

Discussion Notes

DISTRIBUTING ACKERMAN'S MANNA

IN HIS RECENT BOOK *Social Justice in the Liberal State*, Bruce Ackerman presents a lively version of liberalism as a social and political philosophy.¹ After isolating a few abstract principles that he regards as the core of liberal theory, Ackerman applies them to a variety of more concrete issues—for example, abortion, exchange, education, and citizenship. In the present paper I will discuss his treatment of the distribution of wealth. My contention will be that he has seriously misunderstood the nature of claims for a share of wealth. When their real nature is understood, I argue, it is no longer clear that Ackerman's preferred solution—equal shares—is the outcome that his own liberal principles would favor. The point at issue goes beyond Ackerman's work, however, and reaches to the moral basis of claims to shares of a community's resources.

Ackerman first presents two principles—the Rationality and Neutrality principles—that he regards as embodying the essence of liberalism. He then applies these principles to a highly idealized situation. In the latter part of his book he considers more realistic situations, while claiming that the results from the ideal case can be applied without abandoning liberal ideals. I wish to argue that even in the ideal case, Ackerman misunderstands the sorts of claims that people typically make in order to receive material resources.

Ackerman conceives of the task of justifying a particular set of institutions or relations dialogically. That is, a person has justified his or her enjoying a particular set of rights or privileges when that person has been able to reduce to silence any conversationalist who might challenge these privileges. For example, if I am an industrialist whose

possession of wealth is challenged by, say, an unemployed worker, I must find an answer to my interlocutor that justifies my advantages. But, says Ackerman, in order to meet the challenge, I must make no statement that is inconsistent with the principles of Neutrality and Rationality. If I can only defend my advantages by violating these principles, then my privileges are illegitimate. On the other hand, if I can defend them without thereby violating liberal principles, and my fellow conversationalist has no further challenge to make, then my claims to advantageous treatment have been vindicated. Thus, Ackerman's book is full of a number of entertaining imaginary dialogues wherein various sorts of advantage are exposed to attack by the underprivileged.

The ideal case for liberalism that he first considers is structured in the following way. A group of colonists is on a space ship that is about to land on an uninhabited planet. The planet contains a wonderful resource, manna, that is in limited supply but has the ability to assume any shape desired by its possessor. So there is still the familiar "circumstance of justice," to use John Rawls's phrase, that governs problems of distributive justice on earth—that is, scarcity. Ackerman's group of colonists is ruled by a female commander who is committed to implementing whatever solution to their disputes a dialogue governed by liberal principles produces. She commands a perfect "technology of justice" that is capable of costlessly realizing any such solution. And an omniscient computer can supply the colonists with whatever information they regard as relevant.

Ackerman's ideal case is picturesque, but, as I said, his claim is that more-familiar sorts of problems in political theory can be approached by working out from the ideal. For example, distributive questions arising where justice has costs can be approached, he thinks, in the fashion just indicated. That is, we ought first to consider solutions where justice has no costs, and then try to deal with less ideal cases by using the former as a guide to the latter. And Ackerman complicates his analysis with a number of other factors besides costs. There is, for instance, the problem of how to deal with the share that future generations will have. And so on.

It will now be useful to state Ackerman's two liberal principles and show how they operate. Rationality simply requires that any person whose power is challenged must offer a reason for his or her enjoyment of this power. A rich man, for example, must give a reason to a poor one why he has the advantage of greater wealth. On the spaceship—where the allocation of manna is to be decided upon—no one is wealthy yet, presumably. But some proposals for distributing manna will favor some rather than others, and the people who make these proposals may be challenged to give reasons in just the same way that people already privileged are. While there is, of course, a good deal of obscurity about when a statement is a reason, it seems to me that it is Ackerman's second principle that requires more scrutiny.

The Neutrality Principle is:

- No reason is a good reason if it requires the power holder to assert:
 (a) that his conception of the good is better than that asserted by any of his fellows *or*
 (b) that, regardless of his conception of the good, he is intrinsically superior to one or more of his fellow citizens.
 [P. 11, emphasis in original]

It is easy to see that the Neutrality Principle will stymie certain sorts of reasons offered in defense of some distributive proposals. If A claims that more manna ought to be given to her so that she can build a cathedral, and she defends her proposal on the grounds that cathedrals are superior to, say, houses, her reason is disqualified by part (a) of Neutrality (p. 44). On the other hand, if she appeals for more for herself on the grounds that she is intrinsically superior to, say, Jews or blacks, these reasons are ruled out by part (b) (pp. 44-45). Although Neutrality and Rationality seem relatively weak and formal, Ackerman argues that they eliminate virtually every conceivable proposal for distributing manna in the situation described. He concludes that there is only one proposal that could survive a conversation conducted along liberal lines (pp. 57 ff.). This would simply be to give each person an equal share of manna. Now when Ackerman considers distributive principles for more realistic cases, he by no means insists upon material equality. But his suggestion that an ideal case would require equality is itself of interest. And, of course, the "ideal" case is not the best imaginable case—perhaps that would be where everyone had an infinite amount of manna. Ackerman's case is ideal because a number of contingently complicating factors have been removed.

Before I state what I think is the most serious problem with Ackerman's analysis, I want to offer a quibble. Like many egalitarian writers, Ackerman carelessly equates an equal distribution with a distribution where everyone receives the *largest possible* equal share. But these are not necessarily the same. If we have two pounds of candy and ten people, the latter idea would mean that each gets one-fifth of a pound. But if each person receives one-tenth of a pound, and the rest is destroyed, they would all have an equal share. Indeed, if everyone got no candy, they would have equal shares. So *equal* does not mean "greatest equal." And, as far as I can see, if a suicidal person in Ackerman's imaginary spaceship proposed that everyone get no manna, there would be no violation of the two liberal principles Ackerman advances. If equality is the liberal preference for the distribution of a limited quantity of goods, then there is no determinate liberal distributive scheme; for there is an infinite number of ways of equally dividing a finite amount of goods.

The more serious problem, though, centers around the word *intrinsic*; for one only rarely encounters a claim for material resources that depends on a claim of the intrinsic superiority either of the claimant or

of his or her preferred activities or states of affairs. Perhaps only fanatics would urge, when the distribution of some good is at issue, that they ought to receive especially large shares because they are intrinsically superior to the others. But it would not be at all unusual, I think, for some to base their claims on the fact that, for example, they produced shoes more efficiently than all the others. A sizable number of claims to special treatment, that is, rest on an assertion of superiority in *instrumental*, not *intrinsic*, value. Good shoemakers need not claim that they are superior *as persons*, which is presumably what the “intrinsic value” of a person consists of. Indeed, they could happily concede that they are less valuable in this respect, so long as they regard themselves as more valuable in the services they can provide others.

The principle “the tools to him who can use them”² does not depend on an assertion of intrinsic superiority, and it is not clear that Ackerman’s liberal principles forestall claims supported in this way. Indeed, it is curious that when he comes, in a later portion of his book, to consider “second-best” solutions to nonideal cases, he admits that a liberal statesman is permitted to make “an instrumental case for special privilege” for some. He states the conditions that must hold for such a situation to be permissible:

Call it the incentive-tax argument. To make it work, the statesman must assert, first, that the prospect of one or another special advantage will serve as an incentive for the increased production of some scarce resource that would not have been supplied under the regime of strictly equal sacrifice; second, that he can design a tax scheme that will deprive the advantaged of some of the extra resources they produce, without leaving them fewer rights than they would have possessed under the equal-sacrifice regime, b_j ; and third, that the extra taxes will be spent in a way that gives the disadvantaged a richer set of liberal entitlements than they would have had under b_j . If all three of these conditions apply, the empirical groundwork has been laid for a successful claim of general advantage. [Pp. 258-59]³

But clearly if claims based on instrumental superiority are allowable in nonideal cases, one would like to know why they are disallowed in the ideal. And, again, “ideal” is only to be understood as the situation where certain empirical complications have been eliminated. In short, the Neutrality Principle seems to be mute with respect to claims based on instrumental superiority and hence does not lead automatically to equal shares.

Ackerman might offer three responses to the points I have raised. In the first place, it could be objected that I have ignored an aspect of the ideal case under discussion: perfect “transactional flexibility.” Each space colonist can costlessly make and receive offers for goods and services (pp. 170 ff.). Thus, it might be argued, if some colonists truly have a special ability to make shoes, they will receive income from the

others who want to pay them their price. An equal initial distribution will soon result in inequalities, as the more efficient producers have manna directed to them by others. And Ackerman has no complaint about inequalities arrived at by free exchange in this way.

This suggestion, however, offers no rejoinder to the theoretical point at issue. It is true that an initial allotment according to instrumental value will coincide with one arrived at by costless and fully informed free exchange by rational agents given equal shares. That is, the two concepts will coincide in practice in this special case. But my point was a theoretical one, namely, that the Neutrality Principle has nothing to say about claims based on instrumental superiority. Thus, if someone in the ideal case were to claim more manna on the grounds that he or she was more valuable instrumentally than the others, Neutrality could not rule out this move. Insofar as Ackerman's liberalism was supposed to sort out those conversational moves that are illegitimate and those that are not, an impasse in theory would be reached; for claims based both on instrumental superiority and on intrinsic equality (Ackerman's preferred ground) would pass through the conversational filter. And, of course, in every situation where transactions have costs or information is incomplete, the two sorts of proposals would lead to different results in practice. The fundamental problem is that Ackerman's liberal constraints give us no way of adjudicating *in principle* between claims based on assertions of instrumental superiority and those based on assertions of intrinsic equality.

There is a second response that could be made to my criticism. Perhaps Ackerman means to argue that an assertion of intrinsic superiority needs only to be presupposed, and not explicitly asserted, in order to invalidate a claim. If A supports a claim to more resources on the grounds that he makes better shoes, and this is construed as an assertion of instrumental superiority, it might yet be argued that this assertion presupposes that *something* has intrinsic value. Instrumental value presupposes intrinsic value.

But this point is irrelevant. While it may be conceded that judgments of instrumental value presuppose some judgments of intrinsic value, it does not follow that they presuppose any judgments of intrinsic *superiority* in a sense that Ackerman's principles would disallow. Let me make the discussion more concrete. Suppose that someone claims that the satisfaction of each person's desires is of equal intrinsic value. Then it could still follow that some people are more instrumentally valuable—that is, are more efficient satisfiers of others—than the rest. I do not want to rest my case on this example, though, for the point is more abstract. It is unnecessary to use satisfaction as the basis of intrinsic value. Any characteristic will do, it seems to me, so long as one claims that every person is equal in intrinsic value in the appropriate sense. Intrinsic equality of persons is quite compatible with differences in their instrumental value.

A third reply would contend that there is no need to consider instrumental value in the ideal case.⁴ Here, it may be said, there is no problem of production; for Ackerman assumes that the manna is simply discovered. The only possible problem is that of distributing the given amount of manna.

It seems to me that there are at least two points that should be stressed here. First, Ackerman continually insists that although the manna is infinitely malleable, it is still scarce. There is not enough to satisfy every colonist's desires (pp. 31, 33, 34, 62-64). Second, while it is true that there is no problem about producing the manna that is discovered, there *is* a problem about how to put that finite amount of material to work for the future. It may be, for instance, that one distribution of the given amount will lead to twice the amount of goods and services in ten years as will another distribution. That is, more desires in the future might be satisfied as a result of one distribution rather than another. Though Ackerman's manna is pleasantly there for the taking at the outset, it is clearly meant to be a productive asset that can be more or less efficiently used. And he also makes it clear, when discussing inheritance and the transmission of wealth to a new generation, that some colonists will be more adept at producing wealth than others (p. 201). Therefore, the existence of different instrumental capacities in colonists cannot be ignored even when considering the distribution of an unowned and newly discovered store of goods. The reason is simply that their capacities have consequences for the future well-being of the community.

In conclusion, regarding the distribution of economic goods, it seems that some people will claim that their equal value as persons should guide apportionment, while others will appeal to their superior value as producers of goods or providers of services. Both sorts of statements are made, and they need somehow to be evaluated by a political theory. Ackerman seems unaware of the tension here, and his work provides little guidance as to its resolution.

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1. *Social Justice in the Liberal State* (New Haven, Conn.: Yale University Press, 1980).

2. Quoted by Bernard Bosanquet, *The Philosophical Theory of the State*, 4th ed. (London: Macmillan, 1923), p. xxxv.

3. By "equal sacrifice," Ackerman means that liberalism requires each person to make the same sacrifice from his or her actual rights in order to secure second-best justice. Second-best justice attempts to compensate those whose ideal rights have been abridged. For instance, Ackerman thinks many physical handicaps require compensation since a perfect technology of justice would have prevented their occurrence.

4. I am indebted for this suggestion to an anonymous referee.