

Money and Commodities

The Universal Pander

There are two questions with regard to money: What can it buy? and, How is it distributed? The two must be taken up in that order, for only after we have described the sphere within which money operates, and the scope of its operations, can we sensibly address its distribution. We must figure out how important money really is.

It is best to begin with the naïve view, which is also the common view, that money is all-important, the root of all evil, the source of all good. “Money answereth all things,” as Ecclesiastes says. According to Marx, it is the universal pander, arranging scandalous couplings between people and goods, breaching every natural, every moral barrier. Marx might have discovered this by looking around in nineteenth-century Europe, but in fact he found it in a book, Shakespeare’s *Timon of Athens*, where Timon, digging for buried gold, interrogates his object:

Gold? yellow, glittering, precious gold? No, gods,
I am no idle votarist: roots, you clear heavens!
Thus much of this will make black, white; foul, fair;
Wrong, right; base, noble; old, young; coward,
valiant.

.....
Why this
Will lug your priests and servants from your sides;
Pluck stout men’s pillows from below their heads:

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This yellow slave
Will knit and break religions; bless th'accurst;
Make the hoar leprosy ador'd; place thieves,
And give them title, knee, and approbation,
With senators on the bench: this is it
That makes the wappen'd widow wed again;
She whom the spital-house and ulcerous sores
Would cast the gorge at, this embalms and spices
To the April day again. Come, damned earth,
Thou common whore of mankind, that putt'st odds
Among the rout of nations, I will make thee
Do thy right nature.¹

Timon has been brought to a state of nihilistic despair, but this is nevertheless the familiar language of moral criticism. We don't like to see priests corrupted, or stout men robbed of their comfort, or religions broken, or thieves admitted to rank and title. But why shouldn't the "wappen'd widow" be spiced to the April day again? Timon is moved here by an aesthetic, not a moral, scruple. The point, however, is the same: the widow is transformed by her money. So are we all, if only we are rich enough. "What I am and can do," wrote Marx, "is not at all determined by my individuality. I am ugly, but I can buy the most beautiful women for myself. Consequently, I am not ugly . . . I am stupid, but since money is the real mind of all things, how should its possessor be stupid?"²

This is the "right nature" of money—perhaps especially so in a capitalist society, but more generally too. Marx, after all, was quoting Shakespeare, and Shakespeare put his words into the mouth of an Athenian gentleman. Wherever money is used, it panders between incompatible things, it breaks into "the self-subsistent entities" of social life, it inverts individuality, "it forces contraries to embrace." But that, of course, is what money is for; that's why we use it. It is, in more neutral language, the universal medium of exchange—and a great convenience, too, for exchange is central to the life we share with other men and women. The simple egalitarianism of Shakespeare's plebeian rebel Jack Cade:

. . . there shall be no money!³

has its echoes in contemporary radical and socialist thought, but I have difficulty imagining what sort of society it is meant to suggest. Contemporary radicals certainly do not intend to re-establish a barter economy and pay workers in kind. Perhaps they mean to pay workers in labor/time chits exchangeable only at state stores. But these would

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soon be exchanged more widely, behind the backs of the police if necessary. And Timon would reappear, digging for buried chits.

What Shakespeare and Marx objected to is the universality of the medium, not the medium itself. Timon thinks that universality is of the nature of money, and perhaps he is right. Conceived abstractly, money is simply a representation of value. Hence, it's not implausible to hold that every valued thing, every social good, can be represented in monetary terms. It may be that a series of translations are necessary in order to get from this valued thing to that cash value. But there is no reason to think that the translations can not be made; indeed, they are made every day. Life itself has a value, and then eventually a price (different conceivably for different lives)—else how could we even think about insurance and compensation? At the same time, we also experience the universality of money as somehow degrading. Consider the definition of the cynic attributed to Oscar Wilde: "A man who knows the price of everything and the value of nothing." That definition is too absolute; it's not cynical to think that price and value will sometimes coincide. But often enough money fails to represent value; the translations are made, but as with good poetry, something is lost in the process. Hence we can buy and sell universally only if we disregard real values; while if we attend to values, there are things that cannot be bought and sold. Particular things: the abstract universality of money is undercut and circumscribed by the creation of values that can't easily be priced or that we don't want priced. Though these values are often in dispute, we can investigate what they are. It is an empirical matter. What monetary exchanges are blocked, banned, resented, conventionally deplored?

What Money Can't Buy

I have already referred to the sin of simony, which we might take as a paradigmatic example of a blocked exchange. God's offices are not for sale—not, at least, so long as God is conceived in a certain way. In a culture different from that of the Christian Middle Ages, the block might be broken: if the gods can be appeased by sacrifices, why can't they be bribed by glittering gold? In the church, however, this sort of bribery is ruled out. Not that it doesn't occur, but everyone knows that

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it ought not to occur. It is a clandestine trade; buyer and seller alike will lie about what they have done. Dishonesty is always a useful guide to the existence of moral standards. When people sneak across the boundary of the sphere of money, they advertise the existence of the boundary. It's there, roughly at the point where they begin to hide and dissemble. But sometimes it takes a fight to mark off a clear line, and until then trade is more or less open. Money is innocent until proven guilty.

Conscription in 1863

The Enrollment and Conscription Act of 1863 established the first military draft in American history. From colonial times, militia service had been compulsory, but that was a local and neighborly compulsion, and it was generally thought that no one was bound to fight far from home. The Mexican War, for example, was fought entirely with volunteers. But the Civil War was a struggle on a different scale; enormous armies were massed for battle; fire power was greater than ever before; casualties were high; and the need for men grew as the fighting dragged on. The War Department—and President Lincoln, too—thought that a national draft was the only way to win the war.⁴ The draft was bound to be unpopular, given the localist traditions of American politics and the deep anti-statism of liberal thought (and the extent and depth of anti-war feeling). And, in fact, its enforcement was bitterly and often violently opposed. But it set a precedent. Compulsion was definitively lifted from the local to the national level where it has sat ever since; and service in the federal army, rather than the local militia, was established as the obligation of citizens. One provision of the 1863 act, however, set only a negative precedent—the exemption of any man whose name was drawn in the lottery if he was willing and able to put up three hundred dollars to pay a substitute.

Exemptions could be purchased for three hundred dollars. The practice was not entirely new. The local militias fined men who did not turn out for muster, and it was a matter of some resentment that well-to-do citizens often treated the fine as a tax in lieu of service (while impoverished citizens were threatened with debtor's prison).⁵ But now the war and the bloodiness of the war sharpened the resentment. "Does [Lincoln] think that poor men are to give up their lives," asked one New Yorker, "and let rich men pay three hundred dollars in order to stay home?"⁶ It's not clear what part such opinions played in the anti-draft riots that rocked Manhattan in July of 1863, after the first

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drawing of lots. In any case, it was an opinion reiterated across the country that poor men should not have to give up their lives; and though the law was enforced, nothing like it was ever re-enacted. Was the trade innocent in the militias, when little more was involved than a few hours of drilling and marching? Certainly, a Rousseauian political theorist would say No, and he could once have made a strong appeal to the republican convictions of ordinary Americans. But militia service was radically devalued in the years before the Civil War, and the Rousseauian punishments for non-attendance—ostracism or expulsion from the community—would have seemed excessive to most Americans. Perhaps the fine captured the meaning of the service. The case was different, however, when life itself was at stake.

It's not that three hundred dollars was too cheap a price, or that dangerous jobs could not be sold for more or less than that amount on the labor market. Rather, the state could not impose a dangerous job on some of its citizens and then exempt others for a price. That claim spoke to a deep sense of what it meant to be a citizen of the state—or better, of this state, the United States in 1863. One could make the claim good, I think, even against a majority of the citizens, for they might well misunderstand the logic of their own institutions or fail to apply consistently the principles they professed to hold. But in 1863 it was the resistance and resentment of masses of citizens that drew the line between what could be sold and what could not. The War Department had acted casually, and Congress had barely attended to the legislation. They meant, it was later said, only to provide an “incentive” for enlistment.⁷ In fact, they counted on a double incentive: the danger of death was an incentive for some men to pay three hundred dollars to other men, for whom three hundred dollars was an incentive to accept the danger of death. It was a bad business in a republic, for it seemed to abolish the *public thing* and turn military service (even when the republic itself was at stake!) into a private transaction.

That the law was never re-enacted is not to say that similar effects have not been sought. Only the methods have been less direct and the results less efficiently achieved, as in the case of draft deferrals for college students or of bonuses for conscripts who re-enlist. But we acknowledge now the principle of equal treatment—because of the political struggles of 1863; and we know roughly where the boundary is that it marks out. So we can oppose even roundabout and clandestine crossings, re-enactments through legislative subterfuge of what cannot be re-enacted openly. The sale of exemptions is a blocked exchange; and there are many other sales similarly blocked, at least in principle.

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Blocked Exchanges

Let me try to suggest the full set of blocked exchanges in the United States today. I will rely in part on the first chapter of Arthur Okun's *Equality and Efficiency*, where Okun draws a line between the sphere of money and what he calls "the domain of rights."⁸ Rights, of course, are proof against sale and purchase, and Okun revealingly recasts the Bill of Rights as a series of blocked exchanges. But it's not only rights that stand outside the cash nexus. Whenever we ban the use of money, we do indeed establish a right—namely, that this particular good be distributed in some other way. But we must argue about the meaning of the good before we can say anything more about its rightful distribution. I want now to postpone most of the arguments and simply provide a list of things that cannot be had for money. The list repeats or anticipates other chapters, for it is a feature of the sphere of money that it abuts every other sphere; that's why it is so important to fix its boundaries. Blocked exchanges set limits on the dominance of wealth.

1. Human beings cannot be bought and sold. The sale of slaves, even of oneself as a slave, is ruled out. This is an example of what Okun calls "prohibitions on exchanges born of desperation."⁹ There are many such prohibitions; but the others merely regulate the labor market, and I will list them separately. This one establishes what is and is not marketable: not persons or the liberty of persons, but only their labor power and the things they make. (Animals are marketable because we conceive them to be without personality, even though liberty is undoubtedly a value for some of them.) Personal liberty is not, however, proof against conscription or imprisonment; it is proof only against sale and purchase.

2. Political power and influence cannot be bought and sold. Citizens cannot sell their votes or officials their decisions. Bribery is an illegal transaction. It hasn't always been so; in many cultures gifts from clients and suitors are a normal part of the remuneration of office holders. But here the gift relationship will only work—that is, fit into a set of more or less coherent meanings—when "office" hasn't fully emerged as an autonomous good, and when the line between public and private is hazy and indistinct. It won't work in a republic, which draws the line sharply: Athens, for example, had an extraordinary set of rules designed to repress bribery; the more offices the citizens shared, the more elaborate the rules became.¹⁰

3. Criminal justice is not for sale. It is not only that judges and juries

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cannot be bribed, but that the services of defense attorneys are a matter of communal provision—a necessary form of welfare given the adversary system.

4. Freedom of speech, press, religion, assembly: none of these require money payments; none of them are available at auction; they are simply guaranteed to every citizen. It's often said that the exercise of these freedoms costs money, but that's not strictly speaking the case: talk and worship are cheap; so is the meeting of citizens; so is publication in many of its forms. Quick access to large audiences is expensive, but that is another matter, not of freedom itself but of influence and power.

5. Marriage and procreation rights are not for sale. Citizens are limited to one spouse and cannot purchase a license for polygamy. And if limits are ever set on the number of children we can have, I assume that these won't take the form that I imagined in chapter 2: licenses to give birth that can be traded on the market.

6. The right to leave the political community is not for sale. The modern state has, to be sure, an investment in every citizen, and it might legitimately require that some part of that investment be repaid, in work or money, before permitting emigration. The Soviet Union has adopted a policy of this sort, chiefly as a mechanism to bar emigration altogether. Used differently, it seems fair enough, even if it then has differential effects on successful and unsuccessful citizens. But the citizens can claim, in their turn, that they never sought the health care and education that they received (as children, say) and owe nothing in return. That claim underestimates the benefits of citizenship, but nicely captures its consensual character. And so it is best to let them go, once they have fulfilled those obligations-in-kind (military service) that are fulfilled in any case by young men and women who aren't yet fully consenting citizens. No one can buy his way out of these.

7. And so, again, exemptions from military service, from jury duty, and from any other form of communally imposed work cannot be sold by the government or bought by citizens—for reasons I have already given.

8. Political offices cannot be bought; to buy them would be a kind of simony, for the political community is like a church in this sense, that its services matter a great deal to its members and wealth is no adequate sign of a capacity to deliver those services. Nor can professional standing be bought, insofar as this is regulated by the community, for doctors and lawyers are our secular priests; we need to be sure about their qualifications.

9. Basic welfare services like police protection or primary and second-

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ary schooling are purchasable only at the margins. A minimum is guaranteed to every citizen and doesn't have to be paid for by individuals. If policemen dun shopkeepers for protection money, they are acting like gangsters, not like policemen. But shopkeepers can hire security guards and nightwatchmen for the sake of a higher level of protection than the political community is willing to pay for. Similarly, parents can hire private tutors for their children or send them to private schools. The market in services is subject to restraint only if it distorts the character, or lowers the value, of communal provision. (I should also note that some goods are partially provided, hence partially insulated from market control. The mechanism here is not the blocked but the subsidized exchange—as in the case of college and university education, many cultural activities, travel generally, and so on.)

10. Desperate exchanges, "trades of last resort," are barred, though the meaning of desperation is always open to dispute. The eight-hour day, minimum wage laws, health and safety regulations: all these set a floor, establish basic standards, below which workers cannot bid against one another for employment. Jobs can be auctioned off, but only within these limits. This is a restraint of market liberty for the sake of some communal conception of personal liberty, a reassertion, at lower levels of loss, of the ban on slavery.

11. Prizes and honors of many sorts, public and private, are not available for purchase. The Congressional Medal of Honor cannot be bought, nor can the Pulitzer Prize or the Most Valuable Player Award, or even the trophy given by a local Chamber of Commerce to the "businessman of the year." Celebrity is certainly for sale, though the price can be high, but a good name is not. Prestige, esteem, and status stand somewhere between these two. Money is implicated in their distribution; but even in our own society, it is only sometimes determinative.

12. Divine grace cannot be bought—and not only because God doesn't need the money. His servants and deputies often do need it. Still, the sale of indulgences is commonly thought to require reform, if not Reformation.

13. Love and friendship cannot be bought, not on our common understanding of what these two mean. Of course, one can buy all sorts of things—clothing, automobiles, gourmet foods, and so on—that make one a better candidate for love and friendship or more self-confident in the pursuit of lovers and friends. Advertisers commonly play on these possibilities, and they are real enough.

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For money has a power above
The stars of fate, to manage love.¹¹

But the direct purchase is blocked, not in the law but more deeply, in our shared morality and sensibility. Men and women marry for money, but this is not a “marriage of true minds.” Sex is for sale, but the sale does not make for “a meaningful relationship.” People who believe that sexual intercourse is morally tied to love and marriage are likely to favor a ban on prostitution—just as, in other cultures, people who believed that intercourse was a sacred ritual would have deplored the behavior of priestesses who tried to make a little money on the side. Sex can be sold only when it is understood in terms of pleasure and not exclusively in terms of married love or religious worship.

14. Finally, a long series of criminal sales are ruled out. Murder, Inc., cannot sell its services; blackmail is illegal; heroin cannot be sold, nor can stolen goods, or goods fraudulently described, or adulterated milk, or information thought vital to the security of the state. And arguments go on about unsafe cars, guns, inflammable shirts, drugs with uncertain side effects, and so on. All these are useful illustrations of the fact that the sphere of money and commodities is subject to continuous redefinition.

I think that this is an exhaustive list, though it is possible that I have omitted some crucial category. In any case, the list is long enough to suggest that if money answereth all things, it does so, as it were, behind the backs of many of the things and in spite of their social meanings. The market where exchanges of these sorts are free is a black market, and the men and women who frequent it are likely to do so sneakily and then to lie about what they are doing.

What Money Can Buy

What is the proper sphere of money? What social goods are rightly marketable? The obvious answer is also the right one; it points us to a range of goods that have probably always been marketable, whatever else has or has not been: all those objects, commodities, products, services, beyond what is communally provided, that individual men and women find useful or pleasing, the common stock of bazaars, emporiums, and trading posts. It includes, and probably always has included,

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luxuries as well as staples, goods that are beautiful as well as goods that are functional and durable. Commodities, even when they are primitive and simple, are above all commodious; they are a source of comfort, warmth, and security. Things are our anchors in the world.¹² But while we all need to be anchored, we don't all need the same anchor. We are differently attached; we have different tastes and desires; we surround ourselves, clothe ourselves, furnish our homes, with a great variety of things, and we use, enjoy, and display the things we have in a great variety of ways. Object relations are polymorphous in character. It is sometimes said that this polymorphousness is a modern perversion, but I suspect that it is a constant of human life. Archeological digs regularly turn up a profusion of goods (or bits and pieces of goods, the shards of commodities): decorated pots and vases; baskets; jewelry; mirrors; trimmed, embroidered, beaded, and feathered clothing; tapestries; scrolls—and coins, endless numbers of coins; for all these other things, once barter has been superseded, exchange for money. No doubt, every culture has its own characteristic set of commodities, determined by its mode of production, its social organization, and the range of its trade. But the number of commodities in every set is always large, and the standard way of sorting them out is market exchange.

Not the only way: gift giving is an important alternative, and I will come back to it later. But the market is standard, even though what counts as a commodity is not standard. And market relations reflect a certain moral understanding that applies to all those social goods that count as marketable (and doesn't apply to those that don't). Sometimes the understanding is implicit; in our own society, ever since the emancipation of the market from feudal constraints, the understanding has been explicit, its elaboration a central feature of our cultural life. Beyond whatever is communally provided, no one is entitled to this or that useful or pleasing object. Commodities don't come with proper names attached, like packages from a department store. The right way to possess such things is by making them, or growing them, or somehow providing them or their cash equivalents for others. Money is both the measure of equivalence and the means of exchange; these are the proper functions of money and (ideally) its only functions. It is in the market that money does its work, and the market is open to all comers.

In part, this view of money and commodities rests upon the sense that there is no more efficient distributive process, no better way of bringing individual men and women together with the particular things they take to be useful or pleasing. But at a deeper level, market morality (in, say, its Lockean form) is a celebration of the wanting, making,

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owning, and exchanging of commodities. They are indeed widely wanted, and they have to be made if they are to be had. Even Locke's acorns—his example of a simple and primitive commodity—don't grow on trees; the metaphor doesn't apply: they are not readily and universally available. Things can be had only with effort; it is the effort that seems to supply the title or, at least, the original title; and once they are owned, they can also be exchanged.¹³ So wanting, making, owning, and exchanging hang together; they are, so to speak, commodity's modes. Still, one can recognize these modes without celebrating them. Their conjunction is appropriate within the boundaries of the sphere of money and commodities, not elsewhere. The Lockean celebration has tended to overspill the boundaries, turning market power into a kind of tyranny, distorting distributions in other spheres. This is a common perception, and I shall recur to it frequently. But commodities can outgrow their proper place in another way, which requires more immediate notice.

Ask again, What does money buy? The sociologist Lee Rainwater, studying the "social meanings of income," gives a radical and worrying reply: "Money buys membership in industrial society." Rainwater doesn't mean to tell us that immigration and naturalization officials can be bribed. His argument cuts deeper. The normal activities that enable individuals to see themselves and to be seen by others as full members, social persons, have increasingly become consumption activities; they require money.

Thus money does not just buy food and clothing and housing and appliances, cars . . . and vacations. The purchase of all these commodities in turn allows the achievement and day-to-day living out of an identity as an at least "average American." . . . When people are not protected from this inexorable dynamic of money economies by some local cultural enclave, they cannot fail to define themselves most basically in terms of their access to all that money can buy.¹⁴

It's not just that individuals differentiate themselves by the choices they make within the sphere of money and commodities, or even that they are differentiated by their successes and failures in that sphere. Of course, the market is a setting for competition, and so it distributes certain sorts of esteem and dis-esteem (not all sorts). But Rainwater wants to say more than this. Unless we can spend money and deploy goods at levels beyond what is required for subsistence, unless we have some of the free time and convenience that money can buy, we suffer a loss more serious than poverty itself, a kind of status starvation, a sociological disinheritance. We become aliens in our own home-

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land—and often in our own homes. We can no longer play our parts as parents, friends, neighbors, associates, comrades, or citizens. It's not true everywhere; but in America today and in every society where the market is triumphant, commodities mediate membership. Unless we own a certain number of socially required things, we cannot be socially recognized and effective persons.

Rainwater provides a sociological account of the fetishism of commodities. He describes an advertiser's dream, for this is the central message of the modern advertisement: that commodities carry meanings far beyond their obvious use, and that we need them for the sake of standing and identity. One can always say of the advertiser that he is exaggerating, even lying about, the importance of this automobile, say, or that brand of Scotch. But what if, behind his particular lies, there is a larger truth? Commodities are symbols of belonging; standing and identity are distributed through the market, sold for cash on the line (but available also to speculators who can establish credit). On the other hand, in a democratic society, the most basic definitions and self-definitions can't be put up for purchase in this way. For citizenship entails what we might call "belongingness"—not merely the sense, but the practical reality, of being at home in (this part of) the social world. This is a condition that can be renounced but never traded; it is not alienable in the marketplace. Economic failure, whatever loss of esteem comes with it, should never have the effect of devaluing citizenship, in either the legal or the social sense. And if it does have that effect, we must seek for remedies.

The obvious remedy is to redistribute money itself (through a negative income tax, for example) independently of the communal provision of goods and services: as we provide medical care in kind for the sake of health and longevity, so we would provide money in kind for the sake of membership. Or, we might guarantee jobs and a minimal income, on the premise that money and commodities are more likely to contribute to a strong sense of identity, in our culture, if they have been earned. But we can't redistribute commodities directly, not if we are to allow individual men and women to choose for themselves the things they find useful or pleasing and to define themselves and shape and symbolize their identities over and above the membership they share. And we can't try to locate the particular things without which membership is devalued or lost and make them the objects of communal provision, for the market will quickly turn up new things. If it's not one thing, it will be another, and advertisers will tell us that *this* is what we need now, if we are to hold our heads high. But the redistri-

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bution of money or of jobs and income neutralizes the market. Henceforth, commodities have only their use value—or, symbolic values are radically individualized and can no longer play any significant public role.

These arrangements will be fully effective, however, only if the redistribution leaves everyone with the same amount of money, and that is not, for reasons I have already given, a stable condition. The market produces and reproduces inequalities; people end up with more or less, with different numbers and different kinds of possessions. There is no way to ensure that everyone is possessed of whatever set of things marks the “average American,” for any such effort will simply raise the average. Here is a sad version of the pursuit of happiness: communal provision endlessly chasing consumer demand. Perhaps there is some point beyond which the fetishism of commodities will lose its grip. Perhaps, more modestly, there is some lower point at which individuals are safe against any radical loss of status. That last possibility suggests the value of partial redistributions in the sphere of money, even if the result is something well short of simple equality. But it also suggests that we must look outside that sphere and strengthen autonomous distributions elsewhere. There are, after all, activities more central to the meaning of membership than owning and using commodities.

Our purpose is to tame “the inexorable dynamic of a money economy,” to make money harmless—or, at least, to make sure that the harms experienced in the sphere of money are not mortal, not to life and not to social standing either. But the market remains a competitive sphere, where risk is common, where the readiness to take risks is often a virtue, and where people win and lose. An exciting place: for even when money buys only what it should buy, it is still a very good thing to have. It answereth some things that nothing else can answer. And once we have blocked every wrongful exchange and controlled the sheer weight of money itself, we have no reason to worry about the answers the market provides. Individual men and women still have reason to worry, and so they will try to minimize their risks, or to share them or spread them out, or to buy themselves insurance. In the regime of complex equality, certain sorts of risks will regularly be shared, because the power to impose risks on others, to make authoritative decisions in factories and corporations, is not a marketable good. This is only one more example of a blocked exchange; I will take it up in detail later. Given the right blocks, there is no such thing as a maldistribution of consumer goods. It just doesn't matter, from the standpoint of complex equality, that you have a yacht and I don't, or that the sound sys-

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tem of her hi-fi set is greatly superior to his, or that we buy our rugs from Sears Roebuck and they get theirs from the Orient. People will focus on such matters, or not: that is a question of culture, not of distributive justice. So long as yachts and hi-fi sets and rugs have only use value and individualized symbolic value, their unequal distribution doesn't matter.¹⁵

The Marketplace

There is a stronger argument about the sphere of money, the common argument of the defenders of capitalism: that market outcomes matter a great deal because the market, if it is free, gives to each person exactly what he deserves. The market rewards us all in accordance with the contributions we make to one another's well-being.¹⁶ The goods and services we provide are valued by potential consumers in such-and-such a way, and these values are aggregated by the market, which determines the price we receive. And that price is our desert, for it expresses the only worth our goods and services can have, the worth they actually have for other people. But this is to misunderstand the meaning of desert. Unless there are standards of worth independent of what people want (and are willing to buy) at this or that moment in time, there can be no deservingness at all. We would never know what a person deserved until we saw what he had gotten. And that can't be right.

Imagine a novelist who writes what he hopes will be a best seller. He studies his potential audience, designs his book to meet the current fashion. Perhaps he had to violate the canons of his art in order to do that, and perhaps he is a novelist for whom the violation was painful. He has stooped to conquer. Does he now deserve the fruits of his conquest? Does he deserve a conquest that bears fruit? His novel appears, let's say, during a depression when no one has money for books, and very few copies are sold; his reward is small. Has he gotten less than he deserves? (His fellow writers smile at his disappointment; perhaps that's what he deserves.) Years later, in better times, the book is reissued and does well. Has its author become more deserving? Surely desert can't hang on the state of the economy. There is too much luck involved here; talk of desert makes little sense. We would do better to say simply that the writer is entitled to his royalties, large or small.¹⁷

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He is like any other entrepreneur; he has bet on the market. It's a chancy business, but he knew that when he made the bet. He has a right to what he gets—after he has paid the costs of communal provision (he lives not only in the market but also in the city). But he can't claim that he has gotten less than he deserves, and it doesn't matter if the rest of us think that he has gotten more. The market doesn't recognize desert. Initiative, enterprise, innovation, hard work, ruthless dealing, reckless gambling, the prostitution of talent: all these are sometimes rewarded, sometimes not.

But the rewards that the market provides, when it provides them, are appropriate to these sorts of effort. The man or woman who builds a better mousetrap, or opens a restaurant and sells delicious blintzes, or does a little teaching on the side, is looking to earn money. And why not? No one would want to feed blintzes to strangers, day after day, merely to win their gratitude. Here in the world of the petty bourgeoisie, it seems only right that an entrepreneur, able to provide timely goods and services, should reap the rewards he had in mind when he went to work.

This is, indeed, a kind of "rightness" that the community may see fit to enclose and restrain. The morality of the bazaar belongs in the bazaar. The market is a zone of the city, not the whole of the city. But it is a great mistake, I think, when people worried about the tyranny of the market seek its entire abolition. It is one thing to clear the Temple of traders, quite another to clear the streets. The latter move would require a radical shift in our understanding of what material things are for and of how we relate to them and to other people through them. But the shift is not accomplished by the abolition; commodity exchange is merely driven underground; or it takes place in state stores, as in parts of Eastern Europe today, drearily and inefficiently.

The liveliness of the open market reflects our sense of the great variety of desirable things; and so long as that is our sense, we have no reason not to relish the liveliness. Walt Whitman's argument in *Democratic Vistas* seems to me exactly right:

For fear of mistake, I may as well distinctly specify, as cheerfully included in the model and standard of these Vistas, a practical, stirring, worldly, moneymaking, even materialistic character. It is undeniable that our farms, stores, offices, dry goods, coal and groceries, enginery, cash accounts, traders, earnings, markets, etc., should be attended to in earnest, and actively pursued, just as if they had a real and permanent existence.¹⁸

There is nothing degraded about buying and selling—nothing degraded in wanting to own that shirt (to wear it, to be seen in it), or

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in wanting to own this book (to read it, to mark it up), and nothing degraded in making such things available for a price, even if the price is such that I can't buy both the shirt and the book at the same time. But I want them both! That is another of the misfortunes with which the theory of distributive justice is not concerned.

The merchant panders to our desires. But so long as he isn't selling people or votes or political influence, so long as he hasn't cornered the market in wheat in a time of drought, so long as his cars aren't death traps, his shirts inflammable, this is a harmless pandering. He will try, of course, to sell us things we don't really want; he will show us the best side of his goods and conceal their dark side. We will have to be protected against fraud (as he will against theft). But the exchange is in principle a relation of mutual benefit; and neither the money that the merchant makes, nor the accumulation of things by this or that consumer, poses any threat to complex equality—not if the sphere of money and commodities is properly bounded.

But this argument may work only for the petty bourgeoisie, for the world of the bazaar and the street, for the corner grocery, the bookshop, the boutique, the restaurant (but not the chain of restaurants). What are we to think of the successful entrepreneur, who turns himself into a man of enormous wealth and power? I should stress that this sort of success is not the goal of every shopkeeper, not in the traditional bazaar, where long-term growth, a "rags-to-riches pattern of linear progress," doesn't figure in the economic culture, and not even in our own society, where it does.¹⁹ There are rewards in making do, living comfortably, dealing over the years with familiar men and women. Entrepreneurial triumph is only one of the ends of business. But it is an end intensely sought; and while failure is not problematic (failed entrepreneurs are still citizens in good standing), success inevitably is. The problems are of two sorts: first, the extraction not only of wealth but of prestige and influence from the market; second, the deployment of power within it. I will take these up in order, looking first at the history of an enterprise and then at the politics of some commodities.

The World's Biggest Department Store

Consider, then, the case of Rowland Macy, and the Strauss brothers, and their famous store. Macy was a Yankee trader, a prototypical member of the petty bourgeoisie, who owned and ran a succession of dry goods businesses and failed in every one of them—until 1858 when he opened a store on Sixth Avenue and Fourteenth Street in Manhat-

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tan.²⁰ In the course of his failures, Macy had experimented with new advertising techniques and retail policies: cash on the line, fixed prices, a commitment not to be undersold. Other merchants were engaged in similar experiments, more or less successfully; but Macy's new store, for reasons not easy to grasp, achieved an extraordinary success. And as it grew, Macy diversified his stock, gradually creating an entirely new kind of enterprise. What we can think of as the invention of the department store took place at roughly the same time in a number of cities—Paris, London, Philadelphia, and New York; and it is probably true that the invention was (somehow) called for by common social and economic conditions.²¹ But Rowland Macy rode the tide with considerable skill and great boldness, and he died in 1877 a wealthy man. Macy's only son was an alcoholic, who inherited his father's money but not his business. The store, after a short interlude, passed into the hands of Nathan and Isidor Strauss, who for some years had run a concession, selling chinaware, in the basement.

Thus far, there are no difficulties. Macy's success no doubt left other merchants floundering in its wake, weakened or even ruined. But we can't shield the others from the risks of the market (so long as there is a market); we can only shield them from the further risks of penury and personal degradation. In fact, the Japanese government does something more than this: "it has established limits on the construction of new department stores, discount houses, and shopping centers, thus slowing down the impact they have on small retail stores."²² The policy is aimed at maintaining the stability of neighborhoods, and that may well be a wise policy; given a certain understanding of neighborhood as a distributed good and of the city as a cluster of differentiated zones, it may even be a morally necessary policy. In any case, it offers protection only to merchants who have dropped out of the larger competition. There is no help for Macy's rivals except insofar as they can help themselves. And so long as a success like that of Rowland Macy is contained within the sphere of money, the rest of us can only watch it with the same admiration (or envy) that we might feel for the author of a best seller.

There is, I suppose, a loose sense in which it might be said that successful entrepreneurs are monopolists of wealth: as a class, they uniquely enjoy its special prerogatives; the goods it can purchase are at their beck and call as they are at no one else's. Simple equality would make this sort of thing impossible, but simple equality cannot be sustained without eliminating buying and selling (and every other sort of exchange relation, too). And again, so long as money controls commod-

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ities and nothing else, why should we worry about its accumulation? The objections are aesthetic—as with Timon and the “wappen’d widow”—not moral. They have to do more with ostentation than with domination.

But the success of the Strauss family was not contained in this way. Isidor and Nathan and their younger brother Oscar moved easily into a wider world than Rowland Macy had ever known. Isidor was a friend and adviser of President Cleveland, took an active part in various campaigns for tariff reform, ran successfully for Congress in 1894. Nathan was active in New York politics, a member of Tammany, successively park commissioner and president of the board of health. Oscar was Secretary of Commerce and Labor in Theodore Roosevelt’s cabinet and later held a number of ambassadorial appointments. The three together make a useful example, for these were not robber barons or union busters (Macy’s cigar makers struck successfully for higher wages in 1895, and the store’s printshop was fully organized sometime in the 1890s).²³ By all accounts they were decent and capable public servants. And yet it can hardly be doubted that they owed their political influence to their wealth and continuing business success. It might be said that they did not, after all, buy their influence but rather came by it because of the respect they had won in the market—respect as much for their intelligence as for their money. Moreover, Isidor Strauss did have to stand for election before he could serve in Congress. And he lost his fight for tariff reform. All that is true, and yet other men of similar intelligence did not play such a part in their country’s politics. The problem is hard, for money talks in subtle and indirect ways, and sometimes, no doubt, the people for whom it talks are admirable people; success in the market does not come only to ruthless and self-serving entrepreneurs. Still, this is insidious talk in a democratic state, and it requires us to seek some way of limiting the accumulation of money (much as we must limit its weight). An enterprise like Macy’s grows because men and women find it helpful; those same men and women may also, just conceivably, find it helpful to be governed by the owners of such an enterprise. But these must be two entirely separate decisions.

Washing Machines, Television Sets, Shoes, and Automobiles

In principle, stores like Macy’s provide people with what they want, and then the stores succeed; or they don’t, and then they fail. They are helpful, or not. Long before entrepreneurs become public servants, they are private servants who respond to the commands of the sover-

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eign consumer. This is the myth of the market. But it isn't difficult to offer an alternative account of market relations. The market, according to the French social theorist André Gorz, "is a place where huge production and sales oligopolies . . . encounter a fragmented multiplicity of buyers who, because of their dispersed state, are totally powerless." Hence the consumer is not, and can never be, sovereign. "He is only able to choose between a variety of products, but he has no power to bring about the production of other articles, more suited to his needs, in place of those offered to him."²⁴ The crucial decisions are made by corporate owners and managers or by large-scale retailers: they determine the range of commodities within which the rest of us make our choices, and so the rest of us don't necessarily get the things we (really) want. Gorz concludes that these decisions should be collectivized. It's not enough that the market be limited; it must in effect be replaced by democratic politics.

Consider now some of Gorz's examples. Appliances designed for individuals, he argues, are incompatible with those designed for collective use. "The privately owned washing machine, for example, operates against the installation of public laundries." A decision must be made about which of these to foster. "Should emphasis be laid on the improvement of collective services or on the supply of individual equipment . . . ? Should there be a mediocre television receiver in every apartment, or a television room in every apartment house, with equipment of the highest possible quality?"²⁵ Gorz believes that these questions can be answered only by the "associated producers," who are also consumers—that is, by the democratic public as a whole. But this seems an odd way to locate decision-making power with regard to goods of this sort. If a collective decision is called for here, I should think it would best be made at the level of the apartment house or the city block. Let the residents decide what kinds of public room they want to pay for, and there will soon be different sorts of apartment house, different sorts of neighborhood, catering to different tastes. But decisions of this kind will figure on the market in exactly the same way as an individual decision does; they will merely have greater weight. If the weight is great enough, the right machines will be produced and sold. Established manufacturers and retailers may be unready or unable to deliver what is wanted, but then new manufacturers and retailers will come forward out of the world of inventors, craftsmen, machine shops, and specialty stores. The petty bourgeoisie is the reserve army of the entrepreneurial class. Its members are waiting, not for the decisions of the "associated producers," but for the call of the market. Mo-

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nopoly in the strict sense—the exclusive control of productive means or retail outlets—would make it impossible to answer the call. But this sort of market power the state can rightly block. It does so in the name of free exchange, not of political democracy (and not of simple equality either: there is, again, no way to guarantee equal success to every entrepreneur).

Nor would democracy be well served if such matters as the choice of washing machines and television sets had to be debated in the assembly. Where would the debates stop? Gorz is full of questions: "Should everyone have four pairs of short-lived shoes a year, or one solid pair and two short-lived ones?"²⁶ One can imagine a wartime rationing system within which such decisions would have to be made collectively. Similarly, one can imagine a water shortage that led the political community to limit or even to ban the production of the domestic washing machine. But surely in the ordinary course of events this is the place for private or local choice and then for market response. And the market, as I have already suggested, does seem to generate both solid and shoddy shoes and larger and smaller washing machines.

But something more is at stake here. Gorz wants to suggest that the rising tide of private goods makes the lives of the poor harder and harder. As increasing numbers of consumers acquire their own washing machines, laundries are forced out of business (or their prices are pushed up, and they become a luxury service). Then everyone needs a washing machine. Similarly, as public forms of entertainment lose their hold, as neighborhood movie houses close, everyone needs a television set. As public transportation decays, everyone needs a car; and so on. The costs of poverty increase, and the poor are driven to the margins of society.²⁷ This is the same problem that Rainwater raises, and it requires the same sort of redistribution. In some cases, perhaps, subsidies are possible, as with bus and subway fares. More often, only additional income will serve the purposes of social membership and integration. It may be a mistake to tie membership so closely to private consumption; but if the two are tied, then members must also be consumers.

One might, however, stress the political rather than the economic aspects of membership. I suspect that Gorz really prefers the laundry room and the television room because he thinks of them as communal alternatives to bourgeois privatization—places where people will meet and talk, plan assignments, maybe even argue about politics. These are public goods in the sense that every tenant, whether or not he uses the rooms, will benefit from the heightened sociability, the more

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friendly atmosphere, of the apartment house as a whole. Yet they are the sorts of goods that tend to get lost in the individualistic shuffle of the market. They don't get lost because of the power of corporate managers and department store owners, or not primarily because of that, but rather because of the preferences of consumers, who make their choices, as it were, one by one, each one thinking only of himself (more accurately: of his home and family).²⁸ Would consumers choose differently if they voted as members of a group? I'm not sure, but certainly the market would accommodate them if they did. Those people who, like Gorz, favor collective over private consumption would have to make their case, and they would win or lose, or win in this neighborhood or apartment house and lose in that one. The strong point in Gorz's argument is the claim that there should be a forum where the case can be made. The market is not such a forum, but to say that is not to criticize the market; it is only to insist that it must stand alongside of, and not replace, the sphere of politics.

The point is most vividly made with reference to the automobile, conceivably the most important of modern commodities. Standing in what is now a central tradition of social criticism, Gorz is ready to renounce it: "The privately owned car upsets the whole urban structure . . . hampers the rational exploitation of public transport and militates against a great many forms of group and community leisure activity (notably by destroying the neighborhood as a living environment)."²⁹ He is probably right, but the car is also the symbol of individual freedom; and I doubt that any democratic public within living memory would have voted against it, even if the long-term consequences of its mass production and use had been known in advance. In this case, indeed, a communitywide decision is necessary, for the private car requires an enormous subsidy in the form of roads and their maintenance. Today we may be locked into that subsidy, without a great deal of room to maneuver. But we are not locked in merely because Henry Ford made more money selling automobiles than he could have made selling streetcars. An explanation of that sort misses a great deal of cultural as well as political and economic history. And it is, of course, still necessary to argue about the relative size of the subsidies for private cars and public transportation. That is properly a political, not a market, decision; so the citizens who make it have to be one another's equals, and their diverse interests—as producers and consumers, apartment dwellers and home owners, central city residents and suburbanites—have to be represented in the political process.

The Determination of Wages

Because votes cannot be traded, while money and goods and services can be, the equality of citizens will never be reproduced in the marketplace. The resources that people bring to the market are themselves determined, at least in principle, by the market. Men and women have to “make” money, and they do that by selling their labor power and their acquired skills. The price they get depends upon the availability of labor and the demand for particular commodities (they can’t make money producing goods that nobody wants). We could abolish the market in labor in the same way as the market in commodities—by assigning jobs, by assigning shoes, through some political or administrative process. The argument against doing this is the same in both cases. Leaving aside questions of efficiency, it is an argument about how individuals relate to jobs and commodities, what these two mean in individual lives, how they are sought, used, enjoyed. I don’t want to suggest any necessary similarity between the two. For most of us, our work, though it is instrumental to the possession of things, is more important than any set of possessions. But that means only that the assignment of work is even more likely than the assignment of things to be experienced as an act of tyranny.

The case would be different if work were assigned by birth and rank—and different for things, too; for in societies where work is hereditary and hierarchical, so is consumption. Men and women who are allowed to perform only certain sorts of jobs are usually allowed to use and display only certain sorts of commodities. But it is a crucial feature of individual identity, in the United States today, that though one does this, one could also do that; though one has this, one could also have that. We daydream about our options. As we get older, the daydreams tend to collapse, especially among the poor, who gradually come to realize that they lack not only the time but also the resources to exploit the opportunities of the market. And they lack those resources, so they are told, because of the market. The price of their freedom is also the cause of their loss. They were not born to be poor; they have simply failed to make money.

In fact, the more perfect the market, the smaller the inequalities of income will be, and the fewer the failures. If we assume a rough equality in mobility, information, and opportunities for training, it ought to be the case that the most attractive jobs will draw the most

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applicants, and so the wages they pay will fall; less attractive jobs will be shunned, and so those wages will rise. Special skills and combinations of skills will still have their premium; I don't mean to deny the earning power of talented (and very tall) basketball players or of movie stars. But many people will work to acquire the relevant skills or to put together the right combinations, and in many areas of economic life, the success rate will be high. So the gross inequalities that we see around us today could not be sustained. They derive more significantly from status hierarchies, organizational structures, and power relationships than from the free market.³⁰ (And they are sustained by inheritance, which I will come to a little later.) Try now to imagine a situation in which hierarchy, organization, and power were, not eliminated, but neutralized by equality, so that the specific inequalities of the market stand out. What sorts of income difference would persist? The remaining bundle of factors that make for differences is not easy to disentangle; its complexities are still debated among economists and sociologists, and I have no way of resolving the debate.³¹ I intend only a rough and speculative sketch—based on a minimum of empirical evidence, for the conditions that I shall describe have been realized in only a few places and in incomplete form. Imagine, then, a democratically run farm or factory in a market society, a producers' commune. All the members are equal in status; the precise structure of their enterprise lies within their own control; power is collectively exercised through committees, assemblies, debates, and elections. How will the members pay one another? Will they establish differential pay for jobs requiring greater and lesser skill? For harder and easier jobs? For dirty and clean jobs? Or will they insist on equal pay?

The answers to these questions are likely to be similar to the answers to Gorz's questions: different for different factories and farms. This is the subject matter of factory and farm politics, just as public and private consumption is the subject matter of apartment house politics. And democratic decisions will go this way and that, depending on the prevailing ideology of the workers, the character of their enterprise, the course of the debates. Given the requirements of democratic decision making and its general ethos, we can expect that differentials will not be large. This has been the experience so far in factories owned or managed by workers. In Yugoslavia, for example, "the general trend of council-made wage schedules has been egalitarian."³² A recent study of American experiments is similarly emphatic: "In each of the cases reported here, if the worker-owned enterprises did not make wages completely uniform, they at least equalized them significantly com-

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pared with capitalist-owned firms and even with the public bureaucracy."³³ The new distributive rules seem, moreover, to have no negative effects on productivity.

If the new rules did have negative effects, they would presumably be changed—at least, there would be strong reasons to change them. For the workers must still live within the constraints of the market. They can only distribute what they earn, and they have to recruit new members as needed, often for particular places requiring particular skills. Hence inequalities are certain to arise, within a particular factory if recruitment or work assignment requires differential pay, and if it does not, then between and among different factories. Some factories will be more successful than others, just as Macy's was more successful than other stores. Their members will have to decide whether to invest in expansion and further success or to distribute the profits—and if to distribute, whether to do so in the form of personal income or communal services. Other factories will flounder and fail, perhaps because they bet on the market and lost, perhaps because of internal dissension and mismanagement. And then the rest of us will have to decide whether to subsidize the failures—for the sake of a town's survival and prosperity, say—exactly as we do now with capitalist firms.

Income is determined, then, by a combination of political and market factors. I shall have to defend in chapter 12 the particular account of the political factors that I have just given. Here I want only to argue that this account reproduces, under the conditions of large-scale industry and agriculture, just those features of the petty-bourgeois economy that make its risks, and the inequalities that follow from those risks, defensible. Democratic decision making, like petty-bourgeois small holding, is a way of bringing the market home, connecting its opportunities and dangers to the actual effort, initiative, and luck of individuals (and groups of individuals). This is what complex equality requires: not that the market be abolished, but that no one be cut off from its possibilities because of his low status or political powerlessness.

I have followed in these last pages an argument first sketched out by R. H. Tawney in the years before the First World War. The argument is worth quoting at some length:

When most men were small land-holders or small craftsmen . . . they took risks. But at the same time they took profits and surpluses. At the present day, the workman takes risks . . . but he has not got the prospect of exceptional gains, the opportunities for small speculation, the power to direct his own life, which makes the bearing of risks worthwhile.

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Tawney didn't doubt that the bearing of risks is worthwhile. Not that masses of men and women must live always at the very edge of danger: against that sort of life, the community must provide protection. But protection has its limits; and beyond those limits, individuals and groups of individuals are on their own, free to seek out danger or avoid it if they can. If they were not free, neither individuals nor groups could possibly be what our culture (ideally) requires them to be—that is, active, energetic, creative, democratic, giving shape to their own public and private lives. Risk is “bracing,” Tawney went on,

if it is voluntarily undertaken, because in that case a man balances probable gains and losses and stakes his brains and character on success. But when the majority of persons are hired servants, they do not decide what risks they shall bear. It is decided for them by their masters. They gain nothing if the enterprise succeeds: they have neither the responsibility of effort nor the pride of achievement; they merely have the sufferings of failure. No wonder that, as long as this is so, they desire above all things security. . . . In such circumstances the plea that men should be allowed to take risks . . . is an attack not upon modern attempts at giving the wage-earner security, but upon the whole wage system.³⁴

The *whole* wage system is, perhaps, an exaggeration. Though workers under the distributive rules that Tawney favored would not literally sell their labor power and their acquired skills, they would still present themselves, power and skills in hand, before the personnel director or the personnel committee of the local factory. The terms on which they were admitted to the cooperative and the income they received would still be determined in part by market forces—even if they were co-determined through a democratic political process. Tawney was not proposing the abolition of the labor market; he was trying, as I have been doing, to define the boundaries within which it properly operates.

Redistributions

One can conceive the market as a sphere without boundaries, an unzoned city—for money is insidious, and market relations are expansive. A radically *laissez-faire* economy would be like a totalitarian state, invading every other sphere, dominating every other distributive process.

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It would transform every social good into a commodity. This is market imperialism. I suppose that it is less dangerous than state imperialism because it is easier to control. The blocked exchanges are so many controls, enforced not only by officials but also by ordinary men and women defending their interests and asserting their rights. The blocks don't always hold, however; and when market distributions can't be contained within their proper limits, we must look to the possibility of political redistributions.

I am not talking now about the redistributions out of which we finance the welfare state. These come from a pool of wealth, the "common wealth," to which everyone contributes according to his available resources. Out of this pool we pay for physical security, communal worship, civil liberties, schooling, medical care—whatever we take to be the entailments of membership. Private wealth comes later. Historically as well as sociologically, pooling and sharing are prior to buying and selling.³⁵ Later, conceivably, communal provision can encroach upon the market. This is the claim made by the leaders of every tax revolt from the French Poujadists of the 1950s to the advocates of California's Proposition 13: that the burdens of membership have grown too heavy and that they constrain the rightful enjoyments, unduly limit the risks and incentives, of the sphere of money and commodities.³⁶ These critics may be right, at least sometimes; certainly there are real conflicts here. And hard practical choices: for if the constraints and limits are too severe, productivity may fall, and then there will be less room for the social recognition of needs. But at some level of taxation, if not necessarily at prevailing levels, the political community can't be said to invade the sphere of money; it merely claims its own.

Market imperialism requires another sort of redistribution, which is not so much a matter of drawing a line as of redrawing it. What is at issue now is the dominance of money outside its sphere, the ability of wealthy men and women to trade in indulgences, purchase state offices, corrupt the courts, exercise political power. Commonly enough, the market has its occupied territories, and we can think of redistribution as a kind of moral irredentism, a process of boundary revision. Different principles guide the process at different points in time and space. For my immediate purposes, the most important principle has this (rough) form: the exercise of power belongs to the sphere of politics, while what goes on in the market should at least approximate an exchange between equals (a free exchange). These last words don't mean that every commodity will sell for a "just price" or that every worker

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will receive his “just reward.”* Justice of that sort is alien to the market. But every exchange must be the result of a bargain, not of a command or an ultimatum. If the market is to work properly, “exchanges born of desperation” must be ruled out, for necessity, as Ben Franklin wrote, “never made a good bargain.”³⁸ In a sense, the welfare state underwrites the sphere of money when it guarantees that men and women will never be forced to bargain without resources for the very means of life. When the state acts to facilitate union organization, it serves the same purpose. Workers who stand alone are liable to be forced into trades of last resort, driven by their poverty, or their lack of particular marketable skills, or their inability to move their families to accept the ultimatum of some local employer. Collective bargaining is more likely to be an exchange between equals. It doesn’t guarantee a good bargain, any more than communal provision does, but it helps to sustain the integrity of the market.

But I am concerned now to sustain the integrity of the other distributive spheres—by depriving powerful entrepreneurs, for example, of the means of capturing political power or bending public officials to their will. When money carries with it the control, not of things only but of people, too, it ceases to be a private resource. It no longer buys goods and services on the market; it buys something else, somewhere else, where (given our democratic understanding of politics) buying and selling is ruled out. If we can’t block the purchase, then we have to socialize the money, which is only to recognize that it has taken on a political character. The point at which that becomes necessary is open to dispute. It isn’t a fixed point but changes with the relative strength and coherence of the political sphere.

It would be a mistake to imagine, however, that money has political effects only when it “talks” to candidates and officials, only when it is discreetly displayed or openly flaunted in the corridors of power. It also has political effects closer to home, in the market itself and in its firms and enterprises. Here, too, boundary revision is called for. When union negotiators first demanded the establishment of grievance machinery, for example, they argued that plant discipline had to be handled like criminal justice in the state, on a judicial or semi-judicial basis,

*Perhaps we should think of the just price as another form of blocked exchange: a price is fixed by some process other than bargaining, and exchange at any other price is ruled out. The range of goods controlled in this way varies greatly across cultures and historical periods, but food is the most commonly controlled good.³⁷ Among ourselves, the just price survives in the case of public utilities, most often privately owned, where rates are, or are supposed to be, fixed with reference not to what the market will bear but to some common understanding of a “fair” profit—and where standards of service are similarly controlled.

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and not like the decision to buy and sell commodities, on the basis of entrepreneurial judgments (or the whim of particular entrepreneurs).³⁹ At stake was the government of the workplace, and government is not a market matter—not, at least, in a democratic society. Of course, the fight for grievance procedures was not only a dispute about boundaries; it was also a class struggle. The workers defended an enlarged political sphere because they were more likely to do well within it; they had an interest in drawing the lines in a certain way. But we can still say, as I would be inclined to do, that their claims were just. These are matters that admit not only of struggle but also of argument.

The argument can be carried one step further. Even within the adversary relation of owners and workers, with unions and grievance procedures in place, owners may still exercise an illegitimate kind of power. They make all sorts of decisions that severely constrain and shape the lives of their employees (and their fellow citizens, too). Might not the enormous capital investment represented by plants, furnaces, machines, and assembly lines be better regarded as a political than an economic good? To say this doesn't mean that it can't be shared among individuals in a variety of ways, but only that it shouldn't carry the conventional entailments of ownership. Beyond a certain scale, the means of production are not properly called commodities, any more than the irrigation system of the ancient Egyptians, the roads of the Romans or the Incas, the cathedrals of medieval Europe, or the weapons of a modern army are called commodities, for they generate a kind of power that lifts them out of the economic sphere. I will come back to these issues when I consider in detail the sphere of politics. Here I only want to stress that even this last redistribution would still leave, if not the capitalist market, then the market itself, intact.

Redistributions are of three sorts: first, of market power, as in the blocking of desperate exchanges and the fostering of trade unions; second, of money directly, through the tax system; third, of property rights and the entailments of ownership, as in the establishment of grievance procedures or the cooperative control of the means of production. All three redistributions redraw the line between politics and economics, and they do so in ways that strengthen the sphere of politics—the hand of citizens, that is, not necessarily the power of the state. (In Eastern Europe today, a similar kind of “moral irredentism” would strengthen the economic sphere and expand the reach of market relations.) But however strong their hand, citizens can't make just any decisions they please. The sphere of politics has its own boundaries; it abuts on other spheres and finds its limits in those abutments. Hence redistribution

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can never produce simple equality, not so long as money and commodities still exist, and there is some legitimate social space within which they can be exchanged—or, for that matter, given away.

Gifts and Inheritance

In the United States today, the gift is determined by the commodity. If I can own this object and exchange it for something else (within the sphere of money and commodities), then surely I can give it to whomever I please. If I can shape my identity through my possessions, then I can do so through my dispossessions. And, even more surely, what I can't possess, I can't give away. But it will be useful to think more carefully about the gift, for in its history we can learn a great deal about ourselves—and find, too, some interesting ways of being different. I will begin with one of the best known of anthropological accounts.

Gift Exchange in the Western Pacific

Bronislaw Malinowski's study of exchange relations among the Trobriand Islanders and their island neighbors is long and full of detail; I cannot begin to suggest its complexities.⁴⁰ I shall attempt only a brief review of its central focus, the *Kula*, a system of gift exchanges in which necklaces of red shell and bracelets of white shell travel in opposite directions, over many miles, around a circle of islands and gift partners. The necklaces and bracelets are ritual objects, stereotypical in form though various in value; the finest of them are very valuable indeed, the most valuable things that the islanders have, much sought after and greatly cherished. The two objects are exchanged for one another and for nothing else. But this isn't a "trade" in our sense of the word: necklaces and bracelets "can never be exchanged from hand to hand, with the equivalence between the two objects discussed, bargained about and computed."⁴¹ The exchange has the form of a series of gifts. I give my *Kula* partner a necklace; and some time later, perhaps as much as a year later, he gives me a bracelet or a set of bracelets. Nor does the series end there. I pass on the bracelets to some other partner and receive another necklace, which I in turn give away. These objects are only temporary possessions; every several years, they move

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around the circle, the *Kula* ring, necklaces in a clockwise, bracelets in a counterclockwise, direction. "One transaction does not finish the *Kula* relationship, the rule being 'once in the *Kula*, always in the *Kula*.'"42

Every gift is a return, then, for some previous gift. The equivalence is left to the giver, though "he is expected to give back full and fair value." Indeed, "every movement of the *Kula* articles, every detail of the transaction, is . . . regulated by a set of traditional rules and conventions."⁴³ There is room for generosity and room for resentment, but the fundamental structure is fixed. We might better think of it as a system of alliances than as an economic system, though that distinction would be lost on the Trobriand Islanders. The *Kula* ring has its analogue in our social round, where friends exchange presents and invitations in what is necessarily a conventionalized pattern. The exchange is not a bargain; one can't buy one's way out of the obligations it entails; returns must be in kind. And the relation isn't terminated by the return: the presents and invitations go round and round, back and forth within a group of friends. The *Kula* ring looms larger in the life of its participants, however, than the social round does in ours. It is, as Marshall Sahlins has argued, the acting out of a social contract, and all other relationships and transactions take place in its shadow, or better, under the protection of the peace it establishes and guarantees.⁴⁴

Among these is what Malinowski calls "trade, pure and simple" and what the islanders call *gimwali*. Here the trade is in commodities, not ritual objects; and it is entirely legitimate to bargain, to haggle, to seek private advantage. The *gimwali* is free; it can be carried on between any two strangers; and the striking of a bargain terminates the transaction. The islanders draw a sharp line between this sort of trade and the exchange of gifts. When criticizing bad conduct in the *Kula*, they will say that "it was done like a *gimwali*."⁴⁵ At the same time, success in trade pure and simple will enhance one's status in the *Kula*, for the exchange of necklaces and bracelets is accompanied by other sorts of gift giving and by elaborate feastings, and so requires considerable resources. I suppose it is true of us, too, that success in buying and selling changes one's position in the social round. But we are more likely to spend our money on ourselves than on others. Among the islanders, by contrast, every form of production and accumulation is subordinated to the *Kula*—the freedom of "getting," to a highly conventionalized and morally coercive form of "spending."

The gift, then, is not determined by the commodity. The islanders have, indeed, a conception of ownership; and though it allows less free-

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dom than our own conception does, it still leaves room for personal choice and private (or familial) use; but it does not extend to the *Kula* objects. These belong to the ring, not to the individual. They can't be held for too long (else one gets a reputation for being "slow" in the *Kula*). They can't be given to one's children rather than to one's partners. They can't be passed the wrong way round the circle or traded for other sorts of things. They move in a certain direction, on a certain schedule, to the accompaniment of certain rites and ceremonies. The gift, the islanders might say, is too important to be left to the whim of the giver.

The Gift in the Napoleonic Code

Among the Trobriand Islanders, gifts make friends, build trust, shape alliances, guarantee peace. The giver is a man of influence and prestige; and the more he can give away, the greater his largesse, the larger he will loom among his peers. But a very different view of the gift is dominant in many cultures, according to which it is less an enhancement of the status than a dissipation of the estate of the giver. There is only so much wealth, land and money and things, and every gift makes it less. But this wealth doesn't simply belong to the individual (and still less to his circle of friends); he is its legal owner only under certain descriptions and for certain purposes. Under other descriptions and for other purposes, it belongs to his family or, better, to his lineage. And then the political authorities step in to protect the interests of the next generation.

This view of wealth has its origins in tribal and feudal law; it has a long history which I shall not recount. During the French Revolution an effort was made to break up aristocratic estates and all great concentrations of wealth by guaranteeing equal legacies to heirs of equal rank. This guarantee found its place in the Napoleonic Code, though in modified form; and it obviously represents a severe restraint upon the testamentary power of individual owners. Even more important, I think, the Code aimed to regulate the power of the owner during his own lifetime by limiting his right to bestow his money as he pleased, to pleasing strangers or to relatives outside the direct line of descent. The legislators fixed a reserve, a percentage of the total estate (all the property that the individual had ever owned), that could not be given away and that had to pass by intestacy. "The reserve varied with the number and kinds of . . . heirs that survived—one-half of the estate if there were no children, three-fourths if there were three or fewer children,

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four-fifths if there were four, and so on." If the right amounts were not available for distribution, testamentary gifts were canceled, *inter vivos* gifts "reduced" or "returned."⁴⁶

Here again, the gift does not follow the rules of the commodity. Individual owners can do what they like with their money so long as they spend it on themselves. They can eat gourmet foods prepared by gourmet chefs, vacation on the Riviera, risk their estate at blackjack or roulette. The law regulates their generosity to strangers, not their self-indulgence. The contrast seems odd, but it isn't incomprehensible. It would require a harshly coercive regime to police self-indulgence, while the control of gifts, or of large-scale gifts, looks easier (it has proven in fact to be very difficult). But there is a deeper distinction at work here. Getting and spending, in the ordinary sense of those words, belongs to the sphere of money and commodities, and it is governed by the principles of that sphere, which are principles of freedom. But the distribution of the family estate belongs to another sphere—the sphere of kinship—which is governed by principles of mutuality and obligation. The boundaries are as hard to draw here as anywhere else; in the United States today, they are drawn far more narrowly than in the Napoleonic Code. But our own conceptions of maintenance, alimony, and child care suggest the existence of a pool of familial wealth, rather like the pool of communal wealth, where free disbursement is not permitted. It might be argued that maintenance, say, is an obligation freely incurred when one marries and has children. But no agreement, no contract, no individual understanding sets the shape of the obligation. This is collectively, not individually, determined; and the determination reflects our collective understanding of what a family is.

More generally, however, from the founding of the republic on, Americans have been remarkably free to do what they like with their money. The family has been less central here than in Europe, probably because of the absence of a feudal past; and as a result, wealth has more readily passed out of familial control. In his *Principles of Political Economy*, first published in 1848, John Stuart Mill praised this feature of American life, quoting Charles Lyell's *Travels in North America*:

Not only is it common for rich capitalists to leave by a will a portion of their fortune towards the endowment of national institutions, but individuals during their lifetime make magnificent grants of money for the same objects. There is here no compulsory law for the equal partition of property among children, as in France, and on the other hand, no custom of entail or primogeniture, as in England, so that the affluent feel themselves at liberty to share their wealth between their kindred and the public.⁴⁷

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But if philanthropy is uncontrolled, even encouraged by the state, gifts and bequests of other sorts and legacies to kin are still subject to the law—not as to their direction, so to speak, but as to their size. At the moment, this legal control doesn't amount to much, but the principle is established, and it is important to try to understand its moral basis and to attempt some conclusions about its proper practical extent.

Mill offered a utilitarian account of the limitations on bequest and inheritance. If we estimate a large fortune at its true value, he said, “that of the pleasures and advantages that can be purchased with it,” then, “it must be apparent to everyone, that the difference to the possessor between a moderate independence and five times as much, is insignificant when weighed against the enjoyment that might be given . . . by some other disposal of the four-fifths.”⁴⁸ But I doubt very much that this view of the marginal utility of wealth will persuade any potential owner of a large fortune. There is so much else, beyond moderate independence, that money can buy. Mill suggested a better reason for the policies he advocated when he summed up their intended effects: to make the “enormous fortunes which no one needs for any personal purpose but ostentation or improper power . . . less numerous.”⁴⁹ Ostentation is surely unimportant; it is a common foible within the sphere of money and, short of sumptuary laws rigorously enforced, impossible to control. But improper power must be controlled if the integrity of the political sphere is to be upheld. Ideally, perhaps, enormous fortunes should be broken up before they can be transferred. But there may be grounds for permitting substantial (though not unlimited) accumulation within a single lifetime: the major political effects are often not felt until the next generation, whose members are raised to a habit of command. In any case, the chief purpose of limiting bequest and inheritance, as of every other form of redistribution, is to secure the boundaries of the different spheres. Once this is done, Mill's marginal utility argument will look more plausible, for there won't be all that much that an individual can do with his money. It still isn't that argument, however, that fixes the limits on transfers. The limits will have been fixed already with reference to the relative strength of the boundaries (and the success of other sorts of boundary defense). If we succeeded absolutely in barring the conversion of money into political power, for example, then we might not limit its accumulation or alienation at all. As things are, we have strong reasons to limit both of these—reasons that have less to do with the marginal utility of money than with its extramural effectiveness.

The right to give and the right to receive follow from the social meaning of money and commodities; but the rights prevail only so long

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as these two things, and only these, are given and received. "The ownership of a thing," as Mill said, "cannot be looked upon as complete without the power of bestowing it, at death or during life, at the owner's pleasure."⁵⁰ What can be owned can also be given away. The unilateral gift is a phenomenon unique to the sphere of money and commodities as it has taken shape in our own society. It doesn't figure in the *Kula* or in any other system of gift exchange. It is severely constrained, if not ruled out entirely, whenever ownership is vested in the family or the lineage. It is a special feature of our culture, opening the way to special sorts of generosity and public-spiritedness (and special sorts of whimsy and meanness, too). It isn't generous or public-spirited, however, to try to pass on a political office—or any position of power over others—to one's friends and relatives. Nor can professional standing or public honor be transferred at will, for such things lie within no one's gift. Simple equality would require a long list of further prohibitions; indeed, it would require a total ban on gifts. But surely the gift is one of the finer expressions of ownership as we know it. And so long as they act within their sphere, we have every reason to respect those men and women who give their money away to persons they love or to causes to which they are committed, even if they make distributive outcomes unpredictable and uneven. Love and commitment, like enterprise, have their risks and (sometimes) their windfalls, which it is no necessary part of a theory of distributive justice to deny or repress.