

Schemmel C. (2021): *Justice and Egalitarian Relations*. New York: Oxford University Press. 336 pages

Timur Saev

Student, Faculty of Humanities, National Research University Higher School of Economics

Address: Staraya Basmannaya Str., 21/4, Moscow, Russian Federation, 105006

E-mail: tasaev@edu.hse.ru

The publication of a major work on liberal justice and equality in 2021 might lead one to believe that it is *just another* theory of justice alongside many others. Since John Rawls published his *Theory of Justice* more than fifty years ago, the number of academic works on this topic has become voluminous. As a result, they may naturally merge into a big blob of arguments, concepts, and proposals, the value of which is difficult to estimate.

Christian Schemmel's book *Justice and Egalitarian Relations* risks becoming *just another* theory of justice in a time when the questions and problems that Rawls raised in his famous work are gradually fading into the background, giving room for more relevant discussions such as global justice, the political philosophy of healthcare and education, social epistemology, etc. In order to avoid such an attitude towards Schemmel's book, I shall explore a context that we need to take into consideration when estimating the importance and impact of the book on political philosophy.

This context emerges from a discussion that has been called the 'luck vs. relations egalitarians debate'. It started in 1999 when the American philosopher Elizabeth Anderson published the essay *What is the Point of Equality?*, in which she expressed doubts that contemporary egalitarianism was taking the right direction. Post-Rawlsian theories of liberal equality as proposed by Ronald Dworkin, Gerald Cohen, Eric Rakowski, and many others, were largely focused on egalitarian distribution, setting aside questions concerning social status hierarchies and the value of equal relations between members of a political community. In a discussion around this essay, two camps formed, one being the proponents of the novel idea of relational equality, and the other being the defenders of mainstream distributive theories such as what is now called luck egalitarianism¹.

1. Prominent works on relational egalitarianism include: Anderson E. (1999) What is the point of equality. *Ethics*, vol. 109, no 2, pp. 287–337; Anderson E. (2008) How Should Egalitarians Cope with Market Risks? *Theoretical Inquiries in Law*, vol. 1, no 9, pp. 239–270; Scheffler S. (2003) What is Egalitarianism? *Philosophy and Public Affairs*, vol. 31, no 1, pp. 5–39; Scheffler S. (2005) Choice, circumstance, and the value of equality. *Politics, Philosophy and Economics*, vol. 4, no 1, pp. 5–28; Wolff J. (1998) Fairness, Respect, and the Egalitarian Ethos. *Philosophy and Public Affairs*, vol. 27, no 2, pp. 97–122.

For primers and elaborations of luck egalitarians, see: Arneson R. J. (1989) Equality and equal opportunity for welfare. *Philosophical Studies*, vol. 1, no 56, pp. 77–93; Arneson R. J. (2004) Luck Egalitarianism Interpreted and Defended. *Philosophical Topics*, vol. 32, no ½, pp. 1–20; Cohen G. A. (1989) On the currency of egalitarian justice. *Ethics*, vol. 99, no 4, pp. 906–944; Lippert-Rasmussen K. (2015) *Luck Egalitarianism*, London: Bloomsbury Academic; Tan K.-C. (2008) A Defense of Luck Egalitarianism. *Journal of Philosophy*, vol. 105, no 11, pp. 665–690.

There is neither place nor time to judge this debate, or determine who might win or lose. As a relatively new theory of liberal equality, social egalitarianism² has been forged in the heated and tense atmosphere of an academic debate. However, its polemic nature results in the fact that its status as a theory was seriously unclear. In the strictest sense, relational egalitarianism was not *a theory*. Instead, it was rather a pool of arguments, critical considerations, and drafts of future theories, the majority of which have been left as such.

Christian Schemmel participated in the debate between luck and relational egalitarians on the side of the latter. His papers written in early 2010s have been included in the book as two introductory chapters³. Significantly, Schemmel does not give up on the critical focal points of the debate that is slowly calming down. His aim is to provide a systematic account of relational egalitarianism as a normative theory that has something to say about existing social inequalities. He is seeking to lay theoretical grounds that allow us to overcome these inequalities, and to offer practical recipes of how to do just that.

In other words, *Justice and Egalitarian Relations* is not *just another* theory of liberal equality. It is a first attempt at a systematic study of social equality, a theory created from scattered arguments and practical implications. Thus, we must evaluate this book from the perspective of how it addresses the context in which it has emerged, and which problems it solves within that particular context.

In general, in *Justice and Egalitarian Relations*, Schemmel intends to solve two problems. As said above, the first is to formulate a theory of relational egalitarianism. The second is to show its closest implications concerning distributive justice, healthcare, and political equality (p. 10–11). Accordingly, the book is divided into two parts: in the first part, Schemmel explores the conceptual grounds and limits of his theory of relational equality. The first part in turn consists of two introductory chapters and four chapters in which Schemmel presents his main argument in the book. In the second part, which consists of three chapters, he turns to the application of his theory to political equality, distributive justice, and healthcare.

In my review, I shall investigate two main points that will allow us to properly assess the place of this book in the egalitarian tradition. First, I shall explore the main argument of the book concerning the autonomy of relational equality and an interpretation of it in terms of non-domination, and then I shall assess Schemmel's view of distributive justice.

Let us turn to the first part of the book. In the introductory chapters, Schemmel demonstrates that relational equality is an autonomous ideal that is based on the expressive attitudes of agents, not on principles of egalitarian justice. We may deal with different situations of inequality that are distributively identical but expressively different⁴, and they should be treated separately. Distributive equality does not guarantee that the

2. From here, I will use the terms 'social egalitarianism' and 'relational egalitarianism' as interchangeable, as well as 'social equality' and 'relational equality'.

3. Schemmel C. (2012) Distributive and relational equality. *Politics, Philosophy and Economics*, vol. 11, no 2, pp. 123–148; Schemmel C. (2011) Why Relational Egalitarians Should Care About Distributions. *Social Theory and Practice*, vol. 37, no 3, pp. 365–390

4. In his 'V-scenario', Schemmel proposes to consider five different situations of inequality. In each situation a certain group of individuals does not have access to a certain good — in Schemmel's example, it is a medicine called 'V'. However, each situation differs from the others by the expressive attitudes of the state:

expressive attitudes of certain agents will be respectful of other agents. Similarly, a slight inequality of distribution does not mean that social relations in a given society are corrupted by inequality, status hierarchies, etc.

Thus, the problem of expressive attitudes requires an independent solution based on a concept of relational equality. Schemmel tries to formulate this basis, using the powerful idea of non-domination that was originally introduced in political philosophy by Philip Pettit. Non-domination seems indeed an appropriate starting point: alongside social egalitarians, contemporary republicans prefer to think about justice, liberty, and equality in terms of social relations and their institutional framework. They see the root of all oppression and inequalities in domination, defined as an agent's capacity to interfere in certain choices of another agent on an arbitrary basis (p. 52). Moreover, the value of non-domination was recognized⁵ before the publication of *Justice and Egalitarian Relations*. This strategy was not originally devised by Schemmel, but he brings it to a new level of conceptualization.

Schemmel turns to non-domination as an ideal that may be successfully incorporated into a liberal theory of equality. For him, non-domination is not an independent ideal, but an appropriate and plausible interpretation of what we may mean by relational equality. Individuals enjoy social equality if and only if none of them have the capacity to arbitrarily interfere with the others' choices. An analysis of non-domination as provided by Schemmel is simultaneously a detailed account of existing neo-republican conceptions of non-domination and a proposal for a liberal alternative to them.

The main idea of what Schemmel calls liberal non-domination is that non-domination, if it is to be incorporated into a liberal account of equality, should be based on an idea of the moral powers of persons, namely their capacity to develop a conception of the good and their sense of justice. It distinguishes Schemmel's approach (p. 78–93) from those of Pettit, Forst, or Lovett: unlike republican accounts of non-domination, liberal non-domination presupposes a thick background in the form of the already mentioned concept of moral powers. This ensures that the understanding of non-domination in a given society will not depend on contingent factors such as culturally specific interpretations of fear, power, and honor. Additionally, it relies on the liberal notion of social cooperation, which guarantees the subordination between non-domination and other values.

The second difference between liberal and republican non-domination consists in what Schemmel calls the 'ethos of non-domination' (p. 116). The idea behind it is simple, but powerful: the law is an important institutional tool for promoting non-domination. However, we cannot achieve it fully by law only; there are spheres of human life, such as intimate relations, family, etc., which cannot be regulated by law, or which may suffer from strict legal regulation. In this case, we need to be sure that not only laws and other formal societal rules promote non-domination, but also individual attitudes that ground

in the first scenario, individuals of the given social group cannot afford V and the state ignores this problem, whereas in the last scenario, the state legally prohibits them from acquiring V by any means (p. 27–29).

5. See Garrau M., Laborde C. (2015) Relational Equality, Non-Domination, and Vulnerability. *Social Equality: On What It Means to Be Equals* (eds. C. Fourie, F. Schuppert, I. Walliman-Helmer, New York: Oxford University Press, pp. 45–64; Sanyal S. (2012) A Defence of Democratic Egalitarianism. *The Journal of Philosophy*, vol. 109, no 7, pp. 413–434.

them. We need to leave some room for discretion, or else we may achieve an appropriate level of non-domination at the expense of sincere intimacy and voluntary social bonds.

The concept of liberal non-domination is a highly attractive alternative to its republican counterpart. Liberal non-domination allows us to interpret social equality in terms of protection of individuals from arbitrary power and, at the same time, to avoid the republican mistakes of cultural determinism and an obsession with legal institutional frameworks. However, there is an additional problem worth mentioning. Aside from other weaknesses of republican non-domination, Schemmel is particularly interested in rebutting Pettit's republican consequentialism, that is, the thesis that non-domination is a goal, not a deontological constraint⁶. Schemmel points out that this approach is not well-suited for liberal purposes as it cannot ensure that non-domination will be maximized with respect to equality. However, he does not provide an alternative. If republican consequentialism is wrong, what should we believe instead? Perhaps we should view non-domination as a set of absolute constraints, rather than turning to virtues that can be described as liberal in nature. Schemmel emphasizes the importance of ethos for liberal non-domination, but he does not give a sound answer.

Nevertheless, it does not mean that Schemmel's relational egalitarianism runs into a brick wall. Despite Schemmel's clear preference for the interpretation of social equality as non-domination, he does not limit himself to this. An extremely significant part of Schemmel's conception is egalitarian pluralism, an idea shared by many other relational egalitarians. Thus, non-domination is an influential part of the general egalitarian toolkit; however, it is just a part, and its claims may be supplemented by other independent claims of equality.

Let us turn now to the second part of the book in which Schemmel explores the most relevant applications of his theory. One of these pertains to a serious problem social egalitarianism encountered soon after its emergence, namely, distributive justice.

Considerations concerning distributive justice and equality existed in relational theory before Schemmel's work was published. Elizabeth Anderson argued that distributive justice must be subordinated to the pursuit of social equality and a sufficient level of welfare. This is in order for individuals to succeed as members of the democratic community⁷. This account has been justly criticized, as it leads to unattractive implications such as possible economic inequality *above* the 'sufficient level' of economic metrics⁸.

Schemmel asserts that, in fact, relational egalitarianism actually implies a much stricter distributive position than was first acknowledged by both its proponents and detractors. A distributive theory based on relational equality is close to strict egalitarianism. There are two reasons for this. In the first place, severe constraints of economic inequality protect individuals from those who may have the opportunity to simply buy power and

6. Pettit P. (2002) *Republicanism: A Theory of Freedom and Governmen*, Oxford: Oxford University Press, pp. 97–108.

7. Anderson E. (1999) What is the point of equality. *Ethics*, vol. 109, no 2, pp. 314–316.

8. Arneson R.J. (2010) Democratic Equality and Relating as Equals. *Canadian Journal of Philosophy*, vol. 40, no S1, pp. 32–33.

thus become dominant agents. Second, these constraints ensure that there will not be a social status hierarchy supported by economic power (p. 242–252).

Schemmel's conception of distributive justice is clearly distinguished from those of Anderson or other relational egalitarians. His arguments show that relational equality must be supported by distributive equality. Perhaps, after some development, they may form the foundation of one of the most promising theories of distributive equality. However, at this moment these arguments are rather instrumental considerations since Schemmel does not propose a theory of distributive justice in the form of a coherent body of high-order principles and their implications, primarily because he does not seek such a goal. Nevertheless, it leaves significant questions unanswered and leaves Schemmel's interpretation of distributive egalitarianism open to criticism, much like Anderson's sufficientarianism.

In general, *Justice and Egalitarian Relations* successfully accomplishes its goals. It proposes a theory of equality that in using both the liberal and republican experiences that combines their conceptual tools. This is in order to show that social equality is an autonomous ideal in the structure of egalitarian values. Turning to 'luck vs. relations egalitarians debate', Schemmel does not stop there, but goes on to formulate relational egalitarianism as a theory that is more than just a critical argument against opposing positions.

The work has some flaws, of course; however, they are not fatal mistakes. Rather, they are minor shortcomings, indicating that there is room for the further development of relational egalitarianism. The urgency for a more detailed and structured conception of distributive justice and a more thoroughly thought-out integration of non-domination into liberal egalitarianism may well catalyze further explorations and elaborations on the foundation provided by *Justice and Egalitarian Relations*.

The relational egalitarianism of Schemmel, like any other normative theory, has its limits and constraints, which should be taken into consideration while reading this book. *Justice and Egalitarian Relations* is a work that emerged in a very particular context and addresses very specific tasks. In particular, it means that arguments from this book are unlikely to convince those who do not share egalitarian values, and treat contemporary liberal theories of justice with suspicion.

Those who, in one way or another, are interested in recent discussions and developments in liberal and republican theory may find this book relevant and worth their attention. Schemmel's arguments will enable us to not only understand the main concepts of contemporary theories of equality, but also to go beyond academic prejudices regarding the relations between neo-republicanism and liberalism in recent political philosophy.

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Тимур Саев

Студент Факультета гуманитарных наук, ОП «Философия», Национальный исследовательский университет «Высшая школа экономики»

Адрес: 105066, Российская Федерация, Москва, ул. Старая Басманная, 21/4

E-mail: tasaev@edu.hse.ru