

Social Values: Liberty and Equality

I. Political philosophy

Last time we considered three accounts of right action, and how individuals ought morally to act. But of course, individuals live in societies, and in societies there are many individuals simultaneously acting and pursuing a good life. So two questions emerge:

- What is an individual entitled to in their pursuit of a good life *among others*, given that there are limited resources?
- How should a just society be organized? In particular, how can a society best enable its members to flourish, compatible with justice for all? What moral principles should constrain and guide the organization of society?

Of the three moral theories we considered, *utilitarianism* is the one best suited to provide an immediate response to these questions: society should be organized in such a way to maximize happiness for all; an individual is entitled to only that which their having it maximizes happiness for all. A common complaint against utilitarianism, however, is that it does not take seriously enough the rights of the individual. So what other theoretical options are there?

II. The Big Three (Political Theories)

I. *Libertarianism* provides another approach to the organization of society that focuses heavily on rights. Libertarians maintain that the most important political value is *personal liberty*. Personal liberty is absolute: an individual's liberty cannot be violated to maximize happiness or any other good, even the overall amount of personal liberty in a society. The only legitimate restrictions on individual liberty are those necessary to protect the liberty of others.

The right to liberty is a cluster of *negative rights*. Violation of such rights would include (a) being killed or assaulted or other physical violence against one, (b) being coerced, being prevented from activities that do no harm to others, (c) having your property taken or controlled, providing that you are not violating the rights of others. Libertarians believe that the cluster of negative rights that constitute personal liberty determine that only a minimal state is justified. A minimal state cannot go beyond protecting its members from violence, theft, fraud; distributive justice in such a state is a matter of historical entitlement to property. We saw before that guaranteeing such liberties does not ensure freedom, if we conceive of freedom as a capacity to live decently according to one's values, for a minimal state would not provide any safety net or protection from exploitation. Robert Nozick is a paradigm libertarian.

2. *Egalitarianism* comes in a variety of forms. But the main idea is that the value of individual happiness and the value of liberty do not exhaust the values that a society has an obligation to protect and foster. In addition, a society ought to manifest the value of equality amongst its citizens. Egalitarians differ in how they answer the following questions:

- (a) Equality of what? Equality of wealth? Equality of opportunity? Equality of respect?
- (b) What are the legitimate means for creating equality, compatible with other values?

Equality and liberty are often thought to be in tension. Suppose the goal is equality of wealth. Achieving and maintaining equal wealth amongst citizens would seem to require violations of liberty. To consider a simplistic example, suppose I gave you each \$100. Some would save it; some would spend it; others would invest it. Maintaining equality of wealth would require a redistribution of resources over time, i.e., taking wealth from some and giving it to others. But this seems to violate the right to private property: if I create wealth through my effort, am I not entitled to keep it? Is it not a violation of my rights to have it taken from me? Although this concern is vivid when aiming for equality of wealth, it is less obviously so when equality of respect or opportunity is the goal.

Libertarianism seems to do too little to protect our well-being and a robust sense of freedom; egalitarianism seems to do too little to protect our liberty. Are there other options?

3. Liberal egalitarianism attempts to articulate a balance between equality and liberty. Typically, liberal egalitarians will articulate a domain of negative rights that are inviolable (even to achieve equality), a domain of positive rights that promote freedom (e.g., the right to education), and principles of distribution that respect the value of equality.

John Rawls is a paradigm liberal egalitarian. He suggests that:

- A just society is fair.
- A test of a fair distribution is whether everyone could reasonably consent to it.
- People should reasonably consent to an arrangement that is mutually advantageous.
- The best way to come up with a mutually advantageous arrangement is to be impartial.
- Impartiality is best achieved through abstracting away from our particular differences.

Idea: ignorance is a good tool for achieving impartiality.

Example: dividing a pizza. If I don't know which slice I'm getting, I'll divide it evenly.

“The Original Position”: In Rawls, he calls the framework of supposed ignorance from which we are to decide on the principles of justice, the “original position.” In the original position

- We don't know what our society is like because we want to be impartial across cultures, and across generations.
- We also don't know what our individual natural talents or social advantages are, because we don't want to skew the society to favor those who just happen to be lucky to be born to rich parents or with special talents.
- We also don't know our religion or fundamental conception of the good because we want our social framework to be tolerant of the full range of conceptions of the good.

Rawls argues that from this “original position,” it would be rational to (a) be concerned most with the distribution of what he calls “primary goods,” i.e., goods that would be good for you regardless of what else you value, e.g., basic liberties, health, money, opportunity, and (b) to decide that primary goods should be distributed according to two principles:

The liberty principle: “Each person is to have an equal right to the most extensive basic liberty compatible with a similar liberty for others,” where such liberties include:

- Freedom of speech & assembly
- Freedom of conscience & thought
- Freedom of the person
- The right to hold property

The maximin principle (or in Rawls' terms: the Difference Principle): social and economic inequalities are permissible only to the extent that they are attached to positions open to all, and they benefit the least well-off.

Objections:

a) The liberal egalitarian approach is biased towards the disadvantaged; those better off deserve their advantages and they shouldn't be taken away. In fact, “fairness” comes from the unrestricted working of market forces. Reply: If fairness requires that we level the playing field so that no one is disadvantaged by bad luck, then the successful don't deserve their advantages and the market will not yield fair results. Is there a better conception of fairness? What is it?

b) It is not the responsibility of society or government to make things “fair”. Reply: What is the responsibility of society? Why isn't it to make things “fair”? Won't fair societies also be more stable, more democratic, more just? How *ought* we organize society if not to achieve these aims?

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Fall 2012

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