Why Equality?

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> There is indeed a manly and legitimate passion for equality which rouses in all men a desire to be strong and respected. This passion tends to elevate the little man to the rank of the great. But the human heart also nourishes a debased taste for equality, which leads the weak to want to drag the strong down to their level and which induces men to prefer equality and servitude to inequality and freedom. It is not that people with a democratic social state naturally scorn freedom; on the contrary they have an instinctive taste for it. But freedom is not the chief and continual object of their desire; it is equality for which they feel an eternal love. . . ."
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> Tocqueville, *Democracy in America,* I. i., 3[1]

FROM THE FIRST, America was committed to the idea of equality; and no one in America today speaks out against equality. A proposed public policy could hardly have a better recommendation than a demonstration that it furthers the cause of equality, and nothing is more damning than an accusation that it is inegalitarian. If there is popular opposition to employing this criterion, it has surely never been mobilized under the banner of inegalitarianism. In recent years, intellectuals have joined and even surpassed politicians in espousing egalitarianism. Unfortunately, these intellectuals have done little to clarify our thinking about equality. What is the nature of America's commitment to equality? Why do we desire it? How do we expect to benefit from it? What must be done to protect and promote the equality we desire, and what must be rejected for its sake?

Today what most often tends to be rejected or suspected in the

name of equality is American capitalism. Other essays in this volume provide evidence and argument for appraising the soundness of its rejection. Here, however, it is important to insist upon some clarity about what it is we are rejecting or suspecting. We often use capitalism to refer to the American regime as a whole. The confusion we create in doing so may well exacerbate, not alleviate, our malaise. "Capitalism" does not refer merely to a social and economic order characterized by commerce, modern industry, and free enterprise, or even merely by private property and its unregulated use. Rather, capitalism, from Marx's "capitalist," is the social and economic order whose end is the production of "surplus value," or profit as such, and whose essence is the mode of production that generates and augments surplus value. The capitalist is driven to seek profit for its own sake, without regard for the benefits his activities may bring to him and others, and without regard for its harms. Were the label capitalist appropriate, it would hardly enhance the attractiveness of the package. More to the point, capitalism is, strictly speaking, an economic order, and only in Marxist analysis and vulgar Marxist parlance can one presume to convey the essence of a nation in a description of its characteristic mode of production.

America's economic order is important because in the American self-understanding economics is important. But America is also a political order, a culture, a way of life. America is a democratic republic with noble aspirations and materialistic proclivities. Those who raise doubts about the egalitarianism of American capitalism, be they naive malcontents or sophisticated analysts, surely care at least as much about these aspects as about the mode of production. Only if Marx should be correct that all this is mere superstructure, unalterably determined by an economic substructure, would it make sense to proceed as if the proper object of concern of friends or foes of equality in America were capitalism. All reservations about American life are not economic in nature, and all inequalities are arguably not economic in origin. While we do well to begin with a proper respect for the universal interest in capitalism and its relation to equality, we may do better to reshape and enlarge the scope of our examination and object of our concern.

Arguments against American capitalism or, more broadly, against the American regime are made in the name of equality or of "rights;" they are *prime facie* arguments in the name of justice. Justice has traditionally been understood as giving to each his due, or equal shares to equal persons and unequal shares to unequals.[2] Today we take pains to guarantee the rights of criminals, or suspected criminals, as well as to see that their victims are compensated. In so doing, we intend what has been termed "corrective," or "commutative" justice, the equalization of gain and loss in criminal matters. "Commutative" justice was once also thought to apply to private economic exchanges. We assert rights to public assistance on behalf of the poor, elderly, and otherwise disadvantaged; we press for extension of the Voting Rights Act; we listen with increasing sympathy to supporters of the E.R.A. and gay rights, proponents of the rights of non-smokers and interest groups and minorities of all sorts. In doing this, we intend "distributive justice," the distribution of good things (wealth and honors) and of bad things (onerous duties) that political authorities can and invariably do distribute.

It should be clear from the outset that a commitment to equality (or inequality) may encompass a regard for justice, but need not be exhausted by it. We do not speak of unequal rights, nor, as we shall see, could we coherently do so. We speak much of equal rights, and in doing so we mean that what is due each person is the same thing, or the "equal." We can reasonably mean this if we deem human beings equal, fundamentally equal in whatever entitles them to the benefits and burdens political communities distribute. We thus imply that we know what, for political purposes, a human being is, that we know what political purposes are, and what, within the purview of politics, is good and bad for each and every one. Whether helpfully or not, we tend to refer to our desiderata as "equality." In doing so, either we employ a constricted notion of the competence of politics—which hardly seems to be the case—or our conviction that justice is some sort of equality reflects our appreciation of the human good, or happiness. Thus it is not surprising that democratic peoples feel an "eternal love" for what we call equality. Only with an awareness that what we might really have in mind is happiness can we adequately reflect on the American commitment to equality.

Equality in the abstract, however, is the philosopher's plaything or the activist's slogan, not a tool for political analysis or an end for public policy. So to take the concern for equality seriously one must begin by examining the specific kinds of equality most spoken about in America today. These are equality under the law, political equality, economic and social equality, and equal rights.

I

That equality under the law is desirable hardly seems controversial. Controversy arises when it is confused with the more

problematic equal protection of the law, from which equality under the law should be distinguished. Equal protection of the law means, as the term "protection" suggests, that the law shall not arbitrarily withhold what it can provide or secure, namely, some right. In seeking equal protection we seek at least a legal guarantee and, often, political promotion of some substantive good for all who fall under the jurisdiction of the law, or we seek unrestricted access to that good for all. Consequently, this is a matter of distributive justice, not mere legality; and claims of distributive justice assume other forms we shall consider later. Equality under the law means simply that the law—whatever benefits it does or does not secure—be applied to all equally.

Equality under the law requires that no one be exempt from the law or subject to either privileged or disadvantaged treatment in its enforcement. American law is, on the whole, proscriptive, not prescriptive, so one is most often treated by it for defying a proscription. Thus, for us, equality under the law means above all equal punishment for transgressors of the law. No one shall escape punishment, much less the possibility of punishment (as did the preemptively pardoned Richard Nixon); nor shall anyone endure extraordinary punishment for reasons extraneous to the nature of the transgression (as have blacks in our country for much of its history). Equality under the law means, in effect, equal punishment by the law, or corrective justice.

Complaints of inequality or injustice under the law arise either when someone appears to have escaped the rigor of the law or to have suffered it unduly. To what extent might such injustices be a consequence of capitalism? Undeniably, unequal distribution of wealth is characteristic of, though not peculiar to, capitalist societies. People who have more, or at least enough wealth tend to hire clever, pricey lawyers who might enable them to escape some or all of their allegedly deserved punishment. The very wealthy might even try to influence judges and jurors by promising them whatever money can buy for favorable treatment or by threatening whatever sanctions wealth can command for just treatment. Indeed, it is not altogether unreasonable to suppose that under capitalism we accept preferential treatment for the wealthy because we become accustomed to the notion that the wealthy are entitled to privileges of all sorts. Or we cynically assume that the wealthy can always get off anyway. It could also be argued that capitalism creates an atmosphere in which lawyers are encouraged to think more about large fees than about justice, and judges and jurors are more likely to succumb to temptations of gain than to cries of injustice.

Such reasoning would lead to the conclusion that capitalism promotes not equality, but inequality, under the law. Even granting the conclusion, we would still want to ask whether inequality under the law is greater in capitalist societies than in others and whether it is caused by capitalism. Unequal distribution and use of wealth are no more peculiar to capitalist societies than is the materialism of those who prefer gain to justice. Nor is wealth the only currency with which one might purchase injustice. Under pre-capitalist aristocratic regimes birth alone justified not merely individual instances of inequality, but codified inequalities for whole classes of people. In communist countries thus far the issue of inequality under the law is more often than not moot because under "revolutionary legality" crime is not consistently defined and punishment is regularly inflicted altogether outside the law.

Furthermore, it is unclear that many or even most of the acknowledged inequalities under capitalism have much to do with capitalism itself. The most dramatic progress toward equality under the law in America has occurred in the last few decades, and it has been achieved by protection of the procedural rights of the indigent. As is generally known, but less openly acknowledged, the indigent criminals or suspects in question are predominantly black and Hispanic, and much of their harsh treatment is due not to their poverty or social class, but to racial prejudice. To show that racial prejudice in the United States is a consequence of capitalism would be difficult indeed. Even in the more nebulous case of leniency for white-collar crime, the softer treatment accorded these criminals is arguably not a consequence of the advantage they might have by virtue of their wealth, but rather of regard for their status, and of a sense that for some people disgrace is punishment enough. Given the incomes of clergymen as compared to businessmen, it is clear that capitalism is not responsible for our deference to particular occupations. Discrimination, be it against a race or for a profession, is distinct from and perhaps more deeply rooted than attachment to an economic order.

If it is fair to conclude that capitalism has little, if any, direct relation to equality or inequality under the law, we must still reflect further on the significance of our often expressed desire for perfect equality under the law. If our desire amounts to the wish that everyone receive the same legal punishment for the same crime, this goal might be accomplished in either of two ways. All should be made to feel the full rigor of the law, with no one's getting off easy, as was implied in the general outrage at the Nixon pardon. Or all should be given an opportunity to escape the full

rigor of the law, with everyone's having the chance to get off, as is implied in the crusade to provide indigents with free legal counsel and even to have the police give them much of the advice a smart lawyer would.

If we desire that no criminal ever go unpunished and that all receive the same punishment under similar circumstances, then we are at once very demanding of people and respectful of them. We can insist on the application of a precise legal punishment only if we assume that human beings are equally and therefore fully responsible for their actions. We must suppose them to have acted with perfect knowledge of their action and its consequences and in the absence of any external constraint. For we surely think it wrong to inflict punishment for crimes that were committed either in ignorance or under some compulsion.

That human beings do act knowingly and freely is the premise not only of retributive and rehabilitative justice, but of morality itself. In punishing people because we hold them responsible for their actions we show our respect for them as moral beings. Immanuel Kant went so far as to contend that if we knew that the world would come to an end tomorrow, then the last murderer would have the moral right to be executed tonight. But that we really wish to be so hard on ourselves and our fellow moral beings is doubtful. Liberals continue to cherish and conservatives have not yet thought to mount a sustained challenge to "Miranda" rights, evidence of their abuse notwithstanding. More significantly, we would all grant that there are extenuating circumstances in the commission of crime. The decisive extenuation, admitted even by the law, is the defective nature of the lawbreaker, who is not infrequently mentally incompetent or deranged or at least swayed by great passion. It is because we could not abide perfect equality under the law if it meant equal and therefore rigid application that we tend to rest content with laws that are often little more than guidelines, flexibly applied by individuals to specific human beings in particular circumstances. We accept them despite the arbitrariness and discrimination, hence inequality, thereby made possible.

If we carried our inclination to excuse transgressions to its extreme, we would arrive at the position that equality under the law is realized when all are hardly under it at all. However commendable it is to attempt to eradicate discriminatory law enforcement, the implication of the Warren Court's criminal rights decisions must be that everyone should have the greatest opportunity to outsmart the law that any government could countenance. Nonetheless, this kind of equality is neither more possible nor

more desirable than that of keeping everyone fully under the thumb of the law. Even if all lawyers were equally clever and unscrupulous, not all criminals or would-be criminals are. Would we not still envy the cleverest and most imaginative criminals who got away with the biggest and best crimes? A more serious objection is that the inclination to excuse tends not only effectively to do away with punishment, but to vitiate the very notion of crime. Alcoholism, for example, has all but become a disease, not a crime or even a vice.

We do not punish people for illness since they do not cause it. But if there is no crime or vice because there is no legal or moral responsibility, then neither can we hold ourselves responsible for and take pride in obeying the law or doing the right thing. In denying that human beings are to blame for their actions we deny them all moral responsibility and degrade them to the rank of beasts, who act by natural inclination or urge or at best by habituation. Fortunately, just as our natural sense of equity causes us to balk at equality under an inflexible law, our righteous indignation causes us to reject the thought of equality outside the law. We can conceive how we might best satisfy our desire for strict equality. But the desire itself seems incoherent when we see how it conflicts with the compassion and anger that also seem to be essential elements of justice.

A choice between strict abstract legal equality and a legal flexibility admitting of unequal and even arbitrary application is unsatisfactory under any law and in conjunction with any economic order, not only under capitalism. Of course it should go without saying, though not without considering, that we do not want to live either equally without law or equally under any old law. If white and non-white in South Africa were subject to equal punishment for violating the laws authorizing apartheid, they would be equal under the law. Closer to home, many Americans are now of the opinion that capital punishment, however uniformly inflicted, would still be cruel and unusual punishment. So even if a demand for equality under the law could be met, the desire for justice which is presumably its root would not be satisfied. Nor is justice itself always identical with the common good that should be its end—or so President Ford argued with some force on the occasion of the Nixon pardon. What is desired above all is not equality under the law, but prudent application of good laws. As the unpalatable logical extremes of equality under the law reveal, love of equality is not properly understood as a desire for strict equality or even for strict justice. It can be understood to point to the need for a proper appreciation of both the human strength ex-

hibited in morally and legally responsible actions and the weakness exhibited in involuntary or necessary lapses from morality and obedience to law.

II

Although "participatory democracy" has not always been vociferously demanded, there can be no responsible government without political participation, and no democracy without equal participation. In recent years the demand for political equality has been vociferous. Or at least intellectuals and activists have acted as if they had heard the voices vociferating, even when they seem to have orchestrated them. In the last twenty or so years, our Constitution has been interpreted in the name of political equality to require strict adherence to the principle of one man, one vote, and to forbid the requirement that a citizen be literate enough to read about electoral issues and candidates in a newspaper or even that he understand the language in which politics is conducted in the United States. Congress has sought to secure not just equally weighted votes, but equally effective votes through the Voting Rights Act; and it has tried to equalize influence on candidates and elected officials through legislation on campaign contributions and federal financing of presidential campaigns and through regulation of lobbying practices and oversight of officials' incomes. The Executive has sought to increase, if not equalize, informal political participation by mandating public hearings and community "input" in many of its programs. Political parties have set for themselves goals, if not quotas, for proportionate representation of women and minorities on their official bodies.

It is reasonable to doubt that we have political equality in the United States today, even if it is unreasonable to assume that our regime was ever intended to be perfectly egalitarian or that it should be. It is commonly believed, also with some justification, that the lack of political equality in America, whether intended or not, is a function of capitalism. No doubt the poor rarely run for office or take an active part in partisan politics, and many do not even vote. The Senate is inhabited by millionaires, and suburban housewives and school teachers with leisure now select presidential candidates in primaries and party caucuses. The influence of the wealthy contributor to a campaign is likely to be greater than that of the anonymous citizen who allocates a dollar a year of his

federal income tax to the campaigns of all major presidential contenders. Yet it is far from obvious that these political inequalities are due to capitalism and only capitalism, or that they could be eliminated simply by reforming the economic order.

It did not take contemporary students of American capitalism to show that one must have money to afford to seek and hold political office, and that the laboring poor have little time and perhaps less interest in regular political activity. These phenomena are no more characteristic of modern industrialized capitalist societies than of ancient Athens. And if wealth is not the key to political power in communist countries, neither are personal merit or public service frequently decisive. What does remain for contemporary students of American capitalism to demonstrate is that some economic, social, or political reform can remedy these defects, so as to ensure first, that men and women of ability, integrity, and loyalty, however poor or wealthy, come to hold political office and, second, that all, however poor or wealthy, take an active interest in politics. For it seems that not so much capitalism or even economic inequality, but lack of assured wealth and leisure are the economic obstacles to political participation. There may also be cultural barriers to full and equal participation that will not be overcome by any institutional reform alone. And some people may just have a natural disinclination to political activity that will never be overcome under any free regime. Capitalism may well be accompanied by unequal political participation, but it does not follow either that capitalism causes that inequality or that abolishing capitalism will bring more equal participation.

Once again, we can ask why political equality is desired anyway. Several reasons have traditionally been offered. All are problematic, but revealing. Equality is thought to be a hedge against tyranny. Society cannot exist without rules that invariably limit the freedom of individuals, but each might attempt to secure as much freedom as possible by helping to formulate the rules by which all must live in accordance with his own wishes. All rule so that no one is ruled tyrannically. Or, rather, in this way all but majority tyranny might be averted. The equal rule of each cannot be assured if the rule of all is taken to mean, as it usually must, majority rule, because there can easily be a permanent minority, effectively though not legally disenfranchised.

Even without supposing tyrannical intent, a government sometimes acts contrary to the people's good as they perceive it. Therefore the wearer of the shoe that pinches should be able to consent, or more to the point, to withhold consent. This kind of argument, however, cannot lead to the conclusion that all must share equally

in rule, because not everyone has equally sensitive feet or complains as loudly as others do. Nor is knowing that a shoe does not feel right the same as knowing how to make one that does. Sometimes it is contended that the collective wisdom of the inexpert customers will exceed that of the expert, or will at least be sufficient. But this contention could make sense only if the collection of wisdom took place not at the ballot box, where each unreflective choice is finalized, but in a deliberative body where constructive debate might synthesize the bits of wisdom found in various unsound opinions. And even here there is no guarantee that the synthesis will not contain bits or even large chunks of unwisdom.

A third, somewhat more compelling argument for participation is that in being forced or at least encouraged to make political choices frequently, the citizen's capacity to make reasoned choices concerning both public and private matters is enhanced. Regular political activity is to be preferred to mere voting once every few years and to never having to formulate any opinion at all. The justification for universal participation is that the capacity of everyone to be intelligently and actively interested in his condition is promoted. But then we can only hope that we have time to wait for the capacity to be adequately developed.

The final and perhaps most fashionable reason given today is that the equal dignity of human beings mandates political equality. In fact dignity is assured with recognition of that mandate as a mandate. The difficulty in this argument is that it is not at all clear why anyone's dignity depends on an acknowledgement of universal political equality or that it does depend on it at all.

All of these arguments for political equality begin with the premise that equality and its benefits are rights. A share in authority is not to be a reward for services rendered or a recognition of demonstrated ability; justice, in the sense of giving to each his desert is not a serious consideration. Moreover, a harmony of the self-interests for whose protection political power is sought and the good of all as a whole is simply assumed or contemptuously disregarded. So is potential competence. In the context of modern capitalist societies this attitude can at least be understood, if not condoned. Today in America no serious arguments are made against *de jure* political equality. At most there is opposition to some of the means said to be necessary to secure *de facto* equality. To liberal and radical proponents of *de facto* equality it appears that the chief beneficiaries of the inegalitarian status quo are the wealthy. It is hardly argued today that the wealthy deserve a greater share in political authority than the poor because they

make a notable contribution to the economy while the poor make virtually none. Even if such an argument were made, it would be untenable if one could not show that political authority is the appropriate reward for economic success. This demonstration would require proof that economic success and a willingness to own up to it every April 15th are manifestations of a kind of political competence, or that there is no real difference between political competence and the ability to make money. If every capitalist or rich man and only capitalists and rich men were capable of governing well for the public good it might seem just that the poor be effectively disenfranchised. But if the defenders of the status quo cannot make this or any better argument against measures thought necessary to achieve effective equality, then the poor need not do more than assert, as is the American way, a right to equality.

Whether argued for or simply demanded, political equality does not seem to be desired for its own sake. Rather, equality turns out to be desired because it is thought to ensure that politics will serve one's interests, whatever they might be, or at least that it will not systematically thwart them. The desire to have one's interests served points to the desire to have them served well. This could conceivably be done by a government of the few competent, who need not be elected by all, but selected according to their ability to provide for the true needs of human beings. Only if the interests or needs of various human beings differ fundamentally, or if the interests or needs of one cannot be known by another does it follow that each person who presumably knows his own needs better than anyone else, must have a say in government. Yet if it is supposed that the interests or needs of individuals which government ought to serve are not the same and cannot even be compared, then that individuals must have an equal say cannot be established. For if needs and interests differ and cannot be appreciated by others, then someone who determines that he has greater needs or higher interests cannot be denied the right to attempt to assure that government secure them. If we desire to have our unspecified or unspecifiable interests served, then we cannot show that equality is more in accord with our deepest desires than would be a tyranny of the wise or willful. With good reason the founders of liberal capitalism spoke not of self-defined interests, but of a need that could be acknowledged as universal and could never necessitate a tyranny to discover it. Their difficulty was in arguing that this most universal need—preservation—is also our greatest need or deepest desire.

Political equality is also desired as necessary to promote the

opment of everyone's capacities for deliberation and judgment and as tantamount to recognition of the moral worth of each. Or, we could say, political equality is for the sake of virtue—intellectual and moral excellence—and for the honor which excellence should be accorded. But it remains to show both that political equality is the precondition of excellence and that the capacity for virtue is equal in all human beings, so that a regime in which every excellent individual governs will also be egalitarian. The belief that all human beings conduct their own affairs equally well, much less the affairs of the whole polity, is not supported by facts we presently perceive. One could not seriously wish to be governed by either the Harvard faculty or by the first hundred names in the Boston telephone directory, to be sure. But that a grant of political equality alone could effect equal ability is dubious. And to continue to insist on an equality of the unequal would serve only to depreciate true ability. Recognition of excellence is needed as much to identify it to those who aspire to it as what they should strive for, as to reassure its possessors. Equality of the unequal obscures excellence, making it all the more difficult to achieve the excellence for which honor should be accorded.

From the reasons given for political equality we can infer that we desire it in order to live as our needs or interests dictate, which is sometimes called freedom, and to assure recognition of our presumed intellectual excellence and moral worth, or for human dignity. Neither is a wish for equality or justice for its own sake, and in fact neither requires equality for its fulfillment. Does capitalism facilitate the realization of our freedom and dignity? The ethos of capitalism invites us to take certain needs and desires seriously and encourages and honors the abilities employed in efforts to satisfy them. Are these desires and abilities the ones we really care about if our wish is for freedom or dignity?

III

When we think of economic and social equality, two quite different kinds come to mind. One is "equality of opportunity," a situation in which each person is able to advance in wealth and social status according to his or her merits; the other is "equality of result," a situation in which each person winds up equal in wealth and status to every other, no matter how.

Equality of opportunity amounts to an assurance that there will

be no arbitrary obstacles to advancement by ability. The fact that someone is born to particular parents should have no bearing on whether he himself ends up with wealth and status; privilege is not to be inherited, and nepotism is to be discouraged. The fact that someone is born black or white, Catholic or Protestant, Spanish or English speaking, female or male should have no bearing, nor should the fact that someone is born to wealth. To this end free public education, for example, is instituted as a means. Natural ability and only ability should determine place.

Equality of result requires that natural as well as conventional and arbitrary obstacles to wealth and status be overcome. It is not to be supposed that nullifying all advantages of birth excepting the nature with which one is born will suffice. Any disadavantages race and gender may cause are to be compensated for by the use of benign quotas; genetic and accidental disadvantages are to be overcome as far as possible with the aid of special education programs. One's inherited nature is no more deserved than is inherited wealth, and it cannot in any case justify economic and social inequalities. Should results still somehow come out unequal, remaining inequalities are to be minimized by taxes, minimum wages, and welfare benefits, and by an enlightened public opinion that accords equal status to all occupations and capacities. Nothing can be left to nature or to chance.

Much study has been given the relation of capitalism to both equality of opportunity and result. Our present concern is not so much the conclusions to be drawn from such studies as the questions to be addressed by them. In evaluating the relation of capitalism to equality of opportunity, we must ask whether capitalism or, more broadly, an economic order characterized by private property and free use of wealth promotes or discourages "careers open to talents." How does it fare in comparison to its alternatives? Is this tendency of the economic order conducive to its stability? With regard to equality of result we need to know whether the economic order promotes or discourages equal results and whether it can tolerate them. Here the crucial issue would seem to be the place of incentives in the economy of the human psyche. Capitalism, which has relied heavily on incentives of greater wealth and status, might not survive a policy of giving no rewards proportionate to effort or ability. Nor have communist countries been successful in sustaining sound economies without recourse to theoretically unnecessary and impermissible economic incentives that lead to unacceptable unequal results. Communism's practical failure in this respect notwithstanding, its theory raises an important question. The same question is raised by our

own Protestant Ethic in its original meaning. Must seemingly necessary incentives be economic, or can human beings not be moved to produce for other ends?

Both equality of opportunity and equality of result might be thought to be specifications of distributive justice and desirable for that reason. We are familiar with these principles of justice as, respectively, "from each according to his ability, and to each according to his ability," and "from each according to his ability, and to each according to his need." The first might become effective if human beings could simply adopt a natural order of talents. Is this possible? We would be required to treat each individual as if he were *sui generis,* to act as if inherited rights were simply invalid, and to assume that society does not need the stability brought by deference to traditional orderings. And is it desirable? Is there not a grain of truth, if not justice, in the second principle, with which the first conflicts? The second formula does look more like one for charity than for justice. According to it, the natural order to be respected is that of needs, not talents. The grains of truth in it are first, that we all do have needs of various sorts, as well as abilities, and second, that people may have qualities that merit recognition even if they could never be mistaken for economic or quasi-economic abilities. The difficulty in this second formulation, however, is that those who espouse it do still wish it to be the principle of economic distribution.

Clearly, the desires for equality of opportunity and equality of result are for something more than economic justice. The desire for an equal opportunity to acquire wealth and status reflects the wish to develop and display one's capacities and to be recognized and honored for them. If all human beings were equally and fully well-rounded, the development of their capacities, especially the development of one capacity among many, might well be understood as a mark of choice and freely chosen virtue. But since abilities are on the whole given rather than chosen and few people are equally good at enough things to have a meaningful choice to make, the opportunity equalized is the opportunity to act in accordance with natural intention or accident, not to act simply as one chooses. The rewards sought, wealth and status, are in effect, for fulfilling one's nature.

The desire for wealth and status, or rather, for an opportunity to achieve them, might still be understood as a desire for virtue and its recognition. But this could not be affirmed without qualification for another reason. In a free society, wealth and status invariably depend on "the market." The abilities recognized and rewarded in any society tend to be those having products or

consequences that serve the needs and gratify the desires of whoever dominates that society, that is, of its regime. If needs and desires cannot be molded to reflect some non-arbitrary and true hierarchy of human excellences, then excellence will merely be defined as what satisfies dominant needs and desires. Since the likelihood of so shaping dominant desires is small indeed, then we cannot mean to identify wealth and status with recognition of virtue properly understood. Only erroneously do we desire wealth and status as recognition for true excellence. That we do almost consistently make this error must be due to the strength of the capitalist ethos in our regime.

The current preoccupation with equality of result is particularly interesting in this respect. Equality of result is presently the rallying cry of many intellectuals and of liberal and radical politicians influenced by them. It is not yet the demand of the people. Indeed, it is doubtful that the majority of Americans really care about being equal in wealth, even if equalization of wealth could be achieved without a lowering of their standard of living. Nor do the poor desire equal wealth; they desire more wealth. Who wants to live as well as the Joneses if the Joneses don't have a videocassette recorder? It is similarly hard to believe that people desire equal status rather than status. Granted that no one wants to be looked down upon because of occupation—he wants to be a sanitation engineer, not a garbage collector. But doesn't he really want to be looked up to? If all occupations were equally honorable, none could be looked up to; honor presupposes inequality. The American hero has always been Horatio Alger, who got rich, not the man who has made it to middle class mediocrity.

True, the intellectuals who espouse the cause of equality of result rarely insist upon a perfectly equal distribution of wealth. Rarely do they argue that equality of result is an end in itself. The wealth for which they argue is said, plausibly, to be necessary for the development of human capacities. Equal or roughly equal wealth is also asserted to be necessary for the dignity to which all human beings are assumed to be equally entitled. It is, after all, humiliating to have had an equal opportunity to become a millionaire and to have failed; there is no one to blame but oneself, nothing to curse but chance. When equal dignity is the concern, then equal, not merely more equal, status is required. The plea for recognition of the equal dignity of all human beings strikes such a sympathetic chord today that its connection to economic and social status is infrequently examined. This connection has been made only by means of a contamination of the austere moral philosophy of Immanual Kant by a worldly sub-philosophic mate-

rialism alien to Kant. For Kant, the dignity of each human being does depend on a supposition of the equal moral worth of all. But Kant surely never taught either that material well-being, much less material equality, was a precondition of morality or that moral worth brought any title to worldly recognition. If, as is now contended, the end is the development of the capacity for choice of a way of life, which gives human beings their peculiar dignity as moral beings, no necessary connection between this development and material well-being or social equality has been established. While faulting capitalism for its failure to accomplish equal results contemporary moral philosophers exhibit the very concern for material well-being that animates capitalism itself.

Human beings are moved in the first instance to concern themselves with economic and social matters by the natural necessity of survival. An instinctive desire for self-preservation compels economic cooperation and restraint of anti-social passions by social conventions and laws. But the necessities of preservation cannot fully explain desires for extraordinary wealth and especially not for honor—desires to be above a concern for material well-being and to be restricted only by the standards of sociability one sets for oneself. These seemingly extravagant desires are intelligible as attempts to transcend natural necessity by means of, and for the sake of, human self-determination. The presupposition of liberal capitalism is that the necessities of preservation can never be escaped; to the extent that the desire for honor cannot be understood as proper pride in securing preservation it is deemed "vainglory." When in modern times this account of human aspirations was recognized as inadequate, it had become impossible to understand the striving to live as one chooses, and not as one must, as anything but a desire to overcome nature, for nature had come to be understood as the necessary motions of bodies. The striving to perfect the human faculties that bring honor must be conceived of as freedom and as occurring only within a realm of freedom, as opposed to the realm of nature. When freedom is thought—as it is by Marxists and even by many who still fancy themselves liberals, if not capitalists—to be effected only by perfection of the socio-economic order, the determination to free ourselves from nature remains subservient to an end to which nature impels us, the end of preservation. Proponents of capitalism's would-be successor foster the illusion that they substitute moral freedom for natural necessity. Only in this problematic way does a concern for the equality of result not assured by capitalism reflect a desire for human responsibility and excellence.

IV

Contemporary America has witnessed a proliferation of movements of various sorts for "equal rights" which cannot be classified as legal, political, or social and economic simply. The Equal Rights Amendment and the feminism that spawned it come immediately to mind. One thinks also of the somewhat newer gay rights movement and the somewhat older, but still vigorous, pride in ethnicity, as well as of the attempt of the counter-culture emerging from the '60's to establish its legitimacy. Such movements have become so much a part of American life that the "moral majority" currently appears as one interest group among many and is conceded at best an equal right to its own life-style. The rhetoric of these movements tends to be egalitarian in part because such rhetoric finds receptive ears and in part because the first significant battles of their members to be what they are and be treated as if they were the same as everybody else are often waged in the courts under the banner of the Equal Protection clause of the Constitution. Nevertheless, the demands of women, homosexuals, proud ethnics, and the self-righteously unconventional are not simply for equality, nor even for justice. Rather, what is desired is freedom and respectability, or respectability in freedom, hence respect for freedom.

One hears little objection to granting full legal and political rights to such claimants; and their economic demands, equal access to employment and equal pay for equal work, are generally regarded as moderate and reasonable. To the economic demands capitalism itself poses no serious obstacle. Undeniably, capitalism gives unequal authority to the capitalist, who owns the means of production, for would-be wage laborers must put themselves at his disposal. Despite his ardent defense of the individual (perhaps because of his attachment to private property and the principles of private property) and despite his own not infrequent displays of economic initiative and even daring, the businessman has long been notorious for social conservatism. He, no less than anyone else, has prejudices and occasions to indulge them. Discrimination against women, minorities, and the unconventional has been legally forbidden in federal and state employment and wherever government intervenes to regulate the economy, and it could be argued that whatever advances in equality have been made in the private sector would not have been made without this impetus. At the same time, however, assuming that investment capital can be found, the system of free enterprise provides unique oppor-

tunities for the disadvantaged to compete with the majority on its own (materialistic) terms even as the competitors do their own thing. There are now banks and advertising agencies owned by and serving women, prospering businessmen and professionals catering to minorities equitably and effectively, and health food stores and head shops run by patrons of healthful and less than healthful lives. Other economic orders may have tolerated different groups as what they were, but surely none has been more conducive to their social as well as economic equality than free enterprise. Nor do the theory and practice of Marxism give any greater promise. Marxism bids us all "to hunt in the morning, fish in the afternoon, rear cattle in the evening, and criticize after dinner," but this promise can be taken up only as we all become species-beings, who no longer think it important or even proper to have our uniqueness respected. If the treatment of women is typical of communist practice, women are, as one observer has aptly put it, "liberated, but not emancipated."[3]

Even less resistance to the economic rights of members of these movements would be encountered if people had no cause to fear that their satisfaction would bring more fundamental changes. But people do have cause to fear. Equal pay for equal work by women might be fine in principle, but the fact that women are equally busy at work in offices and factories must mean a fundamental reordering of the traditional American family. And what happens when the second-grade teacher on whom Jane develops the normal crush is an equally-entitled-to-access-to-employment lesbian? Rights activists want not merely a fair share of the pie, but a share of something other than the traditional apple pie.

Gay lib, ethnic pride, and the counter-culture of the '60's generation are manifestations of the desire to have one's own "life-style." Reigning American culture is attacked as mere convention, at best partial and at worst utterly contrary to nature. Conformism to it is utterly deplorable. Heterosexual love is no more natural than homosexual, soul food not inferior to clam chowder, and four-letter words no less "expressive" than rational discourse. The rejection of conventional American mores and norms in the name of equal rights is presented as an attempt to reform convention to bring it into closer accord with nature, but at the same time, the existence of a common human nature with which it might accord is denied. Therefore convention as such must be rejected. Yet it is clear that these claimants to equal rights desire respect for the way in which they exercise their rights as well as their exercise. Since respectability invariably depends on a more or less fixed standard

for ranking, conventions cannot be done away with altogether; they must be remade. Leaving aside the issue of whether all life-styles are equally worthy of respect, it is hard to see how one might formulate a convention that gives equal respectability to all. One cannot be proud of one's life-style without in effect choosing it, however strong one's natural inclination to it may be. The choice of a life-style implies a preference for it above others and therefore a certain contempt for the others, however much is said about the equality of values. Just as there is no way to protect the rights of non-smokers without curtailing those of smokers, so one cannot chose a life-style contrary to that established by existing convention without undermining its respectability and offending its adherents. A battle of cultures is being waged.

There is a certain irony in the ready acceptance of the economic demands of women's liberation and other movements. Women's liberation, as the name suggests, is meant to be more about liberty than equality. And since when is working eight hours a day at a blue-, white- or pink-collar job liberation? It is liberty, or the absence of constraint, only if it is human nature to be, as Marx assured us, a conscious social producer. Perhaps the less moderate feminists are correct in taking the argument for women's liberation much further. According to them, the truly liberated woman is liberated not only from her economic bondage to men and to conventions that stereotype her, thereby defining her nature and place in society, but from dependence on any other human being for her wholeness and happiness. (Hence the significance attached to the discovery of the clitoral orgasm.) Typically, such arguments are made with reference to woman's body and the mental and psychological characteristics asserted to be fundamentally affected by the body.

In feminism as in the other movements for equal rights the desire for equality reflects an unwitting acceptance of natural necessity coupled with a desire for human dignity, but without the traditional mediation of virtue. If anything, freedom—doing one's own thing—is taken to be the meaning of virtue. Yet freedom turns out to be not only identical with one's necessity, be it sex, sexuality, or ethnicity, but an affirmation of that necessity. The life-style for which an equal right is demanded may be very different from that of the complacent capitalist, though these movements do seem to flourish under liberal capitalism. In the end they, as did Jerry Rubin, often succumb to the charms of capitalism. They can do so because they are in essential agreement with capitalism in their curious celebration of necessity, however

understood. As in the theory of liberal capitalism, if human excellence can be generated and sustained by any conventional order, it is by one that affirms necessity.

V

When we express a wish for equality and a doubt that capitalism facilitates its fulfillment we do not in fact mean to worry about either equality or capitalism as much as we might have thought. Rather, our wish for equality reflects somewhat incoherent desires for living, on the one hand, as our natures—our needs and desires—dictate and, on the other hand, with dignity, according to the perfection of our capacities as we have chosen and for which we have taken responsibility. The connection between the wish for equality and the economic order capitalism as well as the disjunction between capitalism and satisfacton of our desires now seem both more complex and less crucial.

To raise the issue of the relation of economics to the ends we seek as human beings in terms of the relation of capitalism to equality, we have contended, is neither intellectually nor politically constructive. How, we might ask, has the issue come to be stated in these unhelpful terms, and why has it not been thought advisable to abandon or improve upon them? What precisely is at the root of the phenomena that have come to bear the names of capitalism and equality and of our assumption that their incompatibility is the cause of much of our dissatisfaction with American life? Are there any more constructive ways of thinking about what we want from any regime that might guide our actions today?

A brief excursion into the political theory that can be said to account for and perhaps even to have given birth to capitalism in particular and to the modern world in general is useful. For in the writings of the early liberals, notably Thomas Hobbes, John Locke, and Adam Smith, one can see why both equality and economics have come to hold such a privileged place in the thought of proponents and opponents of capitalism alike. The philosophy that first articulated the fundamental principles of modern liberalism, from which capitalism is a natural development and communism a malignant growth asserts simultaneously and inseparably the natural freedom and equality of each and every human being.[4] Natural freedom is in turn the basis of both political rights and political duties, or justice. Human beings can

be naturally free only if they can be presumed naturally equal. They are free in the obvious sense of having no need to submit to the dominion of one another because they are presumed equal in two essential respects. Being roughly equal in bodily strength, thus in the ability to kill one another, each is capable of resisting any other's imposition of a government by force. Being equal in prudence, or at least in unwillingness to confess imprudence, and having a greater than equal interest in his own affairs, each is most capable of looking after himself. Therefore no one has either the natural power to impose his will on another or justification for doing so. Politics, or rule, which is nonetheless necessary to effect common enterprises, must therefore be freely consented to by all.

Human beings can be presumed naturally equal only if they are naturally free not merely from other men, but from nature itself, or at least from the intelligible, teleological nature of Classical and Christian thought. For if nature determines ends for human beings, then inequalities in prudence, which finds means to given ends, would readily be exposed. It would seem fitting that human beings be guided to their natural end, ruled by whoever might claim special knowledge of the end or demonstrate exceptional prudence. An hierarchical ranking of individuals in a community in the light of the end to be fulfilled and on the basis of prudence might seem just. In liberal thought, nature can give man only a beginning, not an end, or at best it can give a truncated end. Moreover, the beginning or truncated end cannot need to be intuited or effected by any rational faculty admitting of unequal distribution. It is the nature of a being to be, and every animate being actively desires to avoid its destruction, even if it has no notion of its perfection. In constituting beings, nature gives all beings equally the desire to preserve themselves and the right to the means thereunto, but she leaves them otherwise free from her tutelage. Hence the natural freedom and equality of all.

The natural right of every being to preserve itself entails a right to the means of preservation. If what is to be preserved is, as both modern science and political philosophy bid us to believe, a body, albeit a human body, then the means of preserving it are twofold: laws effectively enforced to deter threats to it by other human bodies and, more obviously, food, medicine, and other products of economic activity and scientific invention to remedy nature's defective production and distribution. Thus the right of nature points to its actualization with the most efficacious means of securing political order and of generating economic and technological advances.

From the novel theoretical pronouncement that all human

beings possess equally a fundamental natural right follows a novel practical political recommendation. The right of nature is a right to place one's own good above that of others, or above the common good. Previously, political philosophers had urged subordination of selfishness to public spiritedness or its sublimation by way of honor in political virtue. The theorists of liberalism sought instead to redefine the public good to make it accord with the self-interest of a body desiring above all to preserve itself in comfort. Obedience to law was to be induced by threat of punishment, including bodily destruction. At the same time law was to be limited in its scope to only what was necessary for the comfortable preservation of the political community and its members. A realm of indulgence of private, not to say selfish, desires was to be permitted and even publicly sanctioned.

As novel as the political recommendation—and tied to it—were recommendations of economic and technological development and of moral and intellectual transformations needed to stimulate this development. That human beings care a lot about the preservation and comfort of their bodies was not a new discovery; the judgment that in doing so they might best benefit themselves and others was new. No longer would political philosophers seek to moderate the desire for comfortable self-preservation with sobering reminders of human mortality and consoling myths of the immortality of the soul. Instead, the proponents of liberalism fostered and adopted modern science's redefinition of its end to make the ends of political philosophy and science as well as politics consistent with the self-interest of a body desiring commodious living. Nature's harshness was not to be acquiesced in, but overcome by a science become technological. Selfish passions, in particular the seemingly limitless desires for limited quantities of material goods could be indulged and even encouraged because their satisfaction could now be anticipated. Indeed, this very anticipation, an immoderate and anxious desire for wealth, was to be the motor of the mechanisms designed to assure satisfaction. The same political philosophy that posits the theoretical equality of human beings requires and justifies much of what we now associate with capitalism.

A newly unfettered and dignified desire for material well-being was meant to become the guarantor of not only private happiness, but of justice, or public morality. But neither justice nor happiness could be understood precisely as they had hitherto been understood. Justice might still mean giving to each his due. But corrective or commutative justice as applied to economic relations would lose all sense and eventually be replaced by "the market." Commutative justice presupposes some fixed value in the things human beings contract to exchange, a value presumably grounded in their utility to human beings utilizing them toward a given end. But as Hobbes would have it, in the condition of "meer nature" no good of human beings beyond that of the preservation of each is agreed upon, nor can the value of any particular thing for the preservation of any particular individual be anticipated. Circumstances and needs change, and "the value of all things contracted for, is measured by the Appetite of the Contractors: and therefore the just value is that which they be contented to give."[5] It is not unjust to profit from your neighbor's misfortune, nor for him to contract to work at a bare subsistence wage.

Distributive justice, too, could be divested of traditional moral strictures against greed. What is due human beings who must be assumed equal is impartiality, not more. Then, as John Locke, the father of capitalism, was to contend, the value of things provided by nature for the use of human beings without the addition of the labor that belongs to each individual is insignificant; initially, or naturally, there is virtually nothing to be distributed.[6] Whatever might be worth distributing is the product of the labor of individuals and is therefore already in a sense owned by the industrious and rational who feel the necessity of laborious acquisition. What is due the industrious and rational is not determined or limited with a view to any finite total of goods to be apportioned to each in relation to all others. Indeed, the total quantity of goods available for distribution is increased for the benefit of all mankind. Capitalist accumulation is not unjust and the "evil concupiscence" that inspires it is in fact not a vice.

The principles of modern liberalism were systematically elaborated for the first time in Thomas Hobbes's *Leviathan.* Leviathan, like the Biblical monster who swallowed up the proud, could be a kingdom of the proud if human beings could be humbled enough to concede their fundamental equality in the fear of violent death. The human beings we have learned to regard as equal are equal above all in the possibility of suffering violent death at the hands of their fellows. How could anyone fearing equally the cessation of motion toward objects of desire that bring felicity deem himself worthy of special honors, or reasonably be proud rather than simply "vainglorious?" How, recognizing that in the necessity of his motion he could not be distinguished from the rest of animate nature, could he rationally hold the specialness of man among created beings? The teaching about the natural equality of men in their anxiety for preservation is above all a polemic against the aristocratic grounding of both morality and happiness in pride.

The honor pride demands is necessarily scarce (there is nothing honorable in being average), and therefore a cause of invidious competition; peace and prosperity admit of universal, if not always perfectly equal distribution. The new justice seems to obviate the need for both the justice characteristic of pre-capitalist regimes and the pride and honor previously thought to be as necessary as justice for public morality and private happiness.

Remarkably, in the most ambitious study of American equality ever written, Alexis de Tocqueville has almost nothing to say of the connection between love of equality and love of justice. Instead, he speaks first of "a manly and legitimate passion for equality which rouses in all men a desire to be strong and respected" and "tends to elevate the little man to the rank of the great" and then of "a debased taste for equality, which leads the weak to want to drag the strong down to their level and which induces men to prefer equality in servitude to inequality in freedom."[7] The first passion, he foresaw, becomes increasingly difficult to sustain in the world constituted by liberal capitalism; the second gains ever greater strength.

At the base of our expressed demand of equality, we have argued, lie unarticulated desires not only to serve our natural necessities, but also to make manifest peculiar human excellences and see them accorded fitting recognition. A political philosophy that regularly refers us to our necessities makes it difficult for us to distinguish between the efforts we undertake by choice, and what we thereby achieve, from the things we do in servitude, or because we must. We tend to neglect yearnings beyond our most urgent and obvious needs, and eventually we come to be pained by reminders of the very possibility of striving to satisfy these yearnings. We come to envy rather than emulate the proud who would distance themselves from their necessities either by virtue of the goals they set for themselves or by the ways in which they go about fulfilling needs of all sorts. We end by stifling our own seemingly superfluous yearnings, and swallow a pride that would in any case no longer be justified. In so truncating our aspirations we effectively denature ourselves, for the fact that such aspirations still emerge in our arguments for equality suggest that they too are necessities of human nature.

Modern doctrine has so formed the human psyche that no radical reformation should be anticipated. At most one might undertake minor alterations with the hope that they will nonetheless be more than merely cosmetic. In particular, the tendency to make a virtue of necessity that has always been implicit in liberal capitalism is now explicit in contemporary egalitarian demands.

The tendency might be opposed in each instance: is homosexuality really simply in the genes, and ought this specific genetic configuration be celebrated rather than tolerated? But surely this problematic obfuscation must be addressed on the ground in which it germinated, that of capitalism. Can capitalism be a cause for pride as well as a reminder of human necessitousness? Can human beings who live in a society devoted to the pursuit of material well-being understand themselves as equal in merit and dignity as well as in need?

Indeed, it was the intention of advocates of liberal capitalism like Thomas Hobbes, John Locke, and Adam Smith to provide the striving to excel and to be recognized as excellent a newly respectable outlet in commerce, or economic enterprise. However discomforting the thought may be, there is comfort in the fact that the avarice of Americans in pursuit of material well-being engenders or supports much of what we recognize as ordinary decency or morality. Commerce seems to flourish with hard work, regular habits, and stability. So it discourages immoderate indulgence of private vices and violent political passions. (There is barely time to undertake a luncheon tryst, much less to man the barricades.) American capitalism also has a characteristic form of heroism, the working of economic miracles. Karl Marx could not help but admire the accomplishments of capitalism, even as he urged its destruction. Carnegie, Ford, and Rockefeller are legendary not for their ruthlessness, but for their successful daring and determination—not to mention their philanthropy. Capitalism's successes are a cause for pride, and the capitalist has some claim to the honor accorded virtue.

Pride in capitalism is vitiated, however, as much by an internal incoherence as by hostile doctrines. The ultimate purpose of the habits and actions inspired by capitalism remains provision for the needs and comfort of human bodies. How, on reflection, is it reasonable to risk your life or even the least of your material resources, to postpone present physical gratifications for the sake of future profits and pleasures which can never be assured? Why not leave the sweat and risk to others and then resent the pride they take in their successes? Capitalism's end undermines its efficacy as a spur to individual endeavor, making of rugged individuals impotent, yet envious and demanding citizens of the welfare state. If one tries to make a virtue of necessity, it becomes increasingly difficult to defend the necessity of virtue.

Similarly, contemporary doctrines hostile to capitalism stress the necessary end of capitalism, provision of material well-being. In this necessity all human beings are equal, and in not providing

for this necessity with perfect equality capitalism discredits itself. The inequality—and necessity—of individual virtue reestablishes its credit when capitalism is appreciated as a means which is not a mere means to its most obvious end. While we can take pride in the fact that capitalism does secure the general prosperity of mankind, capitalism may ultimately command greater respect as a means to an end incidental to its own.

In justifying service of the needs of human bodies, the theory that generates liberal capitalism can hardly fail to recognize that human bodies are invariably discrete, or individual. It is as individuals that we have an opportunity for pride as well as pusillanimity. In teaching us our equal necessitousness, Hobbes and his liberal followers hoped to undermine Christian complacency and the potential for invidious pride in aristocratic morality, not to demoralize us all. Our belief in natural equality was meant to bolster the ambition and self-respect of each. Naturally free and equal human beings cannot be supposed to have arrived at a condition of sociability unless they are supposed to have done so of their own accord, with the realization that cooperation and therefore the social, economic, and political structures cooperation entails are beneficial. They must have consented, or in effect contracted, to take their places in these institutions. Having contracted, they have bound themselves to adhere to what amounts to a long-range determination of what is in the interest of each and every human being, and not to act on perceptions of present necessity. This notion of contract is crucial to liberal politics and modern morality. Man is the animal that makes promises, and his capacity to choose his necessities and act on his choices distinguishes him from other animals. Modern morality amounts to the determination to be bound by the conventions and laws we presume to have created by our contracts, explicit or tacit. Making and keeping contracts is the source of modern man's dignity, for in contracts necessity and choice are both distinguished in theory and combined in practice.

Capitalism, as distinguished from competitors from welfare statism to various forms of socialism and communism, makes the notion of contract important in economics as well as politics. A labor contract enables a worker to understand himself freely to have entered into a temporary relationship of subordination to someone who, according to democratic theory, is no better. Worker and employer have consented to meet their respective needs on this particular occasion in this particular mutually beneficial arrangement. The illusion of voluntariness created by labor contracts becomes a reality to the extent that wages rise, for

people and therefore expectations become more equal and egalitarian.

Nonetheless, capitalism or any economic order organized on the principle of maximizing the production of material wealth does tend more toward equality of opportunity than of result. Efficient production of wealth dictates division of labor and concentration of capital. It did not take Marx to see that the factory worker who spends his life putting heads on pins is likely to suffer an atrophy of mental faculties at least as damaging as economic deprivation or even alienation, while the enterpreneur who constantly faces new challenges thrives mentally and psychologically as well as monetarily. Inequalities in natural ability and luck are intensified and made more obvious. Differences between employer and employee may narrow in many respects and even in many occupations, but in industry, which should be the principal occupation under capitalism, wages do not tend to rise naturally, and authority does not become less concentrated. The resulting poverty and dependence of the industrial worker endangers democracy, though not because the potential for revolution is created. It is unlikely that there will ever be such perfect equality or such complete freedom from necessity that some people will not have to work for others whether they like it or not. Constant confrontation of an inevitably necessitous condition (unaccompanied by an unfounded expectation of overcoming it) can only be demoralizing and dehumanizing.

Therefore in industry the illusion of natural equality and dignity must be preserved with the aid of organizations that give real bargaining power to otherwise impotent workers and with watchful regulation by government of industrial relations. From this it does not follow, of course, that wages can be raised to arbitrarily high levels that vitiate individual incentives or that price goods out of the market. For unearned wages "earned" cannot give individuals much cause for pride, and a capitalism that does not provide a basis for general prosperity is no source of pride for America as a whole.

America cannot abandon its commitment to equality without ceasing to be what it has always been and is. But we can think a bit more about the kind of equality to which we are committed and why we are committed to it. The natural equality of human beings, on which equality of rights is predicated, has come ever more to mean either an equality of need, and therefore a right to the satisfaction of need, or a presumed equality of moral worth that need never be tested by fact. These understandings have initiated or supported current demands for equality of result as an

economic right as well as for equal political participation and for equality of life-styles. But was not the original understanding of natural equality that human beings are roughly equal in the ability to manage their own affairs and therefore that each has a right to voice an opinion or at least to withhold consent when public management of common affairs seemed called for? America is fundamentally committed to a belief in a specific equal ability that issues in a requirement of popular and limited government.

Given our express belief in the ability of all human beings to manage their own affairs well enough, we must accept the consequences of the fact that most are naturally inclined to assume that their own affairs are primarily provision for the material well-being of themselves and their families. We cannot dismiss this assumption without calling into doubt our belief in their natural or untutored ability to manage without the unsolicited direction of government or some other authority. The assumption that individual affairs are primarily economic, coupled with the requirement of individual consent, has engendered the habit of appraising regimes with an almost exclusive view to how effectively the material needs of each and every citizen can be served by its economic order. But was not the original understanding of the importance of material well-being that the enjoyment of material goods is for the sake of happiness? How many material goods we need to be happy is open to dispute; there is probably no such thing as too much.

There is, however, such a thing as too much concern for material well-being and too much endeavor to assure it. Unless, as is sometimes argued, freedom and virtue are tantamount to the activity of acquisition, then the ends for which material well-being was thought necessary or desirable are lost sight of. This much must be appreciated if demands for equality and concern over the nature of the economic order with which we must live for the indefinite future are not to become obstacles to the satisfaction of the very desires that give rise to these demands and concerns. However heated the dispute over the merits and defects of capitalism may become, it can be pointed out that the dispute is over a mere means, and that means must be evaluated in the light of the ends they serve.

This is not the occasion to examine alternatives to the American regime and its self-understanding. It is the occasion to stress that we cannot begin to clarify our own ends or to identify the cause of our dissatisfactions with American capitalism until we have understood what we mean in demanding equality. This much has become clear: What merits our greatest attention is the "legitimate

passion for equality which rouses in all men a desire to be strong and respected."

NOTES

1. Alexis de Tocqueville, *Democracy in America,* trans. by George Lawrence (New York: 1969), p. 57.
2. Aristotle, *Nicomachean Ethics,* v. 1130b30–1134a16.
3. Hedrick Smith, *The Russians,* (New York: 1976), p. 124.
4. The following is based primarily on Thomas Hobbes, *Leviathan,* ch. 13–15.
5. *Leviathan,* ch. 15.
6. The following is an interpretation of the argument of John Locke, *Two Treatises of Government,* II.,5.
7. What follows relies on *Democracy in America,* I. i. 3; I. ii. 10 (pp. 400–407); II. ii. 10–20; II. iii. 5–7, 18.