

LAWRENCE A. ALEXANDER

## Zimmerman on Coercive Wage Offers

Do capitalists *coerce* wage earners into accepting their wage proposals? There appear to be several strategies available for answering this question. First, one might deem coercion to be an essentially moral concept. Thus, whether a wage proposal—“work for me or starve”—is coercive would depend on the prior moral rights and duties of the parties, namely, whether the offeree has a moral right both to refrain from working for the offeror and to eat as well. Second, one might locate the coerciveness of wage proposals in their exploitive characteristic. Thus, a wage offer that attempts to translate the hard luck of the offeree into a large exchange surplus for the offeror would be coercive even if the offeror had no moral duty to alleviate the offeree’s plight in any way. Third, one might think that a wage proposal could be coercive only if it is a *threat*, that is, if the offeree strongly prefers the preproposal situation to the postproposal situation. Because capitalist workers undoubtedly prefer having the choice between working and starving to having no choice but starving, capitalist wage proposals are noncoercive. Finally, one might employ a combination of strategies and analyze the coerciveness of proposals in terms of whether they are wrongful threats, wrongful exploitation, or exploitive threats. (Since capitalist wage proposals are not threats, they could be deemed coercive only under the “wrongful exploitation” analysis of coercion.)

David Zimmerman rejects all of these strategies.<sup>1</sup> He rejects the first—the moral analysis—because that analysis fails to account for the intuition that many threats and offers are morally wrong because they are coercive, not coercive because they are morally wrong (pp. 124–31). He rejects the second—the analysis in terms of exploitation—because he believes

1. David Zimmerman, “Coercive Wage Offers,” *Philosophy & Public Affairs* 10, no. 2 (Spring 1981): 121–45 (hereinafter cited by page numbers in the text).

it rests on the moral equation of not-helping with harming, a variant of the moral analysis, and more importantly because he believes one can exploit without *limiting the freedom* of the exploited (pp. 134–35). Limiting freedom—not violation of rights or exploitation—is central to the concept of coercion in Zimmerman’s view. Zimmerman, however, rejects the third strategy as well, which analyzes the coerciveness of proposals in terms of whether they are threats, because he believes that some genuine offers can be coercive. He points to Nozick’s example of a slave owner who beats his slave daily, but who one day proposes to forgo the daily beating if the slave will perform some disagreeable task.<sup>2</sup> The proposal is an offer, not a threat, because the slave prefers the postproposal situation to the preproposal one. But Zimmerman and Nozick agree that the proposal is still coercive (pp. 126–27).

Nozick analyzes the coerciveness in terms of the slave owner’s moral duty to go further and free the slave. Zimmerman, however, analyzes the coerciveness (pp. 134–35) as follows: He asks us to imagine an island where *A* and *B* own the only two factories, the only two sources of employment. *A* kidnaps *Q* from the mainland where jobs are available to *Q* that are considerably preferable to jobs in either *A*’s or *B*’s factory. *Q* is faced with starving or working for either *A* or *B*. The offer by *B* to hire *Q* may be exploitive says Zimmerman, and *B* may be immoral not to aid *Q* in returning to the mainland. But *B*’s offer to hire *Q* is not coercive. *A*’s similar offer *is* coercive, however, because it is *A* who put *Q* in his present situation. Zimmerman concludes that a proposal (for example, to forgo beating the slave upon the slave’s performance of a disagreeable task) is an offer if the offeree prefers the postproposal situation to the preproposal situation (beatings); and it is a *coercive* offer if there is an alternative preproposal situation (freedom) that the offeree strongly prefers to the actual preproposal situation and that the offeror actively prevents the offeree from having (p. 133). On this analysis, capitalist wage proposals are coercive and thus *prima facie* wrong if it is true that capitalists actively prevent workers from being in a feasible preproposal situation that the workers strongly prefer.

Zimmerman’s analysis of coercive offers, however, is either vulnerable to a *reductio ad absurdum* or reduces to a moral analysis after all. If we take the analysis as stated, *every offer*, whether in a capitalist or socialist

2. Robert Nozick, “Coercion,” in *Philosophy, Science and Method*, ed. Sidney Morgenbesser et al. (New York: St. Martin’s Press, 1969), p. 450.

system, is coercive, because there is always a preproposal situation strongly preferred that the offeror (along with others) actively prevents from obtaining, namely, a situation in which the offeree possesses all of the society's wealth! (For example, even an offer to pay me \$10,000 a week to teach classes is coercive on Zimmerman's analysis because my employer actively prevents me from writing checks on its bank account, a situation I strongly prefer to having to teach.)

Of course, Zimmerman would not welcome this absurd result of his analysis because, if they are all coercive, economic systems cannot be distinguished on this basis. Moreover, the examples he gives show that he does not apply his analysis of coercion as he states it. Thus, *B* on the hypothetical island no doubt actively prevents *Q* from grabbing the deed to the factory, possession of which *Q* would strongly prefer to his present situation of either working for *B* or starving. And Zimmerman says that the owner of a natural monopoly exploits but does not coerce offerees by charging an outrageously high price, even though he no doubt actively prevents their grabbing the monopolized product without paying, their strongly preferred preproposal situation (p. 137).

Zimmerman does say that we are not to consider alternative preproposal situations that are *not possible* historically, economically, or technologically (p. 132). It is hard to know what to make of the requirement of economic or historical possibility. What are we to take as given, and what is subject to moral choice? Moreover, suppose it is, in the relevant sense, historically and economically possible to have a capitalist system in which workers are poor and capitalists rich, or to have a socialist system in which everyone is a middle-class worker. What will we have shown? Perhaps that capitalist wage proposals are coercive to workers, since we can assume that the capitalists actively prevent a distribution of wealth along socialist lines. But by the same token we will have shown that wage proposals under socialism are coercive to would-be capitalists. So where are we?

Zimmerman suggests that whether a preproposal situation is economically possible turns on whether the offeror actively prevents it from existing as opposed to his merely not producing it (p. 133). But there are only three ways that I can see to make the distinction between preventing and not producing. First, it could be made in terms of acts versus omissions. Aside from the notorious difficulty of that distinction, it will not prove helpful to Zimmerman. For Zimmerman wants to say that *B*, the

nonkidnapping factory owner, does not coerce Q, the kidnap victim, even though *B acts* to prevent Q from helping himself to the content of *B's* safe and omits providing Q with money and/or transportation back to the mainland.

The distinction between preventing and not producing can also be drawn in terms of moral rights. *B* perhaps has a moral right not to aid Q or give Q his property, and for that reason Q's preferred preproposal situation (possessing *B's* property) is not "economically possible." But drawing the distinction this way would, as Zimmerman recognizes (pp. 132–33), collapse the question of the coerciveness of capitalist wage proposals into the question of the moral rights of capitalists to their property, a course he wishes to avoid.

The only remaining way of drawing the distinction is to say that X prevents Y from obtaining a given preproposal situation if Y would have obtained that situation in a world without X, whereas X merely does not produce Y's preferred preproposal situation if Y could not obtain it in the absence of X. Libertarian liberals such as Nozick are primarily distinguishable from welfare-state liberals such as Rawls because the former do not allow any nonconsensual appropriation of X's body, talents, or labor—assets that would not exist to be appropriated by Y if X did not exist. If, in Zimmerman's island hypothetical, Q's strongly preferred preproposal situation would require that *B* give Q assets that would not have existed had *B* not existed, then *B's* refusal to put Q in such a preproposal situation is a case of not producing the situation rather than one of actively preventing it, and *B's* wage proposal to Q is noncoercive. If Q has an alternative, strongly preferred preproposal situation in which he possesses resources now possessed by *B*, but resources that are not human products—for example, land, air, and scenic views that could have been possessed by Q had *B* not existed—then *B's* refusal to put Q in such a situation is coercive. Of course, the implications of this are uncertain. For instance, if the natural resources are given to Q rather than *B*, and now *B* must work at a distasteful job for Q or starve, Q's wage proposal to *B* will also be coercive. If the resources are split evenly, *both B's* and Q's wage proposals to the other will be coercive if each strongly prefers the preproposal situation in which he could have possessed all the resources.

In any event, because scarce natural resources must be allocated under both capitalism and socialism, thus, through the enforcement by society of that allocation, actively preventing practically everyone from obtaining

his strongly preferred situation of possessing all the natural resources, *wage proposals will frequently be coercive under both capitalism and socialism*. Moreover, it is at least theoretically possible under a libertarian version of capitalism to have no wage proposal be coercive—when natural resources up to the limit of what anyone can use are in abundance, and the only scarcity is in human resources (bodies, labor, talents). Under a socialist system, however, that compels the talented and fortunate to labor at least part of the time for the less talented and fortunate, or to redistribute body parts, and so forth, there will *always* be coercive wage proposals, namely, those made to persons who would have been much better off in a libertarian-capitalist system.

All of this leads to two conclusions: (1) Zimmerman's account of what makes wage proposals coercive is defective; and (2) the coerciveness of wage proposals—as opposed to the justice of the distribution of property—is not the point on which the moral merits of capitalism versus socialism can or should turn.