

# Complex Equality

## Pluralism

Distributive justice is a large idea. It draws the entire world of goods within the reach of philosophical reflection. Nothing can be omitted; no feature of our common life can escape scrutiny. Human society is a distributive community. That's not all it is, but it is importantly that: we come together to share, divide, and exchange. We also come together to make the things that are shared, divided, and exchanged; but that very making—work itself—is distributed among us in a division of labor. My place in the economy, my standing in the political order, my reputation among my fellows, my material holdings: all these come to me from other men and women. It can be said that I have what I have rightly or wrongly, justly or unjustly; but given the range of distributions and the number of participants, such judgments are never easy.

The idea of distributive justice has as much to do with being and doing as with having, as much to do with production as with consumption, as much to do with identity and status as with land, capital, or personal possessions. Different political arrangements enforce, and different ideologies justify, different distributions of membership, power, honor, ritual eminence, divine grace, kinship and love, knowledge, wealth, physical security, work and leisure, rewards and punishments, and a host of goods more narrowly and materially conceived—food, shelter, clothing, transportation, medical care, commodities of every sort, and all the odd things (paintings, rare books, postage stamps) that human beings collect. And this multiplicity of goods is matched by a multiplicity of distributive procedures, agents, and criteria. There are

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such things as simple distributive systems—slave galleys, monasteries, insane asylums, kindergartens (though each of these, looked at closely, might show unexpected complexities); but no full-fledged human society has ever avoided the multiplicity. We must study it all, the goods and the distributions, in many different times and places.

There is, however, no single point of access to this world of distributive arrangements and ideologies. There has never been a universal medium of exchange. Since the decline of the barter economy, money has been the most common medium. But the old maxim according to which there are some things that money can't buy is not only normatively but also factually true. What should and should not be up for sale is something men and women always have to decide and have decided in many different ways. Throughout history, the market has been one of the most important mechanisms for the distribution of social goods; but it has never been, it nowhere is today, a complete distributive system.

Similarly, there has never been either a single decision point from which all distributions are controlled or a single set of agents making decisions. No state power has ever been so pervasive as to regulate all the patterns of sharing, dividing, and exchanging out of which a society takes shape. Things slip away from the state's grasp; new patterns are worked out—familial networks, black markets, bureaucratic alliances, clandestine political and religious organizations. State officials can tax, conscript, allocate, regulate, appoint, reward, punish, but they cannot capture the full range of goods or substitute themselves for every other agent of distribution. Nor can anyone else do that: there are market coups and cornerings, but there has never been a fully successful distributive conspiracy.

And finally, there has never been a single criterion, or a single set of interconnected criteria, for all distributions. Desert, qualification, birth and blood, friendship, need, free exchange, political loyalty, democratic decision: each has had its place, along with many others, uneasily coexisting, invoked by competing groups, confused with one another.

In the matter of distributive justice, history displays a great variety of arrangements and ideologies. But the first impulse of the philosopher is to resist the displays of history, the world of appearances, and to search for some underlying unity: a short list of basic goods, quickly abstracted to a single good; a single distributive criterion or an interconnected set; and the philosopher himself standing, symbolically at least, at a single decision point. I shall argue that to search for unity is to misunderstand the subject matter of distributive justice. Nevertheless,

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in some sense the philosophical impulse is unavoidable. Even if we choose pluralism, as I shall do, that choice still requires a coherent defense. There must be principles that justify the choice and set limits to it, for pluralism does not require us to endorse every proposed distributive criteria or to accept every would-be agent. Conceivably, there is a single principle and a single legitimate kind of pluralism. But this would still be a pluralism that encompassed a wide range of distributions. By contrast, the deepest assumption of most of the philosophers who have written about justice, from Plato onward, is that there is one, and only one, distributive system that philosophy can rightly encompass.

Today this system is commonly described as the one that ideally rational men and women would choose if they were forced to choose impartially, knowing nothing of their own situation, barred from making particularist claims, confronting an abstract set of goods.<sup>1</sup> If these constraints on knowing and claiming are suitably shaped, and if the goods are suitably defined, it is probably true that a singular conclusion can be produced. Rational men and women, constrained this way or that, will choose one, and only one, distributive system. But the force of that singular conclusion is not easy to measure. It is surely doubtful that those same men and women, if they were transformed into ordinary people, with a firm sense of their own identity, with their own goods in their hands, caught up in everyday troubles, would reiterate their hypothetical choice or even recognize it as their own. The problem is not, most importantly, with the particularism of interest, which philosophers have always assumed they could safely—that is, uncontroversially—set aside. Ordinary people can do that too, for the sake, say, of the public interest. The greater problem is with the particularism of history, culture, and membership. Even if they are committed to impartiality, the question most likely to arise in the minds of the members of a political community is not, What would rational individuals choose under universalizing conditions of such-and-such a sort? But rather, What would individuals like us choose, who are situated as we are, who share a culture and are determined to go on sharing it? And this is a question that is readily transformed into, What choices have we already made in the course of our common life? What understandings do we (really) share?

Justice is a human construction, and it is doubtful that it can be made in only one way. At any rate, I shall begin by doubting, and more than doubting, this standard philosophical assumption. The questions posed by the theory of distributive justice admit of a range of answers, and there is room within the range for cultural diversity and political

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choice. It's not only a matter of implementing some singular principle or set of principles in different historical settings. No one would deny that there is a range of morally permissible implementations. I want to argue for more than this: that the principles of justice are themselves pluralistic in form; that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and that all these differences derive from different understandings of the social goods themselves—the inevitable product of historical and cultural particularism.

### A Theory of Goods

Theories of distributive justice focus on a social process commonly described as if it had this form:

*People distribute goods to (other) people.*

Here, “distribute” means give, allocate, exchange, and so on, and the focus is on the individuals who stand at either end of these actions: not on producers and consumers, but on distributive agents and recipients of goods. We are as always interested in ourselves, but, in this case, in a special and limited version of ourselves, as people who give and take. What is our nature? What are our rights? What do we need, want, deserve? What are we entitled to? What would we accept under ideal conditions? Answers to these questions are turned into distributive principles, which are supposed to control the movement of goods. The goods, defined by abstraction, are taken to be movable in any direction.

But this is too simple an understanding of what actually happens, and it forces us too quickly to make large assertions about human nature and moral agency—assertions unlikely, ever, to command general agreement. I want to propose a more precise and complex description of the central process:

*People conceive and create goods, which they then distribute among themselves.*

Here, the conception and creation precede and control the distribution. Goods don't just appear in the hands of distributive agents who

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do with them as they like or give them out in accordance with some general principle.<sup>2</sup> Rather, goods with their meanings—because of their meanings—are the crucial medium of social relations; they come into people's minds before they come into their hands; distributions are patterned in accordance with shared conceptions of what the goods are and what they are for. Distributive agents are constrained by the goods they hold; one might almost say that goods distribute themselves among people.

Things are in the saddle  
And ride mankind.<sup>3</sup>

But these are always particular things and particular groups of men and women. And, of course, we make the things—even the saddle. I don't want to deny the importance of human agency, only to shift our attention from distribution itself to conception and creation: the naming of the goods, and the giving of meaning, and the collective making. What we need to explain and limit the pluralism of distributive possibilities is a theory of goods. For our immediate purposes, that theory can be summed up in six propositions.

1. All the goods with which distributive justice is concerned are social goods. They are not and they cannot be idiosyncratically valued. I am not sure that there are any other kinds of goods; I mean to leave the question open. Some domestic objects are cherished for private and sentimental reasons, but only in cultures where sentiment regularly attaches to such objects. A beautiful sunset, the smell of new-mown hay, the excitement of an urban vista: these perhaps are privately valued goods, though they are also, and more obviously, the objects of cultural assessment. Even new inventions are not valued in accordance with the ideas of their inventors; they are subject to a wider process of conception and creation. God's goods, to be sure, are exempt from this rule—as in the first chapter of Genesis: “and God saw every thing that He had made, and, behold, it was very good” (1:31). That evaluation doesn't require the agreement of mankind (who might be doubtful), or of a majority of men and women, or of any group of men and women meeting under ideal conditions (though Adam and Eve in Eden would probably endorse it). But I can't think of any other exemptions. Goods in the world have shared meanings because conception and creation are social processes. For the same reason, goods have different meanings in different societies. The same “thing” is valued for different reasons, or it is valued here and disvalued there. John Stuart Mill once complained that “people like in crowds,” but I know of no other way to like or to dislike social goods.<sup>4</sup> A solitary person could hardly understand the meaning of the



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goods or figure out the reasons for taking them as likable or dislikable. Once people like in crowds, it becomes possible for individuals to break away, pointing to latent or subversive meanings, aiming at alternative values—including the values, for example, of notoriety and eccentricity. An easy eccentricity has sometimes been one of the privileges of the aristocracy: it is a social good like any other.

2. Men and women take on concrete identities because of the way they conceive and create, and then possess and employ social goods. "The line between what is me and mine," wrote William James, "is very hard to draw."<sup>5</sup> Distributions can not be understood as the acts of men and women who do not yet have particular goods in their minds or in their hands. In fact, people already stand in a relation to a set of goods; they have a history of transactions, not only with one another but also with the moral and material world in which they live. Without such a history, which begins at birth, they wouldn't be men and women in any recognizable sense, and they wouldn't have the first notion of how to go about the business of giving, allocating, and exchanging goods.

3. There is no single set of primary or basic goods conceivable across all moral and material worlds—or, any such set would have to be conceived in terms so abstract that they would be of little use in thinking about particular distributions. Even the range of necessities, if we take into account moral as well as physical necessities, is very wide, and the rank orderings are very different. A single necessary good, and one that is always necessary—food, for example—carries different meanings in different places. Bread is the staff of life, the body of Christ, the symbol of the Sabbath, the means of hospitality, and so on. Conceivably, there is a limited sense in which the first of these is primary, so that if there were twenty people in the world and just enough bread to feed the twenty, the primacy of bread-as-staff-of-life would yield a sufficient distributive principle. But that is the only circumstance in which it would do so; and even there, we can't be sure. If the religious uses of bread were to conflict with its nutritional uses—if the gods demanded that bread be baked and burned rather than eaten—it is by no means clear which use would be primary. How, then, is bread to be incorporated into the universal list? The question is even harder to answer, the conventional answers less plausible, as we pass from necessities to opportunities, powers, reputations, and so on. These can be incorporated only if they are abstracted from every particular meaning—hence, for all practical purposes, rendered meaningless.

4. But it is the meaning of goods that determines their movement. Distributive criteria and arrangements are intrinsic not to the

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good-in-itself but to the social good. If we understand what it is, what it means to those for whom it is a good, we understand how, by whom, and for what reasons it ought to be distributed. All distributions are just or unjust relative to the social meanings of the goods at stake. This is in obvious ways a principle of legitimation, but it is also a critical principle.\* When medieval Christians, for example, condemned the sin of simony, they were claiming that the meaning of a particular social good, ecclesiastical office, excluded its sale and purchase. Given the Christian understanding of office, it followed—I am inclined to say, it necessarily followed—that office holders should be chosen for their knowledge and piety and not for their wealth. There are presumably things that money can buy, but not this thing. Similarly, the words *prostitution* and *bribery*, like *simony*, describe the sale and purchase of goods that, given certain understandings of their meaning, ought never to be sold or purchased.

5. Social meanings are historical in character; and so distributions, and just and unjust distributions, change over time. To be sure, certain key goods have what we might think of as characteristic normative structures, reiterated across the lines (but not all the lines) of time and space. It is because of this reiteration that the British philosopher Bernard Williams is able to argue that goods should always be distributed for "relevant reasons"—where relevance seems to connect to essential rather than to social meanings.<sup>7</sup> The idea that offices, for example, should go to qualified candidates—though not the only idea that has been held about offices—is plainly visible in very different societies where simony and nepotism, under different names, have similarly been thought sinful or unjust. (But there has been a wide divergence of views about what sorts of position and place are properly called "offices.") Again, punishment has been widely understood as a negative good that ought to go to people who are judged to deserve it on the basis of a verdict, not of a political decision. (But what constitutes a verdict? Who is to deliver it? How, in short, is justice to be done to accused men and women? About these questions there has been significant disagreement.) These examples invite empirical investigation.

\*Aren't social meanings, as Marx said, nothing other than "the ideas of the ruling class," "the dominant material relationships grasped as ideas"?<sup>6</sup> I don't think that they are ever only that or simply that, though the members of the ruling class and the intellectuals they patronize may well be in a position to exploit and distort social meanings in their own interests. When they do that, however, they are likely to encounter resistance, rooted (intellectually) in those same meanings. A people's culture is always a joint, even if it isn't an entirely cooperative, production; and it is always a complex production. The common understanding of particular goods incorporates principles, procedures, conceptions of agency, that the rulers would not choose if they were choosing *right now*—and so provides the terms of social criticism. The appeal to what I shall call "internal" principles against the usurpations of powerful men and women is the ordinary form of critical discourse.

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There is no merely intuitive or speculative procedure for seizing upon relevant reasons.

6. When meanings are distinct, distributions must be autonomous. Every social good or set of goods constitutes, as it were, a distributive sphere within which only certain criteria and arrangements are appropriate. Money is inappropriate in the sphere of ecclesiastical office; it is an intrusion from another sphere. And piety should make for no advantage in the marketplace, as the marketplace has commonly been understood. Whatever can rightly be sold ought to be sold to pious men and women and also to profane, heretical, and sinful men and women (else no one would do much business). The market is open to all comers; the church is not. In no society, of course, are social meanings entirely distinct. What happens in one distributive sphere affects what happens in the others; we can look, at most, for relative autonomy. But relative autonomy, like social meaning, is a critical principle—indeed, as I shall be arguing throughout this book, a radical principle. It is radical even though it doesn't point to a single standard against which all distributions are to be measured. There is no single standard. But there are standards (roughly knowable even when they are also controversial) for every social good and every distributive sphere in every particular society; and these standards are often violated, the goods usurped, the spheres invaded, by powerful men and women.

### Dominance and Monopoly

In fact, the violations are systematic. Autonomy is a matter of social meaning and shared values, but it is more likely to make for occasional reformation and rebellion than for everyday enforcement. For all the complexity of their distributive arrangements, most societies are organized on what we might think of as a social version of the gold standard: one good or one set of goods is dominant and determinative of value in all the spheres of distribution. And that good or set of goods is commonly monopolized, its value upheld by the strength and cohesion of its owners. I call a good dominant if the individuals who have it, because they have it, can command a wide range of other goods. It is monopolized whenever a single man or woman, a monarch in the world of value—or a group of men and women, oligarchs—successfully hold it against all rivals. Dominance describes a way of using social goods

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that isn't limited by their intrinsic meanings or that shapes those meanings in its own image. Monopoly describes a way of owning or controlling social goods in order to exploit their dominance. When goods are scarce and widely needed, like water in the desert, monopoly itself will make them dominant. Mostly, however, dominance is a more elaborate social creation, the work of many hands, mixing reality and symbol. Physical strength, familial reputation, religious or political office, landed wealth, capital, technical knowledge: each of these, in different historical periods, has been dominant; and each of them has been monopolized by some group of men and women. And then all good things come to those who have the one best thing. Possess that one, and the others come in train. Or, to change the metaphor, a dominant good is converted into another good, into many others, in accordance with what often appears to be a natural process but is in fact magical, a kind of social alchemy.

No social good ever entirely dominates the range of goods; no monopoly is ever perfect. I mean to describe tendencies only, but crucial tendencies. For we can characterize whole societies in terms of the patterns of conversion that are established within them. Some characterizations are simple: in a capitalist society, capital is dominant and readily converted into prestige and power; in a technocracy, technical knowledge plays the same part. But it isn't difficult to imagine, or to find, more complex social arrangements. Indeed, capitalism and technocracy are more complex than their names imply, even if the names do convey real information about the most important forms of sharing, dividing, and exchanging. Monopolistic control of a dominant good makes a ruling class, whose members stand atop the distributive system—much as philosophers, claiming to have the wisdom they love, might like to do. But since dominance is always incomplete and monopoly imperfect, the rule of every ruling class is unstable. It is continually challenged by other groups in the name of alternative patterns of conversion.

Distribution is what social conflict is all about. Marx's heavy emphasis on productive processes should not conceal from us the simple truth that the struggle for control of the means of production is a distributive struggle. Land and capital are at stake, and these are goods that can be shared, divided, exchanged, and endlessly converted. But land and capital are not the only dominant goods; it is possible (it has historically been possible) to come to them by way of other goods—military or political power, religious office and charisma, and so on. History reveals no single dominant good and no naturally dominant good, but only different kinds of magic and competing bands of magicians.

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The claim to monopolize a dominant good—when worked up for public purposes—constitutes an ideology. Its standard form is to connect legitimate possession with some set of personal qualities through the medium of a philosophical principle. So aristocracy, or the rule of the best, is the principle of those who lay claim to breeding and intelligence: they are commonly the monopolists of landed wealth and familial reputation. Divine supremacy is the principle of those who claim to know the word of God: they are the monopolists of grace and office. Meritocracy, or the career open to talents, is the principle of those who claim to be talented: they are most often the monopolists of education. Free exchange is the principle of those who are ready, or who tell us they are ready, to put their money at risk: they are the monopolists of movable wealth. These groups—and others, too, similarly marked off by their principles and possessions—compete with one another, struggling for supremacy. One group wins, and then a different one; or coalitions are worked out, and supremacy is uneasily shared. There is no final victory, nor should there be. But that is not to say that the claims of the different groups are necessarily wrong, or that the principles they invoke are of no value as distributive criteria; the principles are often exactly right within the limits of a particular sphere. Ideologies are readily corrupted, but their corruption is not the most interesting thing about them.

It is in the study of these struggles that I have sought the guiding thread of my own argument. The struggles have, I think, a paradigmatic form. Some group of men and women—class, caste, strata, estate, alliance, or social formation—comes to enjoy a monopoly or a near monopoly of some dominant good; or, a coalition of groups comes to enjoy, and so on. This dominant good is more or less systematically converted into all sorts of other things—opportunities, powers, and reputations. So wealth is seized by the strong, honor by the wellborn, office by the well educated. Perhaps the ideology that justifies the seizure is widely believed to be true. But resentment and resistance are (almost) as pervasive as belief. There are always some people, and after a time there are a great many, who think the seizure is not justice but usurpation. The ruling group does not possess, or does not uniquely possess, the qualities it claims; the conversion process violates the common understanding of the goods at stake. Social conflict is intermittent, or it is endemic; at some point, counterclaims are put forward. Though these are of many different sorts, three general sorts are especially important:

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1. The claim that the dominant good, whatever it is, should be redistributed so that it can be equally or at least more widely shared: this amounts to saying that monopoly is unjust.
2. The claim that the way should be opened for the autonomous distribution of all social goods: this amounts to saying that dominance is unjust.
3. The claim that some new good, monopolized by some new group, should replace the currently dominant good: this amounts to saying that the existing pattern of dominance and monopoly is unjust.

The third claim is, in Marx's view, the model of every revolutionary ideology—except, perhaps, the proletarian or last ideology. Thus, the French Revolution in Marxist theory: the dominance of noble birth and blood and of feudal landholding is ended, and bourgeois wealth is established in its stead. The original situation is reproduced with different subjects and objects (this is never unimportant), and then the class war is immediately renewed. It is not my purpose here to endorse or to criticize Marx's view. I suspect, in fact, that there is something of all three claims in every revolutionary ideology, but that, too, is not a position that I shall try to defend here. Whatever its sociological significance, the third claim is not philosophically interesting—unless one believes that there is a naturally dominant good, such that its possessors could legitimately claim to rule the rest of us. In a sense, Marx believed exactly that. The means of production is the dominant good throughout history, and Marxism is a historicist doctrine insofar as it suggests that whoever controls the prevailing means legitimately rules.<sup>8</sup> After the communist revolution, we shall all control the means of production: at that point, the third claim collapses into the first. Meanwhile, Marx's model is a program for ongoing distributive struggle. It will matter, of course, who wins at this or that moment, but we won't know why or how it matters if we attend only to the successive assertions of dominance and monopoly.

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It is with the first two claims that I shall be concerned, and ultimately with the second alone, for that one seems to me to capture best the plurality of social meanings and the real complexity of distributive systems. But the first is the more common among philosophers; it matches

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their own search for unity and singularity; and I shall need to explain its difficulties at some length.

Men and women who make the first claim challenge the monopoly but not the dominance of a particular social good. This is also a challenge to monopoly in general; for if wealth, for example, is dominant and widely shared, no other good can possibly be monopolized. Imagine a society in which everything is up for sale and every citizen has as much money as every other. I shall call this the "regime of simple equality." Equality is multiplied through the conversion process, until it extends across the full range of social goods. The regime of simple equality won't last for long, because the further progress of conversion, free exchange in the market, is certain to bring inequalities in its train. If one wanted to sustain simple equality over time, one would require a "monetary law" like the agrarian laws of ancient times or the Hebrew sabbatical, providing for a periodic return to the original condition. Only a centralized and activist state would be strong enough to force such a return; and it isn't clear that state officials would actually be able or willing to do that, if money were the dominant good. In any case, the original condition is unstable in another way. It's not only that monopoly will reappear, but also that dominance will disappear.

In practice, breaking the monopoly of money neutralizes its dominance. Other goods come into play, and inequality takes on new forms. Consider again the regime of simple equality. Everything is up for sale, and everyone has the same amount of money. So everyone has, say, an equal ability to buy an education for his children. Some do that, and others don't. It turns out to be a good investment: other social goods are, increasingly, offered for sale only to people with educational certificates. Soon everyone invests in education; or, more likely, the purchase is universalized through the tax system. But then the school is turned into a competitive world within which money is no longer dominant. Natural talent or family upbringing or skill in writing examinations is dominant instead, and educational success and certification are monopolized by some new group. Let's call them (what they call themselves) the "group of the talented." Eventually the members of this group claim that the good they control should be dominant outside the school: offices, titles, prerogatives, wealth too, should all be possessed by themselves. This is the career open to talents, equal opportunity, and so on. This is what fairness requires; talent will out; and in any case, talented men and women will enlarge the resources available to everyone else. So Michael Young's meritocracy is born, with all its attendant inequalities.<sup>9</sup>

What should we do now? It is possible to set limits to the new con-

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version patterns, to recognize but constrain the monopoly power of the talented. I take this to be the purpose of John Rawls's difference principle, according to which inequalities are justified only if they are designed to bring, and actually do bring, the greatest possible benefit to the least advantaged social class.<sup>10</sup> More specifically, the difference principle is a constraint imposed on talented men and women, once the monopoly of wealth has been broken. It works in this way: Imagine a surgeon who claims more than his equal share of wealth on the basis of the skills he has learned and the certificates he has won in the harsh competitive struggles of college and medical school. We will grant the claim if, and only if, granting it is beneficial in the stipulated ways. At the same time, we will act to limit and regulate the sale of surgery—that is, the direct conversion of surgical skill into wealth.

This regulation will necessarily be the work of the state, just as monetary laws and agrarian laws are the work of the state. Simple equality would require continual state intervention to break up or constrain incipient monopolies and to repress new forms of dominance. But then state power itself will become the central object of competitive struggles. Groups of men and women will seek to monopolize and then to use the state in order to consolidate their control of other social goods. Or, the state will be monopolized by its own agents in accordance with the iron law of oligarchy. Politics is always the most direct path to dominance, and political power (rather than the means of production) is probably the most important, and certainly the most dangerous, good in human history.\* Hence the need to constrain the agents of constraint, to establish constitutional checks and balances. These are limits imposed on political monopoly, and they are all the more important once the various social and economic monopolies have been broken.

One way of limiting political power is to distribute it widely. This may not work, given the well-canvassed dangers of majority tyranny; but these dangers are probably less acute than they are often made out to be. The greater danger of democratic government is that it will be

\*I should note here what will become more clear as I go along, that political power is a special sort of good. It has a twofold character. First, it is like the other things that men and women make, value, exchange, and share: sometimes dominant, sometimes not; sometimes widely held, sometimes the possession of a very few. And, second, it is unlike all the other things because, however it is had and whoever has it, political power is the regulative agency for social goods generally. It is used to defend the boundaries of all the distributive spheres, including its own, and to enforce the common understandings of what goods are and what they are for. (But it can also be used, obviously, to invade the different spheres and to override those understandings.) In this second sense, we might say, indeed, that political power is always dominant—at the boundaries, but not within them. The central problem of political life is to maintain that crucial distinction between "at" and "in." But this is a problem that cannot be solved given the imperatives of simple equality.



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weak to cope with re-emerging monopolies in society at large, with the social strength of plutocrats, bureaucrats, technocrats, meritocrats, and so on. In theory, political power is the dominant good in a democracy, and it is convertible in any way the citizens choose. But in practice, again, breaking the monopoly of power neutralizes its dominance. Political power cannot be widely shared without being subjected to the pull of all the other goods that the citizens already have or hope to have. Hence democracy is, as Marx recognized, essentially a reflective system, mirroring the prevailing and emerging distribution of social goods.<sup>11</sup> Democratic decision making will be shaped by the cultural conceptions that determine or underwrite the new monopolies. To prevail against these monopolies, power will have to be centralized, perhaps itself monopolized. Once again, the state must be very powerful if it is to fulfill the purposes assigned to it by the difference principle or by any similarly interventionist rule.

Still, the regime of simple equality might work. One can imagine a more or less stable tension between emerging monopolies and political constraints, between the claim to privilege put forward by the talented, say, and the enforcement of the difference principle, and then between the agents of enforcement and the democratic constitution. But I suspect that difficulties will recur, and that at many points in time the only remedy for private privilege will be statism, and the only escape from statism will be private privilege. We will mobilize power to check monopoly, then look for some way of checking the power we have mobilized. But there is no way that doesn't open opportunities for strategically placed men and women to seize and exploit important social goods.

These problems derive from treating monopoly, and not dominance, as the central issue in distributive justice. It is not difficult, of course, to understand why philosophers (and political activists, too) have focused on monopoly. The distributive struggles of the modern age begin with a war against the aristocracy's singular hold on land, office, and honor. This seems an especially pernicious monopoly because it rests upon birth and blood, with which the individual has nothing to do, rather than upon wealth, or power, or education, all of which—at least in principle—can be earned. And when every man and woman becomes, as it were, a smallholder in the sphere of birth and blood, an important victory is indeed won. Birthright ceases to be a dominant good; henceforth, it purchases very little; wealth, power, and education come to the fore. With regard to these latter goods, however, simple equality cannot be sustained at all, or it can only be sustained subject to the vicissitudes I have just described.

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Within their own spheres, as they are currently understood, these three tend to generate natural monopolies that can be repressed only if state power is itself dominant and if it is monopolized by officials committed to the repression. But there is, I think, another path to another kind of equality.

## Tyranny and Complex Equality

I want to argue that we should focus on the reduction of dominance—not, or not primarily, on the break-up or the constraint of monopoly. We should consider what it might mean to narrow the range within which particular goods are convertible and to vindicate the autonomy of distributive spheres. But this line of argument, though it is not uncommon historically, has never fully emerged in philosophical writing. Philosophers have tended to criticize (or to justify) existing or emerging monopolies of wealth, power, and education. Or, they have criticized (or justified) particular conversions—of wealth into education or of office into wealth. And all this, most often, in the name of some radically simplified distributive system. The critique of dominance will suggest instead a way of reshaping and then living with the actual complexity of distributions.

Imagine now a society in which different social goods are monopolistically held—as they are in fact and always will be, barring continual state intervention—but in which no particular good is generally convertible. As I go along, I shall try to define the precise limits on convertibility, but for now the general description will suffice. This is a complex egalitarian society. Though there will be many small inequalities, inequality will not be multiplied through the conversion process. Nor will it be summed across different goods, because the autonomy of distributions will tend to produce a variety of local monopolies, held by different groups of men and women. I don't want to claim that complex equality would necessarily be more stable than simple equality, but I am inclined to think that it would open the way for more diffused and particularized forms of social conflict. And the resistance to convertibility would be maintained, in large degree, by ordinary men and women within their own spheres of competence and control, without large-scale state action.

This is, I think, an attractive picture, but I have not yet explained



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just why it is attractive. The argument for complex equality begins from our understanding—I mean, our actual, concrete, positive, and particular understanding—of the various social goods. And then it moves on to an account of the way we relate to one another through those goods. Simple equality is a simple distributive condition, so that if I have fourteen hats and you have fourteen hats, we are equal. And it is all to the good if hats are dominant, for then our equality is extended through all the spheres of social life. On the view that I shall take here, however, we simply have the same number of hats, and it is unlikely that hats will be dominant for long. Equality is a complex relation of persons, mediated by the goods we make, share, and divide among ourselves; it is not an identity of possessions. It requires then, a diversity of distributive criteria that mirrors the diversity of social goods.

The argument for complex equality has been beautifully put by Pascal in one of his *Pensées*.

The nature of tyranny is to desire power over the whole world and outside its own sphere.

There are different companies—the strong, the handsome, the intelligent, the devout—and each man reigns in his own, not elsewhere. But sometimes they meet, and the strong and the handsome fight for mastery—foolishly, for their mastery is of different kinds. They misunderstand one another, and make the mistake of each aiming at universal dominion. Nothing can win this, not even strength, for it is powerless in the kingdom of the wise. . . .

*Tyranny.* The following statements, therefore, are false and tyrannical: “Because I am handsome, so I should command respect.” “I am strong, therefore men should love me. . . .” “I am . . . et cetera.”

Tyranny is the wish to obtain by one means what can only be had by another. We owe different duties to different qualities: love is the proper response to charm, fear to strength, and belief to learning.<sup>12</sup>

Marx made a similar argument in his early manuscripts; perhaps he had this *pensée* in mind:

Let us assume man to be man, and his relation to the world to be a human one. Then love can only be exchanged for love, trust for trust, etc. If you wish to enjoy art you must be an artistically cultivated person; if you wish to influence other people, you must be a person who really has a stimulating and encouraging effect upon others. . . . If you love without evoking love in return, i.e., if you are not able, by the manifestation of yourself as a loving person, to make yourself a beloved person—then your love is impotent and a misfortune.<sup>13</sup>

These are not easy arguments, and most of my book is simply an exposition of their meaning. But here I shall attempt something more simple

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and schematic: a translation of the arguments into the terms I have already been using.

The first claim of Pascal and Marx is that personal qualities and social goods have their own spheres of operation, where they work their effects freely, spontaneously, and legitimately. There are ready or natural conversions that follow from, and are intuitively plausible because of, the social meaning of particular goods. The appeal is to our ordinary understanding and, at the same time, against our common acquiescence in illegitimate conversion patterns. Or, it is an appeal from our acquiescence to our resentment. There is something wrong, Pascal suggests, with the conversion of strength into belief. In political terms, Pascal means that no ruler can rightly command my opinions merely because of the power he wields. Nor can he, Marx adds, rightly claim to influence my actions: if a ruler wants to do that, he must be persuasive, helpful, encouraging, and so on. These arguments depend for their force on some shared understanding of knowledge, influence, and power. Social goods have social meanings, and we find our way to distributive justice through an interpretation of those meanings. We search for principles internal to each distributive sphere.

The second claim is that the disregard of these principles is tyranny. To convert one good into another, when there is no intrinsic connection between the two, is to invade the sphere where another company of men and women properly rules. Monopoly is not inappropriate within the spheres. There is nothing wrong, for example, with the grip that persuasive and helpful men and women (politicians) establish on political power. But the use of political power to gain access to other goods is a tyrannical use. Thus, an old description of tyranny is generalized: princes become tyrants, according to medieval writers, when they seize the property or invade the family of their subjects.<sup>14</sup> In political life—but more widely, too—the dominance of goods makes for the domination of people.

The regime of complex equality is the opposite of tyranny. It establishes a set of relationships such that domination is impossible. In formal terms, complex equality means that no citizen's standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good. Thus, citizen X may be chosen over citizen Y for political office, and then the two of them will be unequal in the sphere of politics. But they will not be unequal generally so long as X's office gives him no advantages over Y in any other sphere—superior medical care, access to better schools for his children, entrepreneurial opportunities, and so on. So long as

office is not a dominant good, is not generally convertible, office holders will stand, or at least can stand, in a relation of equality to the men and women they govern.

But what if dominance were eliminated, the autonomy of the spheres established—and the same people were successful in one sphere after another, triumphant in every company, piling up goods without the need for illegitimate conversions? This would certainly make for an inegalitarian society, but it would also suggest in the strongest way that a society of equals was not a lively possibility. I doubt that any egalitarian argument could survive in the face of such evidence. Here is a person whom we have freely chosen (without reference to his family ties or personal wealth) as our political representative. He is also a bold and inventive entrepreneur. When he was younger, he studied science, scored amazingly high grades in every exam, and made important discoveries. In war, he is surpassingly brave and wins the highest honors. Himself compassionate and compelling, he is loved by all who know him. Are there such people? Maybe so, but I have my doubts. We tell stories like the one I have just told, but the stories are fictions, the conversion of power or money or academic talent into legendary fame. In any case, there aren't enough such people to constitute a ruling class and dominate the rest of us. Nor can they be successful in every distributive sphere, for there are some spheres to which the idea of success doesn't pertain. Nor are their children likely, under conditions of complex equality, to inherit their success. By and large, the most accomplished politicians, entrepreneurs, scientists, soldiers, and lovers will be different people; and so long as the goods they possess don't bring other goods in train, we have no reason to fear their accomplishments.

The critique of dominance and domination points toward an open-ended distributive principle. *No social good x should be distributed to men and women who possess some other good y merely because they possess y and without regard to the meaning of x.* This is a principle that has probably been reiterated, at one time or another, for every y that has ever been dominant. But it has not often been stated in general terms. Pascal and Marx have suggested the application of the principle against all possible y's, and I shall attempt to work out that application. I shall be looking, then, not at the members of Pascal's companies—the strong or the weak, the handsome or the plain—but at the goods they share and divide. The purpose of the principle is to focus our attention; it doesn't determine the shares or the division. The principle directs us to study the meaning of social goods, to examine the different distributive spheres from the inside.

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### Three Distributive Principles

The theory that results is unlikely to be elegant. No account of the meaning of a social good, or of the boundaries of the sphere within which it legitimately operates, will be uncontroversial. Nor is there any neat procedure for generating or testing different accounts. At best, the arguments will be rough, reflecting the diverse and conflict-ridden character of the social life that we seek simultaneously to understand and to regulate—but not to regulate until we understand. I shall set aside, then, all claims made on behalf of any single distributive criterion, for no such criterion can possibly match the diversity of social goods. Three criteria, however, appear to meet the requirements of the open-ended principle and have often been defended as the beginning and end of distributive justice, so I must say something about each of them. Free exchange, desert, and need: all three have real force, but none of them has force across the range of distributions. They are part of the story, not the whole of it.

#### *Free Exchange*

Free exchange is obviously open-ended; it guarantees no particular distributive outcome. At no point in any exchange process plausibly called "free" will it be possible to predict the particular division of social goods that will obtain at some later point.<sup>15</sup> (It may be possible, however, to predict the general structure of the division.) In theory at least, free exchange creates a market within which all goods are convertible into all other goods through the neutral medium of money. There are no dominant goods and no monopolies. Hence the successive divisions that obtain will directly reflect the social meanings of the goods that are divided. For each bargain, trade, sale, and purchase will have been agreed to voluntarily by men and women who know what that meaning is, who are indeed its makers. Every exchange is a revelation of social meaning. By definition, then, no x will ever fall into the hands of someone who possesses y, merely because he possesses y and without regard to what x actually means to some other member of society. The market is radically pluralistic in its operations and its outcomes, infinitely sensitive to the meanings that individuals attach to goods. What possible restraints can be imposed on free exchange, then, in the name of pluralism?

But everyday life in the market, the actual experience of free ex-

change, is very different from what the theory suggests. Money, supposedly the neutral medium, is in practice a dominant good, and it is monopolized by people who possess a special talent for bargaining and trading—the green thumb of bourgeois society. Then other people demand a redistribution of money and the establishment of the regime of simple equality, and the search begins for some way to sustain that regime. But even if we focus on the first untroubled moment of simple equality—free exchange on the basis of equal shares—we will still need to set limits on what can be exchanged for what. For free exchange leaves distributions entirely in the hands of individuals, and social meanings are not subject, or are not always subject, to the interpretative decisions of individual men and women.

Consider an easy example, the case of political power. We can conceive of political power as a set of goods of varying value, votes, influence, offices, and so on. Any of these can be traded on the market and accumulated by individuals willing to sacrifice other goods. Even if the sacrifices are real, however, the result is a form of tyranny—petty tyranny, given the conditions of simple equality. Because I am willing to do without my hat, I shall vote twice; and you who value the vote less than you value my hat, will not vote at all. I suspect that the result is tyrannical even with regard to the two of us, who have reached a voluntary agreement. It is certainly tyrannical with regard to all the other citizens who must now submit to my disproportionate power. It is not the case that votes can't be bargained for; on one interpretation, that's what democratic politics is all about. And democratic politicians have certainly been known to buy votes, or to try to buy them, by promising public expenditures that benefit particular groups of voters. But this is done in public, with public funds, and subject to public approval. Private trading is ruled out by virtue of what politics, or democratic politics, is—that is, by virtue of what we did when we constituted the political community and of what we still think about what we did.

Free exchange is not a general criterion, but we will be able to specify the boundaries within which it operates only through a careful analysis of particular social goods. And having worked through such an analysis, we will come up at best with a philosophically authoritative set of boundaries and not necessarily with the set that ought to be politically authoritative. For money seeps across all boundaries—this is the primary form of illegal immigration; and just where one ought to try to stop it is a question of expediency as well as of principle. Failure to stop it at some reasonable point has consequences throughout the range of distributions, but consideration of these belongs in a later chapter.

*Desert*

Like free exchange, desert seems both open-ended and pluralistic. One might imagine a single neutral agency dispensing rewards and punishments, infinitely sensitive to all the forms of individual desert. Then the distributive process would indeed be centralized, but the results would still be unpredictable and various. There would be no dominant good. No  $x$  would ever be distributed without regard to its social meaning; for, without attention to what  $x$  is, it is conceptually impossible to say that  $x$  is deserved. All the different companies of men and women would receive their appropriate reward. How this would work in practice, however, is not easy to figure out. It might make sense to say of this charming man, for example, that he deserves to be loved. It makes no sense to say that he deserves to be loved by this (or any) particular woman. If he loves her while she remains impervious to his (real) charms, that is his misfortune. I doubt that we would want the situation corrected by some outside agency. The love of particular men and women, on our understanding of it, can only be distributed by themselves, and they are rarely guided in these matters by considerations of desert.

The case is exactly the same with influence. Here, let's say, is a woman widely thought to be stimulating and encouraging to others. Perhaps she deserves to be an influential member of our community. But she doesn't deserve that I be influenced by her or that I follow her lead. Nor would we want my followership, as it were, assigned to her by any agency capable of making such assignments. She may go to great lengths to stimulate and encourage me, and do all the things that are commonly called stimulating or encouraging. But if I (perverse-ly) refuse to be stimulated or encouraged, I am not denying her anything that she deserves. The same argument holds by extension for politicians and ordinary citizens. Citizens can't trade their votes for hats; they can't individually decide to cross the boundary that separates the sphere of politics from the marketplace. But within the sphere of politics, they do make individual decisions; and they are rarely guided, again, by considerations of desert. It's not clear that offices can be deserved—another issue that I must postpone; but even if they can be, it would violate our understanding of democratic politics were they simply distributed to deserving men and women by some central agency.

Similarly, however we draw the boundaries of the sphere within which free exchange operates, desert will play no role within those



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boundaries. I am skillful at bargaining and trading, let's say, and so accumulate a large number of beautiful pictures. If we assume, as painters mostly do, that pictures are appropriately traded in the market, then there is nothing wrong with my having the pictures. My title is legitimate. But it would be odd to say that I deserve to have them simply because I am good at bargaining and trading. Desert seems to require an especially close connection between particular goods and particular persons, whereas justice only sometimes requires a connection of that sort. Still, we might insist that only artistically cultivated people, who deserve to have pictures, should actually have them. It's not difficult to imagine a distributive mechanism. The state could buy all the pictures that were offered for sale (but artists would have to be licensed, so that there wouldn't be an endless number of pictures), evaluate them, and then distribute them to artistically cultivated men and women, the better pictures to the more cultivated. The state does something like this, sometimes, with regard to things that people need—medical care, for example—but not with regard to things that people deserve. There are practical difficulties here, but I suspect a deeper reason for this difference. Desert does not have the urgency of need, and it does not involve having (owning and consuming) in the same way. Hence, we are willing to tolerate the separation of owners of paintings and artistically cultivated people, or we are unwilling to require the kinds of interference in the market that would be necessary to end the separation. Of course, public provision is always possible alongside the market, and so we might argue that artistically cultivated people deserve not pictures but museums. Perhaps they do, but they don't deserve that the rest of us contribute money or appropriate public funds for the purchase of pictures and the construction of buildings. They will have to persuade us that art is worth the money; they will have to stimulate and encourage our own artistic cultivation. And if they fail to do that, their own love of art may well turn out to be "impotent and a misfortune."

Even if we were to assign the distribution of love, influence, offices, works of art, and so on, to some omnipotent arbiters of desert, how would we select them? How could anyone deserve such a position? Only God, who knows what secrets lurk in the hearts of men, would be able to make the necessary distributions. If human beings had to do the work, the distributive mechanism would be seized early on by some band of aristocrats (so they would call themselves) with a fixed conception of what is best and most deserving, and insensitive to the diverse excellences of their fellow citizens. And then desert would cease

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to be a pluralist criterion; we would find ourselves face to face with a new set (of an old sort) of tyrants. We do, of course, choose people as arbiters of desert—to serve on juries, for example, or to award prizes; it will be worth considering later what the prerogatives of a juror are. But it is important to stress here that he operates within a narrow range. Desert is a strong claim, but it calls for difficult judgments; and only under very special conditions does it yield specific distributions.

## Need

Finally, the criterion of need. "To each according to his needs" is generally taken as the distributive half of Marx's famous maxim: we are to distribute the wealth of the community so as to meet the necessities of its members.<sup>16</sup> A plausible proposal, but a radically incomplete one. In fact, the first half of the maxim is also a distributive proposal, and it doesn't fit the rule of the second half. "From each according to his ability" suggests that jobs should be distributed (or that men and women should be conscripted to work) on the basis of individual qualifications. But individuals don't in any obvious sense need the jobs for which they are qualified. Perhaps such jobs are scarce, and there are a large number of qualified candidates: which candidates need them most? If their material needs are already taken care of, perhaps they don't need to work at all. Or if, in some non-material sense, they all need to work, then that need won't distinguish among them, at least not to the naked eye. It would in any case be odd to ask a search committee looking, say, for a hospital director to make its choice on the basis of the needs of the candidates rather than on those of the staff and the patients of the hospital. But the latter set of needs, even if it isn't the subject of political disagreement, won't yield a single distributive decision.

Nor will need work for many other goods. Marx's maxim doesn't help at all with regard to the distribution of political power, honor and fame, sailboats, rare books, beautiful objects of every sort. These are not things that anyone, strictly speaking, needs. Even if we take a loose view and define the verb *to need* the way children do, as the strongest form of the verb *to want*, we still won't have an adequate distributive criterion. The sorts of things that I have listed cannot be distributed equally to those with equal wants because some of them are generally, and some of them are necessarily, scarce, and some of them can't be possessed at all unless other people, for reasons of their own, agree on who is to possess them.

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Need generates a particular distributive sphere, within which it is itself the appropriate distributive principle. In a poor society, a high proportion of social wealth will be drawn into this sphere. But given the great variety of goods that arises out of any common life, even when it is lived at a very low material level, other distributive criteria will always be operating alongside of need, and it will always be necessary to worry about the boundaries that mark them off from one another. Within its sphere, certainly, need meets the general distributive rule about  $x$  and  $y$ . Needed goods distributed to needy people in proportion to their neediness are obviously not dominated by any other goods. It's not having  $y$ , but only lacking  $x$  that is relevant. But we can now see, I think, that every criterion that has any force at all meets the general rule within its own sphere, and not elsewhere. This is the effect of the rule: different goods to different companies of men and women for different reasons and in accordance with different procedures. And to get all this right, or to get it roughly right, is to map out the entire social world.

### Hierarchies and Caste Societies

Or, rather, it is to map out a particular social world. For the analysis that I propose is imminent and phenomenological in character. It will yield not an ideal map or a master plan but, rather, a map and a plan appropriate to the people for whom it is drawn, whose common life it reflects. The goal, of course, is a reflection of a special kind, which picks up those deeper understandings of social goods which are not necessarily mirrored in the everyday practice of dominance and monopoly. But what if there are no such understandings? I have been assuming all along that social meanings call for the autonomy, or the relative autonomy, of distributive spheres; and so they do much of the time. But it's not impossible to imagine a society where dominance and monopoly are not violations but enactments of meaning, where social goods are conceived in hierarchical terms. In feudal Europe, for example, clothing was not a commodity (as it is today) but a badge of rank. Rank dominated dress. The meaning of clothing was shaped in the image of the feudal order. Dressing in finery to which one wasn't entitled was a kind of lie; it made a false statement about who one was. When a

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king or a prime minister dressed as a commoner in order to learn something about the opinions of his subjects, this was a kind of politic deceit. On the other hand, the difficulties of enforcing the clothing code (the sumptuary laws) suggests that there was all along an alternative sense of what clothing meant. At some point, at least, one can begin to recognize the boundaries of a distinct sphere within which people dress in accordance with what they can afford or what they are willing to spend or how they want to look. The sumptuary laws may still be enforced, but now one can make—and ordinary men and women do, in fact, make—egalitarian arguments against them.

Can we imagine a society in which all goods are hierarchically conceived? Perhaps the caste system of ancient India had this form (though that is a far-reaching claim, and it would be prudent to doubt its truth: for one thing, political power seems always to have escaped the laws of caste). We think of castes as rigidly segregated groups, of the caste system as a "plural society," a world of boundaries.<sup>17</sup> But the system is constituted by an extraordinary integration of meanings. Prestige, wealth, knowledge, office, occupation, food, clothing, even the social good of conversation: all are subject to the intellectual as well as to the physical discipline of hierarchy. And the hierarchy is itself determined by the single value of ritual purity. A certain kind of collective mobility is possible, for castes or subcastes can cultivate the outward marks of purity and (within severe limits) raise their position in the social scale. And the system as a whole rests upon a religious doctrine that promises equality of opportunity, not in this life but across the lives of the soul. The individual's status here and now "is the result of his conduct in his last incarnation . . . and if unsatisfactory can be remedied by acquiring merit in his present life which will raise his status in the next."<sup>18</sup> We should not assume that men and women are ever entirely content with radical inequality. Nevertheless, distributions here and now are part of a single system, largely unchallenged, in which purity is dominant over other goods—and birth and blood are dominant over purity. Social meanings overlap and cohere.

The more perfect the coherence, the less possible it is even to think about complex equality. All goods are like crowns and thrones in a hereditary monarchy. There is no room, and there are no criteria, for autonomous distributions. In fact, however, even hereditary monarchies are rarely so simply constructed. The social understanding of royal power commonly involves some notion of divine grace, or magical gift, or human insight; and these criteria for office holding are potentially independent of birth and blood. So it is for most social goods: they

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are only imperfectly integrated into larger systems; they are understood, at least sometimes, in their own terms. The theory of goods explicates understandings of this sort (where they exist), and the theory of complex equality exploits them. We say, for example, that it is tyrannical for a man without grace or gift or insight to sit upon the throne. And this is only the first and most obvious kind of tyranny. We can search for many other kinds.

Tyranny is always specific in character: a particular boundary crossing, a particular violation of social meaning. Complex equality requires the defense of boundaries; it works by differentiating goods just as hierarchy works by differentiating people. But we can only talk of a *regime* of complex equality when there are many boundaries to defend; and what the right number is cannot be specified. There is no right number. Simple equality is easier: one dominant good widely distributed makes an egalitarian society. But complexity is hard: how many goods must be autonomously conceived before the relations they mediate can become the relations of equal men and women? There is no certain answer and hence no ideal regime. But as soon as we start to distinguish meanings and mark out distributive spheres, we are launched on an egalitarian enterprise.

### The Setting of the Argument

The political community is the appropriate setting for this enterprise. It is not, to be sure, a self-contained distributive world: only the world is a self-contained distributive world, and contemporary science fiction invites us to speculate about a time when even that won't be true. Social goods are shared, divided, and exchanged across political frontiers. Monopoly and dominance operate almost as easily beyond the frontiers as within them. Things are moved, and people move themselves, back and forth across the lines. Nevertheless, the political community is probably the closest we can come to a world of common meanings. Language, history, and culture come together (come more closely together here than anywhere else) to produce a collective consciousness. National character, conceived as a fixed and permanent mental set, is obviously a myth; but the sharing of sensibilities and intuitions among the members of a historical community is a fact of life. Sometimes po-

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litical and historical communities don't coincide, and there may well be a growing number of states in the world today where sensibilities and intuitions aren't readily shared; the sharing takes place in smaller units. And then, perhaps, we should look for some way to adjust distributive decisions to the requirements of those units. But this adjustment must itself be worked out politically, and its precise character will depend upon understandings shared among the citizens about the value of cultural diversity, local autonomy, and so on. It is to these understandings that we must appeal when we make our arguments—all of us, not philosophers alone; for in matters of morality, argument simply is the appeal to common meanings.

Politics, moreover, establishes its own bonds of commonality. In a world of independent states, political power is a local monopoly. These men and women, we can say, under whatever constraints, shape their own destiny. Or they struggle as best they can to shape their own destiny. And if their destiny is only partially in their own hands, the struggle is entirely so. They are the ones whose decision it is to tighten or loosen distributive criteria, to centralize or decentralize procedures, to intervene or refuse to intervene in this or that distributive sphere. Probably, some set of leaders make the actual decisions, but the citizens should be able to recognize the leaders as their own. If the leaders are cruel or stupid or endlessly venal, as they often are, the citizens or some of the citizens will try to replace them, fighting over the distribution of political power. The fight will be shaped by the institutional structures of the community—that is, by the outcomes of previous fights. Politics present is the product of politics past. It establishes an unavoidable setting for the consideration of distributive justice.

There is one last reason for adopting the view of the political community as setting, a reason that I shall elaborate on at some length in the next chapter. The community is itself a good—conceivably the most important good—that gets distributed. But it is a good that can only be distributed by taking people in, where all the senses of that latter phrase are relevant: they must be physically admitted and politically received. Hence membership cannot be handed out by some external agency; its value depends upon an internal decision. Were there no communities capable of making such decisions, there would in this case be no good worth distributing.

The only plausible alternative to the political community is humanity itself, the society of nations, the entire globe. But were we to take the globe as our setting, we would have to imagine what does not yet exist: a community that included all men and women everywhere. We



would have to invent a set of common meanings for these people, avoiding if we could the stipulation of our own values. And we would have to ask the members of this hypothetical community (or their hypothetical representatives) to agree among themselves on what distributive arrangements and patterns of conversion are to count as just. Ideal contractualism or undistorted communication, which represents one approach—not my own—to justice in particular communities, may well be the only approach for the globe as a whole.<sup>19</sup> But whatever the hypothetical agreement, it could not be enforced without breaking the political monopolies of existing states and centralizing power at the global level. Hence the agreement (or the enforcement) would make not for complex but for simple equality—if power was dominant and widely shared—or simply for tyranny—if power was seized, as it probably would be, by a set of international bureaucrats. In the first case, the people of the world would have to live with the difficulties I have described: the continual reappearance of local privilege, the continual reassertion of global statism. In the second case, they would have to live with difficulties that are considerably worse. I will have a little more to say about these difficulties later. For now I take them to be reasons enough to limit myself to cities, countries, and states that have, over long periods of time, shaped their own internal life.

With regard to membership, however, important questions arise between and among such communities, and I shall try to focus on them and to draw into the light all those occasions when ordinary citizens focus on them. In a limited way, the theory of complex equality can be extended from particular communities to the society of nations, and the extension has this advantage: it will not run roughshod over local understandings and decisions. Just for that reason, it also will not yield a uniform system of distributions across the globe, and it will only begin to address the problems raised by mass poverty in many parts of the globe. I don't think the beginning unimportant; in any case, I can't move beyond it. To do that would require a different theory, which would take as its subject not the common life of citizens but the more distanced relations of states: a different theory, a different book, another time.

## Membership

### Members and Strangers

The idea of distributive justice presupposes a bounded world within which distributions takes place: a group of people committed to dividing, exchanging, and sharing social goods, first of all among themselves. That world, as I have already argued, is the political community, whose members distribute power to one another and avoid, if they possibly can, sharing it with anyone else. When we think about distributive justice, we think about independent cities or countries capable of arranging their own patterns of division and exchange, justly or unjustly. We assume an established group and a fixed population, and so we miss the first and most important distributive question: How is that group constituted?

I don't mean, *How was* it constituted? I am concerned here not with the historical origins of the different groups, but with the decisions they make in the present about their present and future populations. The primary good that we distribute to one another is membership in some human community. And what we do with regard to membership structures all our other distributive choices: it determines with whom we make those choices, from whom we require obedience and collect taxes, to whom we allocate goods and services.

Men and women without membership anywhere are stateless persons. That condition doesn't preclude every sort of distributive relation: markets, for example, are commonly open to all comers. But non-members are vulnerable and unprotected in the marketplace. Al-