which makes sense of our intuitions about justice (like intuitionism). Rawls' theory seeks to focus our moral intuitions. There is a deep practical reason for this project. Not only does it provide a theoretical basis for our intuitions, but a systematic theory which includes our intuitions will also provide us with ways of reconciling our considered convictions when in conflict (reflective equilibrium). The theory will, it is hoped, helpfully guide us when our intuitions conflict. It is not sufficient merely to act from moral intuitions, but rather we must see why those intuitions are correct (if they are indeed correct), and if they are not correct, we must come to

understand that they should be withdrawn. Rawls' theory sets out to develop "a comprehensive political theory that structures our different intuitions" (Kymlicka, 1990: 52).

C. THE BASIC INTUITIVE IDEA

According to Rawls there is one fundamental intuition which connects all other basic ideas. Justice as fairness takes as its fundamental idea that of "society as a fair system of cooperation over time, from one generation to the next" (Rawls, 1993: 14). Rawls takes this intuition to be implicit in the public culture of any democratic society. Members of a society must cooperate since their lives are intricately linked with the lives of other citizens. No single person, after all, can be self-sufficient (remember Aristotle's proclamation that only a god could render social interaction redundant through self-sufficiency). In a liberal democracy, however, social cooperation is regulated by the premise that every citizen matters equally, that every member of society's voice is equally important and as such, society must be a fair system of cooperation between free and equal citizens because it will have been determined and regulated by the citizens' voice. Of course, this is not always the case in practice (or rather, "rarely" the case). Democracies often deviate from their ideal form, however, Rawls' notion that this idea is implied by the public culture of democracy seems correct.

Cooperation must be distinguished from socially coordinated activity.

Social cooperation is guided by rules which are publicly recognised and accepted by the cooperating parties who acknowledge them as regulating their activity, as opposed to “activity coordinated by orders issued by some central authority” (Rawls, 1993: 16). These rules are ones citizens endorse themselves. This involves a notion of fair terms of cooperation, terms which every participant deems reasonable and can be expected reasonably to accept given that others accept the rules as well. This furthermore, suggests the idea of each participant’s rational advantage or good. Those who cooperate do so because it is in their interest, it is to their rational advantage. As such, justice as fairness, with this basic intuition, offers a basis on which public and/or political debates can be agreed upon. Remembering that citizens have varying and conflicting religious and philosophical doctrines, we must find some way of organising these existing doctrines and the ideas and principles which follow from them into a conception of political justice.

As such, justice as fairness offers the fundamental intuitive idea of society as a fair system of cooperation over time as an organisational idea which connects and relates all other ideas and principles. This basic intuition introduces a notion of reciprocity: citizens agree to certain fair terms of cooperation between themselves provided all other citizens accept those same terms (Rawls, 1993: 16). The result is a publicly recognisable point of view from which social actions can be judged. What we are looking for is a basis for public agreement, a publicly acceptable and publicly

defensible political conception. Justice as fairness "presents itself as a conception of justice that may be shared by citizens" (Rawls, 1993: 9).

D. REASONABLENESS AND TRUTH

As a political conception, justice as fairness is independent of the various philosophical or religious doctrines held by citizens. It is strictly political: "in a constitutional democracy the public conception of justice should be, so far as possible, independent of controversial philosophical and religious doctrines"; that conception is "political, not metaphysical" (Rawls, 1985: 320). Justice as fairness is not a comprehensive doctrine, nor can it be derived from particular comprehensive theories of the good. Rather, as a political conception, justice as fairness is a 'module' which fits into and is supported by various reasonable comprehensive doctrines (Rawls, 1993: 12, 144-145). It is a freestanding political conception. In defending his conception of political liberalism, Rawls makes it very clear that justice as fairness need not undermine our comprehensive views since it is not concerned with 'metaphysical truth'. The question of truth and falsity is not even raised. A political conception, as Rawls construes it, cannot, in fact, proclaim truth, but rather, serves at best as "a guiding framework of deliberation and reflection which helps us reach political agreement on at least the constitutional essentials and the basic questions of justice" (Rawls, 1993: 156). As such, Rawls' conception serves as the basis for cooperation

between citizens who hold their own reasonable (yet incommensurable) comprehensive doctrines; it makes an overlapping consensus of reasonable doctrines possible. So long as they are reasonable, comprehensive doctrines cannot (and should not) be dismissed by a political conception even if it turns out that they are untrue metaphysically.

Rawls does not criticise religious, metaphysical or philosophical accounts of truth as such, he does not criticise comprehensive views based on their inability to proclaim the "Truth". After all, not all comprehensive doctrines can be true, but many can be reasonable. There can be only one true doctrine - if any - yet the pluralism of such doctrines is taken as an inescapable fact. It would be impractical and oppressive to dismiss comprehensive doctrines because they may be untrue. Rather, we must look to the reasonableness of such doctrines. As Rawls points out:

(T)here can be but one true comprehensive doctrine, though as we have seen, many reasonable ones. Once we accept the fact that reasonable pluralism is a permanent condition of public culture under free institutions, the idea of the reasonable is more suitable as part of the basis of public justification for a constitutional regime than the idea of moral truth. Holding a political conception as true, and for that reason alone the one suitable basis of public reason, is exclusive, even sectarian, and so likely to foster political division (Rawls, 1993: 129).

We can only criticise comprehensive doctrines and conceptions of the good based on their reasonableness or, more importantly, their lack of reasonableness. Reasonableness rather than truth is the criteria Rawls uses to judge doctrines. His approach "does not criticise, then, religious, philosophical, or metaphysical accounts of truth of moral judgements and of

their validity. Reasonableness is its standard of correctness, and given its political aims, it need not go beyond that" (Rawls, 1993: 127).

Reasonableness is a rather obscure notion which warrants further clarification and care. In order to better grasp the notion of 'the reasonable', it will be helpful to contrast it with the notion of 'the rational'. "Persons are reasonable," according to Rawls "in one basic aspect when ... they are ready to propose principles and standards as fair terms of cooperation and to abide by them willingly, given the assurance that others will likewise do so" (Rawls, 1993: 49). There is a notion of reciprocity here. It is reasonable to act according to the idea of reciprocity, it is reasonable to not impose our views on others and to conform our behaviour to the fair terms of cooperation with the assumption that the other members of society will do likewise. There is an implicit recognition of the permissibility of other's comprehensive doctrines and conceptions of the good in the idea of 'the reasonable'. One can recognise the reasonableness of a doctrine one does not endorse and accept that doctrine as permissible and worthy of respect - at least worthy of not being repressed. On the other hand, persons are rational when they pursue their interests efficiently, when they choose the best (the rational) means for their desired ends. A murderer, for instance, may be entirely rational in his choice of means for attaining his desired end (i.e., someone's death), but he certainly is not reasonable since he could not suggest his actions as exemplifying the fair terms of cooperation. The murderer is more of a free-

rider who wishes that society cooperate on certain fair terms from which he takes himself to be exempt in a certain circumstance.

For Rawls, these two ideas are distinct and independent, one cannot be derived from the other (in particular, the reasonable cannot be derived from the rational). Their independence, however, does not imply that they are entirely unrelated. Rather, they are complementary ideas, “they work in tandem to specify the idea of fair terms of cooperation” (Rawls, 1993: 52). Citizens could neither be purely reasonable nor purely rational since “merely reasonable agents would have no ends of their own they wanted to advance by fair cooperation” and “merely rational agents lack a sense of justice and fail to recognise the independent validity of the claims of others” (Rawls, 1993: 52).

A further difference between these two concepts is that the reasonable is a public concept while the rational is not. It is by the reasonable that we enter into a public world with others, proposing or accepting fair terms of cooperation. The notion of reasonableness only has meaning in relation to a public world while the rational can relate merely to individual and isolated agents (e.g., the statement “it is rational for me to eat when hungry” need not bear on anyone but myself). When we join these two complementary ideas we find a reasonable society where “all have their own rational ends they hope to advance, and all stand ready to propose fair terms that others may reasonably be expected to accept, so that all may benefit and improve on

what every one can do on their own" (Rawls, 1993:54). This first aspect of reasonableness can be summarised as a willingness to propose and act from fair terms of cooperation provided others do the same. It is what Rawls refers to as the duty of civility.

The second aspect of reasonableness is the willingness to recognise the burdens of judgement. Reasonable persons, it is supposed, will be aware that reasonable disagreements will arise between persons and that citizens will make different reasonable claims. Although they may disagree with other reasonable claims, if the claims are reasonable themselves, it would be unreasonable to oppose or coerce them. It is, therefore, unreasonable for citizens to use the coercive political power of the state (which all citizens, being free and equal, have recourse to) in order to advance their own claims or to coerce others' reasonable claims: reasonable comprehensive doctrines cannot reasonably be opposed using the coercive power of the state. By recognising the burdens of judgement, we limit the scope of what can be reasonably justified to others; the burdens of judgement impose limits on public justification. Repression of reasonable comprehensive doctrines cannot be justified to others. This leads naturally to a form of toleration, we must tolerate conflicting reasonable claims, conflicting reasonable conceptions of what is good. Thus when Rawls contrasts his liberalism with the liberalism of Mill or Kant, he does not suggest that these views need to be abandoned as comprehensive doctrines, but rather that, although they are

reasonable comprehensive doctrines, they do not serve as a common political conception of justice as his political conception does.

E. THE TWO COMPANION IDEAS

In addition to the intuitive fundamental idea of society as a fair system of cooperation over time Rawls suggests two companion fundamental ideas. The first is that of citizens as free and equal persons and the second is that of a well-ordered society. The first companion idea will be more important here so I will look at the second idea first. A well-ordered society is a society where citizens accept the principles of justice and know that others similarly accept those principles. The institutions of such a society will also actually satisfy the principles, which is recognised, for good reasons, by the citizens who themselves have an effective sense of justice (which is necessary for them to understand and apply these recognised principles). “In a well-ordered society,” Rawls explains, “the public conception of justice provides a mutually recognised point of view from which citizens can adjudicate their claims of political right against one another and on their political institutions” (Rawls, 1989: 6).

“Since a conception of justice applies to the basic structure of society regarded as a system of social cooperation, we start by assuming that citizens are free and equal moral persons who can contribute to, and honour the constraints of, social cooperation for the mutual benefit of all” (Rawls, 1982:

164); given the basic intuition of society as a system of cooperation “we adopt a conception of the person to go with this idea” (Rawls, 1993: 18). Since justice as fairness is a political conception it follows that each person is a political person, has an inalienable and unchanging political identity (Rawls’ conception of the person is both political and normative not metaphysical or psychological). A political person is someone capable of being a citizen, “that is, a normal and fully cooperating member of society over a complete life” (Rawls, 1993: 18; see Rawls, 1985: 327). In order to be able to engage in social cooperation, persons are said to be moved by two higher-order interests⁵ to realise and exercise two moral powers. The first power is the capacity for a sense of justice which “is the capacity to understand, to apply, and to act from the public conception of justice which characterises the fair terms of cooperation” (Rawls, 1993: 19). The second power is the capacity for a conception of the good which is “the capacity to form, to revise, and rationally to pursue a conception of one’s rational advantage or good” (Rawls, 1993: 19). In addition, moral persons have another higher-order interest to advance their determinate conceptions of the good (defined by “a more or less determinate scheme of final ends, that is, ends we want to realize for their own sake, as well as attachments to other persons and loyalties to various groups and associations”) at any given time (Rawls, 1993: 19). These conceptions are normally interpreted by religious, moral or philosophical

⁵ In his earlier work, Rawls refers to these interests as *highest-order* interests in order to distinguish these from the *higher-order* interest discussed below. I follow Rawls in his more

doctrines which order and understand the ends and aims of the conception of the good.

In claiming that citizens have these two powers, Rawls suggests that “they have the requisite capacities not only to engage in mutually beneficial social cooperation over a complete life but also to be moved to honor its fair terms for their own sake” (Rawls, 1989: 16). Persons are, therefore, considered to be equal insofar as they are regarded as having these powers to the required minimum degree necessary for social cooperation over time and to engage in society as equal citizens. Since persons can be citizens, participating in a fair system of social cooperation over time, these two moral capabilities are ascribed to them.

By virtue of possessing these two moral powers, it is supposed that citizens are free. As free, citizens can take an active role in society as participating members of that society, conceived always as a fair system of cooperation over time. Citizens are free in three ways. First, citizens are free in that they conceive of themselves and of others as having the power to form conceptions of the good. Citizens are capable of revising and changing conceptions of the good, and as such, are not bound to any particular conception: “as free persons, citizens claim the right to view their persons as independent from and not identified with any particular such conception with its scheme of final ends” (Rawls, 1993: 30). Their conceptions of the good may change and be revised over time, if they so choose - they are “free”

to do so - but their political identity as free persons does not change. Second, citizens are free insofar as they regard themselves as self-authenticating sources of valid claims: "they regard themselves as being entitled to make claims on their institutions so as to advance their conception of the good (provided these conceptions fall within the range permitted by the public conception of justice)" (Rawls, 1993: 32). If claims are reasonable, then they are publicly justifiable as demands for the pursuit of determinate conceptions of the good. Third, citizens are free insofar as they are capable of taking responsibility for their ends. Citizens are "capable of adjusting their aims and aspirations in light of what they can reasonably expect to provide for" and are "capable of restricting their claims in matters of justice to the kinds of things the principles allow" (Rawls, 1993: 34). Citizens are responsible for adjusting their ends, their aspirations, so that those ends can be pursued by the means they can reasonably be expected to acquire in exchange for what they can reasonably be expected to contribute.

F. THE ORIGINAL POSITION

In developing a theory which takes the basic structure as its subject, Rawls works in a social contract tradition which "generalizes and carries to a higher level of abstraction the familiar theory of the social contract as found, say, in Locke, Rousseau and Kant" (Rawls, 1971: 11). According to Rawls, the conception of justice which best specifies the appropriate principles for

realising liberty and equality given that society is a system of cooperation between free and equal citizens over time will be determined on the basis of a social agreement. Rawls' social contract serves to demonstrate the acceptability of his principles of justice given the intuitive idea of society as a fair system of cooperation over time and its two companion ideas of a well-ordered society and the conception of citizens as free and equal moral persons. The Rawlsian contract, however, is not a contract for entering any particular society or for setting up any particular form of government. Rather, the idea is that the principles of justice for the basic structure are the objects of an initial social agreement. Such principles are ones which "free and rational persons concerned to further their own interests would accept in an initial position of equality as defining the fundamental terms of their association" (Rawls, 1971: 11). These principles regulate all subsequent agreements. They indicate the *kinds* of social cooperation and governments that could be established rather than an actual society or government. This agreement will determine the fair terms of cooperation.

For Rawls, the citizens, those persons participating in society, establish the fair terms of cooperation (i.e., through this agreement) according to that which they deem to be their reciprocal advantage. In order to arrive at such an agreement and to fairly determine the terms of cooperation, Rawls introduces the idea of the original position. The basic idea behind Rawls' contract is that a group of people - those actually

participating in society - will decide, through an initial social compact, once and for all what is to count as just and what as unjust. This agreement extends to the background framework of institutions and not to particular institutions, and as such, "we must find some point of view, removed from and not distorted by the particular features and circumstances of the all-encompassing background framework, from which a fair agreement between persons regarded as free and equal can be reached" (Rawls, 1993: 23; Rawls, 1985: 329). The original position is this point of view.

Rawls' original position is comparable to the traditional notion of a state of nature, however, for Rawls, the original position does not represent an historical state of affairs (whether Locke, Rousseau or Kant thought their notions were historical is itself up for debate). The original position (this initial state where this once and for all agreement takes place) is entirely hypothetical and ahistorical. We can, therefore, enter into it at any time by reasoning in a certain way. The original position is the hypothetical situation from which we reason in order to determine the fair terms of cooperation (i.e., to determine our conception of justice), it is a device of representation used by Rawls to isolate fair principles of justice. In the original position, we are to imagine parties representing citizens choosing the principles which best ensure that the citizens they represent will be well placed in society, which best serve those citizens' rational interests as citizens, as moral persons with higher-order interests. These representatives

are said to be behind a veil of ignorance in that they do not know such things as the race, age or gender of the citizens they represent nor, importantly, their conceptions of the good. They do not know anything specific about the citizens they represent. They merely know that the circumstances of justice obtain, that there are certain objective circumstances, such as the condition of moderate scarcity, that make human cooperation possible and necessary, and certain subjective circumstances, such as the fact that individuals have their own life plans, which determine cooperation. Because of this ignorance, the representatives are not in bargaining positions. Since they do not know anything specific about the citizens they represent, they choose the most prudent principles of justice, those which are in everyone's best rational interest. They select principles which will enable even the worst-off members of society (just in case the citizens they represent happen to end up in this group) to function at an acceptable level. The purpose of a veil of ignorance is to prevent parties from exploiting the arbitrary advantages of particular citizens, it ensures that those who might be able to influence the selection of the principles of justice in their favour are unable to do so. Natural endowments of talent are arbitrary, therefore, those who are more talented should not benefit from those talents in influencing the principles in their favour. The veil of ignorance ensures impartiality and as such, the ensuing principles of justice will benefit all citizens and will be fair.

G. PRIMARY GOODS AND INTERPERSONAL COMPARISONS

How are Rawls' principles chosen from this original position?

Recalling that citizens all have determinate conceptions of the good and a higher-order interest to advance that conception, Rawls suggests that there are certain things necessary in order for citizens to fulfil their conceptions: primary goods. These goods are the means needed to produce the ends determined by citizens' conceptions of the good. The parties' ignorance prevents them from knowing the citizens' determinate conceptions of the good, but they are aware that citizens do have determinate conceptions of the good and that those conceptions require primary goods, of which persons prefer more rather than less. Parties behind a veil of ignorance, therefore, will seek those principles of justice which will guarantee the best access to these primary goods for all citizens: "given the set-up of the original position, the assumption is that the parties can best represent citizens as free and equal moral persons by deciding between alternative principles of justice according to how securely these principles provide for all citizens the primary goods" (Rawls, 1982: 165). The parties in the original position seek to enable citizens to lead the most worthwhile lives possible, they seek to select principles by estimating how well those principles secure the primary goods needed to realise the higher-order interests of the citizens. It is in the parties' rational self-interest, then, to adopt a maximin strategy, to seek to maximise the minimum (worst off) position. It is rational for the parties to

select principles which will enable even the worst-off members of society to achieve their higher-order interests, to provide them with the means needed to lead the lives they value, the lives they believe are valuable. As such, it is rational to choose the difference principle which, by limiting the ill effects of the arbitrariness of natural endowments, ensures that even the less talented will be assured of sufficient primary goods, and the principles of liberty and fair opportunity, which, Rawls believes, can ensure that everyone can achieve their higher-order interests.

Given that primary goods are considered to be necessary means for the ends expressed in citizens' conceptions of the good, they also solve a problem of interpersonal comparisons: "the thought behind the introduction of primary goods is to find a practicable public basis of interpersonal comparisons based on objective features of citizens' social circumstances open to view, all this given the background of reasonable pluralism" (Rawls, 1993: 181). Since in a well-ordered society, there will both be a public understanding as to what counts as an appropriate claim concerning justice and citizens will have different and incommensurable (and potentially even conflicting) conceptions of the good, Rawls asks how public understanding will be possible: "given the conflicting comprehensive conceptions of the good, how is it possible to reach such a political understanding of what counts as appropriate claims?" (Rawls, 1993: 179). To do so, we appeal to an idea of rational advantage within a political conception which is independent of

particular comprehensive doctrines. Primary goods address this problem. Although citizens affirm different comprehensive doctrines with different final ends, a shared idea of rational advantage is possible. First, all citizens affirm the same political conception of themselves as free and equal citizens; and second, their conceptions of the good all require the same primary goods (the same kind of goods, if not the exact same amounts). The answer to how a shared understanding is possible is, therefore, given by our conception of the person as free and equal and as having a higher-order interest to advance a conception of the good, which can only be accomplished by a scheme of primary goods (i.e., determinate conceptions of the good can only be advanced if citizens are provided with adequate primary goods).

The list of primary goods are:

- a) First, the basic liberties as given by a list, for example: freedom of thought and liberty of conscience; freedom of association; and the freedom defined by the liberty and integrity of the person, as well as by rule of law; and finally the political liberties;
- b) Second, freedom of movement and choice of occupation against a background of diverse opportunities;
- c) Third, powers and prerogatives of offices and positions of responsibility, particularly those in the main political and economic institutions;
- d) Fourth, income and wealth; and
- e) Finally, the social bases of self-respect (Rawls, 1982: 162).

Due to the lexical ordering of the principles of justice, all citizens in a well-ordered society have the same basic liberties and opportunities. The only permissible inequality, provided of course that it benefits the least advantaged, is in citizens' shares of the final three primary goods, and even

the third seems to be guaranteed by the equal opportunity principle.

Everyone has the opportunity to hold office - or at least to run for office - if they are so inclined and qualified, and fair equal opportunity is intended to enable anyone to be qualified if they desire to be qualified for such positions.

In addition to these five primary goods, there are five reasons (a reason corresponding to each primary good) why it is rational that parties in the original position, in order to best represent citizens, select principles of justice based on their success in assuring primary goods:

- i. The basic liberties are the background institutions necessary for the development and exercise of the capacity to decide upon and revise, and rationally to pursue, a conception of the good. Similarly, these liberties allow for the development and exercise of the sense of right and justice under political and social conditions that are free.
- ii. Freedom of movement and free choice of occupation against a background of diverse opportunities are required for the pursuit of final ends as well as to give effect to a decision to revise and change them, if one so desires.
- iii. Powers and prerogatives of office of responsibility are needed to give scope to various self-governing and social capacities of the self.
- iv. Income and wealth, understood broadly as they must be, are all-purpose means (having an exchange value) for achieving directly or indirectly a wide range of ends, whatever they happen to be.
- v. The social bases of self-respect are those aspects of basic institutions that are normally essential if citizens are to have a lively sense of their own worth as moral persons and to be able to realise their highest-order interests and advance their ends with self-confidence (Rawls, 1982: 165-166).

In order for citizens to be free and equal, in order for citizens to be respected as the moral persons they are, they must be provided with certain basic primary goods. Without these primary goods, citizens cannot adequately pursue their determinate conceptions of the good, they cannot

pursue the ends they deem worthwhile and cannot live the lives they believe to be valuable. The principles of justice are meant to enable citizens to be full persons, and having an adequate distribution of primary goods is necessary for that result. This does not, however, mean that primary goods must be distributed equally. Rawls merely states that primary goods specify what citizens' needs are when questions of justice arise given the political conception of the person (Rawls, 1993: 188). Rawls is not committed to an equal distribution of those goods because he does not claim that all citizens needs will be equal. Different citizens may require different amounts of goods in order to pursue their conception of the good (which we assume are permissible since reasonable citizens are expected to assert reasonable comprehensive doctrines). When we ask: "equality of what?", the Rawlsian answer does not appear to be, "primary goods". Citizens must, first and foremost, be equal citizens. They must be equal morally in terms of their higher-order interests. Equal goods may or may not make that possible, but what is essential is moral equality and the equal opportunity for those citizens to bring to fruition their plans of life provided those plans are compatible with the public conception of justice.

CHAPTER II: SENIAN BASIC CAPABILITY EQUALITY

Amartya Sen's capability approach to inequality and well-being is a response to what seems to him to be inadequacies in answering the question: equality of what? Sen's main contention in "Equality of What?" is that neither utilitarian equality, total utility equality, Rawlsian equality nor any combination of the three provides a sufficient basis for the equality aspect of morality. Basic capabilities, it is suggested, can answer this insufficiency. This chapter will focus on Sen's account of basic capability equality and his criticisms of Rawlsian equality and primary goods. His critiques of the two utility approaches will be briefly discussed as well, with emphasis on their relation to our two foci.

A. FUNCTIONINGS AND CAPABILITIES

"A person's capability to achieve functionings that he or she has reason to value provides a general approach to the evaluation of social arrangements, and this yields a particular way of viewing the assessment of equality and inequality" (Sen, 1992: 5). Any egalitarian assessment or evaluation must take account of a person's well-being, of the quality or wellness of a person's life. In Sen's estimation, the quality of one's life can only be assessed by focusing on the person's beings (i.e., the state of being well nourished, being happy etc.) and doings (i.e., eating, drinking, laughing

etc.). Well-being evaluation should look to the set of interrelated functionings, both those actually achieved and those which can be achieved, comprising a person's living being. The functionings relevant to a person's being range from such elementary functions as adequate nourishment and avoiding escapable morbidity to more complex functions such as being happy or having self-respect. For Sen, quality of life evaluations must include functionings because they are "*constitutive of a person's being, and an evaluation of well-being has to take the form of an assessment of these constitutive elements*" (Sen, 1992: 39).

Related to a person's beings and doings is the notion of a person's capability to function, a person's capacity to achieve the various beings and doings important for their well-being. A person's capability is determined by the possible combinations of functionings open to that person from which they can choose. Capability "*represents the various combinations of functionings (beings and doings) that the person can achieve,*" it is "*a set of vectors of functionings, reflecting the person's freedom to lead one type of life or another*" (Sen, 1992: 40). This set of vectors is a person's *capability set* which reflects a person's freedom to choose from all possible livings.

It is quite apparent that a person's well-being will depend on the nature of his or her being, on the functionings the person has actually achieved. For instance, the well-being of someone who has achieved the functioning of adequate nourishment will obviously be greater than the well-

being of someone who has not achieved this functioning. We must, however, ask how capabilities to achieve functionings, as opposed to the achieved functionings themselves, are related to a person's well-being.

There are two important considerations in responding to this question. First, if a person's achieved functionings constitute their well-being, then the capability to achieve functionings - the freedom to choose from possible beings and doings - represents a person's freedom to have well-being, a person's real opportunities to attain an adequate quality of life. Second, achieved well-being will depend directly on one's capability to function: "choosing may itself be a valuable part of living, and a life of genuine choice with serious options may be seen to be - for that reason - richer" (Sen, 1992: 41). The idea is that the very freedom to choose the life one will lead - the capability to achieve certain functionings - improves the quality of one's life. Freedom is valued both instrumentally as the freedom to achieve something (i.e., to achieve well-being), and intrinsically as an element of a person's well-being itself.

According to Sen, capability emphasises freedom as such, not merely the means to freedom. Capabilities, therefore, indicate the real alternatives we have in choosing a life, they reflect our substantive freedom: "in so far as functionings are constitutive of well-being, capability represents a person's freedom to achieve well-being" (Sen, 1992: 49). The achievement of well-being, however, is not independent of the process through which we achieve

functionings. For Sen, capability is relevant, not only for the freedom to achieve well-being, but for the very level of well-being: capability is related to achieved well-being not merely to the freedom to achieve well-being. On the other hand, resource based theories (including, according to Sen, the Rawlsian project) - theories focusing on the means to equality - are concerned with the instruments of achieving well-being, with the means to freedom. Although this move is essential - credited primarily to Rawls - it falls short of an adequate scheme of equality and freedom. By contrast, functionings are constitutive of well-being and capability is the freedom to pursue these constitutive elements, which is constitutive of well-being as well. As such, this approach isolates, not the means to well-being or freedom, but constitutive aspects of freedom and well-being, including freedom itself.

In attempting to sort out this “tangled issue”, Sen suggests that both functionings and capabilities are defined in terms of the same focal variables:

In the space of functionings, any *point* represents an *n* tuple of functionings. Capability is a *set* of such functioning *n* tuples, representing the various alternative combinations of functionings from which the person can choose one combination. Since an important part of the force of the capability approach lies in moving us ... on to the space of the constitutive elements of living, it is particularly important to note that there is no difference *as far as the space is concerned* between focusing on functionings or on capabilities. A functioning combination is a *point* in such a space, whereas capability is a *set* of such points (Sen, 1992: 50).

A person’s capability set, therefore, should be understood as the set of possible beings and doings which indicates different possible combinations of

functionings which are open to a person. Ideally, when engaging in well-being evaluations we would take note of all the possible combinations of functionings and the full extent of the freedom to choose between these functioning bundles. Practically, however, we might be forced to confine ourselves to examining the achieved bundles only.

Functionings and capabilities specify the evaluative space in which Sen works; they are the objects of value in Sen's evaluation. This evaluative space, however, does not specify a determinate value for the respective objects of value, but it does imply what might be valuable and what might not. The capability approach suggests that certain beings and doings are valuable in themselves and as such it "provides a fuller recognition of the variety of ways in which lives can be enriched or impoverished" (Sen, 1992: 44). The capabilities approach may not specify the relative values of valued objects, but it does offer radically different valued objects than approaches that value such things as utilitarian happiness, income, wealth, resources, liberties or primary goods.

An important concern arises when we consider the functionings that will be relevant for a Senian evaluation. Surely not all functionings - and the corresponding description of capabilities - will be relevant, and those which are relevant will not be equally relevant. Take balancing oneself on one's head. This is a 'doing' in which a person might engage, it is a possible functioning one may or may not achieve, a functioning one may or may not

have the *capability* to achieve. This functioning, however, is not very relevant to an evaluation of well-being. Whether I am capable of balancing the weight of my body by standing on my head or not does little for the overall quality of my life.⁶ There is no ready-set way to determine the relevance of particular functions. Rather, choice must be involved in this selection: “there are always elements of real choice regarding the functionings to be included in the list of relevant functionings and important capabilities” (Sen, 1992: 44). Different functionings and capabilities must be selected and weighted. According to Sen, such choice is neither avoidable nor embarrassing. What Sen has accomplished is to propose a space in which to work, but this does not suggest that everything that will fit into this space will be of equal importance if important at all (the same could surely be said of most egalitarian spaces). Sen’s approach isolates the value objects with which to work and provides helpful tools with which to evaluate well-being.

This need not be exhaustive or complete:

In evaluating well-being, the value-objects are the functionings and capabilities. That claim neither entails that all types of capabilities are equally valuable, nor indicates that any capability whatsoever - even if totally remote from the person’s life - must have some value in assessing that person’s well-being. It is asserting the need to examine the value of functionings and capabilities as opposed to confining attention to the

⁶ I use ‘not very relevant’ rather than ‘irrelevant’ and ‘does little for the overall quality of my life’ rather than ‘does nothing for the overall quality of my life’ because such functionings may indeed contribute to one’s well-being, however marginally. If, in addition to having achieved the more basic and essential functionings (e.g., adequate nourishment), I can balance myself on my head, my well-being will be improved, simply by virtue of having achieved a possible functioning. However, if I can achieve that functioning while not having achieved the more basic functionings, then certainly this ‘doing’ does little to improve the quality of my being, it does little towards improving my well-being and bringing my well-being to an acceptable level.

means to these achievements and freedoms (such as resources or primary goods or incomes) that the capability approach has something to offer. The relative valuation of different functionings and capabilities has to be an integral part of the exercise (Sen, 1992: 46).

Although selecting relevant functionings is not unproblematic - after all, wherever choice is involved, there is bound to be disagreement as to what precisely will be relevant - the capability approach can provide answers even when there is no agreement on the relative weights to be attached to different functionings. Sen suggests that a 'dominance partial order' is possible even without definite weights. In spite of not having precise weights, having more of each relevant functioning or capability is an obvious improvement. Being well-nourished, for instance, is self-evidently better than being malnourished.⁷ It must be stressed that the capabilities approach is not an 'all or nothing' affair. Incompleteness may be unavoidable, and furthermore, may even be part of the evaluation: "the nature of interpersonal comparisons of well-being as well as the task of inequality evaluation as a discipline may admit incompleteness as a regular part of the respective exercises" (1992: 48). Well-being and inequality are rather broad and opaque concepts which run the risk, Sen argues, of overprecision if we insist on complete and transparent orderings.

There are two strands of reasoning which explain the allowance for

⁷ Certain functionings, such as nourishment, will have thresholds beyond which more of that functioning will not improve well-being - they may even hinder well-being by limiting one's capability to achieve other functionings. For instance, over nourishment may hinder one's capability to be healthy and avoid premature death. It is, therefore, desirable to have more of the relevant functionings up to this threshold.

incompleteness in the capability approach. First, it may be that well-being and inequality are so conceptually ambiguous that it would be a mistake to search for a complete ordering. The idea is that if a good deal of ambiguity is inherent in these concepts, an entirely perspicuous account would lose this important ambiguity. Sen refers to this as the 'fundamental reason for incompleteness'. Second, even if there is a complete ordering for these concepts, that ordering may not be identifiable in practice. The 'pragmatic reason for incompleteness' suggests that we use whatever parts of an ordering we can practically sort out unambiguously instead of remaining silent until the concepts can be sorted out with complete precision and transparency.

The point of Sen's capabilities approach is that those who value equality should value equality in the space of functionings and capabilities for functioning. Capability egalitarians must strive to ensure that equal possibilities for functioning lie within everyone's grasp, they must strive to ensure the equality of our basic human capabilities. Sen's 'basic capability equality' urges that we need to look at a person's basic capabilities, a person's ability to do certain basic things (doings) and to experience certain basic things (beings) rather than on the means to accomplish these things (resources) or even at the accomplishments themselves (utility or welfare).

B. THE INADEQUACY OF UTILITARIAN AND WELFARE APPROACHES

Why, according to Sen, are both means (resource) approaches and ends (welfare) approaches to well-being evaluation - or more specifically Rawlsian equality, utilitarian equality and total utility - inadequate? Before engaging in a more detailed examination of Sen's critique of Rawlsian primary goods equality, I will consider what Sen claims to be the inadequacy of the utilitarian/welfare approaches by appealing to the case of a cripple.⁸

On a welfare approach, will a cripple be compensated for his handicaps? If we are concerned with the overall welfare of society (as in traditional utilitarianism), we will not compensate the cripple if compensation lowers the welfare of others, if the overall welfare of society is decreased, even slightly, by such a measure. If we are interested, not in the overall welfare, but in equal welfare, the cripple would be compensated. We would ensure that his welfare was increased to equal everyone else's welfare. This, however, may have the rather unpleasant - and potentially unacceptable - result of lowering the welfare of many, if not all, others. If, for instance, this cripple is very badly off, equalising welfare might leave everyone at a rather unacceptable level of welfare.

I leave this issue and the intuitive response which almost rolls off the tongue (i.e., "No. Welfare, even if we generally want it equalised, should not be equalised in this case"), to consider instead a cripple whose welfare is not

lower than others. Suppose that this cripple has the good fortune of being born with a jolly disposition, or has developed one in acceptance of his horrible handicaps. In this case, his welfare is not lower than that of anyone else - perhaps, not unrealistically, it is even higher than most people's welfare. After all, people with few resources tend to adapt their wants to those resources and often find welfare and happiness in the most simple things. Excessive hardships are at times transcended (unfortunately not often enough) making high welfare - as happiness and pleasure - possible in spite of hardship (perhaps early American blues music can serve as an example of how horror can translate into beauty and joy). Seeking to equalise welfare or maximise utility or total social welfare would do nothing for him - it might even take away from him if his welfare is indeed higher than others. Welfare approaches with their emphasis on happiness or pleasure tend to produce inegalitarian results. Equal welfare, therefore, neglects what Sen finds to be essential: it neglects "a person being able to do certain basic things" (Sen, 1980: 218). The happy cripple may have high welfare, but he cannot do certain basic things as a result of his handicap.

Happiness and pleasure, to be sure, are important functionings, but are not the only ones: "if the utility-based valuation is done in terms of pleasure or happiness, then in effect the other functionings would get disenfranchised, and would be valued only indirectly and only to the extent

⁸ The present discussion of the welfare approach will be brief. It will be paid more attention when G.A. Cohen's response to "equality of what?" is discussed in the following chapter.

that they contribute to pleasure or happiness” (Sen, 1992: 54). As in the case of the cripple with a jolly disposition, people who are badly-off are not always badly-off in terms of a mental metric like pleasure or happiness. The extent of a person’s deprivation, therefore, will not always be manifested in a utilitarian or welfare metric of desire fulfilment.

C. SEN’S CRITIQUE OF THE RAWLSIAN APPROACH

What might a Rawlsian approach to well-being evaluation offer the cripple? Will a primary goods approach give the cripple more or less than he already has? Sen suggests that “the Difference Principle will give him neither more nor less on grounds of his being a cripple” because his handicaps will be irrelevant to the difference principle (Sen, 1980: 215). The cripple’s disadvantage has no bearing on the amount of primary goods he receives. Sen considers this to be rather harsh, and indeed it is. Rawls leaves such cases (i.e., disabilities) to the side, considering them to be ‘hard cases’ which may be distracting. Instead, he seeks to provide a more simple and basic solution to well-being evaluation. Such cases, however, do exist and “to take disabilities, or special health needs, or physical or mental defects as morally irrelevant, or to leave them out for fear of making a mistake, may guarantee that the *opposite* mistake will be made” (Sen, 1980: 215). Sen should recall, however, that Rawls leaves such ‘hard cases’ to the side because they are difficult and complicated, not because they are irrelevant. Rawls instead tries to confine *his* work to a more simple and

unproblematic conception which might later be adapted to deal with the more difficult cases.

A primary goods account could, in fact, be extended to include compensation for the infirm.⁹ If we consider Rawls' idea of the person, we can argue that persons, in order to be fully cooperating members of society with two higher-order interests to realise their moral powers and another higher-order interest to advance their conceptions of the good, need certain health care provisions (see Daniels, 1990). In order to be able to be a person who is free and equal, the cripple may need certain basic provisions, he may require some form of compensation for his infirmity in order for him to be a cooperating member of society. If the cripple cannot walk, for instance, he would need some means to function at a level which approaches normality. He would need some means of transportation (e.g., a wheelchair) in order to be a fully competent and cooperating member of society (conceived always as a fair system of cooperation over time). Daniels, demonstrating an extension of the Rawlsian primary goods scheme, has, for instance, emphasised the relationship between normal functioning and the primary good of opportunity:

Impairments of normal species functioning reduce the range of opportunity open to the individual in which he may construct his 'plan of life' or conception of the good ... if persons have a fundamental interest in preserving the opportunity to revise their conceptions of the good through time, then they will have a pressing interest in

⁹ The problem of health care provisions is a problem of extension which Rawls suggests can be accommodated by justice as fairness, although he does not attempt such an extension. See Rawls 1993, 244-245.

maintaining normal species functioning by establishing institutions, such as health-care systems, which do just that (Daniels, 1990: 280).

Indeed, Rawls does not extend his scheme in this way, but a primary goods scheme allows for such extension. Rawls' scheme can be extended to accommodate the handicapped, a move which would, I suspect, be welcomed by him.

Sen further criticises the primary goods approach for neglecting the basic fact of human diversity: "the primary goods approach seems to take little note of the diversity of human beings" (Sen, 1980: 215). Diversity is a fundamental concept in Sen's analysis. According to Sen, human diversity must be considered in any analysis of equality. Humans differ in both external characteristics (e.g., our natural and social environment) and personal characteristics (e.g., age, sex, mental and physical ability) (Sen, 1992: 1-2, 19-21). Because of such diversity, people have different needs. People with varying levels of health, living in different climatic conditions, labouring under different work conditions, born with different temperaments and even body size will have different needs and will require different amounts of goods in order to live similar lives: people living in cold climates will need more resources to keep warm than those living in tropical climates, people with faster metabolic rates will require more food to function properly than people with slow metabolisms etc. Given such basic diversity, considerations of equality must not ignore these interpersonal variations. The effect of such ignorance - regardless of its egalitarian intent - might be

deeply inegalitarian in consequence. If we assume humans to be homogeneous, the suggestion that all humans (since there is no variation between them) require the same basic bundle of goods would be quite justified. This, according to Sen, holds for Rawlsian equality: "if people were basically very similar, then an index of primary goods might be quite a good way of judging advantage" (Sen, 1980: 215). However, once we remember that humans are not homogeneous and admit their inherent variability, we cannot accept a scheme of equal means: "judging advantage purely in terms of primary goods leads to a partially blind morality" (Sen, 1980: 216).

Sen's point about human diversity is an essential one: equality (in whatever space it is being considered) must take account of basic human diversity. A strict resource egalitarian account surely is susceptible to Sen's criticism that it neglects human diversity. If humans are diverse in the ways outlined above, then humans will require varying amounts of resources to achieve a basic and adequate level of being. Take for instance two women who are relevantly similar in all respects except for their metabolic rates. The two women are the same age and size and engage in the same activities during the course of a day (let us assume they are both philosophers teaching philosophy courses at a university which is of equal distance from their respective homes). Assume, further, that the two women are given equal resources and, as a result, the first woman is able to achieve a 'basic level of being' (what precisely this level is, is not particularly essential to the point

being made except to say that the level is 'adequate' as judged by the woman, where any drop in that level would result in an 'inadequate level of being'). The second woman, on the other hand, has a higher metabolic rate and thus requires more calories in order to accomplish the same activities over the course of the day. She, therefore, cannot achieve the same 'basic level of being' with her equal share of resources (again, a specification of the level is not as important as specifying that, since the first woman's level was judged by her to be adequate, the second woman's level is inadequate since, being relevantly similar to the first woman, she would judge the same level to be adequate and anything lower to be less than adequate). Rather, her level of being will be slightly lower than normal, will be *slightly* unacceptable. This result seems intuitively inegalitarian.

Does this criticism extend to primary goods? Does Rawls neglect human diversity? If we consider Rawls' notion of the fact of reasonable pluralism, it seems quite inaccurate to suggest that Rawls does not consider human diversity. By taking the reasonable pluralism of citizens' determinate conceptions of the good as a fact Rawls affirms an important form of diversity. The diversity of comprehensive doctrines, to be sure, is a different form of diversity from differences in "health, longevity, climatic conditions, location, work conditions, temperament, and even body size (affecting food and clothing requirements)," but it remains a diversity in personal characteristics (recall Sen's two forms of diversity - personal and external).

Furthermore, Rawls' difference principle seeks to eliminate morally arbitrary inequality, inequality based on arbitrary natural talents. Rawls, therefore, can be understood as attempting to minimise the ill-effects of certain diversities. The point is not that primary goods must be equal, but that everyone ought to have a fully adequate scheme of primary goods. A fully adequate scheme will provide the necessary means to advance a conception of the good (given the higher-order interest of all moral persons) and will seek to compensate for arbitrary inequalities in natural talent. There seems to be no reason why this cannot admit of variation given the diversity of citizens' conceptions of the good and diverse natural endowments. Provided those conceptions are reasonable, there is no reason why they should not be accommodated. It is unreasonable, in fact, to not accommodate reasonable conceptions of the good, to not accommodate reasonable claims on resources since a reasonable conception will not demand more resources than it would be reasonable to demand - it would no longer be a reasonable conception otherwise. Furthermore, since the Rawlsian scheme takes account of diversity of talents and proposes that the difference principle minimise the ill-effects of arbitrary talent endowments, it seems that a similar allowance could be made for diversity of health, size, metabolic rates etc. Remember, Rawls is trying to outline the simple cases, but this could be extended to contain other diversities as well.

This discussion allows us to respond to Sen's accusation that Rawls'

account contains an element of “fetishism”. According to Sen, “Rawls takes primary goods as the embodiment of advantage rather than taking advantage to be a *relationship* between persons and goods,” adding that “even though the list of goods is specified in a broad and inclusive way, encompassing rights, liberties, opportunities, income, wealth, and the social bases of self-respect, it still is concerned with good things rather than with what these good things *do* to human beings” (Sen, 1980: 216-218). Does Rawls neglect the relationship between persons and goods? Do primary goods strictly embody advantage? There seems to be an important relationship between persons and goods for Rawls. Citizens, we must remember, are moral persons with two higher-order interests to realise and exercise their two moral powers (i.e., a capacity for a sense of justice and a capacity for a conception of the good) and another higher-order interest to advance their determinate conceptions of the good. As such, these persons require goods in order to achieve their higher-order interests, in order to be full persons. In short, persons require primary goods in order to be free and equal. The interest is not with goods as such, but rather with what those goods can do (much like Sen). Those goods enable citizens to be free and equal, and to achieve their higher-order interests. Goods ought not to be equal at all cost. Rawlsian equality does not support a goods fetish since Rawls is not a naive goods egalitarian (resource egalitarian). An equal distribution of primary goods which prevented citizens from being equal

moral persons, which prevented certain citizens from advancing their reasonable conceptions of the good, would be absurd from a Rawlsian perspective.

A final remark is necessary here which will indicate my own sentiments and will perhaps reflect Sen's own sentiments, in spite of his fierce attempt to separate himself from Rawls. Sen makes it very clear throughout his work that he owes a great deal to John Rawls, but that Rawls has made some fundamental mistakes and has emphasised the wrong egalitarian focus (the above discussion attempted to bring this to light). Sen even goes so far as to suggest that his approach is a natural extension of Rawls', but that it shifts emphasis from goods to what goods do (Sen, 1980: 218-219). As I have argued this criticism seems to miss the point. Rawls' interest, like Sen's, lies in what goods can do, not in goods as such. In this way, I suggest that Sen's account is not an extension of Rawls' beyond Rawlsian limits, but an extension within Rawls' own limits, an extension which serves as a helpful specification of a theory which intended to be as simple as possible and which invited such extensions and specifications.

CHAPTER III: COHEN'S RESPONSE TO EGALITARIAN CURRENCY

In this chapter I will examine G.A. Cohen's response to the question: equality of what?, to the problem of selecting a metric (a currency) for egalitarians, of selecting the space in which they will work. In offering two related responses, namely equal access to advantage and midfare, Cohen's position attempts to refine Sen's approach, and in so doing, his response to the currency problem is aimed against the Rawlsian primary goods scheme, suggesting that while Rawls' scheme answers welfare egalitarians it does not support its own metric of primary goods. In this section I will critically examine Cohen's rejection of Rawls response to the currency problem and his elaboration of Sen's position. It is my contention that Cohen's criticism of Rawls, much like Sen's, is misdirected. Although his own metric is helpful, insightful and interesting, it does not divorce itself entirely, as Cohen seems to believe, from a Rawlsian framework and does not defeat Rawls' scheme altogether.

A. WELFARE EQUALITY

To begin, a note on welfare is in order. Cohen begins with equality of welfare because it seems to him to be the most naive *equalisandum* (i.e., that which ought to be equalised) and, as such, a natural place to begin.¹⁰

¹⁰ My own opinion, for whatever it's worth, is that resource equality is far more naive than welfare equality. Welfare taken as preference satisfaction strikes me as a complex.

Welfare is taken in two forms by Cohen, although other forms are admittedly possible. First, welfare is understood as enjoyment, as a desirable and pleasant mental state, as happiness. This first form is referred to as 'hedonic welfare'. Second, welfare is taken as 'preference satisfaction,' "where preferences order states of the world, and where a person's preference is satisfied if a state of the world that he prefers obtains" (G.A. Cohen, 1989: 909). Hedonic welfare is increased as a person gets more enjoyment in life and preference satisfaction increases as a person has more preferences, or stronger preferences, satisfied. Cohen, however, insists that we should not treat welfare as an amalgamation of these two forms of welfare, but that arguments against one tend to respond to the other as well. Cohen, therefore, only specifies the particular form of welfare when what is being said cannot be applied to both forms. For my part, I take hedonic welfare to be a far more simple conception of welfare. As such, anything that defeats preference satisfaction will defeat hedonic welfare whereas the reverse will not necessarily hold. This, I believe, will be demonstrated as the discussion develops.

B. OFFENSIVE TASTES CRITICISM OF WELFARE

Cohen looks at two Rawlsian objections to utilitarianism (and by extension to welfarism as such). First, Rawls proposes an offensive tastes

intriguing and potentially helpful metric for egalitarians. This will be elaborated as the discussion evolves.

objection to welfare. There are people who take pleasure in (who gain in hedonic welfare) and/or prefer (who gain in preference satisfaction) the suffering of others. According to the Rawlsian offensive taste criticism, these tastes should not count towards a calculus of justice. However, since anything that adds to one's welfare must be counted, even offensive tastes must be included in a consistent welfare calculus. "The pleasure a person takes in discriminating against other people or in subjecting others to a lesser liberty," Cohen reiterates, "should not count equally with other satisfactions in the calculus of justice" (G.A. Cohen, 1989: 912; G.A. Cohen, 1993: 12). Such preferences, the objection goes, should be condemned not rewarded in an egalitarian calculus. Cohen suggests, however, that a welfare egalitarian may amend her egalitarian view in light of these criticisms by rejecting the validity of such offensive tastes in an egalitarian calculus, by adopting an equality of inoffensive welfare view. One might also reject external preferences from their calculus altogether as Arneson does. Although the latter refinement causes problems since not all external preferences will be offensive, it eliminates the problem of discriminating between offensive and inoffensive external preferences which might be a rather complicated matter.

The problem of distinguishing between offensive and inoffensive tastes arises if we attempt to refine a welfare approach in the way proposed by Cohen. How, though, can this refinement be made without appealing to

something external to a welfare theory?, without appealing, for example, to considered convictions? Are offensive tastes such that we find them intuitively inadmissible? Do we have a considered judgement that suggests that certain claims are not acceptable because they offend our moral sensibilities? What is it that is intuitively unacceptable about certain tastes? What is, in short, offensive about offensive tastes?

Distinguishing between offensive welfare and inoffensive welfare is clearly problematic, however, it may be unnecessary for a welfare egalitarian. If we understand what is offensive about offensive tastes, it seems to me that those tastes will not be admissible, even to welfare egalitarians. A welfare egalitarian may still seek to equalise welfare without being forced to support the invariable satisfaction of all tastes. Certain tastes may not be satisfied by welfare equality, in particular those which we tend to consider offensive. Welfare egalitarians seek to equalise welfare, not maximise certain people's welfare while others' welfare is sacrificed for this end. Offensive tastes are offensive because they seek to limit and/or decrease the welfare of others, and as such run contrary to the inoffensive tastes of others. The taste offends because someone is left badly-off in order for someone else to be better-off. If we seek to equalise welfare, tastes which limit others' welfare, "offensive" tastes, clearly cannot be admissible. Our considered conviction that certain tastes are offensive and unacceptable is a result of those tastes depending on others being badly-off, on other people's

ill-fare. It is this dependence which makes them inadmissible to egalitarians.

Take for instance a powerful capitalist factory owner. For his welfare to increase (for his preferences to be satisfied and for his enjoyment to be increased) he must discriminate against his workers, paying them little, refusing to pay overtime, providing them with unbearable work conditions: in short, demoralising and depriving them. This increase in welfare is only possible at the expense of the welfare of all his workers. In this case, his increased welfare results in the decreased welfare of his employees. Even if we consider that people are sometimes blessed with jolly dispositions or willingly accept hardships for religious reasons, it is quite clear that his employees' welfare, in general, decreases if his increases in the ways discussed above. There may be some employees whose welfare (as happiness) does not decrease because of their jolly disposition. However, it is unlikely that this would be the case for all the employees (even if it is a small factory). Furthermore, if we construe welfare in terms of preference satisfaction, even those with jolly dispositions will surely see their welfare decreased by their oppressive employer. Even if they remain happy in spite of their hardship, they in all likelihood prefer that their employer were not so oppressive (this would hold even if there were more employers than employees). It is this decrease in the welfare of his employees which is unacceptable, which is offensive. Welfare egalitarians want to equalise

welfare for everyone, therefore, the factory owner's offensive tastes, which seek to lower the welfare of others, are not acceptable to the welfare egalitarian.

I would not go so far as to suggest, however, that all cases where welfare can only be increased if it is decreased for others are unacceptable. Take for example two people competing for a single job. Only one will be hired and as such only one will have their preference to be hired satisfied and their pleasure increased. The welfare increase, however, is not due, in this case, to the decreased welfare of the other. If I am offered the job, my welfare is not increased because the other applicant was not hired, but rather, because I was hired. My preference, therefore, does not depend on the other applicant's ill-fare, but on my welfare, on my success (which may or may not lead to the other's failure, although in this case it does). The pleasure I get comes from finding a new job, not from finding out that someone else will remain unemployed. If I prefer or take pleasure not only in being hired, but in the other applicant's not being hired, that second preference or pleasure (i.e., the satisfaction I get from knowing that the other applicant will not be hired) is an offensive taste. Let us imagine, for instance, that the other applicant is someone I dislike very much so the fact that this person does not find work increases my welfare. Regardless of whether or not I am hired - perhaps the company has decided not to hire anyone for the moment - so long as the other person is not hired my welfare

is increased, although less than if I am also hired. This is offensive and unacceptable to welfare egalitarians because my welfare depends on someone else's ill-fare. On the other hand, it seems impossible that I do not prefer that the other applicant is not hired, since I will not be hired if she is. However, if neither of us are hired, my preference remains unsatisfied; or if we both are hired then my preference is satisfied in spite of someone else being hired. Therefore, my welfare depends only on my success and not on her failure. In this case, I do not believe that the same can be said about hedonic welfare. It is impossible, on that account, to take pleasure in the other person not being hired without that pleasure being offensive, thereby showing that preference satisfaction is a more compelling position than hedonic welfare.

C. EXPENSIVE TASTES CRITICISM OF WELFARE

Rawls' second criticism is of expensive tastes. A welfare egalitarian seeking to equalise preferences and/or enjoyment must provide people with expensive tastes with the extra resources necessary to satisfy their preferences; or in the case of hedonic welfare, the extra resources needed to increase their pleasure. According to Rawls, however, people must be held responsible for their preferences, including their expensive ones, and if they claim compensation, others should insist that they bear the cost of their choices: "as moral persons citizens have some part in forming and cultivating

their final ends and preferences. ... The use of primary goods ... relies on a capacity to assume responsibility for our ends. This capacity is part of the moral power to form, to revise, and rationally to pursue a conception of the good" (Rawls, 1982: 168-169). According to Cohen this argument is decisive against welfare egalitarians, but it does not support Rawls' claim that primary goods are the proper *equalisandum*. For my part, I am not convinced of either of Cohen's claims.

Is the Rawlsian argument decisive against welfare egalitarians? I would suggest that welfare is a more important consideration than Rawls and Cohen realise. Let us take for example the problem of inefficient converters of resources. There are those who require more resources than others to produce the same welfare, who inefficiently convert resources into welfare. Some are inefficient converters through no fault of their own, due, for instance, to handicaps or little talent in a particular relevant area, while others are inefficient converters through their own negligence. It is the latter which interest me here. Reflecting Rawls' expensive tastes criticism which, recall, Cohen believes is a compelling criticism of welfare equality, Cohen suggests those who "buy their food at Fortnum's because they cannot be bothered to walk up to the Berwick Street market" to be an example of people who "are inefficient because they are negligent or feckless in a morally culpable way" (G.A. Cohen, 1989: 911). According to Cohen, there is an egalitarian objection to providing such people with extra resources: "it seems

to me that, when, other people pay for his readily avoidable wastefulness, there is, *pro tanto*, an exploitative distribution of burden which egalitarians should condemn" (G.A. Cohen, 1989: 911). Why should people pay for someone else's laziness, wastefulness or expensive taste (preferring to go to Fortnum's is an expensive taste of sorts since it requires greater resources than shopping at Berwick Street market)? If I have acquired a taste for cognac before every meal - a couple of ounces of Couvoisier may in fact improve the flavour of dreary corn flakes - why should I be provided with more resources than someone who prefers milk in his cereal?

This claim about expensive tastes seems to coincide with most people's considered convictions, however we need to be reflective here and probe this judgement. I suggest that Cohen's claim that there would be an exploitative distribution were the Fortnum shopper to be compensated is accurate only if another shopper forgoes her own preference to shop at Fortnum's in order to compensate for the first shopper's preference being satisfied. The Berwick Street market shopper, in spite of walking to the market, may prefer shopping at Fortnum's, may prefer to not walk to the market. She, however, has adjusted her preferences to meet her means. She has taken responsibility - it seems that this is the kind of responsibility implicit in Rawls' statement about responsibility - for her ends by amending her expectations. The problem with the Fortnum shopper is not that his preference is expensive, but that his preference, in order to be satisfied,

limits the possibility for others to satisfy their preferences. We are faced with a situation (much like the one described above relating to the offensive taste problem) where one person's welfare leads to another person's ill-fare. The problem is not, then, with the expensive taste as such, but with the fact that the taste negatively affects others' welfare.

Let us consider briefly the eating habits of three people in order to elucidate this point. Mary is a Buddhist. Based on the conception of the good corresponding to this religious and moral doctrine, she chooses to eat light meals comprised primarily of grains and vegetables (since she refuses to eat any animal products) and abstains from alcohol consumption because she believes that it damages her spiritual and physical health. John and Henry, on the other hand, are typical secular North Americans. They eat practically everything, making it a point to eat dishes which are unconventional and exotic. They both have naturally hearty appetites, but also enjoy overindulging at mealtime. John has a taste for wine, insisting that he drink a bottle at dinner time while Henry's preference is in drinking beer, of which a glass is sufficient. Mary's preferred dinner consists of rice, vegetables and water. John's preferred dinner consists of roasted emu, freshly baked french bread, vegetables (covered in butter of course), a bottle of wine and chocolate cake for dessert while Henry's will be identical save for the wine, which will be replaced by a glass of beer. Assuming for the moment that they live in a welfare egalitarian world of great abundance, all three should be given their

preferred meals without complaints from anyone else. Henry should not complain that John's wine is more expensive because he too could be given wine but genuinely prefers his glass of beer. Mary should complain neither about Henry's meal nor John's meal because she has chosen, based on her comprehensive doctrine, to eat as she does; she genuinely prefers water to beer or wine and grain to emu. In this case, complaints would be the result of unreasonable and irrational envy. Since their preferences were met, that someone else received more is no reason to complain. An egalitarian, therefore, should urge that enough resources be given to all three people in order for their preferences to be satisfied - regardless of whether or not the tastes are "expensive".

Let us imagine a more realistic situation. Let us assume that the world in which these three people live is not a world of great abundance, but rather, is a society where moderate scarcity obtains. In spite of his preferences, Henry realises that he cannot afford to eat roasted emu and expensive bread. In face of this reality, Henry is satisfied with a dinner of pasta and beer (or with milk, bread and beans to use Rawls' example). He has adjusted his expectations to meet his means. This does not mean that he does not prefer the more extravagant meal. Rather, Henry is satisfied with less because he does not expect more (he is reasonable). John, on the other hand, fully expects that his meal meet his preferences. He would be quite unsatisfied with less than a bottle of wine and emu (he is being

unreasonable). Should we, therefore, compensate him because he is unable to amend his expectations? If he is compensated, this would be an instance of exploitative distribution, not, however, because his preferences are expensive, but because his preferences are being met while others' preferences (i.e., Henry's) are not. What is important here is the reasonableness, in a Rawlsian sense, of the person's preferences. Since the appeal for compensation is directed to social institutions, the preferences and claims for compensation must be publicly justifiable. If they are and if society has the means to compensate those preferences, then those preferences should be met. If, on the other hand, those preferences are not reasonable (cannot be justified publicly) then they are exploitative. If we understand welfare in this way - as *reasonable* preference satisfaction - we can meet some of the criticisms issued against welfare equality and still make use of a Rawlsian scheme and its insistence on responsibility (responsibility for reasonably amending our claims).

D. RESPONSIBILITY AND REWARD

Let us now examine Cohen's claim that Rawls' criticism of welfare does not support a scheme of primary goods. Cohen suggests that "the picture of the individual as responsibly guiding his own taste formation is hard to reconcile with claims Rawls elsewhere uses in a fundamental way to support egalitarianism" (G.A. Cohen, 1989: 914; G.A. Cohen, 1993: 13-14). What

Cohen has in mind is the suggestion by Rawls that we should not reward talent since it is arbitrary:

The effort a person is willing to make is influenced by his natural abilities and skills and the alternatives open to him. The better endowed are more likely, other things equal, to strive conscientiously, and there seems to be no way to discount for their greater good fortune. The idea of rewarding desert is impracticable (Rawls, 1971: 312).

Cohen interprets this passage - in particular the idea that effort is influenced by natural talent - to mean that effort is "affected, but not necessarily wholly determined" by natural endowments of talent (*contra* Nozick's interpretation) (G.A. Cohen, 1993: 14). On this interpretation, Rawls does not suggest that those who put more effort into their work have no control at all over the effort they put in and as such deserve no credit. The point is more modestly suggesting that "we cannot reckon the extent to which their above-par effort is attributable not to admirable striving, but to 'greater good fortune'" (G.A. Cohen, 1989: 914; G.A. Cohen, 1993: 14). This points to a problem of rewarding effort, but does not suggest that there is no effort at all: "the idea of rewarding desert is impracticable" suggests that there is desert, but rewarding desert poses a practical problem since isolating desert, in distinction with natural good fortune, is difficult if at all possible.

This alleged ambivalent stance on desert seems, Cohen suggests, to conflict with what Rawls says about responsibility. How can people be entirely responsible for their preferences if they are, to a indiscernible extent, not deserving of reward for their natural effort? "It is not easy," claims

Cohen “to reconcile what Rawls says about effort with what he says about tastes” (G.A. Cohen, 1989: 915; G.A. Cohen, 1993: 15). Effort is partly praiseworthy and partly not. People are partly responsible for effort and partly not, but the parts cannot be separated with the consequence being that we ignore effort as a claim to reward altogether. On the other hand, people are more or less responsible for preference formation, yet they are held entirely responsible for their preferences, in particular, their expensive preferences. This leads Cohen to wonder “why partial responsibility for effort attracts no reward at all while (merely) partial responsibility for expensive taste formation attracts a full penalty” (G.A. Cohen, 1989: 915; G.A. Cohen, 1993: 15).

If we interpret responsibility for expensive tastes as we have above - as adjusting one’s preferences to meet one’s expected means - it is quite apparent why such responsibility attracts a penalty, although not necessarily a full penalty as Cohen suggests. Responsibility in this sense requires that we adjust our expectations to our means, but our means (and those of society) may potentially allow for expensive tastes. If I can afford to eat emu and the society of which I am part can support my preference, then there is no reason to adjust my expectation (i.e., the expectation that I *will* have emu for dinner). If, however, others’ tastes must go unsatisfied in order for my taste to be satisfied then I am exploiting those whose tastes are going unsatisfied, I am not acting responsibly. Persons are held responsible and punished, not

for expensive taste formation itself, but for the unreasonable refusal to amend expectations in light of their resources, in light of their expected share of primary goods. Cohen's criticism, does not seem to give any reason for abandoning a primary goods scheme.

E. EQUAL ACCESS TO ADVANTAGE AND MIDFARE

As opposed to welfare or primary goods, Cohen proposes an egalitarian metric similar to Sen's capabilities. According to Cohen, the primary impulse of egalitarian theories is to "extinguish the influence of both exploitation and brute luck" (G.A. Cohen, 1989: 908). By 'exploitation', Cohen means unfair advantage being taken of someone, and by 'brute luck', he means luck which could not have been avoided. The point of such theories, then, will be to propose a way to "eliminate *involuntary disadvantage*" taken as "disadvantage for which the sufferer cannot be held responsible, since it does not appropriately reflect choices that he has made or is making or would make" (G.A. Cohen, 1989: 916). Cohen believes that *equality of access to advantage* meets this requirement. Cohen notes that by 'advantage' he does not mean a competitive advantage over somebody else. Rather, "something can add to someone's advantage without him, as a result, being better placed, or less worse placed, than somebody else, and the word will ... be used in that noncompetitive sense" (G.A. Cohen, 1989: 917). By 'access', Cohen means both those things we actually have and those things, while not actually in

our possession, we have both the opportunity and the capacity to obtain, “in the ordinary sense of those words, under which they name distinct requirements, neither of which entails the other” (G.A. Cohen, 1989: 941).

Cohen acknowledges a close similarity between his view and Sen’s capability approach. Capability, for Sen, is a measurement between primary goods and utility, prior to welfare and posterior to resources. As such, capabilities identify what goods do to (or for) people separated from the utility those goods confer upon people. This, Cohen argues, was a mistake: “even when utility has been set aside, it is not true that all that goods do for people is confer capability on them - provide them, that is, with the capacity to do things - or that that is the uniquely important thing they do for them, or that that is the only thing they do for them that matters from an egalitarian point of view” (G.A. Cohen, 1993: 18; see also G.A. Cohen, 1989: 943). Sen’s point that we look between the spaces of goods and utility is important, but this is not equivalent to focusing on a person’s capability, “where that is what he is able, all things considered, to do” (G.A. Cohen, 1989: 944). Cohen suggests that capability is only part of the neglected space in which egalitarians should work, a space which is considerably broader than capabilities alone:

Not all that matters and is not utility is capability or an exercise of capability or a result of exercising capability. And many states which are indeed a result of exercising capability have a (non-utility) value which is unconnected with their status as effects of capability exercise, and which is not clearly exhibited in its true independence of capability (properly so-called) by Sen (G.A. Cohen, 1989: 944).

This non-utility effect Cohen refers to as midfare because it is “midway between goods and utility”: it is “constituted of states of the person produced by goods, states in virtue of which utility levels take the values they do” (G.A. Cohen, 1993: 18). As such, capability is part of midfare, but does not exhaust its range since goods can do more than confer capability. Goods can:

- 1. endow people with capabilities properly so-called, which they may or may not use;**
- 2. through people’s exercise of those capabilities, contribute to the performance of valuable activities and the achievement of desirable states;**
- 3. further desirable states directly, without any exercise of capability on the part of their beneficiary (G.A. Cohen, 1993: 18).**

Let us take for example the case of eating. Equalising calorie intake ends up being inegalitarian since different people will require different calorie totals in order to be well nourished. For instance, a professional football player, a pregnant woman, a middle-aged university student, and a young child require varying amounts of calories in order to be well-nourished - the football player probably needs the most, followed by the pregnant woman, the middle-aged student and finally the child. Focusing on the utility (i.e., the pleasure) food confers is insufficient for some of the reasons we outlined above (i.e., expensive tastes). What we should aim for is equal level of nourishment, presumably optimal levels. What food does for people is it nourishes them, however, “the fact that food gives a person the capability to nourish himself is not the same fact as the fact that it enables him to be nourished”, which is to say that “it makes it possible for him to be

nourished” (G.A. Cohen, 1993: 20). We want people to be well nourished, not only to have the capability to be well nourished. We want people, according to Cohen, to have equal midfare, not just equal capabilities.

A number of questions may arise when comparing Sen’s and Cohen’s approaches. Whether or not capabilities are co-extensive with midfare, or, as Sen has suggested (Sen, 1993), whether midfare is the same as a person’s functionings is not so much our concern here. Rather, what is essential is that both look to an intermediary between goods and welfare, to what goods can do to and for people. According to Cohen, what goods do to and for people is provide them with midfare, with equal access to advantage. In this chapter, I have taken exception with a number of Cohen’s criticisms of Rawls, suggesting that Cohen’s critique seems misdirected. His “solution” to the problems he seems to find in Rawls, however, is helpful. It is important to focus on that which is between resources and welfare, between means and ends. Cohen’s contribution lies in reiterating, refocusing and reformulating Sen’s important insight that we must focus on that which goods do to and for citizens.

CONCLUSION: CONCEIVING EQUALITY BROADLY

“I agree with Sen that basic capabilities are of first importance and that the use of primary goods is always to be assessed in the light of assumptions about those capabilities” (Rawls, 1993: 183). A distribution of primary goods ought to take into consideration - amongst other diversities - people’s varying capabilities, and, as a result, an equal distribution of those goods is not necessitated by an index of primary goods. If people *require* different amounts of primary goods (as the pregnant woman *requires* more calories in order to be well-nourished), an unequal distribution is permissible and even, it would seem, required. Since they affect the overall quality of one’s life, capabilities or midfare (that which lies between resources and welfare) should be considered in a Rawlsian account of well-being evaluation.

Rawls is not a pure resource egalitarian, as Sen’s and Cohen’s critiques might suggest. Rawls is not interested with goods as such or with equalising those goods. Rather, he is interested, much like Sen and Cohen, with what goods (primary goods) do to and for citizens. What primary goods do to and for citizens is provide them with the necessary means to achieve the various ends determined by their reasonable conceptions of the good. Primary goods enable citizens to lead the lives they choose to lead (providing those choices are reasonable), to lead meaningful and fulfilling lives, and ultimately, to be free and equal moral persons. I am not suggesting that

Rawls, Sen and Cohen do not disagree at all. Certainly there are disagreements on various issues, some of which have been expressed in this paper. The point, however, is that generally all three approaches work in a similar vein: they all seek an equally high level of “well-offness” for all.¹¹ For Cohen, that well-offness will be a result of equal access to advantage, for Sen it will be equal basic capabilities and for Rawls well-offness will be possible if citizens are given an adequate amount of primary goods in order for them to satisfy their higher-order interests as persons, in order for them to lead the lives they deem valuable in society construed as a fair system of cooperation over time. Rawls does not seek a blind equalisation of resources, but hopes, I would suggest, that the overall quality of people’s lives will be as high as possible.

In order to provide a high level of well-offness for everyone, however, focusing exclusively on a single space in which to work may be problematic. Taking a strict resource approach seems particularly naive. Human diversity makes it unlikely that an equal distribution of means will be fair and acceptable for all, potentially leading to deeply inegalitarian results: “given human diversity, people with equal rights, incomes, or resources will not be equally advantaged because they will be unequal with respect to the real alternatives they face in life” (J. Cohen, 1995: 281).

On the other hand, equalising welfare seems to neglect the reality that people tend to adapt their preferences and aspirations to their circumstances

¹¹ I borrow this term from Nielsen. 1996. 76

and find happiness in spite of hardship. In response to this, I have tried to demonstrate that adapting aspirations and expectations does not mean that we do not prefer better circumstances than those we have become accustomed to (accepting poverty is quite different from preferring poverty). Preference satisfaction (in particular *reasonable* preference satisfaction) may be a more helpful metric than resources, however, even reasonable preferences will not suffice as *the* evaluative space. After all, it is not inconceivable that someone “reasonably” prefers - say, for religious reasons (recall that most comprehensive religious doctrines - excluding forms of fanaticism - are considered reasonable by Rawls) - not only to be part of an underclass or a repressed group, but that the institutions which are responsible for that inequality obtain. And even if we concede that such preferences are at the root unreasonable (which they may or may not be - is it unreasonable to prefer poverty?), preference satisfaction - whether reasonable or not - remains a mental metric which may be impossible to calculate, and therefore, impossible to equalise. How do we ‘count’ preferences?, how do we compare the strength of different persons’ preferences (do you prefer wine more than I prefer wine, or do I prefer it more than you)?, how can we even adequately evaluate the strength of our own preferences (do I prefer beef or chicken)? As egalitarians, we hope that people’s preferences, when reasonable, can be accommodated, however, equalising preference satisfaction poses certain practical problems. Certainly, and this claim strikes me as so

uncontroversial that it may go without saying for most theorists, we want people, regardless of what they are equal in, to be satisfied with their lives. We want people to feel that their lives are meaningful and worthwhile. We want people to achieve those ends they value and prefer, provided, of course, that those ends are reasonable, that they do not harm others or limit other persons' welfare. In short, we want people to be happy. At the same time, happiness and other such mental metrics are surely not the most helpful ones for the more theoretically inclined amongst egalitarians.

Even analyses based on capabilities (or midfare) must consider other variables (particularly welfare). Should we accept a world of equal capabilities, a world where everyone has the possibility of achieving most of their important functionings, but where people are dissatisfied with their lives, where people's preferences are not met, where people are unable to achieve one essential functioning: happiness? What capability set should one choose if the most favourable amongst those sets (favourable in terms of achieved basic functionings) makes it impossible to pursue one's conception of the good? We don't merely want equal basic capabilities or functionings. We also want people's achievements - their welfare - to be as high as possible.

There quite simply does not seem to be one target at which egalitarians should aim, a single way to assure that everyone can attain an adequately high level of well-offness. This conclusion may seem unsatisfying, however, it may be the most helpful answer to the Senian

question. After all, egalitarians should not be looking for a “winning theory” but for helpful ways of addressing inequalities in the world. As Sen suggests in defence of his capabilities approach, we must avoid overprecision when facing inherently ambiguous and complex concerns. In such cases, we should generally avoid transparent and complete theories, theories with ready-set solutions to all problems - especially when those problems are as complex and important as those involved in egalitarian justice.

Rawls’ theory seems helpful in view of this. For Rawls, that which must be equalised is our moral capacity as humans, including our capacity to choose to engage in reasonable activities and seek reasonable ends. Equal moral persons with higher-order interests can equally pursue the lives they deem valuable - provided that their life plans are reasonable. Rawls does not call for equal primary goods (i.e., equal resources), but rather calls for an equally adequate scheme of primary goods, a scheme which will enable everyone to achieve their moral interests as persons. It seems to me that this approach makes use of resources in its use of primary goods as the means citizens require to be full persons, capabilities since primary goods are assessed in light of capabilities (in light of persons diverse needs), and welfare in its concern with satisfying persons’ conceptions of the good, their preferred ends. As such, Sen and Cohen’s third way can be seen as an extension and specification of an element inherent in Rawls’ theory.

It is by considering various *equalisandums* that we can arrive at the

most helpful and comprehensive space in which we will work - a space that will probably be most helpful if it is forever growing. The space in which egalitarians ought to work seems to be a comprehensive space comprised of resources, welfare (perhaps best conceived as reasonable preference satisfaction), capabilities, functionings, midfare and any other helpful evaluative term we can construe. The point is not to disagree with others' spaces, but to learn from others and consider equality as broadly as possible. It seems to me that the broader our considerations are, the more helpful they might be, the more likely an equally high level of well-offness will arise.

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