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Distributive Justice and Political Ideologies
A Rejoinder to Stoian

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Introduction

In his reply to my article on distributive justice and political ideologies, published in a previous issue of *Studia Politica*[1], Valentin Stoian[2] has raised a number of important points and has paved the way for a more in-depth discussion on the concept of distributive justice. Stoian offers three central objections[3] to my arguments. First, he claims that the view of distributive justice which I purport to describe is flawed both because it refers to specific distributive justice theories, not to distributive justice as a field of philosophical investigation, and because it implausibly narrows down the scope of the field due to its incorporation of the notion of a pattern (interpreted in a Nocizkian sense) instead of a distributive principle. Second, he claims that one of the ideologies that I present in my article as being incompatible with distributive justice, i.e. anarchism, cannot be intelligibly discussed within the framework of distributive justice since it belongs to a different field, namely that of political obligations. Third, he claims that I offer an unfair construal of the European Left Platform (henceforth, ELP) manifesto by focusing on a holistic interpretation of Marxism and that under a more adequate account, the ELP is not incompatible with the idea of distributive justice. In this rejoinder I will largely concede the latter point but offer a refutation of the first two objections.

Before delving into Stoian's objections let me briefly explain the project I set out to undertake in my original article. The core idea of that paper was to offer an account of the compatibility between the idea of distributive justice and a number of standard political ideologies. Since no such detailed account can presumably be realised in the space of a journal article, my strategy[4] was to appeal to a structural definition of a theory of distributive justice and to examine

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1 Alexandru Volacu, "On the Ideological Incompatibilities of Distributive Justice", *Studia Politica. Romanian Political Science Review*, vol. 15, no. 1, 2015, pp. 109-132.

2 Valentin Stoian, "Distributive Justice and Political Ideologies: A Reply to Volacu", *Studia Politica. Romanian Political Science Review*, this issue.

3 A few other specific objections to some of my claims are also offered, and will be discussed here as well, but they do not occupy a central role in his paper.

4 Which I justify in Alexandru Volacu, "On the Ideological...cit", pp. 111-112.

whether commonly shared features of these theories are incompatible with contemporary ideological platforms of EU and US political parties, which embody the ideologies in question[5]. While I concluded that distributive justice appears to be highly compatible, and even required, by social-democracy and that it is incompatible with libertarianism, anarchism, conservatism, socialism or monistic ideologies[6], the main ambition of that paper did not necessarily reside in these results[7], but rather in the provision of some preliminary groundwork for linking normatively salient discussions that usually take place independently and at different levels of abstraction.

On the Concept of Distributive Justice

As mentioned in the introductory section, one of the central claims of Stoian's is that I mischaracterize the notion of distributive justice in two distinct ways. The first way relates to the fact that what I define is not the concept of distributive justice, but only theories of distributive justice. The second one relates to the idea that I present *patterns* as being one of the constitutive elements of a theory of distributive justice, instead of using the broader notion of distributive principles. I will treat each of these objections in turn. First of all, I agree with Stoian that distributive justice can be understood as a "field of philosophical investigation", a claim which I do not, however, dispute in my article. Secondly, I consider Stoian's claim that I conflate the concept of distributive justice with particular theories of distributive justice to misfire, since I explicitly state that the formula "justice in setting A demands that B be distributed to C according to some pattern D, constrained by conditions of type E"[8] is a "general structure [which] captures all the major operationalizations of distributive justice"[9]. Thus, the formula means to say something about the general structure of a particular theory of distributive justice[10], not about

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5 Or, where no such political party exists, directly to some core aspects of the ideology.

6 See Mihaela Miroiu, "Ideologii politice: o perspectivă etică", in *Idem* (ed.), *Ideologii politice actuale*, Polirom, Iași, 2012, pp. 15-34 for a distinction between monistic, borderline and pluralistic ideologies.

7 I also stress this aspect out in the concluding section of my initial paper: "I underline [...] the fact that the conclusions of this paper should be treated with caution, since they follow an analysis which aims to be as comprehensive as possible in the inclusion of ideologies and elements of distributive justice, on pain of a more in-depth exploration of only one of these elements on various ideologies, or alternatively, on the relation between one ideology and the various operationalizations of distributive justice elements. These tasks will unfortunately have to be postponed for other works" (see Alexandru Volacu, "On the Ideological...cit", p. 132).

8 Alexandru Volacu, "On the Ideological...cit", p. 110.

9 *Ibidem.*

10 As Stoian importantly points out, theories of distributive justice may permissibly not take positions on all of the elements presented.

distributive justice as a field of philosophical investigation. In my own view, distributive justice interpreted as a field of philosophical investigation is composed via the aggregation of particular theories of distributive justice and nowhere in my original paper do I claim that the *field* itself is the direct subject of my formal definition[11].

Stoian's second claim, however, reveals a deeper and more substantive divergence in interpreting the notion of distributive justice. His argument is that the fourth element in my definition offers an excessively narrow construal of the idea of distributive justice, since patterns are simply a category of a much wider set of distributive principles and any one of these distributive principles can be included in a theory of justice. In his own terms, "patterns of distributive justice are principles of distribution tied to natural dimensions (such as merit, or, why not, height), while principles are simply relevant statements about how goods and benefits should be distributed". He further argues that "the relevant meaning of the term distributive justice is that the end result is a distribution of burdens and benefits according to a morally relevant rule" and that

> "the only kinds of theories to be refused the denomination of theories of distributive justice (more because they refuse any type of justice than any type of distribution) are those that deny moral equal status to all humans and those that accept that in economic distribution 'might makes right' i.e. those who refuse to make any moral statements".

Defined in this manner, we would be able to include many theories within the field of distributive justice, even theories such as Nozickian libertarianism[12], since it also entails a mechanism of distribution (i.e. the free market). This way of defining distributive justice, however, raises a number of issues.

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[11] There is a further, rather marginal objection within the context of the general argument, which Stoian also raises in relation to my structural definition and which is also worthy of discussion. His claim is that the example which I provide for the operationalization of the A term mistakenly includes elements such as the community or the world, which properly belong to the scope of justice, not the site of justice. But I strongly fail to see why this would be the case. Including the community as part of the site of justice, *not* the scope, entails that some principles of justice should be applied at the level of one particular community (e.g. guiding institutions that only constrain behaviours within that community), instead of other levels, such as that of the basic structure of the society for instance. Surely, this idea might not necessarily be compatible with a liberal view but not all theories of distributive justice have to be constructed within a liberal framework. Furthermore, the world can also be the site of justice if we adhere to a view which claims that there should be global institutions constraining the behaviour of states and individuals. The cogency of such a view is not under dispute here, nor was it under dispute in my original article, where I merely intended to show what sorts of elements might be part of a theory of distributive justice, not to defend the plausibility of any particular theory.

[12] Robert Nozick, *Anarchy, State and Utopia*, Blackwell Publishers, Oxford, 1974.

First, the idea that a theory which denies equal moral status to all individuals should not count as a theory of distributive justice is not in itself uncontroversial and requires a substantive defence, which Stoian does not provide. In the absence of such a defence, it is not clear why the line between a theory of distributive justice (or, simply, justice) and a statement which cannot be qualified as a theory of distributive justice is drawn precisely at the line of equal moral status, especially since there are authors[13] who deny that individuals have equal moral status while remaining committed to the value of justice.

Second, as previously set out, Stoian's view is committed to the idea that all theories that say something about the distribution of "burdens and benefits according to a morally relevant rule" should be counted as theories of distributive justice. But this seems to directly conflict with another view of distributive justice which he earlier expounds (and which draws on Lamont and Favor[14]), namely that

> "distributive justice is a field of *philosophical* (as opposed to scientific) *investigation* (akin to metaphysics but, despite its institutional placement – that is, in political science departments, dissimilar from political science proper) in which the competing theories tell us something about how *primordially economic* (as opposed to purely political), *benefits and burdens*, produced by *a framework* should be *distributed (benefits) or shared (burdens)*".

This latter definition is much more restrictive than the former, since it requires that the benefits and burdens which are the object of distributions: (1) need to be produced within a common framework and (2) be primordially economic. But this (largely) Rawlsian account will regard some distributive questions as falling outside of the field of distributive justice, questions which the broader definition mentioned above will include within the field. Consider the following case, proposed by Derek Parfit[15]:

> *Divided World.* The two halves of the world's population are, we can suppose, unaware of each other's existence. Perhaps the Atlantic has not yet been crossed. Consider next two possible states of affairs: (1) half at 100 and half at 200 or (2) everyone at 145.

Since Stoian's latter account of distributive justice requires that the benefits and burdens distributed be produced in a common framework, it

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[13] See for instance Uwe Steinhoff, "Against Equal Respect and Concern, Equal Rights, and Egalitarian Impartiality", in *Idem* (ed.), *Do All Persons Have Equal Moral Worth?: On 'Basic Equality' and Equal Respect and Concern*, Oxford University Press, Oxford, pp. 142-172.

[14] Julian Lamont, Christi Favor, "Distributive Justice", The Stanford Encyclopedia of Philosophy (Fall 2014 Edition), Edward N. Zalta (ed.), URL = http://plato.stanford.edu/archives/fall2014/entries/justice-distributive/.

[15] Derek Parfit, "Equality and Priority", *Ratio*, vol. 10, no. 3, 1997, p. 206.

follows that distributive justice cannot say anything about the desirability of a particular allocation of benefits and burdens between the two populations, since clearly no common framework has been established as they have never been in contact before. This view is standardly held by authors who understand justice to necessarily presuppose a relational element[16]. On the other hand, since none of the two allocations deny that individuals are moral equals, nor do they presuppose that "might makes right", by his first definition[17] the allocative question would fall within the field of distributive justice since it pertains to a distribution of benefits and burdens.

Third, and most importantly, if we follow Stoian's definition, whereby any theory which makes statements about the distribution of burdens and benefits but does not deny equal moral status or fail to make moral statements is a theory of *distributive justice*, and that if it fails on the latter two points (e.g. it denies equal moral status or refuses to make moral statements) it fails because it cannot be considered a theory of *justice*, then it is impossible to distinguish between a theory of justice and a theory of distributive justice, since the two types of theories cover an identical range of cases. But if this is an accurate depiction of the field of justice, then the question turns to why we should label any theory as one of *distributive* justice, rather than simply as a theory of justice. In order for the notion of distributive justice to make sense we therefore require a criteria used to delineate theories of distributive justice and from other types of theories of justice. Such a criteria is provided by Nozick, who argues that patterns are basic building blocks of theories of distributive justice and that his own libertarian theory falls outside the scope of distributive justice since it is not patterned. Stoian argues that Nozick's account (to which I also appeal), is mistaken, and that Nozick's brand of libertarianism properly belongs to the field of distributive justice, since his proposed principles of justice in acquisition, justice in transfer and the principle of rectification do say something about the way in which benefits and burdens should be distributed in society. My counter-claim is that the distinction between justice and distributive justice is illegitimately extinguished by this interpretation, since theories of distributive justice do not only spell out implications concerning distributions of burdens and benefits, but make distributions the *primitive*[18] objects of the theory, rather than other theories of justice which hold distributions of burdens and benefits to an exclusively *derivative* status. This view draws on Anderson's[19] account of the

[16] See for instance Elizabeth Anderson, "What is the Point of Equality?", *Ethics*, vol. 109, no. 2, 1999, pp. 287-337.

[17] As presented in this rejoinder. In Stoian's original account the order in which the two definitions are offered is reversed.

[18] By primitive I mean that the respective objects are assumed as fundamental and are not derived from other types of objects.

[19] Elizabeth Anderson, "What is...cit"; *Idem*, "The Fundamental Disagreement between Luck Egalitarians and Relational Egalitarians", *Canadian Journal of Philosophy*, vol. 40, no. 1, Supplementary Volume 36, 2010, pp. 1-23.

distinction between luck egalitarian theories, which she sees as a quintessentially distributive theory, and democratic equality, which she sees as a quintessentially relational theory. In her view, theories of distributive justice have the following characteristics: "Justice itself consists in a desirable distributive pattern. Rules of regulation are justified as instrumental to achieving this distribution, and people have the virtue of justice to the extent that they aim at it. The justice of agents is derived from an independent standard of the justice of states of the world"[20]. On the other hand, relational theories "identify justice with a virtue of agents (including institutions). It is a disposition to treat individuals in accordance with principles that express, embody, and sustain relations of social equality. Distributions of socially allocated goods are just if they are the result of everyone acting in accord with such principles. The justice of distributions is derived from an independent standard of the justice of agents, which involves conformity to principles of justice that regulate their conduct"[21]. While Anderson does not explicitly discuss Nozickian libertarianism for instance, it is not difficult to notice that the theory would fall in the latter category rather than the former, since it also makes the claim that particular distributions are not just in themselves, but are simply produced if agents conform to a just procedure[22]. Nozickian libertarianism, as well as Anderson's democratic equality, are therefore theories of justice but not theories of distributive justice, under this view, since the extent to which distributions of burdens and benefits are to be considered just or unjust is entirely derivative on some other, more primitive, feature.

To conclude this section, the point is not that Stoian's construal of a theory of distributive justice is inherently flawed, but rather that there are multiple plausible interpretations of the concept and the literature specific to contemporary analytical political philosophy does not appear to uncontroversially endorse any particular conception. In fact, as I have shown earlier on, Stoian himself offers two views (which are distinct from the third view defended in the previous paragraph) of what a theory of distributive justice is, which do not fully overlap (for instance, one of them includes cases like *Divided World* within the scope of a theory of distributive justice, while the

[20] *Ibidem*, p. 2.
[21] *Ibidem*.
[22] Note, however, that in a different work Anderson (see Elizabeth Anderson, "Justifying the Capabilities Approach to Justice", in Harry Brighouse, Ingrid Robeyns (eds.), *Measuring Justice: Primary Goods and Capabilities*, Cambridge University Press, Cambridge, 2010 pp. 81-82) explicitly claims that Nozickian libertarianism is a theory of distributive justice, since it does specify a distributive rule even if this rule is an unconstrained procedural one. To the extent that in this work Anderson also uses the notion of a theory of distributive justice and the notion of a theory of justice interchangeably I maintain that her own interpretation conflicts with the view set out in Elizabeth Anderson, "What is...cit" and in Elizabeth Anderson, "The Fundamental...cit", which has been described above.

other denies that such a theory is applicable for the *Divided World* case). Stoian's criticism is still valuable however, in so far as it presses for a more detailed specification of what is precisely meant by the notions of distributive justice and theories of distributive justice, a task which I hope to have more successfully addressed here than in the original article.

On Anarchism and Distributive Justice

A second line of criticism opened by Stoian concerns the idea that anarchism, understood as a political ideology, occupies an illegitimate place in my analysis, since it cannot be intelligibly discussed within the context of distributive justice. Stoian offers two central claims in order to defend his position: (1) anarchism fits in with debates in the field of political obligations, not in the field of distributive justice and (2) distributive justice presupposes a coercive state and anarchism rejects the existence of coercive states. While I largely agree with Stoian's analysis of anarchism, I disagree with the implication that my initial argument is negatively affected by his claims. Once again, I will examine each of them in turn. It is definitely true that philosophical (and, perhaps, ideological) anarchism normally counterposes with the idea that we have duties or obligations to abide by state authority, a discussion which does indeed take place within the philosophical field of political obligations. But this does not prevent us from examining *possible* implications of ideological anarchism in connection to the idea of distributive justice, since the conclusions might be that the two notions are simply incompatible. In my article I wrote that

> "the pattern element is incompatible [...] with anarchism, in both the individualist and collectivist versions, since the common thread which runs through both of them is that anarchism is the approach which considers that all forms of human association must be voluntary"[23].

Thus, anarchism has distributive implications, since it does say something about the way in which benefits and burdens should be distributed in a specific group, but, much like libertarianism, the distributive implications are only derivative since the theory is not patterned, thereby falling outside the purview of distributive justice. Maintaining Stoian's analogy that anarchism and theories of distributive justice are different fish in different ponds, I would argue that I never claimed that anarchism is a fish in the pond of distributive justice, but I merely offered *one reason* for why anarchism cannot swim in that particular pond.

[23] Alexandru Volacu, "On the Ideological...cit.", p. 115.

Such a reason is also provided by Stoian in his second claim, where he once again appeals to the Rawlsian definition of a theory of distributive justice in order to argue that we cannot discuss about such theories outside the framework of a coercive state. Assume, for the sake of the argument, that this is right and that in order for something to count as a theory of distributive justice we need a commonly shared framework for the production of benefits and a coercive mechanism through which distribution would be achieved (although this is by no means uncontroversial). The conclusion which we should draw is then simply that ideological anarchism is incompatible with distributive justice, a conclusion which I also draw using a different argument. Now, it might be objected (although I find it implausible) that my argument is mistaken since the absence of a pattern is insufficient for the exclusion of a theory from the field of theories of distributive justice, but Stoian's argument does not advance a substantive claim of this type, merely offering instead a different argument which leads to the same conclusion as my own. I therefore fail to see how either of Stoian's two claims show that my argument that anarchism is incompatible with distributive justice is wrong, since they either explicitly state the same conclusion (the first claim) or also argue in favour of it through different means (the second claim).

On the ELP, Marxism and Distributive Justice

A final major objection offered by Stoian concerns my conclusion that socialism, as embodied by the European Left Platform, is incompatible with distributive justice. The argument I originally offered[24] was that the ELP draws on a Marxist interpretations of society which does not allow any place for individual responsibility, a constraint which I argued is central in mainstream theories of distributive justice. Two types of arguments can be deployed against my initial position: (1) the Marxist account which underlies the ELP's discussion of class struggle does not preclude considerations of individual responsibility from entering the picture and (2) individual responsibility is not essential to a theory of distributive justice. Stoian has opted to take the first of these routes and in this process he has launched into an ample discussion on the more general relation between Marxism and distributive justice. While I do not question the soundness of his analysis of Marxism or the importance which this analysis has on its own, only a very specific part engages with my own arguments, namely the discussion on holism/individualism. Here, Stoian argues that while the holistic account which I adhere to has been a common thread in the history of Marxism, more recent accounts belonging to the field of Analytical Marxism dispense with the standard view and provide individualistic

[24] *Ibidem*, p. 119.

interpretations of the Marxist framework. I think that Stoian is right in pointing out that if Analytical Marxism can be used to discuss concepts such as class struggle in individualistic terms (and I see no reason to reject this idea), my initial conclusion regarding the ELP Manifesto fails. Furthermore, the second route described above can also plausibly be taken and while I also point to it in my original text[25] as a potential caveat, I now consider that it decisively refutes my original claim concerning socialism and the ELP. As discussed in my original paper, individual responsibility can be interpreted as a constraint placed on the pattern of distribution[26]. While it is true that a wide range of the most salient theories of distributive justice do make room for some form of individual responsibility[27], other theories of distributive justice may plausibly be constructed in the absence of such a constraint[28] and if our methodological strategy is to examine the link between ideologies and commonly-shared *core* features of theories of distributive justice it is highly questionable that ideologies which do not take individual responsibility seriously should be rejected as incompatible with the idea of distributive justice, as I previously suggested.

Conclusions

In conclusion, I am grateful to Stoian for his insightful criticism of some of the positions which I held in my original article. While I disagree with his conclusion on the question of what it means for a theory to count as a theory

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[25] *Ibidem*, p. 118.

[26] Other values, aside from that of responsibility, might also constrain the distributive pattern, such as efficiency (see Bertil Tungodden, Peter Vallentyne, "On the Possibility of Paretian Egalitarianism", *Journal of Philosophy*, vol. 102, no. 3, 2005, pp. 126-154), fairness (see Alexandru Volacu, Oana Dervis, "Pluralist Welfare Egalitarianism and the Expensive Tastes Objection", *Contemporary Political Theory*, Advanced Online Publication, doi: 10.1057/cpt.2015.67, 2015) or others.

[27] See Ronald Dworkin, "What is Equality? Part 2: Equality of Resources", *Philosophy and Public Affairs*, vol. 10, no. 4, 1981, pp. 183-345; Amartya Sen, "Well-Being, Agency and Freedom", *Journal of Philosophy*, vol. 82, no. 4, 1985, pp. 169-221; Richard Arneson, "Equality and Equal Opportunity for Welfare", *Philosophical Studies*, vol. 56, no. 1, 1989, pp. 77-93; Gerald Cohen, "On the Currency of Egalitarian Justice", *Ethics*, vol. 99, no. 4, 1989, pp. 906-944; Eric Rakowski, *Equal Justice*, Oxford University Press, New York, 1991; John Roemer, "A Pragmatic Theory of Responsibility for the Egalitarian Planner", *Philosophy and Public Affairs*, vol. 22, no. 2, 1993, pp. 146-166; Richard Arneson, "Luck Egalitarianism and Prioritarianism", *Ethics*, vol. 110, no. 2, 2000, pp. 339-349; Serena Olsaretti, "Responsibility and the Consequences of Choice", *Proceedings of the Aristotelian Society*, vol. 109, no.1, 2009, pp. 165-188; Zofia Stemplowska, "Making Justice Sensitive to Responsibility", *Political Studies*, vol. 57, no. 2, 2009, pp. 237-259.

[28] See for instance Kasper Lippert-Rasmussen, *Deontology, Responsibility, and Equality*, University of Copenhagen, Copenhagen, 2005.

of distributive justice and with his conclusion on my assessment of the incompatibility between ideological anarchism and distributive justice, his comments have opened the way for a deeper discussion on these matters and have helped me to clarify my initial positions in a sharper way. Furthermore, I find his main objection to my construal of the incompatibility between socialism and distributive justice convincing and, together with the second argument I have offered in the previous section, it has led me to recant my initial position on the issue. On the wider project outlined in the initial article, which seeks to examine political ideologies in terms of their relation with more abstract normative concepts (such as distributive justice) the bulk of work remains, however, to be done. On this topic, as well, I agree with Stoian in claiming that "the best comparison should [...] be between individual theories of distributive justice and individual ideologies" rather than by comparing ideologies with commonly shared core features of theories of distributive justice as I have done, but I retain the hope that the broad analysis advanced in my original paper can be construed as a plausible preliminary groundwork for more in-depth future studies.