Domination and Distributive Justice

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Social power is not always troubling. One form of social power progressives are especially troubled by, however, is domination—meaning, roughly speaking, the arbitrary power that some persons or groups wield over other, dependent, persons or groups. This paper elaborates on this conception of domination and discusses why progressives should aim to minimize it. It then goes on to argue that minimizing domination entails a commitment to a particular sort of distributive justice—namely, some form of unconditional basic income. This argument for distributive justice is shown to be more compelling in various respects than the arguments offered by traditional liberal-contractualist theories of justice. Partly building on existing work in the area of nondomination, this paper aims to develop the largely ignored socioeconomic distributive justice implications of civic republicanism.

Suppose you are a progressive. What sort of progressive should you be? For a long time, the main alternatives seemed to be either some version of liberalism or some version of Marxism. So long as Marxism was considered a viable option, it provided what Brian Barry (2001, 4) has called an intellectual stiffening of the left, even for those who were not themselves Marxists: liberals could reasonably argue to those on the right that liberalism represented an acceptable sort of middle ground. But Marxism is no longer a viable political doctrine (or at least not for the foreseeable future), and deprived of the intellectual stiffening it once supplied, liberals find themselves increasingly embattled and unable to sustain important progressive causes. This can be seen, for example, in the failure of liberals to combat the declining political support for distributive justice in western societies. If one is a progressive, then one should be concerned about this. Something that might help is a progressive, but non-Marxist, political doctrine that could serve as a viable alternative to liberalism.

One alternative worth exploring is something I call *justice as minimizing domination.* Although some of the details will be discussed later on, the basic idea is very simple: namely, that we should regard avoidable domination as seriously unjust, and therefore that we should try to minimize domination so far as possible. Put another way, it is merely utilitarianism with a conception of freedom from domination taking the place of utility. In this paper, I will not discuss the unlikely origins of this theory.[1] Rather, I will focus on answering the following question: does justice as minimizing domination provide compelling arguments for reducing socio-economic inequality or poverty (and, in particular, arguments better than those offered by liberalism)? I will argue that it does. For this reason, it is a theory that should be of interest to progressives concerned with the vacuum left by the failure of Marxism as a viable political doctrine.

Liberalism as a Political Doctrine

In discussing liberalism, people sometimes fail to distinguish clearly between *liberal institutions* on the one hand, and *liberal doctrine* on the other. Liberal institutions are a loosely defined set of political and social practices that began to emerge in western societies sometime around the seventeenth century and came into full-bloom perhaps around the second half of the nineteenth century. These include, for example, constitutionally entrenched individual rights, secularism and toleration, the rule of law, institutionalized market freedoms, and so on. Liberalism as a political doctrine, by contrast, can be understood as a diverse group of arguments in normative political theory purporting to show that liberal institutions are a good thing. Often it is not clear which of these a particular discussion of "liberalism" is meant to address; many debates concerning liberalism are at

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[1] Some might be surprised to learn that it is a redescribed and systematized version of civic republicanism, as found in the work of Quentin Skinner, Philip Pettit, and others.

cross-purposes because one person is defending liberal doctrine against a critic of liberal institutions, say, or vice versa. In this paper, my criticisms are directed against liberalism as a political doctrine.

Liberalism as a political doctrine comes in a variety of forms. Put another way, many different arguments have been offered on behalf of liberal institutions. Rather than try to address these comprehensively, let me focus on what might be regarded as the mainstream or central form of liberal doctrine—what is often called "political liberalism," or "liberal contractualism," a tradition running from Locke through Rousseau and Kant, to John Rawls, Brian Barry, T. M. Scanlon, Thomas Nagel, and many others in our own day. Liberal contractualists typically take two basic ideas as their point of departure, one descriptive and one normative. The first is the idea of reasonable pluralism—that is, the idea that most societies are characterized by an irreducible plurality of reasonable comprehensive doctrines. The second is the idea that, from a normative point of view, societies should be organized as fair systems of cooperation. Working from these two basic ideas, liberal contractualists argue that liberal institutions are good because they can be seen by all reasonable persons as legitimately embodying the ideal of a fair system of cooperation in a society characterized by reasonable pluralism. Roughly speaking, each member of society agrees to reciprocally privatize the controversial aspects of their differing comprehensive doctrines so as to live together under political and social institutions that treat all persons impartially. In other words, as Rawls would say, liberal institutions are good according to the doctrine—namely, political liberalism—that can serve as the basis for an overlapping consensus of reasonable comprehensive doctrines.

Liberal contractualism is an extremely attractive political doctrine. For one thing, it appears considerably less demanding philosophically than other political doctrines, because it purports not to depend on the truth of any one comprehensive doctrine in particular: it is "political not metaphysical," as the slogan goes. Indeed, the impossibility of establishing a society-wide consensus on a single comprehensive doctrine (or at least, not without extensive coercion) enters into the standard liberal-contractualist argument as a premise: through its very impartiality towards all (reasonable) comprehensive doctrines in general, liberal contractualism is supposed to appeal to each one of them in particular. And liberal contractualism is appealing for another reason as well. It holds out the powerful vision of what might be called a perfectly voluntaristic society—a society in which no one has been forced to

live under political and social institutions they do not accept as legitimate. Thus, in Rousseau's famous words, despite "uniting with all" under a single institutional arrangement, each person "nevertheless obeys only himself and remains as free as before" ([1762] 1987, 148).

Its obvious appeal notwithstanding, liberal contractualism has come under increasing criticism in the past few decades. Let me mention just a few examples: feminists have attacked the liberal-contractualist strategy of shielding the private sphere from public or political interference, which they argue masks considerable gender domination in the family, and obstructs efforts to redress this injustice. Deliberative democrats have attacked liberal contractualism for valuing individual rights too highly over robust democratic participation, and for providing no more than a weak, instrumental argument for minimal electoral democracy. Multiculturalists have attacked liberal contractualists for failing to perceive the various cultural injustices inflicted by liberal institutions, and for being unable or unwilling to do anything about them. All of these lines of attack strike at the core of liberal contractualism, for in each case the difficulty arises—albeit, in somewhat different ways—from the aspiration to achieve a voluntaristic consensus on shared institutional arrangements through the consignment of important moral and ethical disagreements to the private sphere of civil society. And there is some truth, in my view, to each of these criticisms, though I will make no effort here to contribute to the extensive literatures already existing in these areas.[2]

Rather, as I have said, my topic will be a different problem—namely, the problem of distributive justice. In this paper I will focus somewhat narrowly on the distribution of entitlements to socioeconomic goods and services such as income and wealth, education and training, medical and other sorts of care, etc. (hereafter, "the distribution of goods" for short), while leaving aside the distribution of public offices and civil or political rights.[3] Contemporary western

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[2]As representative of this literature, however, one might consult MacKinnon (1989, 1993) for feminism; Honig (1993), Habermas (1998), and Mouffe (2000) for deliberative democracy; Taylor (1994) and Tully (1995) for multiculturalism. Young (1990, 2000) presses all three lines of attack in her work.

[3]I leave the latter aside only because under most theories of justice their distribution is governed by different principles. In Rawls's theory, for example, the distribution of civil and political rights is governed by the first principle of justice rather than by the difference principle. (Note that, strictly speaking, it is always entitlements, and not things themselves, whose distribution is at issue. When properly understood, this does not affect the main debates.)

societies (and many others besides) are all marked by some degree of socioeconomic inequality and poverty. Particularly when extreme—as for example in the United States—progressives believe this state of affairs seriously unjust. It is thus natural (for a progressive) to assume there must be some connection between justice and greater equality. But what exactly is this connection?

The liberal-contractualist account of the connection is supposed to be based on consent. I will not go into detail because the argument is so familiar, but in rough outline it runs as follows: start with the idea that society should be viewed as a system of cooperation. Now suppose that, under suitable conditions, we ask a reasonable person what fair terms of cooperation would be. First we point out that the distribution of natural talents and abilities is morally arbitrary, and second that whatever benefits one might derive from those talents and abilities can usually be realized only through the system of cooperation itself. Thus it is reasonable to conclude that these collective benefits of cooperation should be distributed fairly—which is to say, in the direction of greater socioeconomic equality. Exactly how much or what sort of redistribution this requires is not important for the moment. The main point is that if the argument goes through, and some degree of socioeconomic equality is indeed what a reasonable person would consent to under suitable conditions, then the liberal-contractualist's vision of a perfectly voluntaristic society can be neatly reconciled with the progressive's intuition that serious socioeconomic inequality or poverty is unjust.

From the beginning, however, difficulties were noticed. For example, it is not obvious how this argument is supposed to extend to the question of distributive justice between generations. How are we to conceive of a voluntary agreement between present generations and future generations (especially given that the membership of the latter depends in part on the institutions and policies adopted by the former)? What would it be reasonable for them to agree on?[4] Another, similar problem arises in the case of international distributive justice; again, the attempt to extend the voluntary agreement idea across political borders has not had much traction.[5] In both cases, the difficulty stems from the liberal-contractualist's

reliance on the core idea of society as a fair system of cooperation. The reasonableness of agreeing to socioeconomic redistribution is supposed to hinge on our recognition that each of us benefits reciprocally from agreeing to live together under the same political and social institutions. Since the cooperation of all is required to make the system work, it is only fair that each receive a reasonable share of the collective benefits. But of course the plausibility of this argument fades if we do not regard those with whom we are expected to share benefits as engaged in a system of cooperation with us. This is necessarily the case with future generations, from whom (at least on an ordinary understanding of things) we can receive no benefit as a matter of logic. And for many people—the effects of globalization notwithstanding—this is equally difficult to see in the case of people living in other lands far from ours.

Increasingly, however, this difficulty afflicts even the central case of economic redistribution here and now, within our own societies. Ironically, liberal doctrine and liberal institutions themselves might be partly to blame: some have argued that the very success and pervasiveness of the ideals of individual rights, privacy, personal autonomy, and so on make it increasingly difficult for many people to conceive of their own society as a fair system of cooperation (much less as one in cooperation with other societies and future generations). In my view, this may partly explain why the standard liberal-contractualist argument for redistribution now often falls flat: it depends on a community's willingness to see itself as engaged in a sort of common enterprise, and liberal doctrine itself sometimes makes this difficult to do.[6] Of course there are other factors at work here as well, but the main point is simply that, for one reason or another, many people do not support progressive socioeconomic redistribution and would not agree to it if they were asked.[7] The liberal-contractualist reply appears to be that they are making some sort of cognitive error, which, even if true, would hardly convince them. Hence the need for an alternative.

[4]See Barry (1977) and Parfit (1984, 391–93) on this problem. Barry's proposed solution to the problem of intergenerational justice does not in the end rely on a contractual argument.

[5]Which is not to say it has not been attempted, most notably by Beitz (1979) and Pogge (1989). Interestingly, Pogge (2002) has moved away from contractualist reasoning.

[6]This well-known argument was made by the communitarians, especially Sandel (1982).

[7]A recent and well-publicized survey by the Pew Research Center reported that support in the United States for public welfare programs has increased somewhat since the mid-1990s. Nevertheless, nearly one-third of Americans continue to reject the idea that "it is the responsibility of the government to take care of people who can't take care of themselves," and two-thirds still believe that "poor people have become too dependent on government assistance" (Pew Research Center 2007, 12–18).

Justice as Minimizing Domination

The alternative progressive doctrine I would like to consider is justice as minimizing domination, or JMD for short. This section will only sketch the theory, so far as will be useful for the purposes of this paper. The following two sections will argue that JMD offers an account of distributive justice superior in various respects to the one offered by liberal contractualism.

There are many arguments for JMD. One relatively simple and direct line of thinking runs as follows: Considering any theory of social justice, it would always be serious complaint against the theory if it countenanced policies or institutions that ignore, permit, or even encourage domination. So much so, indeed, that one might be inclined to say (adapting Rawls's familiar language) that policies and institutions, no matter how efficient and well-arranged, must be reformed or abolished once they are discovered to result in avoidable domination. Now one theory of social justice that *cannot* be accused of insensitivity towards avoidable domination is a theory that defines justice precisely as its minimization. Stated more formally:

> (JMD) The political and social institutions or practices of any society are just to the extent that, in expectation, they will tend to minimize the sum total domination, counting the domination of each person equally.[8]

Of course, many elaborations and clarifications are required here that cannot be addressed in a paper of this scope, but a few brief comments are certainly in order. The expression "in expectation" indicates that we should use probability calculus in weighing cases of uncertainty, and the expression "will tend to minimize" means that we should consider the cumulative impact of different options over time. Roughly speaking, we should aim to minimize present domination, so far as this is consistent with maintaining or else further reducing that level of domination in the future.[9] As mentioned earlier, JMD is similar in structure to utilitarianism, but with the significant difference that freedom from domination replaces utility. Moreover, let me emphasize that as a theory of social justice, and not a general theory of moral philosophy, JMD applies

only to the arrangement of political and social institutions or practices. Correctly or not, utilitarianism is sometimes understood as a complete moral philosophy, applying both to our evaluation of policies or institutions and to our evaluation of individual conduct. JMD should not be so understood.[10]

Two questions obviously arise here: First, what do we mean by domination? Second, why should it be minimized? In response to the first, let us say that *persons or groups are dominated to the extent that they are dependent on social relationships in which other persons or groups hold arbitrary power over them*. I refer to this as the "arbitrary power" conception of domination. It is built from three more primitive ideas—dependency, social power, and arbitrariness—briefly explained as follows:

Let us say that a social relationship is any group of persons in a society such that the members of that group must take one another's actions into account in formulating their respective plans for action (Weber [1922] 1978, 26). A person is *dependent* on a social relationship to the extent that their continued membership in that group is relatively involuntary. In other words, we can think of dependency as exit costs, broadly construed. For domination to arise, those subject to arbitrary power must to some extent be dependent on the social relationship in question. This is because without there being any "stickiness," so to speak, nothing would prevent people from leaving social relationships in which they are subject to domination. This is roughly what Foucault was getting at, I think, when he defined domination as "congealed power" (1988, 3). Other things being equal, the greater the dependency, the greater the domination, and vice versa. In a theoretically perfect market, all entries and exits would be costless; it follows that, since no one would be dependent on anyone else, there would be no domination under those conditions. As we shall see later, however, even initially perfect markets are unlikely to remain free from domination indefinitely.

So much for the first component of the arbitrary power conception. Next, what does it mean for one person or group to have power over another? In a paper of this scope, I cannot seriously engage the extensive literature on power, so I will merely state my own view as follows: one person or group has *social power* over another to the extent that the former has the ability (whether this ability is exercised or not) to change what the latter would otherwise prefer

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[8]This formulation restricts JMD to the domain of social justice, narrowly understood; excluded are questions of transitional, individual, and international or global justice. Suitably generalized, JMD applies equally well in these other areas.

[9]This relatively informal gloss suppresses a number of complex and technical issues related to population size and future generations that, while certainly important, would only distract from the present discussion.

[10]Goodin (1995, 5–12, 60–77) discusses and rejects this expansive understanding of utilitarianism, correctly in my view. I emphasize the point only to avoid confusion.

to do. It is fairly obvious, I think, that one person or group must have power, in some form, over another in order to subject them to domination. As in the case of dependency, the greater the imbalance of power, other things being equal, the greater the domination. Since it is the net balance of social power that matters here, domination is generally an asymmetric relation; if social power were distributed equally between two persons or groups, neither would dominate the other.

The third and perhaps most distinctive component of this conception is the arbitrariness condition. Social power is *arbitrary* to the extent that its possible exercise is not externally constrained by effective rules, procedures, or goals that are common knowledge to all relevant parties. By "effective" I mean that a constraint must carry some material force and not merely be a normative standard, for example. Without question, it is wrong for a master to beat his slave, but is the slave dominated less thereby? I doubt it. Of course, if masters are actually constrained by moral opinion, then their slaves' domination might be lessened a bit—but the reduction here would be due to the material effectiveness of the informal constraint, not to the normative fact of the matter. By "externally" effective, I mean that the effectiveness of a constraint must be due to something more than the internal psychological disposition of the power holder alone. If a particular master happens to have a benevolent disposition, his slaves might be better off overall, but we would not say their domination is any less for that reason alone. This is because the constraint is not external in the required sense. By contrast, some constraints on police in the United States (as for example that they must obtain a warrant to search a house) count as both external and effective, or at least they do insofar as they are reliably enforced by the courts. Other things being equal, the greater the range within which one person or group is able to wield power arbitrarily over another, the greater the latter's domination.

To sum up, arbitrariness, an imbalance of power, and dependency are each necessary, and jointly sufficient conditions of domination; levels of domination are thus a function of the degrees of dependency, power imbalance, and arbitrariness, respectively. This is all I will say here about the arbitrary power concept of domination (but see also Lovett 2001; Pettit 1997; Wartenberg 1990). Next, I will consider some reasons we should consider non-domination an important human good.

The direct material harms of domination are perhaps the most obvious: these are the actual injuries that often result when one person or group wields arbitrary power over another. Typically, the former take advantage of their situation to coercively extract goods and services from the latter. For example, masters extract productive labor from their slaves, nobles extract feudal dues from peasants, husbands extract household and/or sexual services from their wives, and so on. In a manner reminiscent of Marx, we might refer to this common feature of domination as *exploitation*. It is important not to limit our concern to active coercion, however. This is because those subject to domination frequently engage in strategic anticipation, surrendering goods or offering services on their own initiative, in the hope of forestalling the unpleasant experience of coercion. This might be termed *indirect*, as opposed to direct, exploitation. Indirect exploitation is possible because it is common knowledge that the agent of domination can choose to exercise her arbitrary power, even if in fact she does not. Relationships of domination are thus "infused by an element of personal terror," as James Scott writes, such that even when arbitrary powers are not exercised, "the ever-present knowledge that they might seems to color the relationship as a whole" (1990, 21).

In addition to the harms of direct and indirect exploitation, those subject to domination suffer additional harms from being in a state of perpetual insecurity. So long as one person or group holds arbitrary social power over another, the latter will be severely restricted in their ability to formulate and carry out life-plans. This is because it is difficult—and at the extreme, impossible—to plan in the face of uncertainty. An ongoing sense of insecurity has both material and psychological consequences. On the one hand, insecurity necessitates precautionary measures. Ever concerned that they might suffer coercion, those subject to domination adopt a defensive posture—overcompensating and taking evasive measures, hoarding goods as insurance, and lowering their life expectations. On the other hand, those subject to domination often suffer from psychological anxiety and even a paralytic sense of helplessness. At the extreme, this may result in complete resignation and social withdrawal: recognizing the improbability that even modest plans of life will come to fruition, the victims of domination might give up formulating goals for themselves at all.

Finally, consider the impact of domination on self-respect. Relationships of domination develop a distinctive symbolic or ritual structure in addition to their more "objective" structure of exploitation and uncertainty. The symbolic face of domination—which Scott refers to as the "public transcript"

(1990)—involves rituals of respect, deference, and debasement on the one side, and rituals of disrespect, dishonoring, and contempt on the other. The reason for this pattern is obvious: those subject to domination hope to secure lighter treatment through flattery, while those enjoying the benefits of domination seek to rationalize their position. The symbolic structure of domination tends to undermine the victims' self-respect or sense of personal worth. At the milder end of the spectrum, we might consider the effects of the "courtier spirit" encouraged by absolutism: whereas "a king must be ador'd like a Demigod," according to John Milton, the citizens of a free commonwealth "are not elevated above thir brethren" and "may be spoken to freely, familiarly, friendly, without adoration" ([1660] 1932, 120). Alexis de Tocqueville was concerned lest an unrestricted power of the majority might introduce something like the courtier spirit even in democratic republics ([1835] 1990, 266–68). This symbolic structure of deference on the one side, and disrespect on the other, suppresses free expression on the part of those subject to domination: consider, in this light, how Victorian society regarded quiet deference a virtue in women and members of the lower classes alike. As domination becomes more severe, habitual self-debasement might lead to self-inflicted psychological violence. Slaves who suffer no speech impediment sometimes develop a stammer simply out of fear of speaking incorrectly (Scott 1990, 30). And at the limit, we find what is called the Stockholm Syndrome, so named after a group of hostages in Sweden who developed unexpected positive feelings for their captors.

For these (and perhaps many other) reasons, it is clear that nondomination is a particularly important condition or component of human flourishing. It follows that we should reduce domination to the extent that we can, and JMD aims to capture this intuition as simply and directly as possible. Of course, I have not shown why we should *minimize the sum total* domination, rather than minimize the domination of the most-dominated group, or minimize the total consistent with an equal level of nondomination for all, or something else. In future work I intend to argue that, given a few reasonable empirical assumptions, the choice between these principles is less significant than identifying the human good relevant from the point of view of justice (i.e., nondomination rather than, say, utility, or primary goods). Briefly, this is because for the foreseeable future, any plausible principle would issue the same practical directive under most real-world conditions—namely, to focus scarce political and social resources on reducing the most severe cases of domination at any given time first. If I am right about this, we can with reasonable confidence adopt minimization as a working principle on the grounds of its simplicity and directness.[11]

One final note. Suppose we think of political freedom or liberty as the absence of domination, as others have suggested (Pettit 1989, 1997, 2001; Skinner 1990, 1998). Then we can understand justice as the promotion of freedom so understood— a theory that is both conceptually elegant and rhetorically compelling. While I am sympathetic with this interpretation of freedom, nothing here hinges on the reader's willingness to take this extra step, and thus I will stick with the expression "justice as minimizing domination."[12] Next, I turn to the problem of distributive justice.

The Libertarian Baseline

Like utilitarianism, JMD is a strictly teleological theory of justice: that is to so say, it begins with an independently defined conception of the good, and it then goes on to develop a conception of the right as the promotion or advancement of that good. Now it is notorious that utilitarianism faces special difficulties when it comes to the problem of distributive justice. So long as each individual's utility is weighed equally, it is a matter of indifference to utilitarianism how the sum total utility is distributed, unless of course it happens to matter indirectly.[13] It follows that distributions of income and wealth, education and training, medical and other sorts of care, etc., can only be of instrumental concern. Should we likewise regard this as an objection to JMD? I will argue that we should not. On the contrary, not only does JMD provide powerful (albeit instrumental) reasons for regarding serious socioeconomic inequality and poverty as unjust, but it moreover offers an account of

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[11]There are further technical reasons for favoring minimization. Most importantly, it is the principle most easily reconciled with the so-called "person affecting principle," according to which one situation cannot be better than another if there is no person or persons it is better for.

[12]My preference for this formulation rests on the sense that it enables us to move beyond the distracting debates surrounding the concept of political freedom and civic republican historiography. Though initially inspired by civic republicanism, it would not trouble me if JMD turns out to generate novel conclusions not easily reconciled with the classical republican tradition.

[13]It might matter indirectly, for example, if an unequal distribution of utility is likely to undermine public support for overall utility-maximization in the long run.

that injustice more attractive on several grounds than the account offered by liberal contractualists.

Loosely speaking, the problem of distributive justice can be divided into two main questions. The first, obviously, is why socioeconomic inequality or poverty should be regarded as unjust. Sometimes it is thought that equality needs no justification, whereas inequality does. If this were true, then the first question would not need an answer. That it is not will be obvious once we reflect for a moment on the second question.

The second question concerns the appropriate definition or characterization of what would count as a just distribution of goods. This question has several interrelated dimensions. One issue concerns whether, in judging a given distribution, we should be looking at the bundles of goods themselves, or rather at what each person is able to accomplish with his or her bundle, or at how happy each person is with his or her bundle. Roughly speaking, these are resource, functioning, and welfare accounts of distributive justice, respectively. Another issue concerns whether a given distribution is just when each persons' share of resources (or level of functioning or welfare) is the same, or when it is above a certain threshold, or when the smallest share (or lowest level) is as large (or high) as possible, or something else. These are equality, sufficiency, maximin, and so on accounts of distributive justice.[14] And yet another issue concerns whether it is the actual equality, sufficiency, etc., of shares of resources, levels of functioning, etc. that we should focus on; or rather the *opportunity* to secure an equal, sufficient, etc., share of resources, level of functioning, etc. Nearly everyone would agree that some opportunity element must be included in a plausible account of distributive justice, but there is considerable disagreement about how and where to draw the line between those choices people should be responsible for and those they should not.

Contemporary political theorists and philosophers have built up a formidable and sometimes arcane literature addressing these various problems.[15] Often, the strategy in this literature is to postpone answering the first question, so as to focus narrowly on some aspect of the second. Judging by the failure of those contributing to this literature to arrive at any sort of consensus, this strategy has not been entirely successful. The reason for this, in my view, is that working out an answer to the second question obviously hinges on our solution to the first. Whether it is more important for people to have an equal opportunity to secure resources, for example, or instead a sufficient level of actual functioning, or something else, clearly depends on our reasons for caring about distributive justice in the first place (Scheffler 2003). Our aim, therefore, should be to answer the first question first; having done this, I will try to show later on, an answer to the second question follows easily.

Accordingly, let us reflect on the connection between justice on the one hand, and the distribution of goods on the other. From JMD's point of view, the connection is straightforward: a distribution of goods will be just when it arises from the operation of those political and social institutions or practices most likely, given our present knowledge and expectations, to minimize domination in the long run.[16] The issue, then, is simply one of determining which institutions and practices are most likely to do this. It will be useful in this respect to start with some baseline for comparison, and an obvious candidate is the common-sense libertarian ideal of a perfectly free market and minimal state. The libertarian baseline is a good one for several reasons. First, it represents (superficially, at any rate) what many people would regard as the simplest and most efficient set of social policies and institutions for governing the distribution of goods. Second, it represents the most serious challenge to the progressive view that extreme inequality and poverty are unjust even when they arise from purely voluntary exchanges in a perfectly free market.

Now in one respect, at least, the libertarian baseline will look rather good from a domination-minimizing point of view: this is because it would seem to reduce the domination experienced by citizens at the hands of the state to an absolute minimum.[17]

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[14]Less plausible accounts include: the pure entitlement view that any given share (or level) is just if it was secured without violating anyone's rights; or what might be called an "aristocratic" view, that a distribution of shares (or levels) is just if the largest share (or level) is as large (or high) as possible.

[15]Since this literature is far too large to cite comprehensively, I will note here only a few signal contributions: Rawls (1971, 1982); Nozick (1974); Nagel ([1977] 2002); Sen (1980, 1993); Dworkin (1981a, 1981b); Roemer (1985, 1996); Scanlon (1986, [1997] 2002); Frankfurt (1987); Arneson (1989); Cohen (1989); Temkin (1993, 2003); Parfit (1995); and Anderson (1999).

[16]Notice here that the justice of a distribution is strictly procedural: it is a question of what the "ground rules," so to speak, of society should be, not the actual pattern of holdings arising from those rules per se. Nozick (1974, chap. 7), attacks what he calls "patterned" accounts of distributive fairness, of which he, incorrectly, takes Rawls's account to be a leading example.

[17]I assume here a minimal state that enforces clearly defined property rights and contracts unconditionally, not one that provides protection services contingently, only to those willing to pay.

Unfortunately, it accomplishes this only at the cost of allowing considerable domination in other domains. My argument to this effect will have several steps. The first is to point out that, like many other socioeconomic goods, one's freedom from domination can be voluntarily exchanged. For example: a person might trade away contractual protections against the arbitrary power of his employer for higher pay; in patriarchal societies, women might prefer dependency on a husband's arbitrary will to becoming a spinster, given all the social and economic consequences entailed by the latter; people might sell themselves into slavery in exchange for protection; and so on. In other words, there is nothing special about the good of nondomination that necessarily places it outside the system of market exchange, broadly understood.

Now to be sure, most people regard their freedom from domination as a particularly important good, and so we would not expect many to trade it away lightly.[18] But there are other especially important goods to consider as well. People have what might be called *basic needs*—the need for an adequate level of nutrition and health, for minimal clothing and shelter, for an education sufficient to function in their community, and so on. In order to satisfy these basic needs, a person must have entitlements to the goods or services that doing so requires. If someone needs a life-saving bypass operation, for example, then she must have either the money to pay for it, or else an insurance plan that covers it, or else a publicly funded entitlement to receive it, or else some other equivalent. When it comes to their basic needs, reasonable people do not typically regard failing to meet them an option, and it follows that they might even be willing to trade away their freedom from domination—highly valued as that may be—in order to do so. Thus a poor laborer living in the early days of unregulated market capitalism might well accept employment on extremely disadvantageous terms, if it is a choice between this and starvation.

The exact level at which reasonable people begin to trade away their freedom from domination in order to meet their basic needs may vary according to the time, place, and individual in question. The minimum acceptable level of education, for example, differs widely according to the culture and level of economic development in a given community. But this is not important for the argument here. What is

important is the general fact that people may be willing to accept higher levels of domination rather than fail to meet their basic needs, and this remains true even if we believe that the meaning of "basic needs" is culturally or individually relative.

A somewhat different way of making the argument is to point out that serious poverty exposes people to domination (Barry 2005, 24–25; Goodin 1988, 167–73; Pettit 1997, 159–60; White 2003, 88–89). Because we do not regard the satisfaction of basic needs below some minimum level as optional, when unable to satisfy them on our own we become dependent on the charity of those with the ability to do so for us.[19] "Private charity breeds personal dependence," Walzer writes, "and then it breeds the familiar vices of dependence: deference, passivity, and humility on the one hand; arrogance on the other" (1983, 92). On the arbitrary power conception discussed above, domination must be understood *structurally*, not in terms of how things happen to turn out. It follows that being dependent on a person or group with the power to arbitrarily withhold the goods or services necessary to meet basic needs whose satisfaction one does not regard as optional amounts to suffering domination. The fact that the person or group in question happens to charitably supply them, if indeed they do, is neither here nor there: the point is that, at some level, severe inequalities "give some people an unacceptable degree of control over the lives of others" (Scanlon [1997] 2002, 44).[20]

For the second step of the argument, let us return to the imagined libertarian baseline discussed above and imagine that we let a perfectly free market run for several generations. Naturally, there will be winners and losers. Some people will make bad choices—as for example, to invest in a business that fails, or to choose a career in an industry that moves overseas; and some will suffer bad luck—as for example, to have a debilitating medical condition, or to lose their home in a tornado. Conversely, others will make good choices and enjoy good luck—they will invent an incredibly popular new product or happen to be born with highly valued natural talents. Thus, even if we start out with equal shares of goods, socioeconomic inequalities will inevitably arise. Moreover, these inequalities will continue to accumulate,

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[18]As Mill says with respect to the family law of his day, "all women of spirit and capacity should prefer doing almost anything else, not in their own eyes degrading, rather than marry, when marrying is giving themselves a master" ([1869] 1991, 501).

[19]Note that this does not contradict what as said above, that in a perfect market there would be no domination: once dependency has been introduced, and some exits become costly, markets are no longer perfect. The next paragraph argues that, in the long run, this drift is inevitable.

[20]I am grateful to an anonymous *Journal of Politics* reviewer for pointing out this reference.

both over the course of individual lives and, more significantly, from one generation to the next. Now some of these accumulated inequalities might be fair or deserved, and others might not be. Which inequalities are fair or deserved depends on what the correct account of personal responsibility happens to be, and for many accounts of distributive justice, figuring this out matters quite a bit. For the account of distributive justice derived from JMD, by contrast, figuring this out turns out not to matter much at all, as will be apparent shortly. What does matter is that, as socioeconomic inequalities (fair or unfair, deserved or undeserved) accumulate over time, many people will eventually face the prospect of having to trade away their freedom from domination in order to meet their basic needs.

The third step of the argument arises out of what might be called the *paternalism objection*. Nondomination, I argued in the previous section, is a particularly important good, and thus, to the extent that we are able to reduce domination, we lie under a moral obligation to do so, other things being equal. But what if those subject to domination accept that condition of their own volition (in order to satisfy basic needs, or for some other reason)? At this juncture, some libertarian-minded readers might be tempted to insist that any effort to reduce the resulting domination must fail to respect the autonomy of responsible individuals. Is it not paternalistic to second-guess the choices of those who, after all, only want to do the best they can for themselves, given whatever circumstances they happen to face? Perhaps. For the sake of argument, let us suppose that we have good reasons to respect the choices that people make (including those choices driven by economic necessity), and that these reasons are indeed sufficient, in some cases, to cancel any obligation to relieve the domination of those who have accepted it of their own volition (which they may not be). Have we then answered the demands of JMD? We have not. The relevant issue simply becomes whether or not we can reduce domination while nevertheless respecting individual autonomy—say, by making it easier for people to avoid domination, if they so desire. If we can, then the paternalism objection (supposing it is valid) gives us no reason not to.

To review, in the absence of policies or institutions to combat the accumulation of socioeconomic inequality, many people will eventually face the prospect of having to trade away their freedom from domination in order to meet their basic needs. Quite reasonably, many will choose to do so. According to JMD, the domination that results is unjust, and,

other things being equal, we should do something about it if we can. The next section considers our options for doing so.

An Unconditional Basic Income

Under libertarian policies and institutions, people would arguably suffer little domination at the hands of the state, but the inexorable accumulation of socioeconomic inequality would lead, through the ordinary operation of the market system, to considerable domination in the private sphere. Might some other configuration of policies and institutions yield less domination overall? Let us consider some alternatives.

Domination arises through the free market primarily because people can trade away their freedom from domination. Thus, a natural response might be to prohibit the relevant sorts of exchanges. Trading freedom from domination for other goods would then become what Walzer calls a "blocked exchange" (1983, 100–03). To some extent, this is already done in contemporary American law, which prohibits slavery and does not enforce unconscionable contracts, for example.[21] No doubt, these rules prevent some gross abuses, but the blocked-exchange strategy cannot serve as a general solution. There are several reasons for this. For one thing, any attempt to expand the list of blocked exchanges beyond these few, relatively uncontroversial instances will probably fall afoul the paternalism objection noted above. But even supposing we overcome our aversion to paternalism, there is another and more significant difficulty: namely, that there will always be discovered new and ever-more subtle means of converting material advantage into domination. In the long run it is unlikely that public policy could ever keep pace with, much less anticipate, such innovations—except perhaps with a regulatory structure so dense and intrusive as to raise serious objections on other grounds. (For starters, a state powerful enough to accomplish this task might itself become a great source of domination.)

A second natural response also fails. Rather than regulate the points of exchange, we might attempt to regulate the relevant social relationships themselves. For example, various workplace regulations, reforms in family law, and so forth, might aim to reduce the arbitrariness with which potential agents of domination can exercise power over their dependents.

[21]Slave contracts are prohibited by the 13th Amendment to the U. S. Constitution; unconscionable contracts are unenforceable under § 2-302 of the Uniform Commercial Code.

In preventing some gross abuses, this second response might also be useful; as in the case of the first, however, and for the same reasons, it is unlikely to provide a general solution.

Suppose instead we approach the problem from the other end. People might trade away their freedom from domination for any number of reasons, but on the plausible assumption that the great majority value their enjoyment of nondomination highly, few will do so except when necessary to meet their basic needs.[22] Obviously, then, the most reliable and least intrusive way to discourage people from trading away their freedom from domination is have the public meet the basic needs of those unable to do so on their own. Not having to trade away their freedom from domination in order to meet basic needs, few would probably choose to do so, thus considerably lowering the aggregate domination experienced. Moreover, unlike either the blocked exchange or the regulatory approach, this would continue to respect the choices that people make, and thus not fall afoul the paternalism objection.[23] Given these advantages, it is worth considering whether some configuration of policies and institutions could accomplish this without introducing new forms of domination as against the libertarian baseline.

Broadly speaking, there are two ways to publicly meet the basic needs of those unable to do so on their own. The first is to adopt a *means-testing* approach. For example, we could set up a program or bundle of programs that would address individuals' basic need requirements on a case-by-case basis. Thus, if someone were unable to meet her nutritional needs, she could appeal to the public nutrition agency, which would then supply the shortfall; if she were unable to meet her health needs, she could appeal to the public health agency, and so on. Alternatively, we could set up a defined income minimum that would roughly correspond to a level of income deemed sufficient to meet all reasonable basic needs. Individuals whose income fell short of the defined minimum would receive a public handout equivalent to the difference. The advantage of either means-testing method is that

the public pays only to meet the basic needs of those who cannot do so on their own. But this advantage is also a potential flaw, for it is doubtful whether means-testing can be carried out in a nonarbitrary way: practical experience suggests that state welfare agencies must inevitably employ extensive bureaucratic discretion in carrying out such policies, and that the particular vulnerabilities of persons in need of public assistance renders the usual sorts of constraints on such discretion more or less ineffective.[24] From a domination-minimizing point of view, it will not do to replace the arbitrary charity of private individuals and groups with the arbitrary charity of state welfare agencies, for this would merely substitute one form of domination for another. We would then want to know whether, compared against the libertarian baseline, a means-tested basic needs guarantee eliminates (from the private sphere) as much domination as it introduces (in the public sphere). In my view it probably would, but this remains an open question. Fortunately, we do not have to answer it.

The second approach would ensure that everyone's basic needs through the public provision of an *unconditional basic income* such as proposed by Van Parijs (1995, 2004) and others (Barry 2005; Groot 2002; Pateman 2004; Walter 1989; Wolff 1998). This unconditional basic income might take the form of cash, or else a combination of cash and vouchers for certain defined benefits (health care, education, and so on); and the cash portion of the unconditional basic income might be delivered through regular government handouts, or else through some version of the negative income tax. Although important, resolving these issues is not essential for the argument at hand.[25] What is essential is that we understand the basic income grant to be unconditional, both in the sense that everyone receives the same basic income regardless of means, and in the sense that everyone

[22]The exact threshold at which individuals in a given community begin to do this will vary, of course, depending on local views regarding basic needs and the value of nondomination.

[23]Moreover, this might have the added benefit of eventually obviating the need for many other sorts of paternalistic protections as well: workers can comfortably hold out for safe jobs on fair terms if they do not have to worry about meeting their basic needs in the meantime. Of course there would still need to be protections against fraud and so forth, but OSHA-style workplace regulation and minimum wage requirements might become unnecessary.

[24]In addition, means-testing can often be intrusive and humiliating (Barry 2005, 209–11; Wolff 1998; Young 1990, 53–55). While these are not, in my view, questions of justice per se, they do raise significant moral concerns.

[25]Roughly, my own view is that the unconditional basic income ought to consist of a voucher for health insurance, a voucher for education through high school, and a guaranteed retirement income, together with the cash residual delivered as monthly checks to individuals, not households. The cash portion of children's basic income could be put in trust until they reach majority, at which point they can use it to pay for college or something else. The unconditional basic income would replace most other public welfare programs and eliminate the need for much workplace regulation and the minimum wage. Many details, obviously, remain to be worked out: interested readers are referred to the technical discussions in *Basic Income Studies* (www.bepress.com/bis).

receives it automatically, without having to satisfy some sort of participation or contribution requirement.[26] With an assured basic income of the sort described, it is less likely that people would face the prospect of having to trade away their freedom from domination in order to meet some basic need. On the empirical assumption that people value nondomination rather highly, less domination would thus arise in the private sphere. Note that this remains true, even if the value of the basic income grant is not sufficient by itself to cover all basic needs: the larger the grant, the less domination we would expect to see, but even a small grant would *reduce* domination at the margin. (This will be important in later discussion.) At the same time, since an unconditional basic income lacks any sort of means test or participation requirement, it would be nonarbitrary in its operation, and so no new domination would be introduced in the public sphere. Thus, from a domination-minimizing point of view, the unconditional basic income is clearly superior to the libertarian baseline.[27]

How great should the value of the unconditional basic income be? This problem is more difficult than one might expect. Before addressing it, however, let me briefly return to a point made near the opening of the previous section. There I asserted that the problem of distributive justice can be divided into two main questions. The first concerns why socioeconomic inequality and poverty should be regarded as unjust. Now we have a clear answer: socioeconomic inequality and poverty are unjust because and to the extent that they compel reasonable people to trade away their freedom from domination in order to meet basic needs. Notice, however, that in developing our answer to the first question, we have also answered the second. From a domination-minimizing point of view, the distribution goods will be just when it arises from the operation of those political and social institutions and practices most likely to minimize aggregate domination. The configuration of institutions most likely to do this, I have argued, is a free market together with an unconditional basic income. In my view, this is

sufficient. In other words, provided that each person receives an unconditional basic income, whatever distribution of goods arises subsequently through the operation of the free market can be regarded as just.[28] Readers who do not share this last view, however, might at least be persuaded that JMD captures a *necessary* condition of distributive justice.

Now let us return to the thorny question of determining an appropriate level for the unconditional basic income. What portion of the total national income should be devoted to providing an unconditional basic income? (It is useful to express the problem in this way because the amount each individual will receive at any given time might depend on their age and health status, and their lifetime total on how long they live and how healthy they have been.) An initially appealing answer might be: just enough to cover each person's basic needs, and no more. Let me explain why this will not do with the help of Figure 1 below. The vertical axis in this figure represents units of subjective welfare w_i for some representative individual i; the horizontal axis represents units x of socioeconomic goods or domination. Assume that these units have been defined so that one unit of goods can be exchanged for one unit of domination, and vice versa. The curve G_i indicates the welfare i derives from a given amount x^G of goods. Notice that this curve is concave, representing diminishing marginal returns: this captures the intuition that once our basic needs are met, the welfare gains we derive from ever-greater amounts of socioeconomic goods are less and less. The curve D_i indicates the welfare loss i derives from suffering under a given level x^D of domination. This curve is convex, capturing the intuition that low levels of domination are relatively tolerable, while greater levels are less and less tolerable. (This is equivalent to saying that nondomination, like other goods, is subject to diminishing marginal returns.) A reasonable person, we might suppose, will attempt to maximize $G_i(x^G) - D_i(x^D)$, i.e., their welfare gains from goods, minus their welfare losses from domination.

Now imagine that we provide a comfortable basic income level b. Let us further suppose that i's income
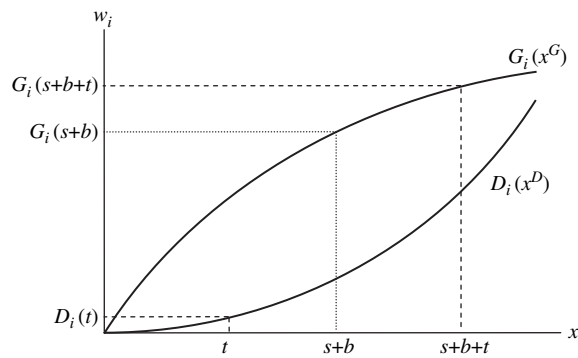
F<small>IGURE</small> 1

from other sources is *s*, and that *i* does not presently suffer any domination. Her welfare is thus given by $G_i (s + b)$, as indicated on Figure 1. Will she remain content with this income? She will not. Nondomination, by assumption, can be exchanged for other goods: trading away some of her nondomination, she might increase her income still further. Indeed, given our assumptions, we should expected her to do precisely this, up to the point where her marginal welfare gain from additional income equals her marginal welfare loss from additional domination. On Figure 1 this point is at *s + b + t*, where the slope of $G_i (s + b + t)$ equals the slope of $D_i (t)$. It should thus be clear that no matter how high we set the level of the unconditional basic income, reasonable people may nevertheless voluntarily trade away some of their non-domination.[29] No level of basic income is "enough," so to speak.

However, it should also be clear that the higher we set the level of the unconditional basic income, the less nondomination will be traded away overall, other things being equal.[30] This is because at higher levels of income, the marginal welfare gain from further increases that could be secured through trading away nondomination is smaller (i.e., the slope of *G* progressively decreases). If we are interested in minimizing aggregate domination, the con-

[29]This would not be true if people had lexical preferences for income sufficient to cover basic needs, freedom from domination, and additional income, in that order. In future work I hope to show that basic needs are not like this—i.e., that there is no clearly defined basic needs threshold, so preferences cannot be lexically ordered in this way.

[30]At least, this is true so long as we hold total national income constant and ignore possible incentive effects of funding the basic income. Note however that by obviating the need for a minimum wage, eliminating "welfare traps," and so on, an unconditional basic income might well be an efficiency improvement over existing state welfare systems.

clusion is straight-forward: JMD demands that we set the unconditional basic income as high as we possibly can, so as to reduce avoidable domination to lowest possible level. This might seem implausibly generous, but we must consider future generations as well as our own. Accordingly, the "highest possible" basic income should be understood to mean the *highest sustainable* one: in other words, the present generation should chose a basic income level such that succeeding generations can choose the same level, or greater.[31]

To sustain a given level of unconditional basic income, we must take into account two important constraints: first, domestic market constraints on our ability to raise the basic income without depressing economic incentives in the long run; and second, global market constraints on our ability to remain competitive with other nations. These constraints ensure that the unconditional basic income will not be exceedingly generous. Indeed, it is important to observe (contrary to the assumption in Pateman 2004) that the grant provided by the highest sustainable basic income might not be large enough by itself to cover all an individual's basic needs. This is not a defect in the argument, since (as observed earlier) even a small grant will reduce domination at the margin. Justice demands that we reduce domination as far as we can, but there is no assurance we can eliminate it altogether. How much we can reduce domination in this case depends on how high a basic income we can (sustainably) afford, and this can only be determined through trial and error by economists and policy makers.[32] When we have done everything we are able to do, justice cannot demand that we do more.

Conclusion

I have argued that JMD underwrites the public provision of an unconditional basic income. To review briefly, this is because at low levels of income, reasonable people will begin to trade away their freedom from domination in order to meet basic needs. This effect can be reduced, however, if the

[31]This is also the conclusion reached, on different grounds, by Van Parijs (1995). Note that the highest sustainable basic income is *not* equivalent to Rawls's difference principle, because the position of the least advantaged could be further improved over an unconditional basic income through means testing.

[32]As a rough guide, however, the United States is currently supporting, one way or another, the equivalent of a per-person annual basic income valued at roughly $7,200. Considering that other nations are even more generous, this much at least might be regarded as sustainable.

public ensures that fewer become destitute, and the least arbitrary means of doing this is through the public provision of an unconditional basic income. Notice that the argument does not rely on our willingness to view society as a system of cooperation: rather, it depends only on our recognition that avoidable domination is unjust (and, of course, that extreme poverty predictably leads to increased domination). Thus it avoids the challenges that such a reliance presents to the liberal-contractualist argument for distributive justice.

Earlier I mentioned some other areas in which liberal contractualism has come under recent criticism. By way of conclusion, let me suggest that JMD might provide an attractive basis for addressing these concerns as well. One bundle of complaints comes from feminists, who point out that the liberal strategy of shielding the private sphere from public or political interference masks considerable gender domination in the family. Clearly, JMD is not open to the same objection, for it sets the reduction of domination—wherever it occurs—as the very meaning of justice. A second bundle of complaints are leveled by multiculturalists, who argue that liberals fail to perceive the various cultural injustices inflicted by liberal institutions; liberals in turn reply that multiculturalists are insufficiently sensitive to domination inflicted by groups on their own members. JMD cuts across this debate. It would not valorize culture as such, but it would recognize that cultural attachments can sometimes be exploited in order to subject others to domination. Thus JMD would support cultural rights, devolution, and so on, just so far as doing so would minimize domination, and not otherwise.

In these two areas, the application of JMD is straightforward and compelling. And what of the connection between domination reduction and democracy? Roughly speaking, the argument would be that broadly democratic institutions are in most cases best able to discourage domination. A number of theorists have begun to explore this argument (see Pettit 1999; Shapiro 2003), but much remains to be done. In the meantime, I hope that enough has been said to convince the reader that justice as minimizing domination is a progressive political doctrine worth exploring.

Acknowledgments

References

Anderson, Elizabeth S. 1999. "What Is the Point of Equality?" *Ethics* 109 (2): 287–337.

Arneson, Richard J. 1989. "Equality and Equal Opportunity for Welfare." *Philosophical Studies* 56 (1): 77–93.

Barry, Brian M. 1977. "Justice Between Generations." In *Law, Morality and Society: Essays in Honor of H. L. A. Hart*, eds. P. M. S. Hacker and Joseph Raz. Oxford, UK: Oxford University Press, 268–84.

Barry, Brian M. 2001. *Culture and Equality: An Egalitarian Critique of Multiculturalism*. Cambridge: Polity Press.

Barry, Brian M. 2005. *Why Social Justice Matters*. Cambridge: Polity Press.

Beitz, Charles R. 1979. *Political Theory and International Relations*. Princeton, NJ: Princeton University Press.

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

Dagger, Richard. 2006. "Neo-Republicanism and the Civic Economy." *Politics, Philosophy, and Economics* 5 (2): 151–73.

Dworkin, Ronald. 1981a. "What is Equality? Part 1: Equality of Welfare." *Philosophy and Public Affairs* 10 (3): 185–246.

Dworkin, Ronald. 1981b. "What is Equality? Part 2: Equality of Resources." *Philosophy and Public Affairs* 10 (4): 283–345.

Foucault, Michel. 1988. "The Ethics of Care for the Self." In *The Final Foucault*, eds. James Bemauer and David Rasmussen. Cambridge, MA: MIT Press, 1–19.

Frankfurt, Harry G. 1987. "Equality as a Moral Ideal." *Ethics* 98 (1): 21–43.

Goodin, Robert E. 1988. *Reasons for Welfare: The Political Theory of the Welfare State*. Princeton, NJ: Princeton University Press.

Goodin, Robert E. 1995. *Utilitarianism as a Public Philosophy*. Camrbidge, MA: Cambridge University Press.

Groot, L. F. M. 2002. "Compensatory Justice and Basic Income." *Journal of Social Philosophy* 33 (1): 144–61.

Habermas, Jürgen. 1998. *The Inclusion of the Other: Studies in Political Theory*. Eds. Ciaran Cronin and Pablo De Greiff. Cambridge, MA: MIT Press.

Honig, Bonnie. 1993. *Political Theory and the Displacement of Politics*. Ithaca, NY: Cornell University Press.

Lovett, Frank. 2001. "Domination: A Preliminary Analysis." *The Monist* 84 (1): 98–112.

MacKinnon, Catherine A. 1989. *Towards a Feminist Theory of the State*. Cambridge, MA: Harvard University Press.

MacKinnon, Catherine A. 1993. *Only Words*. Cambridge, MA: Harvard University Press.

Mill, J. S. [1869] 1991. "Subjection of Women." In *On Liberty and Other Essays*, ed. John Gray. Oxford, UK: Oxford University Press, 471–582.

Milton, John. [1660] 1932. "The Readie and Easie Way to Establish a Free Commonwealth." In *The Works of John*

Milton, vol. 6. ed. William Haller. New York: Columbia University Press, 111–149.

Mouffe, Chantal. 2000. *The Democratic Paradox*. London: Verso.

Nagel, Thomas. [1977] 2002. "Equality." In *The Ideal of Equality*, eds. Matthew Clayton and Andrew Williams. New York: Palgrave Macmillan, 60–79.

Nozick, Robert. 1974. *Anarchy, State, and Utopia*. New York: Basic Books.

Parfit, Derek. 1984. *Reasons and Persons*. Oxford, UK: Oxford University Press.

Parfit, Derek. 1995. *Equality or Priority?* Lawrence: University of Kansas Press.

Pateman, Carole. 2004. "Democratic Citizenship: Some Advantages of a Basic Income." *Politics and Society* 32 (1): 89–105.

Pettit, Philip. 1989. "The Freedom of the City: A Republican Ideal." In *The Good Polity*, eds. Alan Hamlin and Philip Pettit. Oxford, UK: Blackwell Publishers, 141–68.

Pettit, Philip. 1997. *Republicanism: A Theory of Freedom and Government*. Oxford, UK: Oxford University Press.

Pettit, Philip. 1999. "Republican Freedom and Contestatory Democratization." In *Democracy's Value*, eds. Ian Shapiro and Casiano Hacker-Cordon. Cambridge, MA: Cambridge University Press, 163–190.

Pettit, Philip. 2001. *A Theory of Freedom: From the Psychology to the Politics of Agency*. Oxford, UK: Oxford University Press.

Pew Research Center for the People and the Press. 2007. *Trends in Political Values and Core Attitudes: 1987–2007*. Washington, DC.

Pogge, Thomas. 1989. *Realizing Rawls*. Ithaca, NY: Cornell University Press.

Pogge, Thomas. 2002. *World Poverty and Human Rights*. Cambridge: Polity.

Rawls, John. 1971. *A Theory of Justice*. Cambridge, MA: Belknap Press.

Rawls, John. 1982. "Social Unity and Primary Goods." In *Utilitarianism and Beyond*, eds. Amartya Sen and Bernard Williams. Camrbidge, MA: Cambridge University Press, 159–86.

Roemer, John E. 1985. "Equality of Talent." *Economics and Philosophy* 1 (2): 151–87.

Roemer, John E. 1996. *Theories of Distributive Justice*. Cambridge, MA: Harvard University Press.

Rousseau, Jean-Jacques. [1762] 1987. "On the Social Contract." In *The Basic Political Writings*, trans. Donald A. Cress. Indianapolis, IN: Hackett Publishing.

Sandel, Michael J. 1982. *Liberalism and the Limits of Justice*. Cambridge, MA: Cambridge University Press.

Scanlon, T. M., Jr. 1986. "Equality of Resources and Equality of Welfare: A Forced Marriage?" *Ethics* 97 (1): 111–18.

Scanlon, T. M., Jr. [1997] 2002. "The Diversity of Objections to Inequality." In *The Ideal of Equality*, eds. Matthew Clayton and Andrew Williams. New York: Palgrave Macmillan, 41–59.

Scheffler, Samuel. 2003. "What is Egalitarianism?" *Philosophy and Public Affairs* 31 (1): 5–39.

Scott, James C. 1990. *Domination and the Arts of Resistance: Hidden Transcripts*. New Haven, CT: Yale University Press.

Sen, Amartya. 1980. "Equality of What?" *The Tanner Lectures on Human Values* 1: 197–220.

Sen, Amartya. 1993. "Capability and Well-Being." In *The Quality of Life*, eds. Martha C. Nussbaum and Amartya Sen. Oxford, UK: Oxford University Press, 30–53.

Shapiro, Ian. 2003. *The State of Democratic Theory*. Princeton, NJ: Princeton University Press.

Skinner, Quentin. 1990. "The Republican Ideal of Political Liberty." In *Machiavelli and Republicanism*, eds. Gisela Bock, Quentin Skinner, and Maurizio Viroli. Cambridge, MA: Cambridge University Press, 293–309.

Skinner, Quentin. 1998. *Liberty Before Liberalism*. Cambridge, MA: Cambridge University Press.

Taylor, Charles. 1994. "The Politics of Recognition." In *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann. Princeton, NJ: Princeton University Press, 25–73.

Temkin, Larry S. 1993. *Inequality*. Oxford, UK: Oxford University Press.

Temkin, Larry S. 2003. "Equality, Priority, or What?" *Economics and Philosophy* 19 (1): 61–87.

Tocqueville, Alexis de. [1835] 1990. *Democracy in America, vol. 1*. Ed. Phillips Bradley. New York: Vintage Classics.

Tully, James. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity*. Cambridge, MA: Cambridge University Press.

Van Parijs, Philippe. 1995. *Real Freedom For All: What (ifAnything) Can Justify Capitalism?* Oxford, UK: Oxford University Press.

Van Parijs, Philippe. 2004. "Basic Income: A Simple and Powerful Idea for the Twenty-first Centry." *Politics and Society* 32 (1): 7–39.

Walter, Tony. 1989. *Basic Income: Freedom from Poverty, Freedom to Work*. London: Marion Boyars.

Wartenberg, Thomas E. 1990. *The Forms of Power: From Domination to Transformation*. Philadelphia, PA: Temple University Press.

Weber, Max. [1922] 1978. *Economy and Society: An Outline of Interpretive Sociology*. Eds. Guenther Roth and Claus Wittich. Berkeley: University of California Press.

White, Stuart. 2003. *The Civic Minimum: On the Rights and Obligations of Economic Citizenship*. Oxford, UK: Oxford University Press.

Wolff, Johnathan. 1998. "Fairness, Respect, and the Egalitarian Ethos." *Philosophy and Public Affairs* 27 (2): 97–122.

Walzer, Michael. 1983. *Spheres of Justice: A Defense of Pluralism and Equality*. New York: Basic Books.

Young, Iris Marion. 1990. *Justice and the Politics of Difference*. Princeton, NJ: Princeton University Press.

Young, Iris Marion. 2000. *Inclusion and Democracy*. Oxford, UK: Oxford University Press.

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