

*Distributive Justice and Access to Advantage*. Edited by ALEXANDER KAUFMAN.  
(Cambridge: Cambridge University Press, 2015. Pp. viii + 277. Price....)

*Distributive Justice and Access to Advantage* is the most recent anthology devoted to the work of the great and, sadly, late political philosopher G.A. Cohen. Whereas other anthologies published since his passing have been comprised of Cohen's own work, this anthology, edited by Alexander Kaufman, presents us with a series of essays *about* Cohen's work. The volume's impressive roster of contributors will raise readers' hopes, and I don't think those expectations are likely to be dashed: the chapters in *Distributive Justice* achieve a high level of sophistication, and most of them have not been previously published. Though I didn't know Cohen personally, I'm sure he would have been happy with the careful attention *Distributive Justice's* authors devote to understanding his views, as well as with their insightful commentary.

*Distributive Justice* is broken up into three sections, each of which is devoted to a different theme in Cohen's work. The first mostly concerns methodological views Cohen defended in the later part of his career: namely (a) that fundamental normative principles are 'fact-insensitive' or justified independently of factual reasons, and (b) that the concept of justice is located at the level of fact-insensitive principles, rather than at the level of derivative, action-guiding principles (Cohen calls the latter 'rules of regulation'). The second section is primarily concerned with Cohen's luck egalitarian conception of fairness, i.e., his view that distributive fairness obtains if and only if there are no involuntary inequalities. The third is about matters of political practice. Issues addressed in this last section include the extent to which a number of the values Cohen champions (particularly fairness, freedom, community, and efficiency) can

feasibly be implemented in unison, as well as which institutional arrangements (socialist or capitalist?) would best serve to implement them.

As some of the chapter titles suggest, there is a certain amount of overlap between sections. Luck egalitarianism, though focused upon in the second section, is also discussed in the other sections. This may make the editors' decisions about how to categorize chapters look somewhat arbitrary, but I assure the reader that appearances are deceiving, in this case. Though the themes covered in this volume are distinct, they are nonetheless intimately related. After all, one's view about the kind of thing justice is (the concept) will presumably have implications for one's take on the content of justice, and one's take on the content of justice presumably has implications for which institutional arrangements one deems most desirable. It is one of the volume's virtues that relationships like this are explicit throughout.

The contents of *Distributive Justice* are fairly diverse with respect to the attitude authors take towards Cohen's work: some are mostly critical, others are sympathetic and somewhat defensive, and yet others are primarily interested in reconstructing and understanding the debates between Cohen and his opponents. Even when reading the critical chapters, though, it is evident throughout that contemporary political philosophy is indebted to Cohen for his insights. For example, in a previously unpublished piece entitled "The incoherence of luck egalitarianism", David Miller articulates a putatively *internal* critique of luck egalitarianism. Rather than questioning it on the ground that it conflicts with important values (respect, compassion, etc.), or on the ground that it cannot feasibly be implemented, Miller attempts to show that the luck egalitarian conception of *fairness* implies two inconsistent *requirements of fairness*. The basic idea is this: luck egalitarianism requires both that involuntary inequalities be eliminated and that voluntary inequalities be left intact. Unfortunately, the choices one makes often affect other

people's luck. For example, if all of us possess an equal share of resources, but I decide to give you a monetary gift that you choose to accept, the resulting inequality between us is traceable to our choices and thus perfectly fair, from a luck egalitarian perspective. The resulting inequality between you and everyone else, however, is not. That you were the recipient of my gift instead of someone else is a matter lying beyond others' control, and thus the inequality between you and them isn't fair even though the inequality between you and I is (pp. 138-9). In cases like this, Miller argues that luck egalitarianism presents us with two conflicting requirements of fairness. On the one hand, fairness requires that you be permitted to keep your monetary gift, since eliminating or even reducing the voluntary inequality between you and I would be unfair. On the other hand, though, fairness also requires that your monetary gift be taken from you and redistributed (or that gift-giving be prohibited), since the largely involuntary inequality between you and everyone else is unfair (pp. 135-40).

It is debatable whether Miller has truly shown that luck egalitarianism is incoherent. However, I bring up his criticism not because I wish to attack or defend it, but rather because the sophisticated form it takes is a product of Miller's engagement with Cohen's work. As Cohen makes clear in *Rescuing Justice and Equality*, luck egalitarianism, as it's understood by him and many others, is not a theory of how we should design shared institutions, all things considered. Nor, similarly, is it a theory of what we owe to each other as a matter of moral duty, all things considered. Instead, it is a theory of a relatively narrow, comparative value that we typically refer to as distributive fairness. As such, criticisms that point to conflicts between luck egalitarianism and other values, or to problems of feasibility, do not show that luck egalitarianism is mistaken *as a theory of fairness*. All they show is that fairness is not the only consideration that must be accorded weight when determining how to design our institutions, or

when determining what we owe to each other (*Rescuing Justice & Equality*, pp. 7-8 and pp. 271-2). Against this background, Miller's criticism is refreshingly sophisticated. An internal conflict between the requirements of luck egalitarian fairness is far more troubling than conflicts between luck equality and external considerations.

As the comments I've made suggest, my impression of the volume is largely positive. However, I think the editor's description of Cohen's critique of constructivism is in need of supplementation, as it may otherwise lead readers astray. In his introduction, Kaufman explains that Cohen criticizes constructivists on the ground that they attempt to justify their principles of justice entirely on the basis of non-justice considerations, e.g., the requirements of publicity, the importance of being able to stay committed to principles, etc. It is for this reason, Kaufman claims, that Cohen believes constructivists confuse the question "What is justice?" with questions like "What do we owe to one another?" or "What principles should we design our institutions in light of?" (p. 9). Though Kaufman is not exactly wrong, putting Cohen's position this way is a bit misleading. Cohen believes that if constructivists succeeded at justifying their principles without appealing to a more fundamental principle of justice, then their principles would indeed express a *bona fide* conception of justice. Their principles would not be entirely fundamental, but constructivists could consistently claim that their principles are as fundamental as principles of justice get. The problem, Cohen claims, is that constructivists fail at this endeavor. He thinks that plausible constructivist principles, in part through their reliance on factual reasons, inevitably presuppose a more fundamental principle of justice. As such, plausible constructivist principles can allegedly only tell us what we owe to each other or how to design our institutions, all things, including justice, considered. They cannot tell us what justice is (*Rescuing Justice & Equality*, pp. 279-82).

Notwithstanding my supplementary comments, *Distributive Justice* is a well-crafted, sophisticated compilation of essays by some of Cohen's brightest critics and advocates. All things considered, I highly recommend it.

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