JONATHAN WOLFF

Fairness, Respect, and the Egalitarian Ethos

Insisting on exact equality in all cases can be unfair. This quite correct point—insisted on by libertarians—has had a profound effect on the development of contemporary egalitarian theory. Yet in bending over backwards to accommodate this basic thought, certain egalitarians have bent too far. Egalitarians should not only be motivated by a concern for fairness, but also by the idea of respect for all. In this article I shall argue that these two values, both of which are authentically part of the egalitarian ethos, can come into conflict. At least in some cases respect should take priority. This has important consequences both for the theory of egalitarianism and its practice. In particular, giving respect its due provides a reason for egalitarians to favor unconditional welfare benefits; that, at least, is what I shall argue here.

In the first section I shall show how the methodology adopted by contemporary egalitarians to deal with the libertarian challenge has produced a one-sided version of egalitarianism. Section II introduces and explains the idea of an egalitarian ethos, and the following sections develop the idea of respect, and—drawing on the concept of "shameful revelation"—argue that insisting on fairness can undermine respect and

Earlier versions of this article were presented to audiences at University College London, the London School of Economics, the University of Sheffield, The Hebrew University Jerusalem, University College Cork, Queen's University Belfast, the University of Essex, the Welsh Political Thought Conference, and the University of London Political Philosophy Group. A great many useful comments and suggestions made on those occasions have helped shape the final form of this article. In addition I must record my gratitude to a number of people for extensive discussions and/or written comments on various earlier drafts, especially John Baker, Selina Chen, Andrew Chitty, G. A. Cohen, Miriam Cohen-Christofidis, Avner de-Shalit, Paul Faulkner, Catriona McKinnon, Michael Martin, Veronique Munoz Dardé, Matthew Nudds, Michael Otsuka, Michael Rosen, Hillel Steiner, Andrew Williams, and the Editors of *Philosophy & Public Affairs*. Quite a number of these people saw how I should develop the main lines of this argument long before I did.

self-respect. Section VII contrasts the idea of an egalitarian ethos with that of lexical priority, while the final section briefly explores some of the policy implications of the earlier discussion.

I. Egalitarian Methodology

Philosophical egalitarianism has not been the same since Amartya Sen asked: "equality of what?"[1] and Ronald Dworkin distinguished equality of welfare from equality of resources.[2] Sen and Dworkin brought out the consequences of a point that had been well known for more than a century: to make people equal in one respect can make them unequal in another,[3] and so we cannot simply assume without further clarification that we know what an equal society would be like. Consequently a succession of thinkers have set out to try to isolate what Cohen has called "the currency of egalitarian justice":[4] that fundamental respect in which people will be equal in an equal society. The basic methodology is typical of a certain style of analytical philosophy: it is assumed that egalitarians share a set of judgments about particular cases or examples, and that the egalitarian project consists of finding a statement of principle which generates and unifies these judgments. And, of course, this principle will identify the primary egalitarian currency.

Sen and Dworkin knocked egalitarians out of their dogmatic slumber in one way. Robert Nozick did the same thing another way. This is not so often acknowledged, as Nozick's flagship argument against equality is based on his Wilt Chamberlain example, and egalitarians have taken a lot of pleasure showing the many ways in which this argument can be

1. Amartya Sen, "Equality of What?" in *The Tanner Lectures on Human Values*, ed. S. M. McMurrin, vol. 1 (Cambridge: Cambridge University Press, 1980), pp. 195–220.

2. Ronald Dworkin, "What Is Equality? Part 1: Equality of Welfare," *Philosophy & Public Affairs* 10, no. 3 (summer 1981): 185–246; and "What Is Equality? Part 2: Equality of Resources," *Philosophy & Public Affairs* 10, no. 4 (fall 1981): 283–345. It is plausible that the first statement of the problem in the contemporary literature is T. M. Scanlon, "Preference and Urgency," *Journal of Philosophy* 72 (1975): 655–69.

3. One classic formulation is, of course, that of Karl Marx in *Critique of the Gotha Programme*: "Right by its very nature can consist only in the application of an equal standard; but unequal individuals (and they would not be different individuals if they were not unequal) are measurable only by an equal standard in so far as they are brought under an equal point of view . . . everything else being ignored." *Karl Marx: Selected Writings*, ed. D. McLellan (Oxford: Oxford University Press, 1978), p. 569.

4. G. A. Cohen, "On The Currency of Egalitarian Justice," *Ethics* 99 (1989): 906–44.

countered.[5] However, a far less discussed argument seems in an underground way to have exerted a strangle-hold on much contemporary political theory and, perhaps to an even greater extent, practice. The argument appears in several places in *Anarchy, State, and Utopia,* but the point is a simple one. Egalitarians tend to argue as if all of society's resources were held in a vast 'social pot' and as if the only question is whether more of the contents of this pot should be allocated to a particular person or group. Nozick's point is that there is no unused store of goods to draw on just as we wish. In its least contentious form, his point is that every redistribution has its cost. To give to one person is to take from another: not necessarily to take the same amount, as such redistributions can transform (most likely diminish) quantities, but take all the same.[6] This is often obscured by the vast numbers of people, and vast numbers of decisions, involved in real-life redistributional policies.[7]

On this view, to see the underlying nature of redistribution we do best to concentrate on two-person models, which are implicitly claimed to capture the real essence of redistribution. In such micro-models, redistribution to one always means taking from the other. And certain policies entailed by egalitarian principles seem manifestly unfair in such circumstances: the most obvious examples involve taking from the industrious to give to the equally talented idle.

Whether or not it was the first, perhaps the clearest and most prominent example of this is Will Kymlicka's Aesop's fable: his retelling of Dworkin's objection to Rawls, in *Contemporary Political Philosophy.*[8] We are asked to imagine two people, equally talented, one of whom works hard gardening, and thus produces resources, the other plays tennis instead, producing nothing. The tennis player remains poor in resources, while the gardener becomes better off, purely as a result of her

5. Robert Nozick, *Anarchy, State, and Utopia* (Oxford: Basil Blackwell, 1974), pp. 160–64. For discussion see my *Robert Nozick: Property, Justice and the Minimal State* (Cambridge: Polity, 1991), pp. 73–117.

6. I do not mean "take illegitimately," for this is precisely what is at issue. The question is, under what circumstances is removing goods from one person and presenting them to another legitimate? The point is only that redistribution standardly involves removal, and removal requires justification.

7. See, for example, *Anarchy, State, and Utopia,* pp. 149, 172.

8. Will Kymlicka, *Contemporary Political Philosophy: An Introduction* (Oxford: Oxford University Press, 1990), pp. 73–76.

hard work. Certain forms of egalitarianism imply that, as the gardener is resource-rich and the tennis player resource-poor, we should redistribute from the gardener to the tennis player, to equalize resources. Now such redistribution is not objectionable in all circumstances: if the tennis player were unable to work through disability, for example, then egalitarians would surely recommend such a transfer. But the point is that the tennis player has chosen not to work, and certain forms of egalitarianism, it seems, subsidize his choices, for his leisure will be funded by another's work.

Thus egalitarians set out to find a principle that does not subsidize people's choices: in Dworkin's phrase, people must pay the "true social costs" of their choices, and not be given the right to demand subsidy from others who have chosen a different form of life, with its own costs. So the task was set of trying to formulate a theory that tries to equalize people's circumstances while allowing them to reap the benefits, but also pay the costs, of their freely made choices. Principles are tested in theoretical micro-worlds, which constantly remind us that to give to Peter is to take from Paul. The first move in this direction was made by Dworkin, and Cohen remarks that "Dworkin has, in effect, performed for egalitarianism the considerable service of incorporating within it the most powerful idea in the arsenal of the anti-egalitarian right: the idea of choice and responsibility."[9]

While there is certainly something attractive about this strategy there is also, I think, something suspect, and that is what I want to try to bring out now. What assumptions are involved if we discuss issues of justice in terms of fictional examples and two-person worlds? Obviously there are gains of clarity and simplicity, but are there losses too?

In focusing on such cases we are deliberately—and according to the methodology quite legitimately—focusing on the most difficult possible cases: cases where principles proposed as principles of justice generate results that intuitively seem unjust. It is then assumed that such examples refute the theory under consideration which must be rejected. If we have a better theory at hand—in this case one which does not require us to subsidize people's choices—it is assumed that we should move to it. And indeed it does seem that there is a possibility. Although the tennis player and the gardener have different resources, nevertheless, being

9. "On the Currency of Egalitarian Justice," p. 933.

equally talented they have the same *opportunity* to acquire resources. Thus, although the view was only formulated in this way later,[10] Dworkin gives us an opportunity conception of equality. And opportunity-based theories appear exploitation-proof (at least in the tennis-player / gardener case), and thus are to be preferred on grounds of justice. The tennis player, being able-bodied, has all the opportunities of the gardener, and so as they are equal in opportunities no redistribution of resources will be required by justice. Individuals must take responsibility for their choices, even if this leads to inequality in resources or in well-being. This broadly appears to be the consensus view,[11] although there are fundamental differences over the details, some of which will be important to the later argument.[12]

Nevertheless, there are two related methodological worries here. First, does the example contain all the relevant material? Less abstractly, this first question is whether, for an egalitarian, concerns of justice should be the only relevant issues in assessing principles of justice. That is, could it be that an egalitarian has other values which are not properly represented in these two-person examples, but which should also be taken into account? Putting this together with a second question—how likely are these cases to occur?—we can set out the main concern. Suppose egalitarians can eliminate injustice by implementing an opportunity conception of justice, but that brings with it other costs; should egalitarians make this move or not? Clearly we cannot decide without knowing how much injustice a non-opportunity principle will countenance, and what the costs of eliminating injustice might be.

10. The later formulation was initiated by Richard Arneson, "Equality and Equal Opportunity for Welfare," *Philosophical Studies* 56 (1989): 77–93.

11. Although opportunity conceptions are widely held, they are not beyond dispute. Two widely made objections, at least in the verbal tradition, are: (i) The distinction between choice and circumstance is unclear. Perhaps we are socially, genetically, or materially determined to make the choices we do. (ii) Although we make choices, we do not choose the costs of our choices, so while one can be held responsible for one's choices, one should not be held responsible for the costs of one's choices. I cannot discuss these objections here, but for the purposes of this article I shall assume that the choice / circumstance orthodoxy gives the correct account of distributive justice. If this is wrong, no doubt there will be implications for the further argument of this article.

12. In addition to Dworkin, Cohen, Kymlicka, and Arneson other major contributions to this literature include John Roemer, "Equality of Talent," *Economics and Philosophy* 1 (1985): 151–86; Brian Barry, "Chance, Choice and Justice," in his *Liberty and Justice: Essays in Political Theory, Volume 2* (Oxford: Oxford University Press, 1991), pp. 142–58; and Hillel Steiner, "Choice and Circumstance," *Ratio* 10 (1997): 296–312.

In sum, I cheerfully admit that justification in political philosophy must be comparative: we must compare various principles or theories to see which is best. However, I also want to claim that we need to take a variety of factors into account in making the comparison in this case. If the cost of putting responsibility at the center of an egalitarian theory of justice is that we sacrifice other egalitarian values, then we need to weigh how important these values are.

In effect I am asking: how much should an egalitarian be willing to pay for exploitation-proof principles? If, for example, the exploitation of the principles will be rare, and the costs of adopting principles to regulate such situations are high, then we might find it preferable, even from an egalitarian point of view, to think that a system with some exploitation is nevertheless the best of all *possible* worlds. Thus we must be open to the possibility that the task of the egalitarian political philosopher is not completed by finding the fairest principles of justice.

At this point I may face the objection that for philosophers such as Cohen and Dworkin, stating the fairest possible egalitarian principle is, in large part, a theoretical exercise. Neither claims that the real world should be regulated according to their preferred version of strict egalitarianism. Cohen is clearest about this, seeing two possible limitations to the implementation of his preferred egalitarian view "equality of access to advantage." One worry is that, as his measure of advantage includes (although is not exhausted by) a notion of welfare, finding out people's relative levels of advantage might be intolerably intrusive. Cohen sees this as an issue of freedom. As he puts it: "Hi! I'm from the Ministry of Equality. Are you, by any chance, unusually happy today?"[13] Freedom as a value independent of equality limits the degree to which we should implement welfarist egalitarian principles of justice.

Cohen's second worry is also very clearly set out by Temkin, who writes: "I, for one, believe that inequality is bad. But do I *really* think that there is some respect in which a world where only some are blind is worse than one where all are? Yes. Does this mean that I think it would be better if we blinded everybody? No. Equality is not all that matters."[14] Cohen regards this as an issue of efficiency: it can be monstrous to waste things just because they cannot be shared out equally. The resulting situation may not be just, but efficiency trumps justice.

13. "On the Currency of Egalitarian Justice," p. 910.
14. Larry Temkin, *Inequality* (Oxford: Oxford University Press, 1993), p. 282.

Problems of intrusiveness and efficiency will probably affect all egalitarian theories, whether welfarist or resourcist. Intrusiveness, no doubt, is more severe on a welfarist theory, but efficiency issues are indifferent to metric. These non-egalitarian values are said to limit the justified implementation of egalitarian schemes. The problem I want to raise is different, though. I want to present the case that there are certain *egalitarian* values which will be compromised by the adoption of an opportunity conception of justice, even if opportunity conceptions are more just from an egalitarian point of view than non-opportunity conceptions.

In the attempt to make things as clear as possible let me distinguish three theses which will be under consideration in this article:

1. *Lexical Priority of Fairness Thesis:* Egalitarianism is constituted by a lexically prior notion of fairness.
2. *Opportunity Thesis:* Fairness is best understood in opportunity terms.
3. *Resources Thesis:* The best opportunity conception of equality is equality of opportunity for resources.

Followers of Dworkin will assert all three theses (even if Dworkin himself will reject the terminology). Followers of Arneson and Cohen will deny the Resources Thesis but assert the other two. Those who believe in "outcome" equality (such as pre-Dworkinian egalitarians) may assert the Lexical Priority of Fairness, but may have expressed no views about the latter theses.

Officially my stance in this article is to deny the Lexical Priority of Fairness, assert the opportunity thesis, and remain non-committal about the Resources Thesis. I am conscious, however, that the main arguments I give in this article can be interpreted in another way: essentially as an argument against certain understandings of the Resources Thesis alone. I will also argue that this alternative interpretation is not well motivated, although this may remain a matter of contention. However, arguments first, interpretation later.

II. The Egalitarian Ethos

To make my case, I first have to step away slightly from the debate to try to provide a broader context. Consider the following quote from R. H. Tawney's *Equality*:

> Though an ideal of an equal distribution of material wealth may continue to elude us, it is necessary, nevertheless, to make haste towards it, not because such wealth is the most important of man's treasures, but to prove that it is not.[15]

One way of reading this would be to say that for Tawney the currency of egalitarian justice is not wealth, but, say, a certain conception of human flourishing. Yet the passage continues (in a manner strikingly reminiscent of certain communitarian writings):

> . . . It is possible that the ultimate goods of human life, which belong to the realm where to divide is not to take away, may more easily be attained, when its instruments and means are less greedily grasped and more freely shared.

What goods are there in the realm "where to divide is not to take away"? Clearly they are not physical or material goods. Tawney, as a Christian Socialist, would no doubt have in mind some rather rarefied "spiritual goods", but this does not exhaust the category, for also in this realm are some goods which depend for their existence on certain social relations. Take the good of "feeling secure" for example. Suppose a neighborhood has a deserved reputation for low crime. Newcomers to that neighborhood may gain the good of a feeling of security, without anyone else in the neighborhood suffering a reduction in their own feeling. Indeed, as like-minded newcomers join the neighborhood everyone's feeling of security might rise. This case, incidentally, presents a type of counter-example to Nozick's "opportunity cost" argument. There are ways of giving certain goods to people without taking from others. Consequently, to the extent that there are such goods, different notions of distributive justice would seem to apply.

However, my main point at this stage is merely that we can take a hint from Tawney and propose that there is more to a society of equals than a just scheme of distribution of material goods. There may also be goods that depend on the attitude people have toward each other.[16] I would

15. R. H. Tawney, *Equality* (London: George Allen and Unwin, 1931), p. 291.

16. It will be said that those, like Cohen and Arneson, who reject the Resources Thesis, scarcely need to be reminded of the fact that there are determinants of well-being which are not straightforwardly external or internal resources. This, on its own, is enough to put a resource-based metric under question. However if it is agreed that there are several determinants of welfare or advantage, some of which have no opportunity cost (Peter and

like to develop this by bringing out the notion of an egalitarian social ethos. What is an egalitarian social ethos, or first, more broadly, what is an ethos? Despite the increasing use of this term, it has been subject to surprisingly little analysis, and here I can only be brief and dogmatic. Essentially an ethos is a set of underlying values, which may be explicit or implicit, interpreted as a set of maxims, slogans, or principles, which are then applied in practice. As an idealization we can identify three levels: values, principles, and practice, all of which are part of the group's ethos. Typically the values and principles will be internalized by members of that group, and inform their behavior. We can talk of the ethos of a particular society, or of a smaller group, and can raise the question of whether, and how strongly, a particular individual shares the social ethos in question.

It may help to illustrate some features of an ethos by considering the ethos of a smaller group than a society, for example, a big-city firm of accountants. The firm may pride itself on its "work hard, play hard" ethos, stating as much in its recruiting material. This slogan would exemplify itself in certain practices: perhaps the members of staff work long hours, go out for drinks as a group on Friday nights, and play team sports together on weekends. Yet we should see this slogan itself as a specification or articulation of certain underlying corporate values: in this case probably aggressive commercial effectiveness in a spirit of collegiality. Thus we see all three levels of an ethos: values (commercial success, collegiality), principles or slogans (work hard, play hard) and practices (long hours, drinking, and sport).

Clearly there are many questions we can raise about the relation between these levels. For example, if the members of the group claim to adhere to the values and principles but no corresponding practices are to be found, we may be entitled to say that the group has not so much an ethos as an ideology. There is a great deal more that could be said, but here I will resist the temptation.[17] For the purposes of this article, this thumbnail sketch should suffice.

What is the underlying value or values of an egalitarian society? Obviously one could say "equality," but a greater degree of articulation

---

Paul can both have more if they have the right attitudes to each other) it is puzzling that the focus of contemporary debate has been exclusively with cases of redistribution from one person to another.

17. I take this up in work in progress.

would be helpful. Those who assert the Lexical Priority of Fairness will claim that there is one prior value—fairness—and that all other egalitarian values are either means to, or subordinate to, fairness. I propose that there are, in fact, at least two ideas which are equally central to egalitarianism, and the heart of my case in this article is that there can be a degree of tension between them. The two ideas are "fairness" and "respect."

Both these terms are used in many different ways in moral and political philosophy, and so I should make clear the senses in which I intend them here. In the remainder of this section I shall consider the more familiar notion of fairness, while in the next I shall turn my attention to respect.

Fairness is the demand that no one should be advantaged or disadvantaged by arbitrary factors. Many things in contemporary societies strike observers as unfair: for example, that children with wealthy parents have a higher than average chance of becoming wealthy themselves, irrespective of their needs, efforts, or merits; or that jobs traditionally undertaken by women tend to be paid less than those traditionally undertaken by men, even if there is no difference in levels of skills or exertion required. Fairness in this sense, to put it uncharitably, is the opposite of what the child complains of when she says "that's unfair!" And it is this element of an egalitarian social ethos which Dworkin, Cohen, and others address in the attempt to formulate egalitarian principles of distributive justice.[18]

Now I do not say that this notion of fairness is necessarily selfish. Sometimes it will be self-serving, in that an egalitarian will complain that others have received unfair advantages, but this certainly need not be the case, and it may not even be the usual case. An egalitarian can be equally concerned that he or she may be given an unfair advantage, and wish to take steps to prevent or nullify this or make reparations, just as the older child can point out that the division of the cake is unfair to the younger. A demand for fairness, can, then, but need not take the form of the claim "me too!" The operative point is not that fairness is selfish, but that—on an opportunity conception of justice or fairness—in order to implement genuinely fair policies a great deal of knowledge

18. There may be more to justice than distributive justice, although in this article when I talk of justice I restrict myself to issues of distributive justice: justice in the distribution of benefits and burdens in a scheme of social cooperation.

of individual circumstances is required. Often one cannot know what would be fair without looking at issues of past history and current merits and reasons for action. This, for example, is illustrated in the tennis player / gardener case where we cannot know what would be fair without knowing details of efforts and abilities.

III. Respect

The notion of respect also needs expansion. To come to an understanding of an egalitarian notion of respect it is helpful to begin with the question: how must others treat me if I am to feel that they respect me? This can then be generalized, for an egalitarian should believe that just as I expect or desire others to treat me with respect, I should treat them in a similar fashion, at least until they prove themselves unworthy. Now, for the purposes of this article it is not necessary to develop a full analysis of an egalitarian notion of respect, even if that were possible. Rather I need only make plausible that certain forms of treatment undermine respect: that is, if I feel people are treating me in a certain way, this will either lead me to believe that they do not respect me, or lead me to lose my self-respect.[19] This, of course, will be a step in the argument that a society which attempts to realize exact egalitarian fairness will undermine the respect of at least some of its citizens by treating them precisely in the way that is inconsistent with respecting them, or allowing them to retain their self-respect.

We are not especially well-served by ordinary language in this area, and so I need to introduce some special terminology. Let us define my "respect-standing" as the degree of respect other people have for me. If I am treated with contempt this will lead me to believe that I have low respect-standing; if treated decently I will believe that my respect-standing is high.[20] It is *insulting* to be treated as if one is of lower respect-standing than is due, and *demeaning* to do, or be required to do, anything that might reasonably be expected to lower your respect-standing.

19. Although, no doubt, ideas of self-respect are linked to my feeling of other people's respect for me, the two are independent in that an individual can lose one but retain the other.

20. For simplicity I ignore the case where an individual is treated with varying degrees of respect by different people.

There are various ways in which one can come to a belief that one does not enjoy the respect-standing of an equal, and I want to draw particular attention to three. The first is failure of common courtesy. It is often insulting to be kept waiting, or for one's appointments to be canceled without notice, or to be ignored, patronized, or shouted at. Individuals regularly treated in such ways can reasonably believe that they have low respect-standing.

Similar conclusions apply as a result of some failures of trust, which requires somewhat lengthier treatment. As a moral agent I believe that in the main, I act for reasons I can justify, and I can also justify the claims I make upon others. Yet from the fact that I believe myself to act in a justifiable way, it certainly does not follow that I will want to do much actual justifying. If called to account I could acquit myself, but I do not expect to be called to account very often. Why not? As Cohen suggests there is an issue of freedom here, but I do not think that is the whole, or even the main, story. To be asked to justify oneself or one's claims can often be insulting. It is undignified; as if others suspect one has something to hide. Although it is important not to exaggerate, being called to account for one's actions or claims—or at least being called too often, or in circumstances when others are not, or when the depth of investigation seems out of proportion—gives the impression that one is not trusted, that one is an object of suspicion and hence is not being respected.

This is not to say that I must feel that to enjoy the respect-standing of an equal I should be trusted through and through: there is surely something to Hume's argument that one main purpose of government is to provide short-term incentives for each of us to act in our long-term interests. This, clearly, presupposes that we do not always trust ourselves and there would be something bizarre about believing that others should trust me where I do not trust myself. My claim is merely that there are certain areas such that, if I feel I am not trusted in those areas I will also feel I am not respected. These will include cases where mistrust generally indicates a suspicion that I may be trying to gain some unwarranted advantage for myself.

If we accept that egalitarianism derives from the thought, at least in part, that others are generally equally as deserving of respect as I am, then, by parity, I should also trust others, in the relevant areas, at least to a degree. I will presume that others can justify their behavior, but I

will feel I have no warrant, and no need, to call them to account, at least under normal circumstances. That is, there are areas in which the moral egalitarian is prepared to give others the benefit of the doubt—at least at first. I presume that you are making valid claims, given your circumstances, and acting for valid reasons. But I will not feel that it is my business to enquire what those reasons may be. I respect your privacy but at the same time feel that respecting you as an equal means that I trust you. Thus trust is not only a matter of believing what people say, but, sometimes at least, not asking certain insulting questions: not prying. I presume that you can justify yourself if called on to do so, but it is not my place to call you: I am your equal, not your superior. But the other side of this is that trust will generally not be exploited. In an egalitarian society we trust each other in part because we are trustworthy. People act in ways in which they believe they can justify, but in normal circumstances are not called upon to justify themselves, and do not call others to account either.

What is the relation between respect and trust? It may appear that there is no clear logical relation: it is possible to *say* that you respect someone without trusting them—common enough among the criminal classes—and possible too to trust someone while holding them in contempt. Yet is it really possible to respect someone, yet not trust them? I think at best this would be a partial respect: you may respect them for their hard-work, or for their talents, or their devotion to their ageing parents, or their success in their criminal activities, but if you do not trust them in areas in which you would hope to be trusted yourself, then you do not respect them as an equal. Such a notion of respecting another as an equal entails, I believe, the thought that unless one has good reasons to think otherwise, one should take others to be no less responsible and well motivated as oneself.

Finally, in addition to failures of common courtesy, and distrust, I want to add a third source of low respect-standing. There can be cases where people are required to demean themselves: to behave in a way, or reveal things about themselves, which can rationally be expected to reduce their respect-standing. To put this another way, sometimes people are required, for whatever reason, to do things, or reveal things about themselves, that they find shameful. We can call this "shameful revelation."

To take an example outside the sphere of political philosophy, it is

often said that men are generally more reluctant than women to visit a doctor. One possible explanation is that for men, more than women, illness is taken as either constituting, or being a sign of, some sort of moral weakness. Seeking qualified medical advice, then, is—rationally or irrationally—sometimes considered demeaning: it reveals a weakness. In general where a particular trait is valued within an agent's culture, to admit that one does not have it can lead one to believe that one will, as a consequence, acquire a lower respect-standing.

IV. Opportunity, Scrutiny, and Transitional Justice

Why should it be thought that implementing an opportunity conception of justice will lead to any sort of loss of respect-standing for individuals? Consider first what would be required fully to implement an opportunity conception of fairness. We would have to know how much of an individual's fortune was a result of his or her choices and how much a result of unchosen circumstances. If we are to understand the requirements of fairness in a particular case we would have to know at least some of the causes of that person's situation. Someone who is rich as a result of a series of risk-taking—risks available to, but declined by, others—could rightfully keep the fruits of this activity. Someone rich through the fortuitous possession of a rare skill would be subject to high taxation. Assuming a broadly market-based society we will also have to sort those who are unemployed into various categories. We cannot automatically know if anyone who is unemployed has any fair claim on the rest of society. If, like Kymlicka's tennis player, this person has a normal array of talents, but chooses not to work, then there is no valid claim on the rest of us. Thus, at the very least, we can make two uncontroversial points about the requirements of implementing an opportunity conception of justice. First we need to collect various forms of data from individuals, and second, various forms of taxes and welfare payments would be entirely conditional on the results of the data collected.

We have quite a lot of experience of conditional schemes of welfare payments, and this experience is not encouraging. Recall the three ways described in which individuals can come to have lower respect-standing: failures of common courtesy, distrust and shameful revelation. The systems we know often fall at the first hurdle. Welfare claimants are often treated with great rudeness and in some cases are routinely humil-

iated. However, this is of very little interest in the present context: it is usually a failing of individuals, not institutions, and there is no reason to think that this is a deep feature of any welfare system. In fact it seems independent of the issue of whether welfare benefits are conditional

What about the second form of disrespect: lack of trust? Under current welfare systems not only do we collect data, but we also exert controls—in some cases highly rigorous and punitive controls—to make sure that people correctly report their situation. We do this, of course, to try to eliminate free-riding. But what sort of message do we send the unemployed through extensive controls? Arguably that anyone who is making a claim for benefit is prima facie an object of suspicion: that we believe that they would cheat the system if only they could get away with it. It is too rarely noticed that real-world policies of attempting to catch free-riders can be taken as highly insulting by people who are not only not free-riders, but who are already among the most disadvantaged members of society.

There are, nevertheless, two fairly obvious replies to this. First, it is not obvious that the "deserving poor" will always feel insulted by checks to catch the undeserving poor, or, at least, that it is rational for them to do so. Perhaps for every person who feels insulted there are two who are only too happy to undergo such checks in order to flush out bogus claimants. If, then, there is a sense that the checks are proportional to a known problem, and designed to serve the goal of fairness, they may be seen as an acceptable response to regrettable, but unavoidable, human frailty.

However, even if this is an over-optimistic portrayal of the perceived workings of any real-world welfare policy, the second reply is that the ideal egalitarian world might be very different. In the real world the burden of revealing data about one's circumstances falls only on one sector of society, and that sector is already among the most disadvantaged—the rich do not have to explain how they got rich. This may seem doubly unfair from an egalitarian point of view. In the egalitarian world the burden of supplying data would fall on all. Would it be necessary to secure truth-telling by external controls? Perhaps. Would this be generally experienced as insulting? Probably not. Provided that the controls seem reasonable in the circumstances (and why would an egalitarian society impose unreasonable controls?), and the burdens fall on all, then the opportunity fairness system of tax and welfare would seem no

more insulting than a well-run system of income-tax data collection, with random investigations followed by punishment for those who are found attempting to deceive.

So far, then, we have the apparently very limited result that although real-world policies of conditional benefit often involve failures of common courtesy, and may often communicate an insulting message of distrust even to the trustworthy poor, it does not follow that these problems will infect an ideal egalitarian world, or even a somewhat modified real world.

We have still to look at the issue of shameful revelation, but before we do I want to answer the charge that, as the other two sources of reduced respect-standing do not apply to the ideal world, they are entirely irrelevant to the assessment of an opportunity conception of justice.

To answer this I need to make a point about what might grandly be called the role of ideals in political philosophy. Egalitarians such as Dworkin or Cohen surely do not expect to be able to convert policy makers and the population at large to adopt their proposals at a stroke and in whole.[21] However, as I have said, although they consider themselves engaged on a largely theoretical exercise, they do not conceive it to be a *purely* theoretical exercise either. They do hope to have some influence on political and economic policy. Yet they are realistic enough to believe that the most they can hope for is to be one of a number of factors influencing governments and policy makers to turn one way rather than another. Eventually we might move society a little closer to the hoped-for goal, but any progress will be slow and piecemeal.

If policy makers were to read Dworkin and others, what message might they come away with? That egalitarians, like conservatives, now favor highly conditional welfare benefits. But in the real world this does not give us egalitarianism. Rather, it gives us Thatcherism, in which the poor are singled out for insulting levels of scrutiny. Egalitarians might protest that this is to take their proposals out of context, and they do not advocate such things in the real, unjust world, only in the ideal, just, world to be. But they *do* hope to influence policy makers, and give little clue about how to change the real world in their favored direction.[22]

21. Even subject to the limitations of freedom and efficiency mentioned above.

22. Dworkin, it should be admitted, suggests that to bring the world closer to his version of equality we should introduce negative income tax, even though it would have the "regrettable" effect that "some aid undoubtedly goes to those who have avoided rather than

Perhaps this argument should simply be taken as a plea that ideal thinkers who want to have some impact on reality should pay more attention to issues of transition. Bringing about the ideal world will, no doubt, require many changes. Making these changes in the wrong order can lead us away from our goals.

V. Scrutiny and Shameful Revelation

We are, however, still to see any reason why ideal-world implementation of an opportunity conception of justice or fairness will tend to lower the respect-standing of any individual. We have not, though, yet considered the application of the idea of shameful revelation.

Recall that the idea is that one may find certain facts about oneself shameful, and not wish to reveal them. Indeed one may not wish to reveal them even to *oneself.* Note that, if shameful revelation is a problem in this area, it is independent of issues of enforcement, trust, and control. It strikes at the level of data collection. The argument is a simple one: it is that collecting the type of data required to implement an opportunity conception of fairness requires shameful revelation. The further implications of this are not so obvious, but let us first attend to the reason why implementing an opportunity conception may lead to such a thing.

On an opportunity conception of justice, if two people face the same opportunities then there is no case for redistribution from one to another. Claimants for benefits must, therefore, show that they lack the opportunities of those who are in work. Opportunity has an objective and a subjective side: objectively it is a matter of the choices, options, or possibilities one faces; subjectively it is a matter of one's talents and abilities. Consider now the case of someone who is unemployed at a time of low unemployment and no particular shortage of jobs. To qual-

---

sought jobs." "Why Liberals Should Care About Equality," in *A Matter of Principle* (Cambridge, Mass.: Harvard University Press, 1985), p. 208. However, he does not indicate when it would be appropriate to introduce the rigorously enforced conditional benefits apparently demanded by his theory. Presumably it is reasonable to say that these should not be introduced before an equally rigorous system of conditional taxation, which attempts to discriminate choice and chance in the generation of income and wealth. Interestingly, although crude attempts to introduce conditional taxation have been made in the past through the highly unpopular distinction between "earned" and "unearned" income, the idea of reviving such policies seems to have very little support at present.

ify for welfare benefits this person will have to show that he or she does not have the opportunities that others have. But, by hypothesis, there is no lack of objective opportunity. Therefore the failure, if there is one, is subjective: it is the lack of talent or aptitude for the jobs that are available. To press a claim, then, one is required not merely to admit but to make out a convincing case that one is a failure, unable to gain employment even when there is no difficulty for others. Some people refuse to claim benefit on the grounds that they do not want to admit that they cannot find a job. But think how it must feel—how demeaning it must be—to have to admit to oneself and then convince others that one has not been able to secure a job, despite one's best efforts, at a time when others appear to obtain employment with ease. This removes any last shred of dignity from those already in a very unfortunate position. If benefits were unconditional one could at least maintain the belief (and with it one's self-respect) that one was unemployed at least in part through choice, whether or not this belief would stand detailed examination; but in a conditional scheme to assert such a belief would disqualify one from benefits. Thus the unemployed must give a humiliating answer to a question it is humiliating even to consider, in order to qualify for welfare benefit. Here, then, is a more direct connection between scrutiny and respect—and scrutiny of oneself and self-respect—independent of the notion of trust. In this case one is required to reveal facts that one finds demeaning or shameful, even humiliating. Surely it is very difficult to retain any sense of oneself as an equal under such circumstances.

What reason might there be for denying that opportunity conceptions of fairness will lead to shameful revelation? Surely no one can doubt that information about talent status will need to be collected. However, perhaps being of low talent is not generally experienced as shameful. Or perhaps it is not rational to consider this shameful. Or perhaps, whatever is true of the actual world, in the ideal world there will be no shame in this.

Behind these replies is the surely correct thought that, to some degree at least, what is considered shameful is socially relative and contingent. In some cultures, perhaps, it is shameful if a man is unable grow a luxuriant moustache; in others this is an irrelevance. Nevertheless, from the fact that we can imagine a reorganization of the world in which different things are considered shameful, it does not follow that shame is some-

how "unreal" or even unjustified. For example, it is quite common for teachers, doctors, or social workers to claim that some particular trait is "nothing to be ashamed of." However, unless people typically were ashamed of such a trait there would be no need for such reassurance. Even if there is no good reason why a particular trait should lower your respect-standing, the fact is that it can, or, at least, may lead one to believe that it will. So even if a source of shame is contingent and even irrational it can still be experienced as a source of shame.

Yet the question remains whether in an ideal egalitarian society being of low talent will be considered shameful. The psychology of shame and its causes is clearly complex, and beyond the scope of this article. There are reasons, however, why one might contend that the shamefulness of low talent is likely to be much more universal than, say, the shamefulness of an inability to grow the right sort of facial hair. And this is simply that the social product depends on work, and those less able to contribute productively contribute less to the social product. What counts as a productive talent may vary from society to society, but what seems less variable is that those who are unable to make a significant contribution may feel at least somewhat ashamed of this fact. So there is a natural reason why a capacity to work well is valued, and thus a reason why it may be hard to overcome prejudice against those of low talent.

Now in an enlightened society of equals such attitudes might be considered an unfortunate fact about our barbaric prehistory. This, though, is psychological speculation and we have little, if any, good reason to believe that it is true. For the remainder I shall proceed as if revealing that one is of low talent will be considered shameful, even in an ideal egalitarian society: being required to formulate the thought and then claim that one is talentless is demeaning and also undermining of self-respect.

VI. Consequences of Shameful Revelation

Do we now have sufficient materials to make the case that fairness and respect are in some sort of tension, on the grounds that in certain cases it will not be possible to achieve fair treatment of all without undermining the respect-standing and self-respect of some?

I believe that this is exactly what has been shown, but my experience is that not everyone will be convinced, and some will attempt to accom-

modate the argument from shameful revelation by claiming that it does no more than raise another issue of fairness. To present this counter-case in its strongest form it will be as well to review the three theses under consideration here:

1. *Lexical Priority of Fairness Thesis:* Egalitarianism is constituted by a lexically prior notion of fairness.
2. *Opportunity Thesis:* Fairness is best understood in opportunity terms.
3. *Resources Thesis:* The best opportunity conception of equality is equality of opportunity for resources.

Initially, one thing seems clear. Those who hold the Resources Thesis cannot subsume considerations about shameful revelation under the notion of fairness. Belief in lowered respect-standing is not the lack of a resource, internal or external: it is far closer to a welfare than resource deficiency. Thus is seems that one can only hold onto both the Resources Thesis and the Lexical Priority of Fairness by downplaying the significance of shameful revelation (I shall consider some motivations for doing this later). However, if we accept that egalitarianism must take lowered respect-standing seriously, one cannot hold on to both the Resources Thesis and the Lexical Priority of Fairness. This, in itself, is a result of some significance.[23]

What, though, if like Cohen we have a more generous conception of "advantage" such that resources and well-being both contribute to one's level of advantage? Could a sophisticated defender of the Opportunity Thesis simply say that factors about respect-standing contribute

23. It may appear that John Rawls's position in *A Theory of Justice* (Oxford: Oxford University Press, 1971) is a counter-example to this claim. Rawls's position is clearly resourcist, rather than welfarist, and the resources are the primary goods. Of these, "the social bases of self-respect" are mentioned a number of times, and self-respect is even referred to as "perhaps the most important social primary good" (p. 440, for example). However, Rawls does not explain in detail how this particular primary good is distributed by his two principles, and the relation between this primary good and the others is not made clear. Investigation of the various options would take us far beyond the scope of this article. The main point, however, is that Rawls does not assert the Resources Thesis in the sense in which it is used here, for here it is dependent on the Opportunity Thesis and, at least in *A Theory of Justice*, Rawls is not an Opportunity Theorist. (For some complications with respect to *Political Liberalism*, see footnote 31 below.) A modified version of Rawls's theory, in which the Opportunity Thesis is asserted and self-respect is treated as a resource, faces a version of the difficulties for Cohen explained in the remainder of this section.

to one's well-being, which in turn are part of one's advantage? In effect, this is to say that the real problem with data collection is that it is unfair to those who have to reveal that they are of low talent, and this can be dealt with like any other matter of unfairness—by compensation. Therefore there is no reason to bring into consideration any other independent value, such as respect, and therefore no reason to reject the Lexical Priority of Fairness.

Consider, though, what is proposed by this. Those who are humiliated by revealing that they are of low talent should be compensated for that humiliation by receiving more money, or other resources. I am sure I am not alone in finding this perverse. Aside from the question of whether humiliation can be compensated for in money terms—perhaps this further social acknowledgment through compensation simply compounds the humiliation—there seems to be a lack of humanity or compassion in the proposal. The important thing is to find a way of avoiding humiliation, not to give compensation for it.[24] Therefore in many cases the only thing to do is to stop asking the humiliating questions: stop collecting data on why the unemployed are unemployed.[25] This way we avoid something that the opportunity theorist claims to lead to unfairness.

Unfortunately for the opportunity theorist, though, once we stop collecting this data, we expose ourselves to other forms of unfairness—exactly those forms opportunity conceptions are designed to rule out. Kymlicka's tennis player will unfairly receive a subsidy from the gardener. My case is that this can be a price worth paying: sometimes unfairness is to be tolerated if fairness conflicts with respect. However, for the opportunity theorist who takes respect seriously but wishes to subsume it under the idea of fairness the situation has to be described another way: as fairness conflicted against itself. We have the possibility

24. There is a further possibility of course: extensive training or education to increase the talent levels of those with low talents. In such a case shameful revelation would be the first step on the road that eventually leads back to self-respect. This may be the ideal solution in certain cases, but it is at best unclear how generally effective remedial training can be. Another possibility would be to reshape the social and material world so that certain traits are no longer disadvantages: for example, in the UK standard electrical wiring color codes were changed so that those with common forms of color blindness would not confuse live and neutral wires. Again this seems rather limited in application, and is more suitable to some forms of physical disability than to low talent levels.

25. I do not say that it is never right to collect data on chances and choices: those with genetic disabilities giving rise to extra medical expenses, for example, need to have their situation recognised. This information is needed to avoid grave unfairness.

that, in some circumstances, it is impossible to generate a fair distribution. To make it fair in one respect requires collection of data, and this will have consequences that are unfair in another. Fairness requires both close scrutiny and for us to refrain from close scrutiny.

Whether we see the problem as a conflict within fairness, or a conflict between fairness and respect, may seem, to a degree, a terminological question. However, it raises important theoretical issues which we must continue to explore. But however we settle those further questions, we surely have seen that from an egalitarian point of view there are strong reasons to worry about the implementation of conditional systems of benefit.

VII. Lexical Priority Versus Egalitarian Ethos

Trying to understand the nature of the conflict revealed in Section VI raises a more general question: how should one try to characterize egalitarianism? Is it best seen in terms of a monistic or lexically prior value of fairness, or by means of what I have been calling an ethos: a collection of values, which may sometimes conflict and among which there are no universal priority rules?

Monist or lexically priority views are often popular for the apparent theoretical rigor that they offer. If we believe, say, that the single or lexically prior egalitarian value is fairness, then it appears that we have a decision procedure to cover all possible cases. Without that we have to rely on intuitionistic balancing, and different individuals' intuitions may differ, leaving us without public standards of justification. On the argument of this article, however, this contrast is an illusion. Either fairness does not determine an answer itself, or it does, but an unattractive, and indeed inegalitarian, one. If this is right, the chief motivation for monism or lexical priority is undermined. This gives more reason to take seriously the thought that egalitarianism is best characterized by a collection of possibly competing values, including both fairness and respect, which is the interpretation I shall continue to take here.

Nevertheless it may be insisted that, even were it to be shown that a coherent notion of fairness and respect actually do conflict, then fairness should dominate and respect be ignored. That is, we should find the best, fully coherent interpretation of fairness, and insist on this,

whatever consequences will follow. This is, after all, the core egalitarian value, some may say. Now, if someone wants to make this response I would first ask them to reexamine their value commitments. That is, I believe very few egalitarians are inspired by a belief in fairness and by nothing else, or even by a belief in the lexical priority of fairness. An egalitarian social ethos is, I believe, constituted by more than one value, and is not well represented by the notion of lexical priority. If any egalitarians are inspired by a lexically prior notion of fairness, and insist that we must simply settle with our best coherent understanding of fairness, then I admit that my arguments will not touch them. Otherwise they have reason to reflect again. It is my unsupported empirical claim that most egalitarians are moved to a strong degree by ideas of respect. This, indeed, is one motivation for this article: the thought that philosophical egalitarianism has hijacked the egalitarian sentiment in a direction that partially betrays it.[26]

A more measured response is to say that although both fairness and respect are rightly valued by egalitarians, there are good reasons not to compromise fairness aside from any belief in its lexical priority. The reason for this is that should an egalitarian be prepared to tolerate unfairness in the name of a broader egalitarian vision, then he or she is deprived of a critical tool. For how can egalitarians press the objection that certain non-egalitarian systems are unfair when they allow unfairness in their own preferred scheme?[27]

This is an important objection, but I do think it has an answer. The egalitarian has a reason why certain forms of unfairness are to be tolerated: they help preserve a society of respect for all. From this it hardly follows that one must accept all forms of unfairness. A schoolteacher who allows some talking in class in order to encourage a relaxed atmosphere is not thereby committed to toleration when the noise level rises to ear-splitting volume. The idea that tolerating some unfairness will

26. Another way of putting this is that many people who are generally sympathetic to the idea of equality do not feel that current options among philosophical egalitarianism serve to articulate the intuitions they have which encouraged them toward belief in an equal society. This lack within mainstream egalitarianism may go toward explaining the appeal of certain communitarian writings, although I do not believe the adoption of communitarianism to be a wholly appropriate response.

27. This objection was put to me by the Editors of *Philosophy & Public Affairs* and, independently, by Veronique Munoz Dardé.

open the floodgates ignores the fact that the unfairness is tolerated for a particular reason.[28] I must concede that to allow fairness to be compromised might make an egalitarian critique of other views more complex, and less persuasive on a public stage, but what is the good of a more "principled" view if it leads to an endorsement of policies that egalitarians should not willingly accept?

So I would argue that none of arguments so far shows that we should treat fairness with lexical priority. Should we, then, treat *respect* with lexical priority? Aside from the response that this proposal, too, is untrue to the egalitarian sentiment, which also values fairness to a high degree, a second, stronger reply is also available: that the strategy is self-defeating. If respect leads to a refusal to collect data, which in turn is often exploited, then there is a strong chance that we will generate a downward spiral in which, eventually, few will trust or respect each other. So while we can respect each other against a background of some unfairness, when the unfairness becomes too great respect will disappear too.

This then leads to a final thought: we need a dynamic balance. We need to generate institutions which are generally fair, but avoid various causes of disrespect. How will we do that? This is the task of the next and final section.

VIII. Implications

So, after all this, should egalitarians advance exact principles of justice which make people pay the true social costs of their choices? But this question is too vague. By "egalitarians" do we mean "egalitarian philosophers," or "legislators," or "administrators," or "ordinary agents"? The answer is that we should consider them all.

Clearly nothing I have said is a reason for egalitarian philosophers to stop trying to develop more and more precise definitions of egalitarian justice. But they should become more aware that the task for the egalitarian philosopher is at best only half done when the ideal principle is

28. Might it not be said that this is the "thin end of the wedge"? Such objections put me in a mind of a "what they say and what it means" feature from *Punch* magazine some time in the 1970s, where "this is the thin end of the wedge" was translated as "I don't like this but I have no good argument against it."

found. The next question is: how does justice fit into a wider egalitarian view?

So much for philosophers. What about legislators? As we have seen, in practice the question for legislators will concern welfare benefits, and in particular the degree to which these should be conditional on past work, willingness to work, or inability to work. The clear implication of the work of opportunity-egalitarians such as Dworkin, Cohen, Roemer, and Arneson is that those who are able to work, at a time when work is available, should receive no benefits (as a matter of justice) if they do not work. The reason, we saw, is that such people do not lack the opportunities that the employed have and so there is no reason in justice to transfer resources from the employed to the voluntarily unemployed (also known as the undeserving poor). This attitude contrasts with those who support an unconditional basic income, such as Van Parijs[29] or Steiner,[30] or those who support other unconditional benefits, such as (inadvertently) the Rawls of *A Theory of Justice*.[31]

Now there are theories which support unconditional benefits on grounds of justice: in Steiner's version of basic income theory, for example, justice requires unconditional basic income as a consequence of our joint ownership of the earth. A different—pragmatic—argument is that in a generally well-motivated society, more money would be spent on data-collection and enforcement than would be saved by it.[32] But the implication of my argument is that egalitarian legislators should favor unconditional benefits whether or not they believe there is a case in justice, or on pragmatic efficiency grounds, for them. Why? In the real world because of issues of the disrespect communicated by subjecting the poor to a level of scrutiny and control not experienced by the better

29. P. Van Parijs and R. J. van der Veen, "A Capitalist Road to Communism," in P. Van Parijs, *Marxism Recycled* (Cambridge: Cambridge University Press, 1993), pp. 155–75; P. Van Parijs, ed., *Arguing for Basic Income* (London: Verso, 1992); and P. Van Parijs, *Real Freedom for All* (Oxford: Oxford University Press, 1995).

30. Hillel Steiner, *An Essay on Rights* (Oxford: Basil Blackwell, 1994).

31. The Difference Principle allocates primary goods unconditionally. In *Political Liberalism* (New York: Columbia University Press, 1993) Rawls flirts with the idea of modifying the Difference Principle to make benefits conditional, pp. 181–82, note 9. For critical discussion of an earlier version of Rawls's argument see Philippe Van Parijs, "Why Surfers Should Be Fed: The Liberal Case for an Unconditional Basic Income," *Philosophy & Public Affairs* 20, no. 2 (spring 1991): 101–31.

32. Of the many people who put this point to me, I believe that Robert Stern was the first.

off, and because of the harmful effects on respect-standing and self-respect caused by shameful revelation: in the ideal world because of the latter alone.

I suggested that, in order to avoid the downward spiral, we do need limits to trust: mechanisms which safeguard against destructive and extensive free-riding. This means that egalitarian legislators should legislate in a way that allows flexibility. This probably means that they should give administrators the leeway to crack down under adverse circumstances, but to remain tolerant in the normal case. Thus in the normal run of events administrators should be more permissive than the most severe interpretation of the laws allows, and a tightening and loosening of policy should be used to keep justice and respect in balance. No doubt there will be cycles with highs and lows.

Finally, a point familiar from feminist and communitarian criticisms of liberalism: egalitarian agents should rarely be motivated by ideas of exact fairness in day-to-day action. Rarely, but not never: we have to fill in our tax forms and many of us have to allocate scarce resources (jobs or university places, for example). There are times when strict fairness is required. But there are also many times when it is not—even for an egalitarian—even though it should always be looming in the background. Thus egalitarians at all levels should have principles. Whether they should act from them is—as we have seen—another matter.

By way of summary, it is worth responding to Adolphe Thiers's assertion that in an egalitarian society "every citizen will have to submit to examinations as intimate as those given to workers in Mexican diamond mines."[33] In reply we need only point out that in a society of equals no one would be prepared to carry out, or submit to, such inspections, even if they were required by justice. Distributive justice should be limited in its application by other egalitarian concerns.

33. A. Thiers, *De la proprieté*, cited in R. Schlatter, *Private Property, History of an Idea* (London: George Allen & Unwin, 1951), p. 236.