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Market, Equality and Community: The egalitarian ethos of G.A. Cohen

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Market, Equality and Community: The egalitarian ethos of G.A. Cohen

While markets are widely lauded as efficient and attractive allocation mechanisms, controversy about their moral limits remain. The writings of G.A. Cohen provide an important contribution to this debate. Cohen offers two critiques of the market. One is a distributive critique, which maintains that markets fails in eliminating the influence of differential luck on people's lives. The other is a community critique, maintaining that market relations fall short of a community of mutual caring. These critiques differ in important ways from critiques developed by Satz and Sandel and suggest a need to assess markets beyond desperate exchanges and the adverse effects of incentives. Cohen's work also points to how we can realize distributive justice and community. His solution utilizes the supply and demand mechanism of the market as a signalling device rather than an allocation mechanism. High wages signal the importance of a specific job, but wage differences are subsequently taxed away. This peculiar market arrangement relies on moral rather than economic incentives and only works if it is combined with a communitarian ethos. This ethos solution is evaluated in light of recent criticisms that it would compromise the freedom to pursue personal projects, that incentives may express community and that the competition it utilizes mitigates against community. In the end, these critiques are not deemed persuasive.

Keywords: Markets; Distributive Justice; Community; Luck egalitarianism; G.A. Cohen; Ethos; Moral incentives; Egalitarian trilemma;

Introduction

Markets are often lauded as efficient mechanisms for allocating scarce resources. For most goods it is widely accepted to let supply and demand determine both the distribution and the price. The demise of the planned Soviet economy strengthened such beliefs. In 1991, Bowles remarked that *Time* magazine would have declared the market Person of the Year if anyone had known how to depict it on the front page (Bowles 1991, 11). Perhaps, such an award is less of a shoe-in today. At least, the moral limits of the market, the question of what markets cannot and should not do, receives increased attention.

Tirole highlights that there might be economic reasons for limiting the market. University degrees and Nobel prizes would lose their value if they were commodities. Could they be bought, they would no longer function as signals to the public or potential employees (Tirole 2017, 37). Furthermore, Tirole argues that markets should perhaps not be utilized, when exchanges negatively affect third parties through externalities, or when the exchanging individuals are themselves very badly affected through internalities (Tirole 2017, 37–38).

Others address the limits of the market from an explicitly moral perspective. Satz proposes a typology of four parameters for when markets are problematic, or, as she prefers, noxious. While some of her parameters are similar to Tirole's, Satz maintains that there is more to the issue than what economics can deliver (Satz 2010, 94). Two of the parameters relates to the consequences of markets, while two relates to those participating in the market. The parameters regarding consequences are extreme harm to individuals and extreme harm to society (Satz 2010, 94–96). The latter pertains to whether a market in a good eliminates people's opportunities to relate as equals. The two parameters regarding market participants focus on the weak agency/insufficient knowledge of sellers and the vulnerability of market participants (Satz 2010, 96–97). In his book, *What Money can't buy*, Michael Sandel brings forth two arguments for limiting the market. One is a fairness

argument, which objects to transactions made under unfair background conditions. According to Sandel, such conditions may undermine the voluntariness of market participants (Sandel 2013, 111,113). The other argument concerns corruption, specifically, Sandel highlights how market motivation may crowd out internal, other-regarding motivation (Sandel 2013, 111).

This article contributes to the debate about the limits of the market by presenting and evaluating two distinct critiques of the market made by philosopher G.A. Cohen. These are labelled *the distributive critique* and *the community critique*, respectively.¹ The first maintains that market distributions enhance the extent to which distributions reflect luck rather than people's exercises of responsibility. The second maintains that markets are a detriment to realising a community of mutual caring.

The article pursues three distinct purposes. The first is to reconstruct Cohen's two critiques, provide coherent formulations of their content,² and contrast them with critiques developed by Satz and Sandel. The second purpose is to address the relationship between community and distributive justice in Cohen's thought, including how Cohen believed we could realize both values through an ethos. Specifying the content of Cohen's ethos, the article argues that the ethos can realize distributive justice and community at the same time, by employing a peculiar market mechanism similar to that developed by Carens. Contrasting this ethical market with more traditional market socialist arrangements demonstrates how the latter are found wanting in terms of community.

¹ While these categories are similar to those employed by others (D. Miller 2014b; Roemer 2017; Ronzoni 2012; Vrousalis 2015), the content of them differs. Differences will be pointed out where relevant for the argument here. In an earlier unpublished manuscript, Cohen discusses the latter two together as a distributive critique (Cohen 1989a, 26) But as Cohen divides them into two in later discussions of this topic, it seems fair to assume this to be his considered position; see (Cohen 1991, 17, 1995, 259, 1992, 9).

² As Cohen's contribution to political philosophy was developed in critiques of prominent positions in the literature, we must thus engage in what Vrousalis has aptly termed 'positive reconstruction', to clarify Cohen's critiques of the market (Vrousalis 2010, 187).

The final part of the article addresses important critiques of Cohen's ethos solution to the potential conflict between distributive justice and community. It examines claims by Miller and Vrousalis that the competition present in the ethos solution mitigates against community, Ronzoni's argument that the ethos compromises people's opportunities to pursue personal projects and Fry's argument that higher wages are allowed by community but conflicts with distributive justice. On the account given here of the content of community and distributive justice and the content of the ethos, each of these critiques is deemed unpersuasive.

Formulating and assessing Cohen's critique of the market provides important contributions to contemporary discussions about the limits of the market. Each of which is relevant for choosing when markets should be utilized to distribute or procure some good or service. However, the critiques also point a more extensive discussion of markets than one, which is confined to assessing markets in controversial goods.

Cohen's distributive critique points to the myriad of ways in which markets may increase how people's relative positions reflect luck. Where Sandel and Satz, focus more on how markets may enhance existing inequalities in unfair ways, Cohen's distributive critique requires us to consider how the market may create unfair distributions in the first place. Cohen's community critique, underlining how there is a badness to the kind of interaction, which takes place in the market, also differs from the contemporary literature. Where Sandel focusses on how markets may have adverse effects on motivation, Cohen's critique prompts us to consider, whether there is a badness to market relations which go beyond its effects.

The limits of the market are often assessed in the context of controversial markets, where money is, for example, exchanged for organs, surrogacy or sex. Cohen's critiques illuminate that we do not need to turn to such desperate exchanges to find problematic markets. Finally, Cohen's critiques of the market and his envisioned ethical

market shows, how there may be a role for the market in delivering justice and community. However, as the ability of such a market to realize community and distributive justice depends not only on how institutions and rules are designed, we are also prompted to consider our own everyday choices and their effects on community and distributive justice.

The Distributive Critique

As a luck egalitarian, Cohen adheres to a responsibility-sensitive view of distributive justice. According to Cohen, the purpose of egalitarianism is ‘*to eliminate involuntary disadvantage, by which I (stipulatively) mean disadvantage for which the sufferer cannot be held responsible, since it does not appropriately reflect choices that he has made or is making or would make*’ (Cohen 1989b, 916).³ Hence, distributions are just only insofar as they reflect choices for which the relevant agents are responsible.⁴ Cohen’s distributive critique of the market is essentially that the market distributes goods and burdens in a way, which conflicts with luck egalitarian distributive justice.⁵ Cohen submits that it would be ‘a serious mistake to suppose that any market⁶ could conform to the requirement of distributive justice’ (Cohen 1995, 257).

The first way in which the market fails to deliver distributive justice is that it unfairly disadvantages people who have unchosen expensive tastes. According to Cohen, a person’s tastes are expensive ‘if and only if they are such that it costs more to provide her

³ For similar statements, see (Cohen 1989b, 931, 2008, 126, 2001, 131, 2009, 18). For recent discussion on Cohen’s luck egalitarianism, see (Albertsen and Midtgaard 2014; Knight 2009; Segall 2010; Lippert-Rasmussen 2016; Thaysen and Albertsen 2017). Miller has recently argued that Cohen is not a luck egalitarian (D. Miller 2014a), for a critique, see (Albertsen 2017).

⁴ Luck egalitarians can remain neutral between different theories regarding responsibility (Cohen 1989b, 1993, 28, 2006, 442, 2008, 406). For influential discussions see (Knight 2006; Stemplowska 2009).

⁵ For Cohen the claim that some feature x makes a distribution unjust, means that it would be better, from the perspective of distributive justice, if x were not a feature of that distribution (Cohen 2004, 4). All else being equal, this provides a reason to redistribute such distributions or prevent them from occurring.

⁶ Cohen allows, here and elsewhere, for the possibility that the market solution presented by Joseph Carens may be an exemption to this.

than to provide others with a given level of satisfaction or fulfilment' (Cohen 1999, 85). Cohen argues that luck egalitarian distributive justice requires compensation for those who are not responsible for their expensive tastes (Cohen 1989b, 922, 2004, 8).⁷ Cohen stresses how this view implies disapproval of many market-generated inequalities (Cohen 1989b, 923, 1999, 86, 2004, 17).

The second way the market compromises luck egalitarian distributive justice is that it rewards inborn talent. Talents are not something people have developed; rather they are 'due to circumstances that are entirely accidental, relative to whatever kind of natural or socially induced endowment they possess' (Cohen 2008, 120). Providing higher wages to the talented, either as a reward for productivity or as an incentive to work in specific occupations, contradicts luck egalitarian distributive justice (Cohen 2008, 32, 38–39). It is not, Cohen stresses, that the talented cannot work without the incentives; it is rather that they will not. While luck egalitarian distributive justice requires higher pay for those, who put in an effort above others' (Cohen 2008, 200, 225), it does not allow for rewards to inborn talents. The market's inability to discriminate between those sources of disadvantage is bad from the perspective of luck egalitarian justice (Cohen 1989a, 21, 2008, 404–5).

The inability of the market to track how circumstance and brute luck affect how much we need to satisfy our preferences, and how much we can command in salary as employees, makes it so that markets fail to deliver luck egalitarian distributive justice. These deficits reflect a broader concern. The luck egalitarian complaint against the market goes beyond salaries and consumption. Cohen submits numerous examples of advantages, which improves our situation compared to that of others, in ways we are not responsible for. These advantages include bequests, access to natural resources and the social circumstances of our

⁷ Cohen revises his position from 1989 in the 2004 text; the difference is not of great interests for the purpose at hand.

upbringing (Cohen 1995, 229, 2009, 7–9). As markets tend to reward those possessing such advantages, its inability to deliver distributions reflecting luck egalitarian distributive justice is apparent. The market is thus, in Cohen’s own words, ‘a brute luck machine’ (Cohen 2004, 17). Drawing on the above, we can formulate Cohen’s distributive critique of the market as follows: *The market fails to deliver luck egalitarian distributive justice because it does not track responsibility. The market fails to discriminate between effort and circumstance. It rewards inborn talents, punishes unchosen expensive preferences and increases the influence of differential luck on our relative positions.*⁸

Cohen’s distributive critique of the market differs in important ways from the existing literature on the moral limits of the markets. It is, however, instructive to emphasize the common ground between Satz, Sandel and Cohen. Satz’ concern for vulnerable market participants and those with weak agency are similar to the unfair background conditions, which give rise to Sandel’s fairness argument. Such unfair background conditions are most plausibly understood as people severely disadvantaged by bad luck. In a similar vein, Satz concern for extremely harmed third parties can be considered a form of bad brute luck. As such, there are important similarities between Cohen’s distributive critique and concerns raised by Sandel and Satz. However, there are also important differences. Recall the myriad of ways in which the market can disadvantage people in ways that reflect luck. This provides a basis for a much broader critique than Sandel’s fairness critique and Satz’ concerns for agency and vulnerability. On Cohen’s account, market exchanges are not only problematic, when would-be sellers live under desperate circumstances. While these are perhaps the clearest cases of market injustices, the problematic features of the market go beyond this.

⁸ This provides us with good reasons to reject claims in the literature about the compatibility of markets as such and Cohen’s ideal of distributive justice, i.e. (Anderson 2008; Spinner-Halev 2017; Steiner 2014, 148)

The market does more than unfairly enhancing existing inequalities, it creates unjust distributions. Such unjust distributions arise both when market transactions disadvantages those who had bad brute luck, but also when it confers further advantage on those, who have had good brute luck

The community critique

Cohen's second critique of the market is the *community critique*. This critique does not address the distributive upshot of the market. Instead, it questions what the market does to a society and the individuals residing in it. Cohen understands community roughly as a form of mutual caring, and the general thought is that there is a discrepancy between how we engage with our fellow human beings on the market and relating to each other in a true community. The following brings forth three different components in Cohen's community critique of the market.

In his discussion of incentives for the talented, Cohen employs an interpersonal test (Cohen 2008, 42). The idea is that those receiving incentive pay should be able to justify such an advantage in a conversation with the worst off (Cohen 2008, 39).⁹ The talented who take whatever they can get from the market is, as already demonstrated, creating a distribution contradicting luck egalitarian distributive justice; but their actions are also in conflict with community. Those who are unable or unwilling to justify their advantages to others, in a way that would pass such an interpersonal test, are outside what he terms the justificatory community (Cohen 2008, 44–45) – and also outside any real or proposed

⁹ For a similar device, see (Segall 2013, 18–25). Interestingly, Rawls expresses a similar idea in an early essay (Rawls 1999, 59).

community, failing to live in a community of equals. Call this the *justificatory component* of Cohen's conception of community.

Also, actions, which create distributions in accordance with luck egalitarian distributive justice, can conflict with community (Cohen 1992, 9, 1995, 259). This is the case because market transactions rely on motivational presumptions in the production of goods and services that conflict with community. When adhering to the principle of community, Cohen submits, 'I produce in a spirit of commitment to my fellow human beings: I desire to serve them while being served by them' (Cohen 2009, 41). A motivation based on the wish to serve others, rather than on what oneself stands to gain differs from typical market behaviour (Cohen 1994, 9, 2008, 82, 2009, 39). Cohen compares community to the relationship existing among family or friends (Cohen 2008, 225, 2009, 51).¹⁰ The wrongness involved in market relations is that we serve our fellow human beings with both eyes on what we stand to gain from such interactions.¹¹ Call this the *motivational component* of Cohen's community critique of the market.

Cohen presents another way our relationships can be in disaccord with the value of community, while being in accord with luck egalitarian principles of distributive justice. Cohen notes how large inequalities can undermine community because people 'enjoy widely different powers to care for ourselves, to protect and care for offspring to avoid danger and so on' (Cohen 2009, 36). Such inequalities make full community unachievable according to Cohen: 'we cannot enjoy full community, you and I, if you make, and keep, say,

¹⁰ Cohen notes how classical proponents of the market, were quite clear that it utilized problematic motives to desirable ends (Cohen 1994, 10, 1995, 263), providing of Mandeville's *Private Vices , Publick Benefits* as an example (Cohen 2008, 179, n72, 2009b, 79).

¹¹ Cohen focus on greed and fear as motivation (Cohen 2009, 77). I follow Steiner in focussing on the claim that market interactions are not motivated on a wish to serve one's counterpart (Steiner 2014, 143–44) For a similar point, see (Frye 2017, 381)

ten times as much money as I do, because my life will then labour under challenges that you will never face' (Cohen 2009b, 35). Thus, if the distances between us become too large, we become unable to relate to the problems faced by others and in effect end up living disconnected lives, rather than living in a community. Importantly, such inequalities compromise community even when are in accordance with luck egalitarian principles of distributive justice. Cohen notes that even though we cannot forbid such inequalities in the name of distributive justice, they 'should nevertheless be forbidden, in the name of community' (Cohen 2009b, 37). Call this the *equal challenges* component of Cohen's community critique.¹²

We can formulate Cohen's community critique of the market as follows: *The market militates against community because it creates distributions that make our lives so different that we may fail to relate as equals. It may create inequalities that we cannot justify to one another, and it offends community because it relies on motivations, which are self-serving rather than based on a genuine interest in other people.*¹³ Comparing Cohen's community critique with the relevant parts of Satz' and Sandel's critiques of the market shows that there are both important differences and similarities. While all three authors are concerned with relations, they are so in different ways.

¹² Economic inequalities are not the only barrier to understanding the challenges other people face (consider for example cultural barriers), see also (Lippert-Rasmussen 2016, 224). Economic barriers are most relevant in the assessment of the relationship between markets and community.

¹³ Describing Cohen's vision of community as one where all three components, justification, motivation and equal challenges, obtain, goes against descriptions in the literature. Roemer considers altruistic behaviour to be part of Cohen's community (Roemer 2017, 306). Some leave out an equal challenges component (R. W. Miller 2010, 250; Van Schoelandt 2014). Some include a shared body of experiences component (R. W. Miller 2010, 250; Van Schoelandt 2014), while Archer does not include either of these (Archer 2016). Lippert-Rasmussen discuss three components similar to those presented here. But not in a way where they all need to obtain for community to obtain (Lippert-Rasmussen 2016, 222–26). I would submit that this is the reason he sees community to be only loosely connected with luck egalitarian justice (Lippert-Rasmussen 2016, 226).

Sandel's corruption argument points to the possible, negative, effects of utilizing economic motivation. Specifically, it addresses how market motivation may crowd out other-regarding motivation. The size and range of such crowding out is an empirical matter. For Sandel, the problematic feature of market-based motivation is their consequences, whereas for Cohen market-based motivation is a detriment to community, even without such adverse effects.¹⁴ Cohen's community critique of the market includes, however, a consequential element. The equal challenges component addresses the possibility of inequalities undermining community, because people in unequal societies face very different challenges, something that can undermine community. However, this effect is a different concern than the one Sandel emphasises.

Satz' concern for the social harm of markets, where markets in a specific good are detriment to the possibility of relating as equals resembles several components of Cohen's community. If inequalities grow so large that it undermines community, we may also fear that people will fail to relate as equals. However, there are also interesting differences between Cohen's community critique and Satz's conception of noxious markets. One is that Cohen's justification component emphasises that people should justify their holdings. Such justification would also be relevant, when a distribution does not undermine our social relations. Cohen's community critique differs from Satz' because of this link to distributions. Satz concern is relational, rather than distributive. Another difference relates to Cohen's motivational component. The idea that a specific form of motivation is bad is something which Cohen's community critique holds to be the case, even if it does not negatively affect people's ability to relate as equals.

¹⁴ The strength of such effects are not always as strong as Sandel suggest (Bowles 2016).

The relationship between distributive justice and community

Having presented the distributive critique and the community critique, this section addresses how the values of community and distributive justice relate to each other. More specifically, it raises the question of whether they conflict. Such a conflict is important for the subsequent discussion regarding which economic arrangement (if any) could realize these values. Vrousalis briefly suggests that Cohen must have rejected that community is sufficient for distributive justice and further suggests that Cohen might also have rejected that distributive justice is sufficient for community (Vrousalis 2015, 110–11). Consider first the claim that distributive justice is a sufficient condition for community. Accepting the truth of this claim entails that we could not have justice without community, and that community is a necessary condition for justice. On the interpretations of distributive justice and community given above, this cannot be. This is the case because large inequalities, even those which do not contradict luck egalitarian justice, can undermine community (Cohen 2009, 37). Thus, luck egalitarian distributive justice is not sufficient for community.

Consider then the logically independent claim that community is a sufficient condition for distributive justice. This is the case if we cannot imagine community co-existing with injustice. Such examples are harder to imagine, as part of the community spirit is to avoid unfair inequalities. The concept of irremediable injustices provides one case where unjust distributions and community may co-exist.¹⁵ Imagine a city divided by a large canyon. The canyon is too deep to build a bridge and flying is too expensive. Despite this, the citizens on both sides consider themselves to be living in Canyon City. Each shows a spirit of community and a willingness to contribute to the wellbeing of others. In their collective decisions, they make sure to place polluting factories furthest away from the

¹⁵ While some would suggest that such injustices are not injustices at all, Cohen cannot maintain that as he considers principles of distributive justice insensitive to such facts (Cohen 2008, 229–73).

canyon to avoid harming those on the other side. They communicate, generously share ideas, and whenever they cannot help each other out, this thought saddens them. The canyon limits how they can contribute to each other. They cannot transfer goods and services between them. As one part of the city reside on more fertile land than the other, those living there are in many aspects better off than those on the other side of the canyon is. It is not possible to offset this, and everyone considers this an injustice. Injustice and community can co-exist, and thus, community is not sufficient for justice.

Does the above demonstrate that community and justice are conflicting values? Cohen airs this thought (Cohen 2009, 37). However, the nature of the examples illustrating how community is not sufficient for justice also offers hope for reconciliation. People can exercise their responsibility in different ways. For every number of possible choices a person can undertake, there are a number of distributions corresponding to those choices. We can evaluate these distributions and choices in terms of whether they create unjust distributions, and whether they reflect community.

Consider two persons, A and B. Assume that they differ only in that A is more talented than B. They face two independent choices. Call the first choice *work* and the second choice *gamble*. Work refers to their choices regarding their work-effort and the kind of payment they demand to undertake it. Gambles refer to whether they engage in high-stakes gambles. In the work phase, if A chooses to request incentive pay to work as hard as B, this choice conflicts with both distributive justice and community. It conflicts with distributive justice because the higher wage for A reflects talents for which he is not responsible, and it conflicts with community because the demand does not reflect the justificatory and the motivational components of Cohen's vision of community. Assume that A abstains from exploiting his superior talents to create inequality in disaccord with

distributive justice. This choice also preserves community. Consider then the gambling phase. Whether this phase brings about inequalities which are non-problematic from the perspective of distributive justice but still in disaccord with community depends on whether A and B enter into (high-stakes) gambles. If they abstain from doing so, they will have created a distribution, which is one among the range of possible distributions reflecting luck egalitarian distributive justice, but importantly, this particular distribution also reflects community. This stylised case shows that distributive justice and community can coexist under specific circumstances, but they can only do so if people choose to exercise their responsibility in specific ways. The next section addresses the question of which economic arrangement could deliver this, taking its starting point in the idea of market socialism and Cohen's critique thereof.

Ethical markets: Realizing Community and Distributive Justice

The above section demonstrated that while neither community nor distributive justice is sufficient for the other, they are not mutually exclusive, and can in principle be realized at the same time. However, which economic arrangements could accomplish this? Some, who share Cohen's concern for distributive justice and community, are less convinced that embracing those values would commit us to rejecting the market as such. Even stronger they maintain, that the market could play a pivotal role in realising distributive justice and community. One tradition, where these features are very prominent, is the so-called market socialist tradition. After the collapse of the Soviet Union, those seeking an alternative to both capitalism and centralised planning revitalised the idea of market socialism. Market socialism comes in various models, but it is often characterised by the lack of private ownership over capital, while markets in labour and consumer products remain (D. Miller

1989; Nove 1991; Vanek 1970; Roemer 1994).¹⁶ Market socialist contents, contra Cohen, that there is quite a large role for market arrangements and market allocation in a society that strives to realize community and distributive justice.

We must, therefore, examine whether market socialism in its most general form escapes Cohen's critiques of the market. In his discussion of this, Cohen's verdict is that market socialism is vulnerable to both the distributive and the community critique of the market. The distributive critique applies, as market socialism allows for higher wages to the talented (Cohen 2008, 34). We have already seen how such remuneration conflicts with luck egalitarian distributive justice, and this would hold even under a scheme of market socialism allowing for such wage differences (Cohen 1995, 74–75, 259, 2009, 74–75). Regarding community, Cohen stresses how 'exchange under market socialism is no less market exchange than it is under capitalism' (Cohen 2009, 70) and that this exchange that market socialism has 'at its heart tends against the value of community' (Cohen 2009, 75).¹⁷ In its most general form market socialism fares better in delivering distributive justice, although it still falls short of the ideal. Regarding community, it relies on the same problematic motivational presuppositions as ordinary markets.

Market socialists tend to proceed from strict assumptions regarding human nature (Nove 1991, 209). In setting out his vision of which economic model would deliver community and distributive justice, Cohen takes his cue from a tradition, which relaxes these assumptions to explore the different question of what it would require to achieve community and distributive justice. Specifically, Cohen highlights the work of Carens (Cohen 2009, 65, 2008, 53, 1989a, 27). In his book *Equality, Moral Incentives and the*

¹⁶ This description corresponds to Cohen's own (Cohen 1995, 255–56).

¹⁷ See also (Cohen 1994, 10, 1995, 262–63).

Market he undertook the task of exploring ‘the conditions under which income equality can coexist with freedom and efficiency’ (Carens 1981, 3). Wilkinson observes, and Cohen agrees, that there is an apparent trilemma between these values (Cohen 2008, 184; Wilkinson 1999, 69). If we ensure equality and let people choose how much and in what occupation they would like to work they will lack the motivation to produce efficiently. Providing incentives to the talented to ensure efficiency compromises equality. If we force people to work productively, we might realize equality and efficiency but would violate freedom.¹⁸

Carens’ economic model replaces economic incentives with moral incentives (Carens 1981, 34). In this economy market mechanisms establishes wages with higher wages available for the talented. Higher wages ensures that the talented know how and where to bring their talents to good use (Carens 1981, 49, 1986, 34–37, 2014, 55).¹⁹ However, wage differences are taxed away afterwards (Carens 1981, 73–73). Such a system does not provide an economic incentive and must rely on moral incentives or a sense of social duty. There are different ways of fleshing out the content of such a duty. Carens’ original proposal focusses on satisfaction derived from fulfilling a social duty (Carens 1986, 29, 37, 54), later presentations downplay this specification (Carens 2014). Wilkinson prefers a duty to do, as one would have done, had there not been a tax to restore equality (Wilkinson 1999, 136). Cohen does not state which specification he prefers, and we need not choose between them for the present purposes.²⁰

¹⁸ Olson argues that the extent of the trilemma depends on how we specify the values (Olson 2017).

¹⁹ That the duty is to put the talents to good use, rather than to maximizing is a revision Carens make to avoid situations where fulfilling the maximizing duty is extremely burdensome (Carens 1986, 2014). This concern was put forward by Moon (Moon 1983, 149–50). Cohen’s reservations regarding Carens’ proposal pertain to the non-adjusted proposal (Cohen 2008, 190 n 11, 205, 369). In his later discussion of Cohen’s position, Moon does not take account of Carens’ revision, leading him to overestimate the difference between Carens and Cohen, see (Moon 2015, 48).

²⁰ Vandenbroucke seems to conclude that these specifications allow for similar amounts of redistribution (Vandenbroucke 2001, 170)

Cohen draws on Carens and Wilkinson in formulating his own position.²¹ Assessing Rawls' difference principle Cohen argues that the principles of distributive justice apply not only to society's institutions but also to the choices in our daily lives, including the choices of the talented regarding effort and demands for remuneration. Such choices, according to Cohen, must be informed and guided by an *ethos* (Cohen 2001, 128, 2008, 16). While there can be different interpretations of what an ethos is, Cohen's formulations lend themselves to the thought that it is a set of beliefs prevalent in society. Cohen describes how equality can only be realized if people have egalitarian preferences (Cohen 2008, 100–101). While people could demand incentives to take on a particular job, they abstain from doing so; while it may be possible to forgo taxation without breaking the law, people do not pursue such routes (Cohen 2008, 69, 73 n45). Importantly, an ethos should supplement institutional arrangements aimed at achieving distributive justice (Cohen 2001, 128, 2008, 73, 175). A Cohenian ethos is compatible with a Carensian scheme, where the market sets the wages and thereby signals where people's talents are best utilized, and then the wage differences are taxed away. This set-up maintains the information effect of wages while replacing the motivational effect by an egalitarian ethos.

Cohen describes a number of constraints on what the ethos can require. Inspired by Carens, Cohen argues that people should be compensated, if their labour burden is above that of others (Cohen 2008, 56, 105).²² Cohen's ethos is not demanding more from the talented than from others, but rather demanding as much of them (Cohen 2001, 177, 2008, 73, 207–8). In situations of uncertainty about what will be best for promoting equality, people's preferences can play a more prominent role (Cohen 2008, 371). Finally,

²¹ While at one point Cohen seemingly considers Carensian socialism to be a realisation of the full socialist ideal (Cohen 2009, 75), it is mostly discussed as an improvement compared to other market socialist proposals, a 'platonic' perfection of market socialism (Cohen 1995, 264).

²² Including compensation for the burden of acquiring the skills (Cohen 2008, 181).

Cohen allows for a personal prerogative. The prerogative grants people a certain degree of discretion, as: 'we are not nothing but slaves to social justice' (Cohen 2008, 10).

Subject to the above limitations, we can give a more precise description of the ethos. In a society where Cohen's ethos prevails, there is an egalitarian spirit affecting people's everyday choices. People feel and express a willingness to live, work and produce in a way that preserves distributive justice. The ethos reflects people's preferences for what kind of society they wish to live in and is a direct alternative to measures coercing people into community and distributive justice. There is a market in this scenario, but it is completely different from both markets under capitalism and market socialism. The market here is one, which functions to signal where people are needed, but at the same time delivers distributive justice and community, because it is supplement by an ethos and does not rely on monetary incentives.

The ethos is a mindset, an internalization of specific values. But which values? What Cohen believes in this regard is not clear. While Cohen often uses the term of an egalitarian ethos, an ethos of distributive justice is not sufficient to achieve justice and community. Such an ethos would, by definition, tolerate large option luck inequalities in disaccord with community. Furthermore, luck egalitarian distributive justice tells people nothing about whether they engage with others as equals or in a cutthroat manner. Would it be plausible that an ethos of community would ensure both justice and community? Then the ethos, properly understood, is then not merely people striving for justice but rather people living in community. In a true Cohenian community, we relate to each other as equals. People are willing to and able to justify inequalities between them if they arise. In the spirit of community, people do not allow inequalities to grow so large, that their lives are so far apart that they cannot relate. They serve each other and produce, based on the genuine interest in the other rather than in self-interest. This formulation of Cohenian community is

a positive restatement of the three components in the community critique of the market related to justification, equal challenges and motivation. An ethos informed by a Cohenian community is a plausible understanding of the content of Cohen's ethos. The justificatory component of community connects it to distributive justice and avoids unjust distributions, while the motivational component ensures that people's talents are brought to good use, and the commitment to equal challenges avoids community-undermining inequalities.²³ To achieve justice, the ethos is a vehicle, a social mechanism. However, for achieving community the ethos is indispensable, it is necessary for community. The above allows for a market, but one which is tamed by the ethos and where post-tax income reflects distributive justice, rather than for example talents. The success of the ethos solution is evaluated in the next section.

Critiques of the ethos solution

This final section assesses a number of critiques, each of which contradicts the conclusion above. It assesses contributions which deny the principled ability of the ethos to secure community and distributive justice, and questions if it would be desirable to do so for reasons related to freedom.²⁴ Doing so gives us important insights into the role of the ethos and the market mechanisms in delivering distributive justice and community. To facilitate the discussion this section first presents a brief scenario to portray a society with an egalitarian ethos, which preserves community, and justice, but allows for pre-tax wages to reflect supply and demand.

²³ This does not eliminate the possibility irremovable of obstacles to distributive justice. But nothing can remove these. Cohen himself admits, that while such cases are unjust they are less interesting (Cohen 2008, 128). Note that we can also have accidental justice and thus, justice without community.

²⁴ In doing so, the text does not address claims that the solution fails in some other sense. Such as the publicity requirement (Williams 1998, 234, 2009, 113) or status inequalities (McTernan 2013).

The town Community Ville, three lines of work exists A, B and C. Each of the inhabitants are talented for working in either profession A, B and C. Fewest people are talented for job A, more for job B and even more for job C. The jobs do not differ in how hard or burdensome they are to undertake, but of course, people have varying preferences as to which type of job they prefer. These preferences are not always in line with what people are most talented for. As people who are talented in performing A type jobs are scarce and markets regulate pre-tax wages, type A jobs receive higher wages. These higher wages convey the importance of such jobs.²⁵ The higher wage, however, does not transform into an income inequality. As committed egalitarians preferring to live as equals, the citizens have instituted a tax which redistributes wage inequalities. Furthermore, they abstain from other activities, which are likely to create inequalities detriment to community and distributive justice. The taxation does not affect their motivation in terms of which line of work they undertake. Those people for whom it would be extremely burdensome to work in the line of work they are most talented for are compensated.²⁶ Against this background, we can critically discussion three critiques of the ethos solution.

Community compromises justice

In a recent critique of Cohen's views, Frye has argued that Cohen's community critique of incentives is wrongheaded because incentives can be expressions of community rather than a detriment to it (Frye 2017). Thereby some economic inequalities, which do not reflect luck egalitarian distributive justice because they reward the talented, are to be considered expressions of a Cohenian community. If true, this would refute the claims from above about what the ethos can accomplish.

²⁵ Furendal suggests the market will fail in capture important valuable contributions (Furendal 2017). I agree that the market may need to be adjusted to cater for this.

²⁶ For some of the difficulties associated with this, see (Pogge 2000, 151–53).

Frye stresses how we need not think of incentives as demands for higher pay. Instead, it can be an offer put out to make someone come forward (Frye 2017, 369). Therefore, incentives are often better understood as offers made from the community rather than demands made by the talented. Those offers ‘help us seek out those who have something to offer themselves’ (Frye 2017, 374). Similarly, Frye notes that: ‘Offering an incentive is a way of forming a community. It invites others to partake in the joint activity of production’ (Frye 2017, 375). Such offers express community rather than count against it. If so, Frye’s argument points to a way in which expressions of community can create distributive patterns, which is in disaccord with luck egalitarian justice. An ethos informed by community would not be able to preserve justice if community is compatible with offers rewarding people for their talents.

Drawing on the case of Community Ville an answer to this critique can be developed. The reply asks whether those who accept such offers would be able to justify doing so, to those whom they are, assumingly, living in a community with. It is hard to see how they could do this. Fry suggests that offers are necessary to get things produced, but the case of Community Ville shows that this is only true in specific way, which does not include talented keeping their earnings. Surely offers can be made to signal that society needs people for A-type jobs But this is not equivalent to talented people keeping the money. Appreciating what people do, signalling where their efforts and talents are needed is not out of bounds for the ethos solution. And contrary to what Fry suggest (Frye 2017, 385), there is nothing deceitful about such offers. Everyone in Community knows and supports the taxation and redistribution. Such offers are completely within the framework supported by the inhabitants.

Fry’s answer to this line of reasoning is that it is more fluent in real life who the

talented are than in Community Ville. The thought is that it is somewhat artificial to talk of the talented as if they already know they have a specific talent. People develop or discover their talents in light of the offers put forward (Frye 2017, 383). Again Community Ville shows, that if true, such fluency of talents is not a problem for the ethos solution. People would step forward and learn about what they are capable of for different reasons. Their desire to serve others would motivate them, and the higher pre-tax wage would tell them where they might be most needed. People inspired by the egalitarian ethos would not require to keep the higher wages. This holds independently of whether these unjust higher payments are offers or incentives.

The ethos compromises community

Vrousalis argues that Cohen cannot consistently embrace the ethos solution inspired by Carens. The reason for this, Vrousalis argues, is a tension between Cohenian community and the kind of competitive behaviour required on the market as people earn their pre-tax income (Vrousalis 2011, 2015, 120–22).²⁷ Vrousalis argues that a Carensian market compromises the ideal of community because there is a stark difference between the behaviour required to ensure the efficient production of goods and the value of community. On Vrousalis' depiction, people are marketers in the morning, treating each other according to market norms and then happily sharing the spoils in the evening. The equality thus created does not remove the underlying motivations, which are present during the production of said wealth (Vrousalis 2015, 122–23). The equality does not remove the vices and the badness of the competitive market process. Thus, Vrousalis concludes: 'Carensian Socialism is *pro tanto* inconsistent with community' (Vrousalis 2015, 123).

I believe a strong case can be made against Vrousalis; that a Carensian market

²⁷ Miller seemingly agrees (D. Miller 2014b, 124).

is compatible with Cohen's vision of community. That it is an embodiment of Cohen's ethos. Due to the ethos people are motivated by their desire to do good for others. Their monetary gains will not reflect any superior talents they may have, and they are aware of this. They are by their preference for living in an egalitarian community. Such an motivation is miles away from the usual market logic. In fact, it very much resembles the motivation component of Cohenian community. Consider, to illustrate the mechanisms at play, a charity football match. Star players team up against each other, and the revenue from the match is donated to charity. The game is only worth watching, and thus only serves its purpose in terms of creating revenue if the players use their talents in a genuine effort to win the match. This involves crafty dribbling, sprints, spectacular saves and crunching tackles. While winning goes unrewarded, the competitive striving to win is essential for achieving a common aim. Such arrangements are competitive in a very different nature than a FA Cup final. Likewise, in Community Ville, , people employ their talents on a market, not for their own sake, but for the sake of others; not for material gains, but for the greater good. Such motivation seems a clear example of Cohenian community. From the perspective of community, the ethos and Carensian market is an embodiment of this, rather than a threat to it. It includes the correct motivation and delivers a just distribution. The conflict argued for by Vrousalis is therefore superficial.

The above gives rise to a related concern. Perhaps Cohen's solution with an ethos and the Carensian market overstates what is needed to achieve community and distributive justice. The objection could take its starting point from a more regular football match (or indeed any competitive enterprise).²⁸ Assume that the players enjoy the game

²⁸ I am grateful to an anonymous reviewer for the objection, which points to the possibility of a Rawlsian alternative to Cohen's ethos. There is of course also a different debate as to whether Rawls can incorporate the idea of an ethos (Titelbaum 2008).

more, when both sides try their hardest to win while obeying the rules of the game. The game is only successful if the players try to win, and the rules of the game are fair. Reasonably, the rules should be designed to harness players' competitive instincts, with the purpose of delivering an outcome that benefits everyone more than the alternative. Along similar lines, the alternative to Cohen's ethos solution and the artificial Carensian market is one where rules are set up to harness and utilize competitive instincts. As the reply to Vrousalis allows people to treat each other competitively to achieve distributive justice, this opens the door for a different scheme utilizing people's competitive behaviour on the market.

The alternative to Cohen's solution would be one employing traditional economic incentives instead of an ethos to elicit productive behaviour. This scheme emphasizes rule-following, rather than an ethos. This would be another way of letting people compete and act self-interested, with the purpose of achieving some common good.²⁹ Could this arrangement express community and achieve distributive justice, even if it allows for more market and utilizes traditional rather than moral incentives? There is a fair case to be made that it expresses community for reasons similar to those offered above.³⁰ But choosing this route comes at a cost. In terms of distributive justice, there seems to be a reason why egalitarians should prefer the ethos solution. If we reward the talented through incentives and let them keep their earnings, society tolerates unjust inequalities. In this sense, it is not enough that people follow rules. They must do so guided by an ethos.³¹ The rules of football do not dictate whether the gate receipts are distributed in a fair way or used as an incentive to motivate players, and the rules of society would not

²⁹ Miller envisions committed egalitarians participating in a regular market economy for reasons of efficiency (D. Miller 2014b, 134).

³⁰ If it compromises community, it seems to spring from unjust inequalities.

³¹ Rule-following must, to be different from an ethos, be limited to following rules rather than exercising responsibility in ways, which promotes and preserve distributive justice and community.

alone be able to motivate otherwise reluctant talented to take the jobs where they are most needed. If people were committed to living in an egalitarian community, it would therefore seem more plausible that they would opt for the ethos solution with less market and less distributive injustice. If people are not committed egalitarians, of course, the different questions of feasibility arises.

The ethos compromises freedom

In her discussion of Cohen's *Why, not Socialism*, Ronzoni argues that he is too quick to conclude that the main worry regarding community and distributive justice pertains to feasibility (Ronzoni 2012, 172). Cohen employs the context of a camping trip to illustrate the desirability of community and distributive justice. In doing so, he acknowledges that this leaves out questions regarding the feasibility of realizing the values across society. Ronzoni worries whether community and distributive justice would be desirable to pursue in our everyday lives and society as a whole (Ronzoni 2012, 176). It could be that their appropriateness on the camping trip relates to the nature of this specific context. She highlights specifically that the camping trip has a certain degree of goal monism, a shared goal embraced by all (Ronzoni 2012, 179) and that the duration of the camping trip is finite (Ronzoni 2012, 181). According to Ronzoni the principles '*seem to be the right rules for the camping trip, given its point and purpose for the participants, the specific features of the main actors, and other relevant constraints (such as discontinuity in time and the fact that it is a fully optional practice)*' (Ronzoni 2012, 181–82). However, Ronzoni contents, as societies are different, so would our judgement of the desirability of living in Cohen's egalitarian community.

As the contention is over desirability rather than feasibility, Ronzoni allows the possibility that people could come to believe in distributive justice and community in

unproblematic ways (Ronzoni 2012, 183). However, she argues, even if people could choose to pursue these ends, it does not answer the question about whether doing so would be desirable. Her main reason for questioning the desirability of this arrangement is that community leaves insufficient room for personal projects and development (Ronzoni 2012, 183).³²

The next section develops two replies. The first is that if we should evaluate principles in light of what people want to achieve, then we should evaluate the principles in light of what people inspired by an egalitarian ethos would like to achieve. Should people affirming community and distributive justice not voluntarily want the communitarian ethos to prevail? Ronzoni suggests that it might be hard for them to do so, providing an example of a family member who unexpectedly inherits a sum of money and considers whether to divide these equally among the family (Ronzoni 2012, 177). However, why would a society of committed egalitarian not have introduced a strict tax on inheritance? Regarding whether the ethos leaves too little room for personal projects the Community Ville is again instructive. People choose specific jobs because they believe in equality. Within reasonable limits, they are motivated to do so by the egalitarian ethos. They have full lives. They have lives, houses, families and (if they want to) a room of their own. They have ample space for personal projects, and there is no need to be obsessed with equality and community. When Ronzoni asks how we would feel about being on a permanent camping trip like the one Cohen describes (Ronzoni 2012, 181), she herself fails to pay sufficient attention to context. Perhaps we would not, but the right question is whether committed egalitarian would have

³² Casal presents another freedom-based objection related to occupational choice (Casal 2013). I agree with Cohen that we usually do not consider people unfree when they do something because they believe it is right (Cohen 2008, 192). Casal's cases, inspired by Raz, where A threatens to do something horrible, if B does not take a specific job might very well be cases where occupational freedom is lacking, but it's hard to see that anything comparable occurs in Community Ville. The same goes for the fear that the ethos requires freedom-reducing informal sanctions (Pérez Muñoz 2014). This would only be needed if people are not egalitarians.

strong reasons not to want to live in Community Ville. Ronzoni has not shown that living there would involve a sacrifice of human development and flourishing.

Conclusion

We can identify two distinct critiques of the market in Cohen's political philosophy. One stresses how the distributive consequences of the market conflict with the luck egalitarian principles of distributive justice. The other how market relationships are at odds with living and producing in a community of equals. These critiques differ in important ways from those developed by Satz and Sandel, and suggests, among other things, a need to assess markets beyond desperate exchanges and adverse effects of incentives. The values of distributive justice and community can come into conflict. The article develops and defends a particular solution, where an ethos of community guides people's choices in a way which preserves distributive justice and community. Such an ethos provides a limited but important role to the market, inspired by Carens. The market signals where people's talents are most needed, but they choose to employ them there because of the ethos. A tax regime restores distributive justice, rather than reward people for inborn talents. Evaluating this solution in light of recent critiques that it would compromise the freedom to pursue personal projects, that incentives may express community and that the competition it utilizes mitigates against community, it has been concluded that these are not deemed persuasive.

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