

LIBERALISM AND ITS DISCONTENTS

Liberal egalitarianism: what's worth salvaging?

Katrina Forrester interviewed by Florence Sutcliffe-Braithwaite

John Rawls's theory of justice still looms large; but is the tradition of liberal egalitarianism it shaped useful to the left today?

Florence Sutcliffe-Braithwaite (FSB): The first part of your book, *In the Shadow of Justice* (Princeton 2019), goes back to the 1950s, when the basic parameters of Rawls's theory of justice were, you argue, set. As a historian of Britain, I was fascinated by how much the British Labour Party's revisionists shaped Rawls in the 1950s – you suggest, in fact, that his theory brought 'philosophical order to the ideas of the Labour revisionists' (p25). But because it was so fundamentally formed in this period, Rawlsianism was premised on continuing high levels of growth and public buy-in for welfare programmes, two things that Labour revisionists took for granted but which would become much less secure in the years after the publication of *A Theory of Justice* in 1971. In the following decades, as you show, a cohort of Rawlsian political philosophers, defending his work from attacks on left and right, firmed up and elaborated Rawls's already immensely ambitious theory into a kind of juggernaut: huge, with a vast, rigid structure, very slow to turn around, but immensely powerful. Rawlsianism didn't just come to dominate liberal political philosophy, it essentially *defined* liberal egalitarianism. Other philosophers had to work in its shadow. You want, in your book, to 'denaturalize and defamiliarize' the canons of liberal egalitarianism (p275). What's the practical payoff from doing this?

Katrina Forrester (KF): It can be hard to see the assumptions that underpin a particular way of thinking, and to see the different choices that go into making up the conceptual frameworks that we take for granted and that are coded as ‘intuitive’. Among political philosophers, liberal egalitarianism has been a dominant way of thinking about politics, society and ethics, for decades. Though its origins in the political philosophy of John Rawls are constantly revisited, sometimes in a quasi-scriptural way, its political origins are less often interrogated. I wanted to ask what we see if we take liberal egalitarianism as a historical phenomenon to be explained. If it is recast as one of the twentieth century’s languages of liberalism, a framework that is one among many, then we might be better placed to ask if it’s a language and a framework we want to use.

FSB: One of the anxieties shaping Rawlsianism at its origins, you show, was the mid-twentieth-century anxiety about class which was very common among American liberals (and Americans generally). Do you think that liberal egalitarianism nowadays needs to incorporate a theory of class conflict – and if so, how?

KF: That’s a challenging question, because if liberal egalitarian philosophy incorporated a theory of class conflict, it might cease to be recognisable as a form of liberal egalitarianism. It’s possible to imagine a Rawlsianism that incorporated a sensitivity to agonism and antagonism – a theory of distributive justice that connected to a different kind of social theory than that which Rawls assumed. Mid-century US liberals were often more concerned with conflicts between values, or between associations and social groups, than with class conflict. Rawls framed social problems in terms of inequalities between individuals or between classes conceived as sociological groups (rather than classes in a Marxist sense). His anxieties about conflict led him to base a theory around the need to find agreement. Today liberal political philosophers still tend to search for agreement, but they are also more likely to attend to relations of domination and conflict (take Lea Ypi’s work, for example, or much recent global justice theory).

But I take your question to also be getting at something deeper. With the recent return of theories of capitalism and socialism to mainstream discourse and to political philosophy, there’s been a revival of the view that some social divisions just can’t be accommodated by or diffused within existing political and economic arrangements (a view long accepted among radical and critical theorists). I would say that *that* idea – the idea that liberal democratic institutions cannot be set up in such a way that they can contain class conflict while delivering justice – is foreign to a Rawlsian vision. There is a tendency both among liberals and among philosophers to characterise such conflict as potentially eliminated by redistributive fixes, or as temporary and not deep enough to prevent us from living together. Liberal commentators implicitly characterise conflict in this way when they use the language of tribalism. I don’t think that a dynamic Marxist theory of class conflict, which would deny the relevance of such fixes, or, for that matter, a dynamic account of capitalist

development, could really be incorporated within liberal egalitarianism. That's one of the main reasons I'm critical of liberal egalitarianism, even in its left varieties.

FSB: This links to a question about the labour movement. Rawls placed unions alongside associations like churches as formative for society. You suggest that philosophers like Dworkin who, in the 1980s, wanted a social-democratic theory of equality that wouldn't rely on the labour movement, underestimated just how important collective bargaining was *in practice* to preventing society from becoming too unequal. How should trade unions fit into liberal political philosophy today?

There's interesting work being done on the importance of unions for promoting equality by philosophers like *Renewal* contributing editor Martin O'Neill, Stuart White, and others. With the revival of democratic socialism and labour republicanism, there are efforts to reintegrate studies of unions, workplace democracy, the democratic control of public investment, and so on, into egalitarianism. A lot of this work departs from ideal theories of justice. It isn't concerned with the role of unions in a just society (after all, for many socialists, a just society wouldn't have unions, since the capital-labour relation would be abolished), but instead with the role of unions in generating equality or workplace democracy (the benefits of unions are described, in the terms of democratic theory, as vehicles for political participation or citizen voice, or as enhancing equality). These are good liberal reasons to promote unions. It's harder to position unions within liberal theories of justice if they are characterised as coercive vehicles for labour actions or as antagonistic to capital. A liberal wariness of coercion runs through much Rawlsianism, so such a characterisation would require a reckoning about the legitimacy of political coercion. Some political theorists, like Candice Delmas or Alex Gourevitch, are doing work of this kind on the legitimacy of resistance and strikes. I'd be interested to read philosophical work on the role of unions in addressing the problem of alliances between classes, sectors, and so on, that picks up where the first analytical Marxists of the early 1980s left off. But this takes us quite far away from the liberal egalitarianism of earlier generations.

FSB: You show that Rawls wasn't able to register the more radical parts of the civil rights movement in the 1960s, because of the emphasis his theory placed on stability as a core value. This meant he theorised civil disobedience as acceptable only when it was non-violent, and appealing to a supposed core consensus about legitimate values in order to rectify actually occurring practices which went against those values. As you suggest, this created a huge 'status quo bias' (p69). Key to this move was the disaggregation of civil rights and economic justice: the former were seen to be more foundational than the latter. Why was this, and does the left now need to find ways to demonstrate these two things cannot be disaggregated, and are inextricably linked?

KF: Like other white social liberals, Rawls in the 1960s was optimistic about the future of civil rights reforms and a little complacent about the possibilities of

economic justice. He thought reforms were moving in the right direction. He was also nervous about militant protest, and quick to provide an account of moral constraints on 'legitimate' dissent. I think the main thing that the left should learn from Rawls's civil disobedience theory is that the urge to judge protests as morally upright or morally flawed is an urge we should be wary of. Liberal analytical philosophy is disaggregating in its logic, and often conservative in its intuitions. After Rawls, philosophers of civil disobedience were quick to differentiate violence from non-violence, or illegitimate protests about economic disadvantage from legitimate dissent against rights-violations. But really political theorists should learn from protests, rather than try to dictate to or constrain them with moral principles. Take the current uprisings across the US sparked by the police murder of George Floyd. There is a much to learn from these protests about how economic justice and civil rights are intertwined and articulated together. Demands to defund or abolish the police contain a range of critiques and perspectives: distinctive critiques of institutional racism and the militarisation of police, accounts of the state and racial capitalism, as well as accounts of how racist police brutality and violence have been produced through political choices – from segregated housing to predatory lending to overinvestment in policing and mass incarceration. What we learn from these freedom and abolition movements is not only how these social, economic and political problems are all connected, but how to express that connection. The idea that the job of a political philosopher, when faced with such movements, is to disaggregate 'legitimate' from 'illegitimate' protest in order to justify a particular form of civil rights-defending civil disobedience, to me signals a failure of political imagination and a lack of interest in the mechanics and realities of social change.

FSB: The Labour Party has tended to contain both communitarians and Rawlsians. Sometimes the accommodation between the two has been productive (Blair tended more to a communitarian approach, Brown to a Rawlsian one), but sometimes those divisions have been more fractious – for example, in some of the arguments over Blue Labour. You suggest in the book, however, that Rawls was not necessarily that far from the communitarian position. For him, 'morality was universal, natural and constitutive of personhood, yet was developed and earned in communities' (p9); 'persons pursued their own ends not as rational egoists or strategists but because of their deep partiality and love for their families and associations' (p17). If the central assumptions of communitarianism lie buried at the core of Rawls's theory what are the implications of this for current political arguments between communitarians and their opponents?

KF: I try to show that Rawls's early work was more communitarian than we have recognised, which means there's a historical irony: the communitarian critics of Rawlsianism ended up going back to where Rawls began and, by the 1990s, were relying on a similar set of philosophical resources to Rawls. How did this play out in politics? Setting aside political philosophers and looking to the Labour Party today,

it's important not to minimise practical differences between communitarians and liberals. Those differences go beyond their different uses of the rhetoric of community – especially when it comes to questions about immigration, or about what strategies follow from the romanticisation of the communities and constituencies of Labour's past. There is substantive disagreement between a dog-whistling Blue Labour 'patriotism', and liberal egalitarian defences of freedom of movement. What would worry me is if these two poles are taken to be the only two options within the Labour Party, which was the case in the era of the Third Way when the post-socialist left made peace with capitalism. Communitarians and liberals can easily reinforce the idea they form the only two available alternatives: one a defence of individuals, the other of community. That's a false choice – not only because at the level of theory the two approaches help themselves to similar resources, but also because they misdiagnose and mischaracterise the range of political problems we face today by ignoring so much of social and economic life. That's a lesson I draw about communitarian and liberal egalitarian theory that is equally applicable to Labour Party politics. Politics can't be understood as a choice between markets or communities, individuals or groups, open or closed. Any party of the left that thinks it can will be in trouble.

FSB: Rob Saunders tweeted recently that: 'the word "liberalism" seems to have become a kind of rubbish bin into which people toss anyone & anything they dislike, then set fire to it. It seems to stretch from Thatcher to Corbyn & from austerity to trans activism. It's a bizarre (& damaging) turn in public debate'. In Britain the term liberalism has rather different connotations to the way it's most commonly used in the US, which perhaps adds to the problem. If you think the liberal tradition is important for left politics today, how should the left grapple with the slipperiness of the term?

KF: There have always been debates about defining liberalism, and definitions of liberalism change over time. Duncan Bell has written persuasively about these, and about the cold war roots of many contemporary liberal ideas. It's easy to throw around 'liberal' as an insult, but politics is full of concepts being turned into insults, so I don't see why that should stop us. The capaciousness of the category is not a reason to hesitate to use it, in part because a lot of the uses Rob Saunders describes can be disaggregated. That's a more useful kind of disaggregation: it's possible to differentiate between forms and schools of neoliberalism, for example, and forms of liberalism that are closer to socialism or conservatism, more nationalist or more internationalist, and so on. There are concepts and positions within the liberal tradition that can be used or defended or rejected, and there may be forms of progressive liberalism to which the left should look for alliances. But insofar as we talk about ideological constellations, I don't see why we shouldn't use the term liberalism alongside others.

For the left, there is also something useful precisely in the broad identification of liberalism to which Saunders objects. Liberal positions frequently get described as

common sense. The range of positions that liberalism encompasses are often those taken to signal the horizons of acceptability. Naming that horizon as liberal – and understanding contemporary liberalism as something that was created, built, and justified, and that can be contested and struggled over – is politically useful. After all, it is when something appears as non-ideological that we should be the most alert to the functioning of ideology.

FSB: Keir Starmer recently set out a series of Labour policies for renters, which included giving tenants who go into arrears during the coronavirus crisis two years to clear their debts. This was widely criticised, and one criticism of it was that it reflected a ‘legalistic’ or ‘liberal’ view which places contracts at the heart of society and which is inherently anti-radical. Do you think this is a fair reading of this proposal, and of Starmer’s leadership thus far?

My objections to Starmer’s policy aren’t that it’s legalistic, but that it entrenched debt, advantaged landlords, and missed the opportunity to build a radical imaginative politics in a moment of crisis and emergency. Its anti-radicalism wasn’t in its relation to the law. As for Starmer in general, he’s clearly trying to play a more muted, long-game, opposition politics that doesn’t slam the government as murderous for its Covid-19 policy – we’ll see how that plays – but I don’t think he’s done nearly enough to hold the Tories accountable, or to generate demands and policies to fit the scale of the crisis. I’m sceptical about the soft left longing for Corbynism with a human face, so I’ve not been optimistic that Starmer will provide the promised continuation of the democratic socialist revival. But so far we’re seeing not just discontinuity but a sharp move right. The sacking of Rebecca Long-Bailey looked like a classic disciplining of the left. And a Blue Labour-style attempt to beat the Tories at their own authoritarian game on patriotism and fiscal policy is both morally and politically objectionable and always ends badly. I can’t see how the move to a more ‘normal’ Labour Party at a moment when things are very far from normal is good strategy.

FSB: You suggest that in the 1970s, when the foundational premises on which Rawls built his theory in the 1950s and 1960s – affluence, growth, and stability – no longer looked secure, it was almost too terrifying for most Rawlsians to look squarely at faltering growth and the fragmenting legitimacy of welfare programmes. So *can* Rawlsianism be updated for a world without those premises? And if it can, then which bits are most useful today?

KF: *In the Shadow of Justice* tried to describe how the questions posed by Rawls and the first generation of liberal egalitarians acted as constraints on the kinds of questions that philosophers have asked since. There are a range of critiques to make about the questions they posed. Some of them – as you say – were closely tied to assumptions about the world which no longer apply. Some were flawed or limited; they were the wrong questions, politically or ideologically. Others were questions

that preoccupied philosophers for too long, so that they failed to ask other pressing questions, which we now should ask (about, for instance, state power). I don't want to overstate the first historicist objection: we don't need to start all political theory from scratch. There are insights within liberal egalitarianism about distributive justice that can be updated or reconstructed, and others may not even require reconstruction. So these ideas might be useful, but to amend your question slightly, we might also want to ask *for who* and *for what* these ideas are useful. If we are talking about policy-makers who need a sophisticated set of tools for analysing inequality, then yes, there is plenty within this tradition. The same goes for philosophers looking for ethical puzzles to solve. Yet these ideas might equally prove useful for those who want to diffuse or reject or suppress radical measures for overcoming those inequalities. So for those of us who want not just to try to imagine better versions of our societies, but to understand how our societies came to be the way they are, or how we might get from our current situation *to* those better societies – how our societies might need to be fundamentally disrupted to get there – we will want to look elsewhere.

In a recent review in *New Left Review*, Lorna Finlayson has suggested that your argument that 'at one level, the distributive arrangements demanded by liberal egalitarianism seem radical' is too quick, since 'to propose something very different from things as they are is not automatically to make a proposal that is *politically* radical'. What do you think about this?

It's a compelling argument. I agree with Finlayson that the positing of an alternative to the status quo means little without concrete critique of existing arrangements, and that the disavowal of such critique evacuates liberal egalitarianism of radicalism it might otherwise claim. I also agree with her further suggestion that by downplaying the enormous changes required to get to a Rawlsian just society, philosophers peddle a fantasy. Rawlsianism is not a radical theory because it is not a critical theory. I would add that it is precisely this that allows it to function as ideology. There are additional reasons why liberal egalitarianism should not be understood as a radical theory, not least the tendency of liberal philosophers in practice to urge neutrality in the face of oppression or to oppose even the most minimally coercive politics that redistribution requires. (Rawls was worried about uncivil disobedience; today, to take examples from university politics, graduate student picket lines or academic boycotts raise some Rawlsian hackles.)

All that said, I stand by my initial claim. My book tried to show that the history of liberal egalitarianism is a history of how alternative left visions of politics were depoliticised, domesticated, and displaced, and that, nonetheless, many who describe themselves as on the left have looked to Rawls. That was true in the 1970s and it's true now. It simply is the case that there are Rawlsian socialists, who argue that the distributive arrangements Rawls's theory requires are radical. I wanted to account for that phenomenon. That there are Corbyn and Sanders supporters who

claim Rawls as a socialist (the American policy thinker Matt Bruenig is insistent on this point) tells us something about contemporary critiques of capitalism and how the landscape of critique differs to that of the twentieth century. Critiques of rentierism or corruption that draw from the history of social liberalism (from Keynes to Rawls to Piketty) are today influential. Now, we might say these are insufficient critiques of capitalism (I have argued that elsewhere) or that they are incorrect in their reading of Rawls (*In the Shadow of Justice* argues that Rawls was not a socialist; the furthest left he got was the right wing of the postwar Labour Party). We can say that this is not really socialism or, as Finlayson suggests, not really radical. I agree with those critiques, but that doesn't stop it being true that Rawlsianism continues to provide resources for self-described socialists dealing with problems of democratic control, socialising investment, ownership funds, and delinking income from work. To that extent, we remain, as the governing metaphor of my book suggests, in Rawls's shadow.

FSB: You suggest that liberal egalitarianism failed to resist, or even became complicit in, the neoliberal transformations in political economy in the 1980s. How much blame would you want to place at its door?

KF: Liberal philosophers were not exactly big powerbrokers in those transformations, so their direct causal role was limited. They never built the sort of infrastructure that right-wing intellectuals did (for example, in the Mont Pelerin Society). In fact, they never tried. (There are structural forces at play here; liberal egalitarian philosophers were never likely to benefit from funding by capitalists and businesses looking for thinktanks to produce defences of their interests.) So I do not want to say that Rawlsians played an important role in neoliberal policy-making or the construction of neoliberal ideologies. They didn't. But if we take seriously the importance of institutions like universities in the reproduction of ideology and class, we can certainly see liberal philosophers as having played a role in propagating a quietist timidity about social and political change among generations of teachers and students. I'm not very interested in moral blame, and we have to keep the role of universities in perspective. But I am interested in the effects of conceptual choices. Liberal political philosophers might suggest that their failures to resist – as you put it – is a lesson only learnt with hindsight. The fact that some recognised these transformations at the time suggests that in fact there were other ways forward. Either way, we might do better than merely expanding these theories to deal with our problems, and try to fight a bit harder to not provide theories that can be so easily used to reproduce or legitimate the status quo.

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Further reading

- Duncan Bell, *Reordering the World: Essays on Liberalism and Empire*, Princeton University Press 2016.
- Candice Delmas, *A Duty to Resist: When Disobedience Should Be Uncivil*, Oxford University Press 2018.
- Katrina Forrester, 'The Corruption of Capitalism by Guy Standing – work matters less than what you own', *Guardian*, 26 October 2016: <https://www.theguardian.com/books/2016/oct/26/the-corruption-of-capitalism-guy-standing-review-why-rentiers-thrive-and-work-does-not-pay>.
- Katrina Forrester, 'What Counts as Work?', *London Review of Books*, 5 December 2019: <https://www.lrb.co.uk/the-paper/v41/n23/katrina-forrester/what-counts-as-work>.
- Alex Gourevitch, 'The Right to Strike: A Radical View', *American Political Science Review*, Vol 112 No 4, 2018.
- Martin O'Neill, 'What Should Egalitarians Believe?', *Philosophy & Public Affairs*, Vol 36 No 2, 2008.
- Martin O'Neill and Stuart White, 'Trade Unions and Political Equality', in Hugh Collins, Gillian Lester, and Virginia Mantouvalou (eds.), *Philosophical Foundations of Labour Law*, Oxford University Press 2018.