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PART V

**Socialism and Liberalism:
World Congress Papers**

(An Exchange between Rodney G. Peffer and Alistair M. MacLeod)

**CHAPTER 22
Equality, Socialism, Democracy:
Cuba as a Test Case**

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Sometimes socialism is said to be in favor of equality at the expense of liberty or is said to be opposed to democracy. I want to argue here that neither of these claims is true and that socialists are in no different a position than egalitarian liberals when it comes to being committed to all of the proper values of a correct theory of social justice. Socialist egalitarians and liberal egalitarians (such as John Rawls) differ on empirical claims rather than basic values, though this fact doesn't make their disagreements any less real or important or severe. One way to show this is to propose a theory of social justice that both egalitarian socialists and egalitarian liberals will find acceptable and then more carefully examine real-world contexts to see on what empirical claims socialists and liberals of this sort might disagree. I believe that it can be shown, for example, that socialist Cuba embodies these common values to a greater degree than any other Latin

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American nation and any other capitalist society in the developing world.

As a theory of social justice that both socialists and liberal egalitarians can agree on I shall propose the theory that I have developed in *Marxism, Morality, and Social Justice* (Princeton University Press, 1990) and elsewhere. This theory claims that there are five basic values that must be implemented in a just society. They are (1) the protection of people's **basic rights** (i.e. both their **security and subsistence rights**); (2) **civil liberties** (i.e. rights to such liberties as freedom of speech, freedom of worship, etc.); (3) **democracy** (both political and social/economic); (4) a substantive sort of **equality of opportunity**; and (5) **material equality** (as governed by what I have called a modified difference principle, after John Rawls' original formulation of the difference principle which states that social and economic inequalities are justified if and only if they are to the benefit of the least-advantaged people in society). In its most simple formulation my theory of social justice, which I believe embodies these five values and gives their correct priority relations, contains the following five principles (in order of strict priority):

- (1) **The Basic Rights Principle:** Everyone's basic security and subsistence rights are to be met: that is, everyone's physical integrity is to be respected and everyone is to be guaranteed a minimum level of material well-being including basic needs, i.e., those needs that must be met in order to remain a normally functioning human being (and citizen).
- (2) **The Equal Basic Liberties Principle:** There is to be a maximum system of equal basic liberties, including freedom of speech and assembly, liberty of conscience and freedom of thought, freedom of the person along with the right to hold (personal) property, and freedom from arbitrary arrest and seizure as defined by the concept of the rule of law; and there is to be the right to vote and to run for (and hold) political offices (and these political liberties are to be guaranteed their equal worth).
- (3) **The Fair Equality of Opportunity Principle:** Everyone is to be assured fair equality of opportunity in the pursuit of offices and positions (i.e. persons of approximately equal natural talent and abilities must have approximately equal chances of success in the pursuit of offices and positions).

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- (4) **The Modified Difference Principle:** Social and economic inequalities are justified if and only if they are to the greatest benefit of the least advantaged—but are not to exceed levels that will seriously undermine (a) (approximately) equal worth of liberties required by due process and (b) the good of self-respect.
- (5) **The Social and Economic Democracy Principle:** There is to be an equal right to participate in decision-making processes within social and economic institutions of which one is a member.

First, let us ask where *equality* and *democracy* enter into this theory. Here it is necessary to distinguish various aspects of the socialist commitment to equality and various kinds of democracy, and to see how these values might be ranked. First, socialists—like egalitarian liberals—view all individuals as being morally equal (i.e. as deserving equal concern and respect in the design and application of social institutions, rules, and policies). Secondly, they view people as being legally equal (equality before the law) as well as politically equal but whereas, for many liberals, political equality may be merely formal, socialists want to make it a matter of substantial political equality (by, e.g., making the worth of democratic rights roughly equal). Here it is important to stress that the value underlying our commitment to democracy is freedom as **self-determination** (or people having the equal opportunity and power to exert control over their lives) and that this value can be instantiated or realized in a number of ways. Thus, formal political democracy (i.e. voting for government representatives) is an important manifestation of democracy: but it isn't the only one. Participation in mass organizations is another way that this value can be realized and, in developing societies, this manifestation of democracy may be of equal or even greater importance. Of course, the Cuban people's system of electing their political representatives—*poder popular*— is not even given the status of political democracy by the U.S. government and the mainstream media in the U.S. on grounds that it does not meet all of the standards it (and they) approve of. Thus, even though *poder popular* has been in place for quite a while now and even though participation in mass organizations; allows the Cuban people to participate

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in determining their lives to an extent unimagined in most developing societies, U.S. government and mass media both continue to refer to Cuba as "a dictatorship" and as "the only undemocratic country left in Latin America"! (On the other hand, they tend to conveniently forget to comment on the fact that many of these so-called "democracies" consist of the thinnest veneer of formal democratic institutions temporarily placed over a brutal system of oppression and exploitation ultimately run by the socioeconomic oligopolies of these societies in conjunction with their militaries and state security apparati which, in most cases, still actively torture and kill their left-wing political opponents.)

Finally, socialists—as well as egalitarian liberals—demand that there be substantial equality in the social and economic realm (i.e. in terms of income and wealth or access to material resources). But here it is important to stress that what this means first and foremost is that people's **subsistence rights** (to have their basic needs met) must be protected and that these rights—along with one's **security rights**—must be accorded the status of **basic rights** which are the most important moral principle or principle of social justice that we should recognize. That is, in addition to being assured security against murder, torture, rape, etc. people must also be assured a minimally decent standard of living including adequate nutrition, housing, medical care, basic education, etc. The other egalitarian principle governing social and economic distributions that is accepted by many egalitarian liberals as well as many socialists is what John Rawls calls the Difference Principle. This principle states that economic inequalities are justified *if and only if* they can be shown to be to the benefit of the least (economically) advantaged people in society. That a certain level of economic inequalities might turn out to benefit the least advantaged people may seem like a paradoxical proposition at first glance, but the argument here is that (1) such differentials in income and wealth can operate as *incentive schedules* to motivate people to work harder, train longer, become more educated, and generally try to be more productively efficient; (2) this can make for a more efficient and productive

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economy (i.e. a higher gross domestic product of goods and services); and (3) this, in turn, allows the state or society to use policies of *taxation and redistribution* (in terms of income supplements and/or the provision of public goods) to utilize part or all of the additional wealth added to the gross domestic product to benefit the least advantaged people.

An even more egalitarian version of this principle accepted by Rawls and many others (myself included) is called the Lexical Difference Principle. This demands that after maximizing the prospects of the least well-off segment of the population we should then try to maximize the prospects of the next least well-off segment of the population and so on. While even the nonlexical version of the Difference Principle would, presumably, require a much more equal distribution of income and wealth than exists in most societies—and a great transfer of income and wealth from North to South if applied internationally, as it should be—the lexical version would require a truly egalitarian distribution of income within (and between) societies that, arguably, can only be realized by socialism. Now this may have some seemingly bizarre consequences, especially, in a developing society such as Cuba which is in the process of implementing such incentive schedules and starting to allow types of economic inequality not allowed before. Let me give a couple of examples that will illustrate this point. Last year around this time when I was in Cuba for the sixth time a well-known professor of economics and member of the Havana city government was kind enough to discuss current Cuban economic realities with our group one evening. And, even though he did not make a big deal out of this fact, he pointed out that a typical taxi driver now makes much, much more money than he does (and most other professionals do) even though driving a taxi does not take the years and years of education and effort that it takes to become a professor or other professional. Another example that comes to mind is the new Cuban farmer who was the subject of a *Nightline* episode on the ABC television network in the U.S. a few years ago. At the end of his first year of moving from Havana to a small farm in the countryside he harvested his

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crop of vegetables and took them into the fanners market in Havana where he sold them and made more in one day than a typical Cuban makes in a year. Now it seems bizarre and counter-intuitive that a taxi driver and a small farmer ought to make many, many times more than a professor and most other Cubans. But what would the **difference principle** say about this situation? It would say that Cuba ought to allow some people to make more money than others but should **tax** those Cubans who are lucky enough under current circumstances to make much more than most other Cubans and then use this tax revenue for public goods and services (such as Cuba's excellent and comprehensive health care system) or as income support for the less economically advantaged people in Cuban society. Although we don't have time to discuss this here, it should be noted that the difference principle is only meant to govern what Rawls calls the **basic social structure** including taxation and redistribution policies and is not meant to govern economic distributions at lower levels than this. Thus, for example this principle is not meant to apply within a taxi company such that the taxi drivers who earn more must automatically give some of their income to those taxi drivers who don't make as much money or to a university such that the more well-paid employees must automatically give some of their income to less well-paid employees. In other words, at levels lower than the basic social structure, the difference principle is not meant to eliminate more traditional considerations such as **effort, productivity, excellence, or merit**. There is room for all of these values in a society governed by the difference principle.

As to the **degree of taxation**, this is to be set at whatever level will really benefit the least advantaged. Another example that may help illustrate this part of the difference principle is that the government ought to set the taxes on the small home restaurants ("palodores") that were allowed to set up business in Cuba at whatever level will raise the most tax revenue for the rest of society. However, it may be impossible to calculate this level of taxes in advance; thus, the state may have to experiment with various policies (as it has done). If the tax rate is set too

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high then so many of these restaurants may close that tax revenues are not optimized; on the other hand, if they are too low then these revenues will not be maximized either. The point is both to oil the economic machinery of society and optimize tax revenue for the benefit of society.

However, since it is also arguable that most non-socialist societies—and the world as a whole—can not even guarantee everyone that their **basic subsistence rights**, one doesn't even have to utilize the more thoroughly egalitarian Difference Principle to argue for socialism: all one need do is point out that people's security and subsistence rights can best be protected and assured by a socialist organization of society as opposed to a capitalist one. In fact, although it is arguable that under advantageous circumstances a socialist society may be able to meet all of the principles of social justice cited above, the shortest and most direct argument in favor of socialism, especially with respect to the developing world, is to simply point out that (1) no capitalist developing nation has consistently met the subsistence rights of its population by providing for the basic needs of all its citizens, including the basic needs of health care and primary education and that socialist developing societies (particularly, Cuba) have achieved this goal (even under difficult circumstances) and (2) almost all capitalist societies in the developing world consistently violate the security rights of some of their members (usually political dissidents) by means of torture and both juridical and extrajudicial executions (the latter normally carried out by "death squads" that are usually connected with the state security apparatus which, in turn, usually has strong connections with the U.S. military and intelligence agencies). So, if a socialist developing society like Cuba can both fulfill its members subsistence rights and refrain from violating their security rights and capitalist developing societies can not, then such socialist societies must be preferred from the moral point of view no matter how these societies compare on any of the subordinate principles. Here I am not to be interpreted as assuming that a socialist society, such as Cuba, does or must compare unfavorably with capitalist

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developing countries on these other principles of justice: I'm merely pointing out that it doesn't matter because the theory of justice we have adopted holds that the **Basic Rights Principle** is the supreme principle of justice and morality and must take precedence over all others. Thus, if one general type of society consistently does a much better job in fulfilling this principle it must be preferred.

Now we must always be as honest and objective as we can and so it should be pointed out that at times socialist developing societies have failed to fulfill all of their citizen's basic rights and there have been capitalist developing societies who have for some length of time come close to fulfilling their basic rights; but, again, it is a question of which type of society more often fulfills these rights and can be expected to continue to do so. Allow me to give a few examples of these exceptional cases. An example of a socialist society failing to meet its population's subsistence rights when it seemed possible to do so is the case of China in the late 1950's when a famine occurred in the far western part of the country that is said to have killed several million people. Now it might be argued that this was a natural catastrophe and, thus, beyond the power of the relatively young socialist government in China to prevent or ameliorate, but Amartya Sen (in his book *Poverty and Famines*) and others have argued that this was not the case and, in fact, if there had been more of a free flow of information within the country at the time, the population in the East would have forced their government to act toward this end. But with this one important exception the socialist nations of the developing world—e.g. China, Cuba, and the Indian Republic of Kerala—have done an admirable job in fulfilling their members subsistence rights, including the right to basic health care and education. And one doesn't have to know a great deal about capitalist developing nations to know that almost none of them have come even close to accomplishing this for their populations as a whole. However, it must be admitted that under propitious circumstances—both of geography and their own histories—some capitalist countries in the developing world have temporarily met this goal or have at least come very close to meeting

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it. The, examples I have in mind here are Costa Rica in the New World and Sri Lanka in the Old, but both countries were only able to come close to accomplishing this for a few decades, perhaps the 1960s and 1970s, and now probably can not be said to still be coming close to this goal due to the "structural readjustment" programs forced on them starting in the 1980s by the international lending institutions (the IMF and World Bank) in conjunction with the major capitalist world powers (led by the U.S.). So here are some cases where capitalism had a "golden opportunity" to prove that it was really better than socialism and it has simply failed.

When it comes to the question of security rights, on the other hand, we can again use China as an example. First there is the incident at Tianemin Square to be considered. But even if one were really of the opinion that this military action against its own citizens was absolutely necessary for maintaining socialism (and, thus, presumably justified), there still remains the fact that according to Amnesty International and other human rights organizations, China still persists in routinely torturing certain categories of prisoners although, interestingly enough, these are not normally political prisoners but prisoners convicted of certain types of common crimes (like rape and murder). Now this last fact doesn't make the torture any less atrocious or more acceptable but it is an interesting sociological fact that socialist societies such as China and Cuba, unlike most capitalist developing nations, have been able to maintain their systems without the systematic use of torture or the execution of political opponents. One thing that this shows, sociological speaking, is that the political opposition in such societies is not nearly so deep nor so broad as it is in almost all capitalist societies in the third world. Naturally, one would have predicted this on the basis that such socialist societies have done a much better job fulfilling people's subsistence rights and the masses of ordinary people are not nearly as likely to be bitterly opposed to a socio-economic-political system that they see is accomplishing this than are such people in societies in which the vast majority of people are not

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having their subsistence rights (including their rights to health care and basic education) met. Naturally, socialist societies which have just emerged and those, such as contemporary Cuba, which are going through very difficult economic periods do not lack in economic hardships that must be endured by the people, but nevertheless they have been generally successful in fulfilling the basic subsistence rights in question. In fact, when I have encountered people using Cuba's current economic hard times as an attempted argument against socialism I ask them what they think would happen in any capitalist developing nation if its gross domestic product was literally slashed in half as was Cuba's in the early 1990's. Only a moment's reflection ought to be sufficient to see that there is no way that such a society could prevent large parts of its population from literally starving to death or sinking deeply into severe malnutrition; a condition that Cuba has obviously prevented even though certain kinds of food have been all too scarce during the *special period*, as we all know.

But, again, it must be admitted that under advantageous circumstances *and for a limited amount of time* certain capitalist countries in the developing world have come close to protecting their citizen's security rights *and* fulfilling their subsistence rights. Again, Costa Rica of the 1960's and 1970's and Sri Lanka (then called Ceylon) before the civil war with the Tamils are perhaps the best examples.

Two final notes are appropriate here, however. First we can not really judge a society's fulfillment of these rights during times of immense natural catastrophes or consumptive wars (either external or civil) or, indeed, even directly after a violent revolution; we are trying to see which sort of society can be expected to meet these rights under *normal* circumstances. Second, sometimes the "Four Tigers" of Asia, Hong Kong, Singapore, Taiwan, and South Korea, are cited by proponents of capitalism as refuting the above analysis, but all one need do is look at the terrible record these countries have when it comes to violating their citizens' *security rights* to see that they can not be used in this way. In any case, on the whole it seems obvious that socialism is to be preferred to capitalism on the

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theory of justice we have been considering; and this is especially obvious when applied to the developing world. Moreover, it is obvious that socialist Cuba continues to be a monumental beacon of hope—not only for the developing world but for the world as a whole—as well as one of the most important historical experiments that humanity has ever had. And if socialist Cuba can overcome its current economic difficulties while still maintaining its socialist values and its provision of basic social goods to its citizens and the protection of their basic rights it will, once again, have shown the rest of us the correct path into the future.

CHAPTER 23

Equality, Justice, and Democracy: A Response to Peffer

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In "Equality, Socialism, Democracy: Cuba as a Test Case," Rodney Peffer advances at least three claims. First, he provides a sketch of the broadly egalitarian, neo-Rawlsian doctrine of social justice that he thinks provides the normative basis for both "liberalism" and "socialism." Second, he argues that disagreements between liberals and socialists are largely (even if not wholly) empirical disagreements (including, importantly, disagreements about the strategies which offer most hope, in given historical circumstances, for the effective implementation of this shared ideal). Third, he maintains that Cuba provides an instructive illustration of the virtues of the socialist path for economically under-developed countries.

Regarding the last of these claims—which incorporates Peffer's generally favourable assessment of the attempt by Fidel Castro to create a recognisably socialist society in Cuba—I have only two (rather cryptic) comments. The first is that Peffer is surely right to point out that the damning judgments to which the Cuban regime has been subjected by some of its North American critics during

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the past four decades furnish striking evidence of the distortions that can be traced to ideologically-motivated hostility when that hostility is undiluted by even a modest regard for certain well-known facts—facts, for example, about Cuba's record of accomplishment in the areas of health, education, crime control and social welfare. My second comment is that Peffer's endorsement of the Cuban experiment in (what he views as) a version of socialist **democracy** must await a rather more thorough review than is provided in the paper both of the disregard there has been in Cuba of certain (arguably indispensable) civil and political liberties and of the effectiveness of the novel forms of participation in collective decision-making processes that the regime is said to have fostered.

The second of Peffer's three claims incorporates both a negative and a positive thesis. The negative thesis—to which I shall return below in my discussion of the first claim (of which, indeed, it can be viewed as a corollary)—is that it is a mistake to look for deep ideological differences between liberals and socialists. The positive thesis is that it is certain constantly recurring questions of fact that are answered differently by liberals and socialists. The negative thesis seems to me to be true. Indeed, I think Peffer could offer a less qualified defence of it (as I shall argue below). About the positive thesis, I have some doubts, for two reasons. First, it would be helpful to know, in more detail, **which** of the constantly recurring empirical questions are about the answers to which liberals and socialists are said to be in disagreement. For example, are they all questions about the comparative effectiveness of alternative strategies for the achievement of a just society? Second, more needs to be said about why precisely liberals and socialists are thought to be predisposed, in some **systematic** way, to prefer competing answers to these questions. In the absence of some such account, the sceptic is going to want to assume that, questions of fact being the kinds of questions they are, disagreement concerning them is bound to be too piecemeal and unpredictable to be correlated with anything as seemingly clear-cut as the supposed split between liberals and socialists. For example, the positions politicians take about the comparative merits of public and private ownership of

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utilities seem not to be aligned, in any readily discernible way, with their liberal or socialist allegiances.

It is about the first of Peffer's claims, however—the claim that a broadly egalitarian doctrine of social justice provides the latent normative basis for the policies and prescriptions of both liberals and socialists—that I want to ask a number of questions. There are three questions.

- (1) First, is Peffer right to reject the view that since the central commitment of liberals is to the value of liberty and the central commitment of socialists to the value of equality, and since liberty and equality are systematically conflicting values, liberalism and socialism are to be contrasted by reference to the kinds of tradeoffs between liberty and equality they incorporate? On this view, liberals are predisposed to favour liberty when liberty and equality conflict, whereas socialists are predisposed to favour equality.
- (2) How far can the normative "distance" between liberalism and socialism be reduced by noting that they have a shared commitment to social justice and that the preferred account of social justice is broadly egalitarian?
- (3) How serious is the tension, within an egalitarian doctrine of social justice of the kind Peffer articulates, between (a) the seemingly **substantive** principles that call for certain fundamental rights to be secured for all (or for educational and employment opportunities to be equal for all) and (b) the seemingly **procedural** principles that require decision-making processes (in economic and social, as well as in political contexts) to be democratically structured?

(I) Liberty and Equality

Peffer seems to me to be quite right when he rejects (at least implicitly) both (a) the idea that liberals and socialists have systematically different assessments of the importance of liberty and equality and (b) the idea that liberty and equality conflict in ways that generate a liberty-equality trade-off problem.

(a) There are, in my view, two fatal objections to the attempt to align liberals with the liberty ideal and socialists with the equality ideal. The first is that socialists are **as** committed to the protection of individual liberty as liberals are. If there are differences, among liberals and socialists, in the degree of

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importance they assign to protection of individual liberty in particular contexts—and there may, here and there, be such differences—they are differences which cut across (rather than differences which are aligned with) any of the disagreements they might be thought to have **as** liberals or **as** socialists. The second objection is that liberals invoke the ideal of equality in many of its familiar forms every bit as enthusiastically as socialists. Liberals and socialists are **agreed**, for example, that a just society cannot condone inequality under the law, or inequality of educational or employment opportunity, or political inequality, or the myriad forms of economic inequality that are wholly independent of the personal deserts or merits of the members of society.

(b) Although Peffer doesn't argue in his paper for the thesis that liberty and equality aren't ideals that conflict in a way that generates an inescapable liberty-equality tradeoff problem, it's a defensible thesis nonetheless. To show that there is no such problem, however, the equality and liberty ideals need to be specified in some detail. When this is done, it can be shown that there is considerable overlap between the two ideals and that the overlap is of a sort that precludes the possibility of systematic conflict. For example, when sponsors of the liberty ideal make it clear that it is **individual** liberty they think institutional arrangements should be designed to protect, it's generally also clear that they think it important that these arrangements protect the liberty of **all** members of society, and indeed that where the securing of liberty for all requires certain limits to be placed on individual liberty, it is important for the limits to be **the same** for all. And all this is precisely what a certain sort of egalitarian—the sort of egalitarian who wants liberty in society to be equal for all members—would want. In these circumstances there cannot (logically) be a liberty-equality conflict problem because to be an egalitarian is to be committed to arrangements that foster liberty. And in these circumstances it makes no sense—and for the same reason—for sponsors of liberty and equality to wonder **how much** they value liberty and **how much** they value equality, with a view to trying to determine how much liberty or how much equality they ought to aim at bringing about.

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It can also be shown that what purport to be conflicts **between** liberty and equality can generally be seen to reflect tensions **within** the liberty and equality ideals themselves. Take the dispute over limiting individual financial contributions to political campaigns. It is a dispute that seems to pit the friends of liberty (who want individuals to be at liberty to make whatever contributions they please, free of the restrictions a contribution-limit law would impose) against the friends of equality (who support a contribution-limit law because it will help secure greater equality in the competition for political office). Appearances are misleading, however. To see what is at stake beneath the surface we need to ask why liberty to contribute financially to a political campaign is a valued liberty and why, despite its value, a law limiting contributions might be thought to be a good thing. The first question has an easy answer. Liberty to contribute is valued because it is one of the ways in which the members of a democratically organized society can exercise the right to participate in collective decision-making processes. The second question too has an obvious answer. In the absence of a contribution-limit law, the political participation prerogatives of the wealthier members of a society will in practice be greater than the prerogatives of the poorer members. A contribution-limit law helps ensure that all the members of a society, the poor no less than the rich, enjoy, to the same degree, the freedom to participate in collective decision-making processes which they all, equally, value. The dispute about whether any such law should be enacted is consequently misrepresented if it is said to involve a conflict between liberty and equality. Rather it should be seen as a dispute between those who want a valued liberty—liberty to participate in collective decision-making processes—to be equal for all members of society and those who are not unhappy about a state of affairs that gives more of this sort of liberty to the wealthy. In short, what seems, at first glance, to be a tussle between liberty and equality turns out to involve a disagreement about the content of the equality ideal. For those who favour a contribution-limit law, the equality ideal calls for political liberty to be equalised. Those who oppose the law are implicitly rejecting the idea that the equality ideal,

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in the version of it that they favour, requires efforts to be made to equalise the distribution of political liberty.

The very same dispute might, alternatively, be represented as a dispute about the content of the liberty ideal. Proponents of the law might insist that an individual's liberty to participate in collective decision-making processes is adversely affected, when there is no such law, by the inability of the poor to participate effectively. Opponents of the law, on the strength of a distinction between the question whether someone has the (economic) resources to participate effectively in collective decision-making processes and the question whether one is free (or at liberty) to participate, might try to maintain that, even in the absence of such a law, the poor and the rich are equally free—equally at liberty—to participate. On this interpretation of what is at issue, the dispute would still not be representable, perspicuously, as involving a conflict between liberty and equality. It would have to be represented, rather, as a dispute between advocates of competing interpretations of the liberty principle: between those whose conception of liberty is such that an individual's liberty can be abridged by lack of economic resources and those who contrive to maintain that people can be said to be at liberty to engage in an activity even if they lack the economic resources indispensable to engaging in the activity.

(II) Social Justice: a Shared Ideal?

To the question whether liberals and socialists have a shared vision of social justice—the vision reflected, for example, in Rawls' theory of justice, or in the neo-Rawlsian vision articulated by Peffer in his paper—Peffer's answer seems to be "Yes," if we set aside for the moment some of the qualifications he appends. About the evidence that supports a broadly affirmative answer, Peffer seems to me to be entirely correct. That a just society gives practical recognition to the basic right its members have to the conditions of a decent and fulfilling life; that just institutional arrangements underwrite fair equality of opportunity for all in educational and employment contexts; that economic inequalities traceable to the

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operation of chance factors ought in fairness to be reduced; that justice requires that all be afforded opportunities to participate in the making of the decisions that determine the general shape of a society's institutions and policies—these are all matters of general agreement among liberals and socialists, even if disagreements persist both about the best ways to articulate and justify them and about the most effective strategies for bringing them about.

There are, however, some qualifications Peffer wishes to append. He thinks that liberal egalitarians who see themselves as liberals (tend to) differ from liberal egalitarians who see themselves as socialists in their attitude towards the distinction between formal and substantive interpretations of the ideal of equality. In the political domain, for example, he thinks that socialists are more likely than liberals to demand equality in the **worth** of the political rights vested in the citizens of a democratically organised society, while liberals are correspondingly more likely to acquiesce in arrangements that guarantee only **formal** political equality. Thus, liberals (he thinks) are more likely than socialists to be satisfied with political arrangements that guarantee voting rights for all, even if the economic and educational resources of voters are very unequal. Again, in the legal domain, socialists are more likely than liberals to endorse substantive, rather than merely formal, interpretations of the fundamental right to equality under the law. Socialists (he thinks) are more likely than liberals to reject the idea that citizens can be said to enjoy equality under the law if they are equally entitled to legal representation—even if they are not entitled to the sort of representation that would give all participants in legal battles a fair opportunity to win simply on the basis of the strength of their case.

It's true, no doubt, that there are liberal egalitarians who "waver" between a merely formal interpretation of guarantees of legal and political equality and a more robustly substantive interpretation of these guarantees. Two points are worth making, however, about such "waverers."

The first is that they have a very fragile case. Part of the reason is that they are already committed—typically—to **other** principles of social justice

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which make it inconsistent for them to underwrite formal equality in legal and political contexts without also endorsing more substantial versions of the political equality and equality under the law ideals, versions that would require establishment of the social and economic conditions needed for fully effective exercise of legal and political rights. For example, liberal egalitarians generally subscribe to a very general "equal life chances" principle, a principle that is unlikely to be satisfied by narrowly formal construals of rights to legal and political equality.

Such narrowly formal construals face a second difficulty. It's difficult to come up with a plausible justice-based rationale for taking the trouble to protect the legal and political rights people have under a merely formal construal of these rights which doesn't **also** point to the need to secure for all the conditions for the effective exercise of these rights. If, for example, the justice-based rationale for legal and political equality is that recognition of legal and political rights makes a crucial contribution to the enjoyment by the members of a society of the opportunity to live their lives in satisfying and fulfilling ways, it isn't easy to see how this very general requirement could underpin formal construals of the rights in question without simultaneously providing the basis for measures guaranteeing the (social and economic) conditions for their effective exercise.

The second point is more directly damaging to the qualifications Peffer seems to have in mind. No matter what we think of the disposition, among some liberal egalitarians, to waver between merely formal and more robust conceptions of legal and political rights, it's not at all clear that the line between the waverers and the defenders of a more robust version of the liberal egalitarian ideal coincides with the line between so-called liberals and so-called socialists. Even if it's problematic whether there are socialists on both sides of the line, there are certainly liberals on both sides of the line—which is all that is needed to show that the disposition to waver has nothing to do with the distinction between liberalism and socialism.

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The truth, I think, is that Peffer could afford to be more forthright in his support of the contention that liberals and socialists have a broadly shared vision of the contours of a just society. Even if—as Peffer seems to suppose—they may sometimes have to be represented as at loggerheads about strategies for the realisation of this vision, the dispute between sponsors and critics of narrowly formal versions of the liberal egalitarian ideal is not a dispute in which liberals and socialists are on opposite sides.

(III) Equality and democracy

Peffer's neo-Rawlsian version of the doctrine of social justice—a doctrine about the content of which liberals and socialists are presumed to be in broad agreement—incorporates principles of two kinds. There are principles which specify how certain fundamental rights (and the liberties, opportunities and resources associated with them) are to be distributed and there are principles which confer prerogatives of participation in the collective decision-making procedures which determine both the structure of (social, political, legal and economic) institutions and the goals they serve. Roughly, the former are substantive principles in the light of which social outcomes of certain kinds can be declared to be just or unjust, while the latter are principles of procedural justice which govern the decision-making processes that yield these outcomes.

The fact that principles of both sorts form part of the single package of principles that make up the liberal egalitarian doctrine of social justice does not show, of course, that there is no tension (not to say conflict) between them. It all depends, clearly, on how the relationship between them is conceived.

The **substantive** principles (let it be supposed) make it possible for us to determine whether the distribution (of power, wealth, opportunity, etc.) effected by a society's (social, political, legal, economic) institutions and practices is a just distribution, while the **procedural** principles ensure that all members are equal participants in the collective decision-making processes that give shape to these institutions and practices. One possibility would then be for the rationale for the

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latter to be wholly independent of the rationale for the former. On this view, there would be a case, from the standpoint of procedural justice, for fully democratic determination of the structure of a society's institutions and practices no matter what the actual structure of those institutions and practices turned out to be. It wouldn't matter if the institutions and practices established by democratic consensus had to be judged to be substantively unjust. For example, democratic decision-making processes would have to be declared to be perfectly just even if they eventuated in institutional arrangements at odds with the (substantive) principle of justice that requires educational and occupational opportunities to be distributed equally.

Conflicts of this kind are difficult both to avoid and to resolve. They could in principle be avoided, of course, if the doctrine of social justice were recast in one or other of two dramatic ways: either by eliminating from the doctrine principles of one or the other sort, or by systematically subordinating principles of one sort to principles of the other. However, neither of these strategies has much initial plausibility. The elimination strategy is at variance with our stubborn sense that there are questions of justice to be faced both when we assess outcomes and when we assess the procedures that have generated these outcomes. The subordination strategy flouts our equally stubborn sense that both the judgments we make about the justice of outcomes and the judgments we make about the justice of procedures enjoy at least some degree of mutual independence.

How, then, are we to resolve potential conflicts between procedural principles of justice on the one side—in particular, principles that require democratic decision-making procedures to be adopted—and the substantive principles of justice which furnish the basis for judgments about institutional and policy outcomes? It is a question Peffer doesn't take up in his paper, though it is a question to which some reasonably reassuring answer must be provided if the coherence of the complex doctrine of social justice he favours is to be maintained. It is, after all, a doctrine which aims to accommodate both substantive and

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procedural principles without subordinating either to the other in any systematic way. The question, however, is a large and difficult one, even if it's also a question that is too little discussed. I conclude by offering three suggestions.

First, resort to democratic procedures for the settlement of disputes about the shape of institutional arrangements or the direction of public policy is particularly appropriate when disagreement about the substantive justice issues runs deep. Appeal to some suitably articulated version of the majority principle will not, of course, serve to determine which of the competing views about the substantive issues is the correct view. Nevertheless, it will provide the members of a democratically-organised society with as reasonable a *modus vivendi* as seems to be available, one that can serve them well until the day arrives when an uncoerced consensus about the substantive issues can be secured.

Second, principled appeal to the will of the people as the final arbiter of policy can be made conditional on fulfilment of various conditions which facilitate fruitful participation in collective decision-making processes. Every effort can be made, for example, to ensure (a) that the participants have an educated grasp of the principal issues, (b) that they have ready access to the relevant information (about the circumstances in which decisions are called for, about the courses of action these circumstances afford, about the likely consequences of alternative decisions, etc.), (c) that they have access, on an equitable basis, to the resources that facilitate the formation of judicious judgments, (d) that the media set a good example in the critical dissection of issues and in the dispassionate assessment of proffered policy-options, and in particular (and at a minimum) that they do not serve as the merest conduit for propaganda barrages aimed at undermining independent judgment, and (e) that reasonable limits are set to the money that can be spent on political campaigns. These are all extremely tough conditions to meet and they probably cannot in practice be fully met. Nevertheless, even their partial fulfilment would help close the gap between the policies for which there is democratic support and the

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policies that would be yielded by ideally judicious application of substantive principles of justice.

Third, efforts might be made, in the formation of a democratic culture, to encourage those who participate in collective decision-making processes to contribute to these processes on the basis of judgments of public rather than merely private interest. For example, if the members of a society are to try to determine, collectively, how to reform the tax system with a view to making the burdens it imposes on citizens more equitable, the probability that a reassuring democratic consensus will emerge is clearly enhanced if all the participants can be presumed to be endeavouring to provide an answer to the question how the tax system can be made less unfair in the burdens it imposes on particular groups of citizens, rather than to the question whether the tax system, if revised in this or that way, is likely to increase or decrease their individual tax obligations. The practical obstacles to the development of the right kind of political culture in a democratically-organised society are daunting, of course, partly because judgments of self-interest are so shamelessly encouraged in the economic domain, but partly also because there has been a lamentable tendency for politicians and political parties to pitch their support for votes in terms of the benefit the vote can be expected to procure for the voter. However, the prospects are poor for closing the gap between policies members of the public are prepared to support and policies for which a plausible justice-based rationale can be provided if members of the public cannot be persuaded that participants in collective decision-making processes must participate on the basis of appeal to principles of collective, rather than individual, rationality.