In this chapter, my overall goals are to put the case for a Marxist politics today and to proclaim the utility to that case of Rawlsian theory—which is, of course, contemporary liberalism’s most influential contribution to the venerable debate about what ‘justice’ requires. In the history of modern progressive political thought, socialists have persistently attacked liberalism for what they perceive to be serious deficiencies in their theorising of justice. Contrary to what many people appear to have concluded in the wake of Soviet-block communism’s collapse, I do not believe that the socialist challenge has been at all discredited. Indeed, I continue to defend the overall Marxist position I first elaborated in my 1990 book *Marxism, Morality and Social Justice*. However, a major theme of that work was that Rawls’s theory of justice need only be modified to yield the position I wished to defend. In other words, there need be no great moral gap between at least some versions of liberalism and the ostensibly much more radical politics inspired by Marxism. If valid, such a conclusion has at least two profound consequences. The first is that, even when it is granted that arguments for socialist politics carry greater weight in the justice debate, it need not be necessary to abandon liberal theory (at least in its Rawlsian form) to make them. The second is that, in so far as Rawlsianism may be thought to give voice to the liberalism that is widely regarded as having won the ‘battle of ideas’ in politics, the full implications of that victory may still be very far from being recognised and worked through. If an authentically Marxist politics can be justified from a Rawlsian perspective, the idea of liberalism’s ‘triumph’ over Marxism is clearly problematised.

To illustrate this argument, I will first summarise the key claims in my modified Rawlsian theory of social justice. I shall then seek to rebut some of the major reasons why critics have thought that Rawlsian concepts and prescriptions are inadequate for ‘justice’. This section will necessarily be incomplete in its coverage; there is simply not the space for a full airing of the issues and we should not doubt that the controversy over justice remains variegated and vigorous. But I hope at least to suggest how we might construct a case for saying that Rawlsian theory still stands up well in the debate about how ‘justice’ should be characterised; it would be vastly premature to proclaim the need for its supersession. Finally, I shall offer defence of the claim that my theory really can count as Marxist. I shall attempt to situate it in the general school of thought made up of contemporary liberal-egalitarians and what I shall call the liberal-socialist egalitarians (among whom we find certain contemporary variants of Marxism who reject the official hostility to morality of its ‘orthodox’ version and with which my theory has sufficient affinity to adopt the label itself).
Throughout this chapter, I shall leave aside questions of how to generate and justify principles of justice; I am concerned only to apply intuitive and analytical tests of the moral adequacy of those proposed. Also, such is the enormity of the various issues raised here that I can only outline positions and arguments, aiming to persuade readers to take them seriously enough to pursue further. The chapter's success in this aim may be gauged by the extent to which it shows how Rawlsianism, the staple diet of contemporary liberalism, can push us towards a radical politics that many assume to be completely anathema to the liberal project.

A Modified Rawlsian Theory of Social Justice

Since my explicitly stated aim has been to create an 'adequate' Marxist moral and social theory, I should first explain what I mean by that phrase. As I noted in the first paragraphs of my 1990 book:

By a 'moral and social theory' I mean one that provides a set of moral principles or standards by which to judge social arrangements and, by so doing, provides criteria to decide between competing sets of historically possible social arrangements. Such a theory must contain enough of an empirical, social-scientific theory to determine which sets of social arrangements are real historical possibilities and – of those that are possible – which best conform to the moral principles or standards propounded by an adequate moral theory . . .

By an 'adequate' moral and social theory I mean one that is based on a correct set of empirical, social-scientific theories and on an adequate (i.e. correct) moral theory. By an 'adequate' or 'correct moral theory I mean one that is most in wide reflective equilibrium with our considered moral judgements . . .

By a 'Marxist' moral and social theory I mean one that [1] is informed by the spirit of Marx's radical humanism and egalitarianism; [2] is based on the empirical theses centrally important to the Marxist political perspective (particularly, Marx's theory of classes and class struggle and his analysis of capitalism); and [3] attempts to defend the Marxist's basic normative political positions. The first of these positions is that socialism – that is, democratic, self-managing socialism – is morally preferable to any form of capitalism as well as to any other form of (modern, mass, pluralistic) society possible under the conditions of moderate scarcity and moderate egoism. The second is that social and/or political revolution, if necessary (and sufficient) to effect the appropriate transformations, is prima facie morally justified.¹

My strategy towards the end of creating such a theory has been to combine a slightly modified Rawlsian theory of social justice with a minimal set of Marxist empirical assumptions to create a theory that adequately argues for the desirability of working toward a worldwide federation of democratic, self-managing market socialist societies. This outcome is not the one envisaged by Marx, of course. But I – along with many other thinkers who position themselves within the Marxist tradition today – reject the feasibility of Marx's 'higher stage' of communism; the lower, 'socialist' stage of post-capitalist society can suffice for Marxism's practical purposes. Furthermore, the 'command economy' model for socialism in mass, industrial societies has been sufficiently discredited for us to prefer a suitably regulated form of market economy as socialism's best vehicle.²

Although I wouldn't go so far as to call my theory a marriage of Marx and Rawls (since this would probably have to be a 'shotgun wedding'), I am willing to call it an attempt to make Marx and Rawls seem 'comfortable bedfellows'. As a first step in this direction, in the aforementioned work I surveyed numerous leftist or left-leaning objections made against Rawls's theory, arguing that most of them were based on misunderstandings of his theory and/or on faulty reasoning. However, I agreed that there were four legitimate objections which, although not requiring a complete rejection of his theory, necessitated some relatively minor modifications. These resulted in the following claims:

1. There must be a minimum floor of well-being below which persons are not allowed to fall, and observance of this principle must take
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precedence over any other principle of social justice.
2. There must be at least approximate equality in the worth of liberty as well as strict equality of liberty per se.
3. The difference principle must take the social basis of self-respect – as well as material wealth – as a good to be maximised for the least advantaged.
4. Democracy must not be limited to the political realm but be implemented in the social and economic realms as well, most especially in the workplace.¹

One significant outcome of these arguments is that in his most recent book, Political Liberalism, Rawls has explicitly acknowledged three of the four modifications as being persuasive and, in effect, accepted them. As remaining points of dispute between us, this leaves only my suggested modification in favour of a principle of social and economic democracy (modification 4) and a disagreement over whether or not the difference principle governing fair distributions of material primary goods (income, wealth and leisure time) should be applied only within nations (Rawls’s position) or internationally (my view as well as the view of many other writers and theorists).⁴ However, part of our ongoing disagreement over the former seems merely semantic in nature. Rawls’s stated reason for rejecting it is that, as a first principle of social justice, it would automatically require some form of socialism and thus illegitimately prejudice the practical project of selecting a suitable regime for justice given the contingencies of the circumstances in question. I believe that this argument fails in so far as it is based on a non-standard definition of socialism which obscures the fact that a society which has some significant degree of social and economic democracy need not be thought of as ‘socialist’ by definition. It is also at least logically possible that a capitalist society could be characterised as having a substantial amount of social and economic democracy.⁵ Hence it is wrong to think that the modification selects the best form of regime in advance of the evaluation of actual circumstances. (I shall return to the latter dispute shortly.)

Now let us consider my modified Rawlsian theory of social justice in full (the principles being listed in order of lexical priority), which I believe captures more clearly the sense of ‘justice’ than Rawls’s own two principles:

1. 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 (that is, those needs that must be met in order to remain a normally functioning human being and citizen).
2. There is to be a fully adequate scheme of equal basic liberties, including:
   a. freedom of speech and assembly, freedom of conscience and thought, freedom of movement and free choice of occupation, the right to hold (personal) property, freedom from arbitrary arrest and seizure as defined by the concepts of due process and the rule of law;
   b. the political liberties such as the right to vote and to run for (and hold) political office. These political liberties – including the rights to free political speech and assembly – are to be guaranteed their equal worth.
3. There is to be fair equality of opportunity in the competition for social positions and offices.
4. Social and economic inequalities are justified if and only if they benefit the least advantaged, consistent with the just savings principle, but are not to exceed levels that will undermine (a) (approximately) equal worth of the liberties required by due process, or (b) the good of self-respect.
5. There is to be an equal right to participate in decision-making processes within the social and economic institutions of which one is a member.⁶

Let us call these principles (1) the Basic Rights Principle; (2) the Equal Basic Liberties Principle; (3) the Fair Equality of Opportunity Principle; (4)
the Modified Difference Principle; and (5) the Social and Economic Democracy Principle. As with any abstract theory, a number of caveats, clarifications and principles of application must be mentioned and I want to highlight a few that are important in the consolidation of my argument. One important general point to remember is that Rawls's theory applies specifically to a society's "basic structure" (the political constitution and the nature and structure of the economy, including the provision of public goods, taxation and redistribution policies, and environmental regulation). Together with the fact that at a micro-level, so to speak, many institutions, both public and private, will have areas of activity such as competitions for positions, awards and prizes — within which individual merit, effort or accomplishment are legitimate criteria for awards, this point bears out the insistence by Michael Walzer (among others) that there are different spheres of justice which may have different criteria for just distributions of benefits and burdens. Clearly, this thesis could be perfectly compatible with Rawls's theory, deliberately restricted in its scope of application as it is. And even though we are to decide on more and more specific questions and issues at each subsequent stage of Rawls's four-stage decision-making sequence — in which, after the choice of basic principles of social justice in the initial original position, we have the constitutional, legislative and judicial stages — all choices are to be made on the basis of these principles of social justice and are applicable only to public or publicly supported institutions.

It should also be mentioned that Rawlsian theories and indeed all other theories of social justice developed within the contemporary liberal-egalitarian/liberal-socialist tradition are motivated by a genuine concern for individual liberty/autonomy as well as for human well-being/fourishing. We should always keep in view the point that we should not select a conception of justice that overly compromises these considerations. One manifestation of this is that, when it comes to principles designed to govern and judge the distribution of material resources, we are concerned to develop a theory that, to a relatively high degree, is both ambition-sensitive (capable of rewarding autonomous initiative over indolent passivity, say) as well as endowment-insensitive (structured so as not to skew distribution according to the unearned or otherwise undeserved possession of certain attributes). Any theory that does not adequately take these points into account will not be judged adequate within this tradition.

Let us briefly highlight some features of my first, second, third and fifth principles, saving the Modified Difference Principle for a more extended analysis in the next section. With respect to my first (Basic Rights) principle, it is evident that different conditions in the physical and mental health of individuals will mean that the resources allocated to meet people's basic needs will not be equal in amount; no crude 'uniformitarian' equality is sought. Therefore, we must say that the equality in this principle is cashed out in terms of everyone possessing an equal right to have their security and subsistence rights met (or an equal right to be given the opportunity to meet their subsistence rights in the case of able-bodied and able-minded people). Moreover, when it proves not to be possible to meet everyone's basic needs (as when, say, there are not enough hearts available to meet each need for a heart transplant), it could be consistent and perhaps necessary to invoke notions from other traditional canons of distributive justice to decide how distribution ought to proceed in such suboptimal circumstances. At a more general level, to operationalise this principle social and political theorists must turn to social-scientific theory and research to determine how various types of societies (and governments) under various historical conditions can be expected to meet people's subsistence and security rights. Moral and political theory shouldn't hubristically claim to settle all such questions in advance.

Discussion of my first principle is a good point at which to stress the ambition of my theory to have global applicability. I may be going against the normatively localising grain of much contemporary thinking about justice here, but one of the virtues of the Marxist account is that it forcefully illustrates the direct dependence of the achievement of justice in the developing world (surely, given the conditions there, justice's most urgent priority) upon the behaviour of the developed world. Localised or relativised accounts of justice (favoured by many communitarians) are thus deeply irresponsible in failing both to
recognise how a society's own behaviour and internal make-up can profoundly affect the prospects for justice in other societies and for refusing to include them in their theorising of justice as a result. Although it might be tempting to think that I diverge sharply from Rawls in terms of the theory's relevance to the developing world, this would be a mistake. It may be the case that Rawls doesn't go as far as he should in applying certain aspects of his theory to the relationships between the developed and developing parts of the world (governing the distribution of goods between rich and poor nations). Yet even an unmodified version of his theory has some important things to say about this issue. First, his distinction between the general and the special conception of justice as fairness is of the utmost importance because the general conception (which applies within developing societies) actually requires the difference principle to be applied to all the social primary goods (liberties and opportunities, income and wealth, and the social bases of self-respect) as a package. Therefore, it allows trade-offs between them. In contrast, the special conception (the more familiar two principles of justice, applying only to well-developed societies) lists the principles governing these goods in order of lexical priority such that any amount of increase in 'lower-order' goods (such as income and wealth for the least well-off) cannot be traded off for the least decrease in higher order goods (such as liberties or fair access to opportunities). The reason that Rawls makes this distinction is precisely because he doesn't want his theory to be committed to the absurdly heartless doctrine that liberties and fair access to opportunities can never be limited to any degree in any society, even if this were necessary, say, to save people from starvation. And he is genuinely concerned with 'how the poorer and less technologically advanced societies of the world can attain historical and social conditions that allow them to establish just and workable institutions.'

Although often forgotten in discussions of Rawls's work, his theory of natural duties which posits, among others, the duties not to harm and of mutual aid (that is, the duty to aid those whose basic needs are not being met) has always been taken by Rawls himself to apply between individuals no matter whether or not they belong to the same societies. These duties obviously require us to do what we can — including getting our governments to do what they can — to try to make sure that everyone in the world is raised up out of absolute poverty and that no one has their security rights violated. (Or rather, it requires us to do at least our fair share to accomplish these goals.) However, one of the reasons that I believe my version of his theory has a greater degree of clarity is that my Basic Rights Principle explicitly states that both people's subsistence and security rights (the correlates of his duties not to harm and to aid the severely deprived) must be respected and protected and that this is the most important or basic principle of social justice which must thus take precedence over all others in the design of social institutions, policies and programmes.

Let us turn now to the first part of principle 2, the Maximum Equal Basic Liberties Principle. To allay socialist suspicions that Rawlsian theory is some kind of bourgeois apologia, the nature of the property right as referring specifically to personal property must be stressed. We must keep in view the point that the right to own large-scale productive property — which is here opposed to 'personal property' — is not taken as one of the basic liberties. Whether there should be such a right can only be answered at the second (constitutional) stage of the Rawlsian four-step decision procedure, after more empirical facts are known about the effects that such a right would have in terms of the realisation of the basic principles of social justice. This allows for the possibility of socialism on Rawls's view (although a democratic form of market socialism), as he makes abundantly clear in his first book.

Moving to the second part of this principle: as Rawls argues, guaranteeing people (approximately) equal worth of their political liberties would seem at a minimum to require full public financing of electoral campaigns (at least in a society such as ours in which wealthy individuals, corporations and interest groups can disproportionately influence electoral outcomes) and perhaps other innovative electoral modifications. In short, the kind of democracy that it advocates will clearly not sanction those distortions due to unequal wealth that capitalist democracies (particularly the US) typically experience.

The primary moral thesis behind principle 3 — the
Fair Equality of Opportunity Principle – is that persons of (approximately) equal talents and abilities ought to have (approximately) equal chances of succeeding in life (whatever their idea of success may be, within the constraints of justice already specified). In particular, such persons ought to have (approximately) equal chances in the competition for desirable offices, jobs and positions.\(^{17}\) In order to accomplish this goal at least two conditions must be met. First, there must be no discrimination based on race, ethnicity, gender, sexual preference and so on. Second, everyone must be given an equal start 'out of the gate', so to speak, in the race for life’s favourable offices, jobs and positions or, more broadly, success. And to accomplish this it is reasonable to think that the minimum which must be done is that all children are given equal access to high-quality education from a very young age. Assuming that there are no natural differences in general intelligence and suchlike between racial and ethnic groups (which we have every reason to assume\(^{18}\)), there probably would be no need for compensatory or remedial measures such as affirmative action programmes if these conditions were fulfilled since, presumably, there would be no statistical discrimination against any of the groups. However, in a society like ours in which such discrimination clearly exists, there are – I submit – strong moral arguments for such remedial programmes in the construction of a just society.\(^{19}\)

Principle 5 – the Social and Economic Democracy Principle – is, admittedly, particularly vague as to what it requires given that regime selection is not to be made at the level of principle. Specifically, I do not take it in itself to be pre-emptively, definitionally endorsing socialism over capitalism, as we earlier saw Rawls mistakenly believing my theory to be doing. I completely agree with his claim that a theory of social justice should not prejudge the choice of social system until we take into account empirical, social-scientific information about how they actually perform or can be expected to perform under specified historical conditions. But I would submit that justice requires members of institutions to have some right to participate in social decision-making processes concerning matters that affect them and the institution. However, it doesn’t necessarily give everyone full voting rights with respect to every decision in every institution in which they participate. Nor does it claim that there cannot be administrative hierarchies in such institutions.\(^{20}\)

The essential distinction between socialism and capitalism, I maintain, is that in a socialist society the preponderance of large-scale productive enterprises (and investment capital) are socially owned and utilised primarily for the purposes of fulfilling human needs and for the public good. In capitalism these enterprises (and capital) are largely owned privately and are geared to maximise the profit of their owners. Whether it is empirically possible or likely that socialism or capitalism can or will better facilitate social and economic democracy cannot be read off from these institutional ideals alone. Many theorists, I think, assume that socialism is more likely to allow for social and economic democracy, even if some of them doubt that this would be a good thing or suspect that it may not concomitantly allow increased political democracy. But whether or not any society has (or will) meet the definitional criteria I have laid down for socialism is still a matter for debate, as is whether or not human needs can be adequately fulfilled and the public good accommodated in various capitalist societies by trickle-down mechanisms and/or enlightened government policies. Here, at the level of practical application, would seem to be the place at which substantive disputes between liberals and socialists remain. Certainly, it is at this point that I would make my case for socialism.

This concludes the summary of my modifications to Rawls’s theory, with the exception of the Modified Difference Principle (principle 4).

A Defence of the Modified Difference Principle

The question we now need to take up is whether the Modified Difference Principle is sufficiently robust to take its place in a Marxist account. As space is limited, I will concentrate on some reasons to think that it is more ambition-sensitive and endowment-insensitive than many critics, who have accordingly formulated alternative accounts of justice, realise. I claim that this could form the core of a fuller argument that the Rawlsian approach should still command our attention as an adequate characterisa-
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tion of justice. I bolster this idea with an argument which shows that supposedly more 'orthodox' Marxist thinking on justice does not yield self-evidently superior concepts for its own purposes.

We might suspect that one Marxist reservation about Rawlsian theory is that, because it is 'liberal' in origin, it is not sufficiently egalitarian in the relevant way. So it is only fair to the difference principle to begin by reminding ourselves that Rawlsian theory demands (1) that the least well-off group be maximally benefited, not simply benefited (whatever that would mean), and (2) that the difference principle be applied lexically, that is after the life prospects of the least well-off group are maximised then the life prospects of the next least well-off group are to be maximised and so on. In the light of this, we can already sense the oddity of the standard Marxist charge that Rawlsianism is merely a species of capitalist ideology; we must not underestimate its potential as a sanction for strongly egalitarian policies.

My claim that The Modified Difference Principle is (even) more egalitarian than Rawls's original version is generated from the point that, for mine, the allowable economic inequalities are not to exceed levels that will (1) undermine (approximately) equal worth of the liberties required by due process, or (2) undermine the good of self-respect. I have previously noted that Rawls has recently accepted these points and I think he is able to do so because they are arguably already implicit in his own work. He thinks his difference principle compensates for any lesser worth of liberty among the 'less advantaged' given that it would be worth even less if the difference principle had not determined distribution.

And self-respect, explicitly identified as a social primary good, depends in part upon mutual respect and social recognition, which may be less forthcoming where there are widespread and large-scale inequalities. In this respect, my modifications do not seem to be leading us in a direction that Rawls himself would never be prepared to take. (Under what economic conditions people's self-respect may be undermined is again an issue for the social and psychological sciences to decide.)

Conversely, this direction should not be thought of as leading to the crudely ambition-insensitive policy of 'levelling-down' (the standard vulgar charge against Marxist accounts of egalitarian justice and one which I agree would, if valid, discredit this general approach). For one consequence of Rawls's demand that the difference principle be applied lexically is that it can deflect the charge that it does not meet the Pareto optimality requirement and must consequently be rejected. This requirement holds that if someone or some group can be made materially better off without anyone else (or any other group) being made worse off, then this must be done (or allowed). Without this requirement, it seems that the 'only-if' clause of the difference principle's claim (holding that material inequalities are to be allowed - by the background institutions, policies and programmes - if and only if they will maximally benefit the least well-off group) does not allow inequalities that would benefit a group of people which is materially more well-off than the least well-off (poorest) social group even when, for whatever reason, nothing further could be done to improve the life prospects of the latter. Now to deny an improvement in material well-being for someone if this won't prevent a benefit from accruing to anyone else - specifically, in Rawls's view, to the least well-off - does seem unjustifiable. And this is precisely what the lexical application of the difference principle is designed to prevent since it 'goes all the way to the top'. So, for example, if every income level group has had its life prospects maximised in lexical order (as described above) and it turns out that something can still be done to improve the material life prospects of the wealthiest group, then the background institutions must allow for it. Of course, it is not easy to envisage clear-cut, concrete examples of this, certainly not any in which wide gaps would remain between the least advantaged and those above them. Although it is possible that the lexical application of the principle would result in greater inequalities between upper and lower income groups, in most real-world scenarios it still seems likely that its effect will be significantly to reduce inequalities. In any case, as a matter of principle this part of Rawls's theory avoids the criticism that it violates the Pareto optimality requirement.

Another charge against Rawlsian theory which accuses it of ambition-insensitivity says that, by counting talents and capacities as socially useful
resources rather than as vehicles for individual gain, it leads to the 'slavery of the talented'. This claim holds that it is unjust to reward gifted individuals for the usage of their abilities only in so far as that would maximise the position of the least advantaged; their gifts are not being rewarded in their own right. It focuses upon the very heart of what might build the bridge between Rawlsian and Marxist justice: Rawls's interpretation of that often-neglected liberal value of 'fraternity' as a conception of 'democratic equality', in which people agree to regard the distribution of natural talents as a common asset... [Those better circumstanced are willing to have their greater advantages only under a scheme in which this works out for the benefit of the least advantaged.]^23

One interpretation of this position that may inadvertently fuel the 'slavery' critique holds that Rawls rejects a crucial part of what G. A. Cohen calls the principle of self-ownership: 'Because it is a matter of brute luck that people have the talents that they do, their talents do not, morally speaking, belong to them, but are, properly regarded, resources over which society as a whole may legitimately dispose.'^24 No great imagination is required to read into this a sanctioning of some kind of forced-labour policy, which would be the grossest violation of the stipulation that justice should facilitate, not crush, autonomy. But Cohen's wording is unfortunately misleading if this is the reading it prompts. Neither Rawls's theory nor my own deny people the right to choose how they use their talents. Society is not said to 'own' them in the sense of having the right to tell people how and when they should be employed.\textsuperscript{25} Strictly speaking, what society is primarily laying claim to is the wealth used to compensate for and/or reward their employment. Rawlsian theory insists that people have no particular claim on this wealth simply by virtue of the talents they have chosen to exercise; a socially determined concern for a common good provides the distributive criterion instead.

This might still sound too radically egalitarian for some liberals, which once led Cohen to think that perhaps Rawls was not a 'proper' liberal at all.\textsuperscript{26} But reflection on how ordinary people think about justice can readily show that, on this score, Rawlsianism may not be all that out of the ordinary to many. For people often justify high rewards to individuals on the grounds that they are producing benefits for a wider society (capitalists in particular typically cite this argument when justifying the large pay rises they award themselves, implicitly conceding the inadequacy of any argument that says their talents demand such rewards regardless of the benefits they supposedly bring). And many complaints about low rewards often proceed from the claim that the social benefit of the job in question is not being properly recognised. Even when people think they are judging the 'intrinsic' rather than instrumental (social benefit) value of someone's talents, the criteria they use often still implicitly rely upon some notion of those talents' social utility. How else, we might wonder, could we ultimately judge what any talent is worth? Further, even what counts as a 'talent' rather than a mere 'capacity' may be at least partly determined by social utility, in capitalist ideology, after all, the idea that the market rewards talented effort and achievement necessarily relies upon the distinctly instrumentalist idea that what counts as 'talented' – rewardable – contributions is determined by what other people in the marketplace demand.

Of course this is not to claim that people are therefore already thinking in terms of the difference principle and I don't deny the fact that people also ordinarily use rival notions of justice as well. But I am saying that there is something in ordinary discourse about justice upon which Rawlsianism can latch to develop its case.

Such a case should stress that (in particular) anti-socialist criticisms of Rawlsianism usually assume (1) that individuals are garnering most of their material resources (income and wealth) by working (as either an employee or their own boss); (2) that individuals are usually materially rewarded due to their effort or socially useful contribution; and (3) that the level of recompense is usually correlated with natural talents and abilities, at least in a just or relatively just society. But in contemporary class societies these assumptions are highly dubious. In capitalist societies, members of the highest income/wealth socio-economic group – that is the capitalist ruling class and its 'hangers-on' – often inherit the great preponderance of their wealth rather than garner it by their labour or effort. Moreover, the investment
income they receive through rent, interest and dividends (which normally dwarfs their salaried incomes, even if they are top corporate executives) is not earned in any socially useful, morally significant sense. As David Schweickart has argued, to allow capital to be used is hardly a genuinely productive act - since, at most, it requires signing some papers on the part of those who own it - even if the capital owner's permission is legally required for its deployment within the socio-economic system in question. And to claim that corporate executives, bank presidents and suchlike really deserve what they earn (because they are the only ones who can do the job or are really the best qualified) surely strains the limits of credibility. In an interesting ploy to disprove such widely accepted nonsense, the politically radical American entrepreneurs Ben and Jerry - of the highly successful Ben & Jerry's ice cream parlours - some years ago advertised the position of president of their corporation to the general public, requiring only a one-page letter of interest initially and then follow-up interviews. They ended up selecting an African-American man in his fifties who had only a high school education and had been employed as a janitor most of his life, with absolutely no ill effects for the corporation.

One might agree that rewards at the 'top end' of capitalist society (including entertainers and sports stars as well as capitalists) far outstrip any plausible assessment of their talent's worth, however this is assessed. But the claim that even individuals in the middle and lower classes usually get paid what they deserve for their work in market societies (on grounds, for example, that people normally receive an income commensurate with the productive value and relative scarcity of their work abilities and skills under equilibrium market conditions) is highly suspicious because of the general impact that non-market factors such as social custom, political regulation and the strength of organised labour (each of which may be connected with the others) have on the determination of remuneration by the 'free market'. In general, there are just too many countervailing forces in the operation of the capitalist market to make us happy with the idea that the social value of people's talents is appropriately rewarded by the wage or salary that their labour-power is able to command.  

Although Rawlsianism clearly poses a large challenge to capitalist thinking about justice, G. A. Cohen has claimed that socialists should still not be satisfied with the difference principle for another reason. He notes its familiar presentation as an 'incentive principle', sanctioning unequally large rewards to the talented rich on the grounds that they will consequently have the incentive to work hard and thereby generate wealth which will 'trickle down' to the least advantaged and benefit them more than would any other arrangement. (This, of course, has been the staple justification of regressive taxation policies since the Reagan/Thatcher days.) Leaving aside the debate as to whether the 'trickle-down' thesis actually holds (for if it does not, such a policy would clearly not be sanctioned by the difference principle), Cohen claims that the 'incentive' construction of the difference principle's operation relies upon certain assumptions that are incompatible with the attitude towards one's talents that Rawls himself believes is required by justice. Simply put, a talented capitalist entrepreneur who is paid a particularly high salary as an incentive to create jobs which would not otherwise be created for the least advantaged is typically not unable to do the same job for a lot less. Rather, he is unwilling to do so and he is effectively using his socially valuable talents as his own 'bargaining chips' to enhance his own personal gains at no extra benefit to the community. In other words, he is not treating his talents as 'common assets', for if he did he would not need incentives to work (indeed, he probably does not 'need' them at all, but is nevertheless able to claim so as he holds the rest of the community to ransom by threatening to withhold his talents if he is not paid more).

It is hardly clear that Rawls would wish to depart from Cohen's claim that the 'incentive' scenario described above involved an unjust rejection of community and its claims on the talents of its members. As we have seen, his own notion of democratic equality rests upon a specific understanding of 'community' whose members would reject such a selfish attitude to their own talents. Thus, it would be misleading to think that the difference principle sanctions such an incentive payment as being itself just. (Cohen would agree that if incentives were the
only way to get the talented to work and that their labours would indeed maximise the position of the least advantaged, then it would be justified. But this would be the application only of a principle to ameliorate injustice in an unjust world and not what full justice itself would mandate.) Admittedly, a Rawlsian might sanction incentives on the grounds that they would be necessary to attract people to careers that are socially necessary but exceptionally difficult or dangerous and hence unlikely to be chosen without them. To this I have two brief replies. One is to point out that this observation does not serve many of today's incentive-claiming talented rich particularly well; they would doubtless still have picked their chosen careers even if the material rewards were somewhat less because they are not 'dangerous' or particularly difficult. Indeed, in a just society such incentives may be necessary to attract people to the kind of work which is very often exceptionally low-paid in capitalist society.

Secondly, my rendering of Rawlsianism as a socialist doctrine consolidates within its terms the ideal of people freely choosing to dispose of their talents in a socially beneficial way. To be sure, some difficult and dangerous tasks may still require incentive payments, if other ways are not found for allocating them. But, in general, I don't conceive of people needing huge incentives to work in a socially beneficial rather than selfish way in the just socialist society, certainly not to the kind of ingenuititarian degree supposedly required in capitalist society.

The 'slavery of the talented' critique has probably had most bite in the rather different criticism that since his difference principle and minimum floor requirement seem to assure the least well-off – in fact, everyone – a minimal income or set of material resources, Rawls's theory is not sufficiently ambition-sensitive because it seems not to require anyone to do anything in order to be entitled to this income or set of resources; it encourages free-riding and hence discourages the formation of the kind of community just described above. There are actually two questions that must be distinguished here: (1) whether Rawls's theory requires that this minimum income simply be given to anyone whether or not they are willing to do anything to earn it (assuming that they are able-bodied and able-minded and that such opportunities actually exist); (2) whether this is a justified social policy (or principle of social justice) regardless of what Rawls's theory says about it.

Now I claim that (1) Rawls's theory does not require such a policy; and (2) assuming that there are genuine opportunities for people to earn a living under decent conditions and with decent recompense, a social policy (or principle of justice) that would allow such free-riders is not justified or at least not required. Admittedly, both Rawlsians and non-Rawlsians have split over both of these issues such that, for example, I have been scolded by certain of Rawls's former students for both (supposedly) misinterpreting Rawls and for being too much of a 'puritan' in rejecting such a policy. I have also encountered both Rawlsians and non-Rawlsians who have agreed with me on both points. Happily, Rawls is now on record as not requiring such a policy, since in his typescript 'Justice as Fairness: A Restatement' he writes:

"Particular distributions cannot be judged at all apart from the claims (entitlements) of individuals earned by their efforts within the fair system of co-operation from which those distributions result. In contrast to utilitarianism, the concept of allocative justice has no application. There is no criterion for a just distribution apart from background institutions and the entitlements that arise from actually working through the procedure [emphasis added]."

It should be noted, however, that to prevent able-bodied people from being free-riders when there are opportunities available for them to earn a decent living by their own efforts is neither an endorsement of the kind of movement to have 'workfare' replace 'welfare' underway in the US (since the opportunities may not be well-paying enough once one includes childcare and transportation expenses into the equation), nor an affirmation of the view that people must work if they are able-bodied (which I would regard as a genuinely puritan attitude). My only claim is that able-bodied people should not be supported by the state or society in general if they refuse to do anything to earn a living (assuming, again, that decent opportunities exist for them to
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do so). If they can sponge off others while not doing anything illegitimate to garner the material goods and services they need, the state or society has no business telling them that they can’t live their lives this way, as far as I’m concerned . . . at least if requiring people to do socially useful work is not absolutely necessary for society to meet the first (Basic Rights) principle of justice.

I now want briefly to reflect upon the objection that Rawls’s notion of ‘social primary goods’ misidentifies what theories of social justice should be concerned to distribute (such as welfare or utility, or material resources). Space does not allow a full discussion of all of Rawls’s rivals, so I can only sketch the case for retaining his approach. I will, though, say a little more on ‘exploitation’, a category which many might think Marxism ought to prefer as the key term in its account of justice.

Richard Arneson helpfully distinguishes between four alternative principles of justice, based around two different types of good to be distributed – ‘welfare’ and ‘resources’ – and two types of ‘end-state’ – based upon whether justice is concerned with the amount possessed of each good or merely with the opportunity to acquire them:

1. the Equality of Welfare Principle;
2. the Equality of Resources Principle;
3. the Equal Opportunity for Welfare Principle;
4. the Equal Opportunity for Resources Principle.32

To this we might add a fifth, developed by Cohen and, because of his own political pedigree, one that may be of particular interest to socialists:
5. the Equality of Access to Advantage Principle.33

All five have been much discussed in order to ascertain which one does the best job of capturing what justice intuitively requires. Typically, their respective proponents all claim superiority over Rawls’s approach in this regard. Important issues are undoubtedly raised in this debate and I accept that it would be premature to foreclose on it. But there may be a case for thinking that it should not predominate in the discourse about justice in the way it has done recently, particularly from a radical political perspective that is inclined towards impatience with regards to some types of ‘armchair’ reflection.

The nub of Rawls’s argument is that social primary goods are all-purpose general resources in modern societies that can usually be utilised by individuals who have them no matter what their life plans are. Because they constitute a specific, limited set of goods, they should be easier to track in the process of distribution than the wider and more nebulous categories of (opportunities for) resources, welfare or advantage. In other words, policies of social justice may be easier to operationalise with a concept of social primary goods as their currency. This claim is reinforced by Rawls’s insistence that his theory is one of ‘pure procedural justice’ in which an outcome is judged to be just wholly in so far as it has arisen through the operation of just procedures. He writes that:

The great practical advantage of pure procedural justice is that it is no longer necessary in meeting the demands of justice to keep track of the endless variety of circumstances and the changing relative positions of particular persons. One avoids the problem of defining principles to cope with the enormous complexities which would arise if such details were relevant. It is a mistake to focus attention on the varying relative positions of individuals and to require that every change, considered as a single transaction viewed in isolation, be in itself just. It is the arrangement of the basic structure which is to be judged, and judged from a general point of view . . . Thus the acceptance of the two principles constitutes an understanding to discard as irrelevant a matter of social justice much of the information and many of the complications of everyday life.34

This is not to say that institutions should never be scrutinised for their justice-promoting abilities once they have been established. In his ‘Restatement’, Rawls talks of ‘pure adjusted procedural justice’, introducing the caveat that ‘certain rules for making adjustments must be included in the basic structure as a system of social co-operation so that this system remains fair over time’.35

These features are, I would argue, great strengths
of his theory since they make it more readily applicable to the workings of actual societies and less intrusive into people's individual lives. On Rawls's approach, so long as people act within the confines of justice and so long as what they are able to garner for themselves is accumulated within the confines of the background institutions set up by the principles of social justice they — and their legitimate material holdings — are not to be interfered with. This may contrast with those theories of justice which do not have such in-built delimitations, for they may inadvertently sanction a political 'micro-management' of social and personal life that, apart from anything else, would conflict with the fundamental respect for individual autonomy and well-being identified earlier as central to justice's concerns.

To consolidate this part of the case for Rawlsian theory, it is worth reflecting upon this claim of Arneson's, who, having surveyed numerous competing theories of justice, concludes that their practical implications may be hard to discern, and may not diverge much in practice. Familiar information-gathering and information-using problems will make us unwilling to authorise government agencies to determine people's distributive shares on the basis of their preference satisfaction prospects, which will often be unknowable for all practical purposes. [So, for example], we may insist that governments have regard to primary goods equality or resource equality as rough proxies for the welfarist equality that we are unable to calculate.\(^{36}\)

If it is indeed fair to say that these rival theories will tend to converge upon similar concerns and recommendations in practice, then the case for 'social primary goods' on the grounds of their theoretical parsimony is indeed strong. The substantive disputes about justice could then shift to the debate over which form of regime may best bear the concerns of justice (more on this in the next section).

One noteworthy critic of Rawls who also opposes the 'welfarist/resourcist' axis is Amartya Sen, who has defended a 'basic capacities' approach, arguing that justice should seek to assure that people have the opportunity to exercise their basic human capacities in order to fulfil valuable human functionings.\(^{37}\) This approach is not easily classifiable as either welfarist or resourcist as, strictly speaking, it seeks to equalise neither. But it has the advantage of carrying our moral view to a very deep level of what is really (intrinsically) valuable in human lives. It keeps us focused on the fact that, due to differential natural talents and abilities, people differentially convert resources into valuable 'functionings' (or capabilities for such functionings) and that it is these with which theorists of justice should be primarily concerned. However, Rawlsian theory is not blind to this point. It does not cease to be interested in how people stand with reference to their primary goods once they have been distributed. A crucial consideration in selecting the best form of social and political order for Rawlsian justice is precisely which of the alternatives best allow people the chance to utilise these goods in pursuit of their own life-plans. My own case for socialism, indeed, would partly rest upon the claim that a socialist order is much more amenable to the process of converting 'goods' into 'functionings'. And once that is recognised, the advantages of Sen's approach diminish in so far as it is limited to covering only basic capabilities. Once these are achieved, it doesn't tell us how to govern any further distributions of resources above the levels necessary for these purposes. Indeed, 'capacities' may simply cease to be useful beyond this basic level. As G. A. Cohen puts it, 'capacities beyond the basic (Can I run a mile? Can I impress Ukrainians with my impersonation of Russians? Can I sew more quickly than you?) seem quite irrelevant to measurement, deprivation, inequality or anything else of urgent concern from the point of view of justice.'\(^{38}\) In any case, once we see that subsistence rights are cited as something that must be fulfilled by my Basic Rights Principle, Sen's concerns with basic capabilities would already seem to be accommodated. No practical advantage over the 'social primary goods' approach is gained.

Finally in this section we turn to 'exploitation', which many Marxists might wish to make central to any discussion of justice. Now there has been much discussion as to how 'exploitation' should be conceptualised, led by John Roemer in particular, and there is no space here to enter this debate.\(^{39}\) Instead, I simply want to offer one definition of the term —
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which I take to be much more 'orthodox Marxist' than Roemer's—and then sketch an argument which holds that 'exploitation' could not substitute for anything like my Rawlsian account of social justice in a plausible political morality.

I contend that, for Marx, 'exploited labour' is (1) *forced* (because workers have no realistic choice but to sell their labour-power to capitalists); (2) *unpaid* in its yielding of *surplus* value or product (that is, the profit the individual capitalist accrues from the commodities produced by workers' labour); also (3): the product of the labour is lost to the producer—it comes under the control of someone else. The question for theorists of justice here is what, exactly, is wrong with exploitation? We can answer this using a three-way distinction between types of exploitation.

First, we have *simple exploitation*, denoting the appropriation of surplus value, or the fact of the direct producers not getting back the full value of what they produce. Note that there is no reference to 'force' here, so the Marxist notion does not come under this heading. It highlights merely the transfer of value from producers and it cannot be considered even *prima facie* wrong because this could come about as the result of a genuinely free and fair agreement. *Exploitation proper* is forced, unpaid, surplus labour, the product of which is not under the control of the direct producers. This brings in the crucial element missing from simple exploitation and I would say it is *prima facie* wrong. But it may not always be wrong. Imagine that the apologists for capitalism were correct in arguing that capitalism was necessary to promote the undoubted moral goods of meeting people's basic needs, preserving their liberties and allowing for democracy. In this instance, the moral harm suffered by exploited labour is outweighed by the moral benefits that only capitalism brings. So at the very least there must be more to the morality of justice than the category of exploitation if such judgements are to be made. This fuller morality would therefore allow us to identify instances of *all-things-considered unjustified exploitation*, which is 'exploitation proper' that is not justified by its promotion of some other weighty moral concern. (Contra the capitalist apology, my Marxist theory naturally claims that, with socialism a real possibility, capitalist exploitation is all-things-considered unjustified.)

Further, I would also argue that not only does 'exploitation' need a fuller morality to supplement it, it can also be replaced or subsumed by one such as my Rawlsian theory. For the elements of 'force', 'robbery' and 'loss of control' in exploitation proper can all also stand condemned by specific components of that theory. 'Exploitation' adds nothing new or necessary to it.

*But Is This A Marxist Theory?*

Now I should make clear why I say that my overall moral and social theory is a Marxist theory and what is contained in its minimal set of Marxist empirical assumptions. To the first question, my answer is (as it has previously been) that it is not a specifically Marxist moral theory. This should not be surprising. Not even Marx's implicit moral theory *per se* is a specifically Marxist theory. There is, in fact, no such thing as a specifically Marxist moral theory. There is, however, such a thing as a specifically Marxist *moral and social theory*, i.e., a theory which combines a moral theory with a set of empirical, social-scientific theses in order to judge alternative sets of social arrangements, programmes and policies. In fact, any moral and social theory that utilises a recognisably Marxist set of empirical, social-scientific theses and supports a recognisably Marxist set of normative political positions qualifies as a Marxist moral and social theory.

However, since my 1990 book was published right at the time of the so-called 'fall of communism' in the Eastern Bloc—causing even some who thought it succeeded in its stated goal of creating an adequate (or, at least, more sophisticated) Marxist moral and social theory to call it an excellent example of Hegel's famous quip about the Owl of Minerva flying only at the end of the day— I find myself, upon occasion, having to defend the relevance of a theoretical project that still:

1. takes a minimal set of Marxist empirical assumptions—in particular about the nature of capitalist society—as plausible and relevant (even though it is based on a slimmed-down
Marxism which jettisons some of its orthodox baggage);
2. argues for a kind of socialism, albeit a democratic, self-managing form of socialism based on a regulated market economy rather than a command economy, which, within well-developed societies, would be committed to protecting civil liberties as much as any bourgeois capitalist democracy;
3. defends socialist regimes and socialist revolutions in the developing world as the only way to overcome the absolute poverty and extreme subservience characteristic of such societies, and forcibly confronts us with the possibility that 'parliamentary' politics may not be enough even in developed nations to overcome capitalist resistance to the requirements of justice.

Thus, I want to comment very briefly on the continued relevance of at least some components of Marxist empirical theory as well as on the continued relevance of some kind of socialism as a worthy goal or ideal. My response to the charge that Marxist theory is now passé is as follows.

1. So many of Marx's views have passed more widely into the social sciences and our modern world-views that perhaps we tend no longer to appreciate the true significance and lasting legacy of his thought and work.
2. As shown by continuing sophisticated developments of certain components of Marx's economic, sociological and political theories by the Analytical Marxist tradition and others, it is only certain orthodox and dogmatic interpretations of Marxism that have become otiose, not Marxist theory in general.
3. By Marx's own definition, no society on this planet has ever become even a fully socialist society — that is, one which has fulfilled all of the requirements of Marx's so-called first stage of communism, which include full democratic rights — let alone a full-fledged communist society (in which, ex hypothesi, there would be no political state as well as no social classes and no significant social conflict). Thus, Stalinist and post-Stalinist claims about how far Soviet-style communist regimes had actually progressed towards socialism and communism were complete travesties and misrepresentations of Marxist theory and should not be allowed to distort our understanding of what the theory sanctions in practice.
4. The struggle to establish and preserve socialism in various countries may be somewhat more likely to succeed in light of the theoretical work and institutional changes advocating and implementing market socialism as opposed to command economy socialism (which, whatever its role in industrialising the former Soviet Union and helping to defeat fascism in The Second World War — for which the world owes the former Soviet Union an eternal debt of gratitude — simply does not seem to be capable of adequately functioning in consumer-oriented, modern, mass societies).
5. Even the dissolution of the Soviet Union and the 'fall of communism' in the Eastern Bloc does not necessarily herald the end of attempts to establish post-capitalist, or nascent socialist, societies or to preserve them where they still exist (such as in Cuba and China), especially in light of the fact that under the hegemonic domination of international capitalism, the plight of the world's poor — as well as the world's natural environment — has continued to worsen, with world capitalism showing neither the ability nor the inclination to solve these problems.

Of all these claims, it is most immediately important to substantiate the first one and I shall do so by stating the minimal set of Marxist empirical assumptions which, when combined with my modified Rawlsian theory of justice, yield the appropriate Marxist political conclusion:

1. As a result of the logic of the maximisation of profit, all capitalist societies — developed or developing — exhibit and will continue to exhibit certain economic and social problems (inflation, depression, recession, unemployment—
ment, poverty, failure to regulate environmental pollution sufficiently, and so on) that can be solved only by the institution of a regulated, partially planned (but not necessarily command) socialist economy.

2. Even the mixed, welfare-state capitalist societies of the advanced, industrialised nations in the West exhibit severe social inequalities and – if sufficiently threatened by mass working-class movements for social equality – will almost undoubtedly exhibit severe repression. (The possibly irreversible decline of the Keynesian welfare state is evidence of how capitalist societies will inevitably 'resolve' the tensions between social justice and the logic of capital in favour of the latter.)

3. The world capitalist system causes in the Third World both extreme inequality and suffering, on the one hand, and (often) extremely repressive regimes, on the other.

4. So long as it is dominant on an international scale, the capitalist system will not allow the massive transfers of capital, technology and knowledge necessary to solve the Third World's major social and economic problems.

5. Such conditions in the Third World make for perpetual social instability since those who are severely oppressed and/or deprived will organise and, if necessary, fight to better their condition.

6. The predictable response from the most powerful nations at the capitalist 'centre' (primarily the United States now and for the foreseeable future) is first to install and/or aid those Third World regimes or military cliques that can best suppress these mass movements for radical social change and, second, if that strategy fails, to intervene either directly with its own military forces or indirectly through proxy armies and 'low-intensity warfare'.

7. However else we may characterise contemporary post-capitalist societies such as Cuba, it seems clear that they are not the primary cause of the many indigenous revolutionary movements in the Third World and do not bear the primary responsibility for the nuclear arms race.

8. The bureaucracies of such post-capitalist societies genuinely want to reduce or eliminate arms expenditures in order better to satisfy the consumer appetites of their own populations.

9. Without the economic, diplomatic, and military pressure of the western capitalist powers such post-capitalist societies may well achieve significant democratisation (by either evolutionary or revolutionary means).

10. Socialist transformations can occur in the advanced industrialised countries of the West, and such transformations can lead to democratic forms of socialism; thus a worldwide federation of democratic, self-managing, socialist societies is a genuine historical possibility.

Although these theses were put forward just before the fall of the Soviet Union, I don't think that this development or any since then has decisively falsified any of them. The only one put into question at all would seem to be the ninth thesis since, although significant democratisation has occurred in most of the former so-called communist countries, this has been conjoined with a movement – by no means complete as of yet and certainly not completely successful – toward capitalism. On the other hand, it will be observed that the theses concerning the lack of ability of capitalism to solve the world's socio-economic problems have tended to be strengthened rather than falsified, not least in many of the former so-called communist countries of the defunct Eastern Bloc, where the movement towards capitalism has resulted in substantial increases in unemployment, poverty, social inequality, homelessness and lack of adequate health care accompanied by skyrocketing corruption, crime and gangsterism. Moreover, the theses concerning the potential ability of Third World socialist (or at least post-capitalist) societies to solve their basic social problems have also, I think, continued to be borne out, even though under contemporary world circumstances, post-capitalist societies such as Cuba and China have had to resort to market mechanisms and even foreign capital investment, usually in jointly owned enterprises.
(But this, of course, is no mark against these societies, so far as I'm concerned, since I support market socialism to begin with.) And it is also arguable that such societies would be able to do even better economically if the powerful capitalist nations – especially the US – were not constantly attempting to undermine them.

Note that this set of empirical assumptions does not include dialectical materialism, orthodox or even reconstructed versions of historical materialism, or such lower-level empirical theses as the labour theory of value and the 'collapse' theory of capitalism. This is not to say that some of these theories – at least in their more sophisticated forms – are not plausible or arguably true. But it is to claim that the truth of these components of Marxist theory is not necessary in order for the basic normative political positions to be justified. Most emphatically, this set of empirical theses does not entail the view that socialism and/or communism are historically inevitable, or that genuine, full-fledged socialist societies can be achieved within one or a few countries (in isolation from the rest of the world). Nor does it imply that Marx's higher state of communism is historically possible (as opposed to a utopian impossibility that should not even be seriously considered when doing social and political theory).

I recognise, of course, the prima facie oddity of conjoining these theses with Rawlsian moral and political theory. Yet that I should develop a theory which attempts to synthesise Rawls's theory of justice and the salvageable components of the Marxist tradition should not, in fact, seem all that strange to anyone familiar with moral, social and political philosophy over the past thirty years or so. From the last third of the twentieth century this realm's dominant tendency in English-speaking societies, Scandinavian and the Netherlands has been composed of liberal-egalitarian and liberal-socialist egalitarian theorists who, for the most part, take Rawls's theory or similar theories of social justice to be basically correct. Most of these theorists also respect much of what Marx said and much of what he was trying to accomplish and they accept some, although certainly not all, of Marxist empirical theory as true.

Moreover, most contemporary Marxist theorists involved in current debates in moral, social and political philosophy within this general tendency are part of the Analytical Marxist tradition that has developed over the past twenty years or so. As such, they have no problem operating within the general analytic-philosophical paradigm that emphasises conceptual clarity and logical rigour or within the general framework of liberal egalitarian theory developed by Rawls. In fact, Analytical Marxists are an integral part of the current discussions specifically involving Rawls's theory and similar theories of social justice. There is little (if anything) to distinguish them from the non-socialist liberal-egalitarians who participate in these debates, save their greater commitments to certain parts of Marxist empirical, social-scientific theory and thus to the idea that morally defensible forms of socialism are genuine historical possibilities which should be advocated or at least discussed as genuine options. It should be stressed, of course, that these theorists are all proponents of political democracy and civil liberties (which they believe can thrive in socialist societies under favourable circumstances) and, thus, critics of the kind of Stalinist political organisation that so ill-served the socialist cause. In addition, most are advocates (if not always without reservation) of market socialism and opponents of command-economy socialism.

So let me assert again that what divides contemporary egalitarian liberals such as Rawls from liberal-socialist egalitarians such as myself is not moral theory but differences in empirical beliefs and practical political convictions. It would be difficult to isolate any normative moral thesis that was universally agreed upon by those in one category and universally denied by those in the other. The first category is thus composed of theorists who don't explicitly advocate socialism, but who could admit that a democratic-liberal form of socialism would be justified if certain empirical, social-scientific theses that Marxists put forward about capitalism and socialism were true. This category includes not only Rawls but such figures as Ronald Dworkin, T. M. Scanlon, Norman Daniels, Thomas Nagel, Amartya Sen, Martha Nussbaum, Brian Barry, Amy Gutmann, Bruce Ackerman, Jeremy Waldron, Henry Shue, Philippe Van Parijs, Samuel Scheffler and Susan Moller Okin. The second category – the
liberal-socialist egalitarians – includes such figures as G. A. Cohen, John Roemer, Jon Elster (at least until recently), Kai Nielsen, Michael Walzer, David Miller, William McBride, Roger Gottlieb, Jeffrey Reiman, David Schweickart, Nancy Holtstrom, Andrew Levine, Alex Callinicos, Norman Gens, Mark Evans and me. There is also a category of philosophers within this tradition who speak more sympathetically than the liberal-egalitarians of certain aspects of Marxism and/or socialism, but don’t explicitly or at least very strongly advocate socialism, so it is difficult to decide in which category they should be classified. This would include, I think, Robert Paul Wolff, Joshua Cohen, Allen E. Buchanan, Thomas Pogge, Richard Arneson, Will Kymlicka and Sharon Lloyd. (Hence my categories are useful terms of reference to guide us in the debate, but not strict and exhaustive classifications.)

Here, we should recognise the complication that to rely simply on the categories of capitalism and socialism may not do justice – so to speak – to the richness and complexity of the institutional arrangements suggested by these two groups of theorists when they propose how their recommended policies might best be implemented. For example, Rawls suggests that his theory of justice could be best implemented in what he calls a ‘property-owning democracy’, in which most large-scale productive enterprises would not be socially owned – hence, it is not a form of socialism – but in which all citizens would somehow own some productive property (presumably in terms of stocks and/or bonds), and in which significant wealth could be accumulated by one within one’s own lifetime but which could not be passed on to the next generation – or anyone else, for that matter – due to strenuous inheritance and gift taxes. Somewhat similarly, in John Roemer’s model of market socialism room would be made in the economy for entrepreneurs to make virtually unlimited amounts of money within their lifetimes if they could organise a series of successful economic enterprises (from seed capital provided by large socialist enterprises or the banks) and then sell them off to the public sector after they reached a certain level of productivity. But, as in Rawls’s property-owning democracy, no one would be able to pass on significant levels of wealth to anyone else, although Roemer suggests they might be able to donate all or much of their wealth to their choice of socially approved charitable or philanthropic causes. Another important view worthy of further attention is represented by Phillip Van Parijs, who, even though a close associate of the Analytical Marxists, actually advocates an extremely egalitarian version of social democratic, welfare-state capitalism.

But despite these ‘second-stage’ disagreements, I think it justified to propose that the most plausible moral, social and political philosophy/theory must lie somewhere within the general confines that I think Rawlsian principles adequately map – and it is, in general form, liberal-egalitarian in moral theory and Marxist in political theory and action. What motivates my Marxist convictions above all is this final claim: if we are genuinely concerned about justice, then we should be firstly and profoundly concerned about the desperate plight of the vast majority of people in the developing world in particular. And I think that contemporary liberal debate should increasingly focus upon the liberal-egalitarians upon whom, if they acknowledge the huge gap between the reality of global injustice and their own standards of justice, it should be incumbent to argue against what I take to be the fact that such injustice can be fully rectified only by anti-capitalist revolutions, and genuinely socialist property relations and social policies, together with genuinely fair relations between the developed and developing worlds. Arguably, this may only occur with the transformation of the major industrial societies of the North into socialist societies – a goal that the Marxist empirical theses would also indicate is necessary for the achievement of justice within them as well.

Notes

1. Peffer (1990), p. 3.
2. See Peffer (1990), especially chapter 10, for substantiation of these modifications.
5. See Peffer (1994), pp. 261–2 for more on the definition of 'socialism'.


8. See Rawls (1972), pp. 195–201 for discussion of the four-stage decision-making sequence. Of course, these restrictions upon the domain of Rawlsian justice do not deny that people's conduct even within private institutions and situations is still subject to criminal and civil law.


10. Although this is far from being uncontroversial, I believe that a strong case can be made for the view that, in the developing world, only certain socialist countries (such as Cuba and China) as well as the Indian province of Kerala (which has had a socialist government since shortly after the Second World War) have generally succeeded in fulfilling their populations' subsistence rights. It seems clear to me that if one agrees that the empirical evidence shows the only way for developing societies to ensure that people's subsistence rights are met is to institute socialism and if the empirical evidence shows – as I believe it does after having tracked Amnesty International reports for the past twenty years or so – that under normal circumstances socialist regimes in the developing world generally do a better job of protecting their people's security rights than capitalist Third World countries, then one should seek to support and promote such socialist regimes and movements as a first duty of social justice, rather than attempting to undermine and destroy them as the government of the United States has so often been guilty of and which, I'm ashamed to say, it is continuing to do with respect to socialist Cuba.


14. My continuing disappointment with Rawls's attitude to global justice is due to the fact that in 'The Law of People', which he had actually intended to be an appendix to Political Liberalism, he has, for reasons I still do not understand, continued to refuse to apply his difference principle internationally. Although he does call for 'standards of fairness for trade and other co-operative arrangements' and for 'certain provisions for mutual assistance between peoples in times of famine and drought' (Rawls, 1999, p. 541) there is the question as to why this should only apply to 'reasonably developed liberal societies' and also why the difference principle itself shouldn't be so applied. But, in any case, it seems clear that Rawls's theory and Rawlsian theories in general – including mine – are relevant to the relations between the developed and the developing world and thus provide at least a starting point to a case for international justice.


19. See, for example, Sher (1975).


25. One might want to think or hope that genuinely 'fraternal' (socialistic) individuals would choose to use their talents in whatever maximally socially beneficial way they could. But it would surely be stretching credibility to think that every individual in a socialist society would always freely surrender all their talents to whatever task 'society' allocated them.


28. Even within a just society it would be dubious to assume that there will be a watertight correlation between people's natural talents and abilities and their ability to garner greater income and wealth under 'unregulated' social and economic conditions. This is because, even if all children were to be guaranteed equal access to high-quality education, quirks of their personalities and/or accidents of family circumstances (such as whether their parents or other family members or close associates made them feel loved and secure), and the operation of blind chance in general, will affect whether or not particular individuals are successful. This is not to say that in presently existing societies there is no discernible correlation between natural talents/abilities and success, nor to deny that the correlation should and could be made much higher in a genuinely just society. It is only to say that the assumption that 'the talented' in even a perfectly just society will be able to parlay their talents into success (however they come to define it) is, to some extent, unjustified.


30. For a defence of the opposite position, however, see Van Parijs (1991).
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31. Rawls (1990), p. 42. I would like to thank John Rawls for giving me permission to quote from this typescript in my work.
32. See Arneson (1989). Dworkin (1981a) and (1981b) also discusses many of the ideas within these principles.
34. Rawls (1972), pp. 87–8.
40. Ibid., pp. 142–6. The fact that Marx often called this an example of ‘theft’ by capitalists is strong evidence that – perhaps despite himself – he did not think morality could only ever be an ideological phenomenon relative to and supportive of a specific mode of production, a ‘prop’ which would become increasingly redundant in post-capitalist societies.
41. This section follows ibid., pp. 146–7.
43. The notion of ‘regulated’ market economy as an antonym for ‘capitalist economy’ is pivotal here, but would obviously need to be substantiated in a fuller account, not least because no capitalist economy is entirely regulated and so cannot accurately be defined as being in opposition to regulation. In general, what will distinguish the market socialist economy in this regard is the degree of regulation and, most significantly, the ends to which it is put.
44. Here, we should also confront the claim by various postmodernists that it is no longer possible to take Marxism to be a serious theoretical tradition or socialism to be a legitimate historical goal because they are based on so-called grand historical meta-narratives. But the brief outline of the lower-level empirical claims still taken seriously by the Analytical Marxists and others given in this section should suffice to show how utterly bogus this claim is. For the parts of Marx’s theory still being utilized have nothing whatever to do with grand quasi-Hegelian claims about inevitable movements in history. Indeed, they are quite the opposite: they are the more concrete empirical claims that can be (and are) seriously discussed by social scientists, political thinkers and ordinary people interested in politics everywhere. To think politically we cannot avoid making certain assumptions about what social, economic and political institutions, programmes and policies will best accomplish given goals or support and promote certain values. So whether we are dealing with those postmodernist thinkers who are operating on the ultimately self-refuting notion that there is no such thing as rationality, or with those who merely claim that Marxist theory is irrelevant and/or illegitimate because it is (supposedly) based on grand historical meta-narratives, the claim that all aspects of Marxism and all hopes for socialism must be abandoned just doesn’t hold water. To say that Marxism and socialism are now irrelevant theoretical or practical political traditions is absurd given the quantity and quality of the theorising that they still inspire, which is due to the insights they offer into humanity’s most urgent political challenges. Given the popularity and influence of postmodernism within certain circles, it is vital to insist upon these points.
45. Peffer (1990), pp. 458–9. In fact, this set of assumptions is so minimal that, if they can indeed be adopted by non-Marxists/socialists, some would say that they are not Marxist at all. But because they originate within the Marxist tradition and continue to animate it, I see no good reason to withdraw the label from them – particularly when, as in my case, they are used to energise a particular political position opposed to capitalism for which Marxism has long held the banner.
46. Notice that this list of socialist theorists (who are, broadly speaking, within the analytic-linguistic tradition of philosophy) by no means exhausts the category of socialist or quasi-socialist theorists who participate in contemporary debates since it doesn’t mention: the Yugoslav Praxis school of Marxist philosophers and similar socialist humanists (such as Svetozar Stojanović, Mihael Marković, Gašper Petričević); critical theorists (such as Jürgen Habermas, Karl-Otto Apel, Albrecht Wellmer, Thomas McCarthy, Richard Bernstein, Nancy Fraser, Doug Kellner and Stephen Best); Hegelian Marxists (such as Shikmo Avineri and Bertell Ollman); liberation philosophers (such as Enrique Dussel and Horacio Cerutti); Cuban political philosophers (such as Thalía Fung, Olga González Casanova); socialist feminists (such as Alison Jaggar, Ann Ferguson, Heidi Hartmann and Nancy Hartsock); socialist theorists who are primarily economists and only secondarily philosophers (such as Alec Nove, Branko Horvat, Jaroslav Vanek, Thomas Weisskopf and Robin Hahnel); world-systems theorists (such as Immanuel Wallerstein, André Gunder Frank and Samir Amin) or theorists of development ethics (such as David Crocker, Denis Goulet and Luis Camacho); radical sociological theorists (such as Claus Offe, Ernesto Laclau, Alain Touraine); social-democratic theorists (such as Michael Harrington, Robert Heilbroner and Cornell West); or the so-called Marxist amorality theorists who argued that Marxism is incompatible with morality in general or at least with...
justice in particular (such as Allen W. Wood, Richard Miller, Anthony Skillen and Andrew Collier). This last view is one that I spend over 100 pages critiquing and, I believe, decisively refuting in Peffer (1990).

47. See Krouse and McPherson (1988); Peffer (1994).

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