RESPONSIBILITY FOR JUSTICE

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OXFORD
UNIVERSITY PRESS

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From Personal to Political Responsibility

In the era of the War on Poverty and its aftermath in the United States, the conviction was widespread that poverty was a national shame. The dominant opinion held that, while some needy people may have contributed to their situation by making choices that increased their chances of being unemployed or homeless, vulnerability to poverty is a function of complex institutional factors that leave too many people behind.[1]

In the last two decades there has been a seismic shift in the way government officials, academics, journalists, and the general public understand poverty and in their ideas of what should be done about it. Led by some determined conservative academics and policy analysts in the early 1980s, a discourse quickly spread, among liberals as well as conservatives, that the causes of being poor are largely traceable to attributes and behavior of the poor people themselves. On this account, the social segments that tend to be poor do not take as much responsibility for their lives as members of other groups do, and too often they engage in deviant or self-destructive behavior. Public assistance programs only add to the problem by allowing these deviant segments to expect handouts in return for which they need do nothing. A new welfare state should cut short this entitlement mentality, and make specific demands on needy people to take personal responsibility for their lives.

While the policy consequences of this discourse of personal responsibility and poverty may be greater in the United States, to one degree or another public discourse and policy in most advanced capitalist societies with historically strong welfare states has undergone a similar shift. From a focus on structural accounts of market failures or mismatches between needs and production,

1. See Robert F. Clark, *The War on Poverty: History, Selected Programs, and Ongoing Impacts* (Lanham, MD: University Press of America, 2002).

welfare policy discourses in Europe, Canada, Australia, and New Zealand also now focus to a large extent on the attributes and behavior of poor individuals and what can be done to encourage more personal responsibility.[2]

The first purpose of this chapter is to evaluate this notion of personal responsibility in the context of welfare policy. I focus on the writings of Charles Murray and Lawrence Mead because they articulate the position in a more extended fashion than most writers do, and because their ideas have had wide influence.[3] After reviewing their criticisms of War on Poverty liberalism and its associated welfare policies, I expose three major assumptions their accounts of the morality of welfare policy make, all of which are questionable.

They assume, first, that one can describe poverty as rooted either in personal responsibility or in structural causation, but not both. I argue that this is a false dichotomy. A thorough account of the sources of and cures for poverty must appeal to social structures. However, such an account is compatible with, indeed requires, a notion of individual agency and responsibility. Second, by insisting that individual needy people can move up the economic ladder if they try, Murray and Mead assume that the background conditions within which poor people act are not unjust. Third, this discourse of personal responsibility focuses only on the responsibility of poor people. Implicitly it assumes that everyone else properly discharges their responsibilities and that the poor in particular act in deviant ways that unfairly force others to incur costs. The discourse of personal responsibility fails to acknowledge the many ways that some middle-class and rich people behave irresponsibly. It assumes a misleading ideal that each person can be independent of others and internalize the costs of their own actions. It ignores how the institutional relations in which we act render us deeply interdependent. The discourse fails to ask what personal responsibility individuals have for the

2. Pierre Rosanvallon, *The New Social Question: Rethinking the Welfare State*, trans. Barbara Harshav (Princeton: Princeton University Press, 2000).

3. Charles Murray, *Losing Ground: American Social Policy, 1950–1980* (New York: Basic Books, 1984), and Lawrence M. Mead, *Beyond Entitlement: The Social Obligations of Citizenship* (New York: Free Press, 2006).

conditions of the lives of others in these independent relationships, as well as for their own lives.

This chapter also examines another discourse of personal responsibility articulated by certain philosophers about equality. Beginning with Ronald Dworkin's theory of equality of resources,[4] philosophers such as Gerald Cohen, Richard Arneson, and John Roemer debate the proper limits of personal responsibility for a person's situation. They trade on the common intuition that a person should be considered personally responsible for aspects of her situation that she has actively chosen, or that are the consequence of such choices, but not for aspects of her situation that arise from circumstances beyond her control.

Although the manner of drawing this distinction occupies much of this debate, in the context of my argument here I focus on other aspects of Dworkin's theory and that of his interlocutors. Dworkin is firmly committed to a redistributive welfare state. His theory is nevertheless similar to Murray and Mead's in focusing on the attributes and behavior of individuals to account for their relatively disadvantaged positions. Furthermore, by construing that aspect of a person's situation with sources out of his control as a matter of luck, these theories sidestep the need for a theory of justice to appeal to structural background conditions of individual action. I discuss ways that John Roemer's revision of the theory takes some steps toward noticing, though not theorizing, such structural background conditions. Not unlike the policy discourse, finally, Dworkin and his critics focus primarily on the personal responsibility of relatively disadvantaged persons. They too fail to bring under scrutiny the personal responsibility individuals have for the conditions of the lives of others, as well as their own lives.

Welfare Reform in Western Democracies

In 1996 U.S. President Bill Clinton signed into law the Personal Responsibility Work Opportunity and Reconciliation Act. This legislation radically changed the terms of public assistance receipt

4. Ronald Dworkin, "Equality of What?" in *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, MA: Harvard University Press, 2000).

in the United States. For the first time since the expansion of social legislation in the New Deal Era, this law removed entitlement to public assistance for those who meet eligibility criteria. A person now receives public assistance at the behest of a state, and only if funds remain available. With some exceptions, welfare reform put a limit of five years on the total time a person can receive public assistance in her or his life, and a two-year limit on a particular spell of public assistance receipt.

The legislation attempts to codify personal responsibility for conceiving and bearing children. The discourse of "family values" tied to personal responsibility holds that childbearing out of wedlock is always problematic; the legislation rewards states that track their overall out-of-wedlock childbirth rates and are able to show that it declines over time. Some states require recipients of public assistance to attend abstinence classes; as renewed in 2005, the federal legislation encourages states to require recipients of public assistance to attend classes promoting marriage.

While those committed to family values think these values apply across the society, only poor people are punished for deviating from them in the eyes of state officials. If a woman seeking public assistance refuses to name the father of her child or children, she will be denied assistance, even if she has reason to think the named man may harm her or her children. The purpose of the requirements is to make fathers take financial responsibility for the children they have fathered, a laudable purpose in principle. The problem is that many biological fathers are poor themselves, and the legislation does not exempt them from the requirement. Many states either will not provide benefits for underage single mothers, or require them to be living with their parents in order to receive benefits. On the groundless theory that some women bear more children in order to receive additional benefits, several states provide no additional benefits to a child born to a single woman while she is receiving public assistance.[5]

5. For a comprehensive account of contemporary welfare policy in the United States as a system of sexual regulation, see Anna Marie Smith, "The Sexual Regulation Dimension of Contemporary Welfare Law: A Fifty State Overview," *Michigan Journal of Gender and Law* 8.2 (2002): 121–218. See also Linda C. McClain, *The Place of Families: Fostering Capacity, Equality, and Responsibility* (Cambridge, MA: Harvard University Press, 2006), for a broader discussion of normative issues concerning families in contemporary U.S. social policy.

The PRWORA generalizes a trend that had been growing in welfare programs in the United States and elsewhere since the mid-1980s. With only a few exceptions, it makes working at a job, or engaging in what the welfare program considers a "work activity," a condition of public assistance receipt. Most states do not allow enhancing one's skills by attending college or some other post–high school vocational training to count as such a work activity. They follow a "work first" philosophy: the problem with the people who need public assistance is that they are not motivated to work outside the home, do not understand the expectations of the work world, and lack work experience. Once public assistance programs get them into jobs, these impediments to self-sufficiency will fall away as long as the recipients get to their jobs. They will accumulate experience, skill, and discipline and will be able to climb the job ladder. Many critics have pointed out many flaws in this theory: it does not account for lack of child care, especially at nonstandard hours, or for the difficulties recipients have dealing with sick children or unreliable transportation. Public assistance rules are generally punitive about missed appointments, including a failure to show up for work, and the threat of losing benefits along with jobs is real. Even if recipients do manage to get to and keep their jobs, those jobs usually pay so poorly that these people cannot maintain anything close to a decent standard of living for themselves and their children. For the most part, finally, the service and clerical jobs recipients do manage to keep fail to open any opportunities for significant increases in wages or skill development.

The welfare states of Europe, Canada, and Australia have tended not to follow such punitive policies regarding family and sexuality. The shift in the United States from understanding public assistance as entitlement, on the one hand, to an understanding of public assistance as something that recipients should work for, for their own good, on the other hand, has also occurred to one degree or another in most other Western welfare states.[6] Most of the strong welfare states of Western Europe, including some not experiencing the economic stresses of fiscal crisis and high unemployment,

6. Sandford Schram refers to this as a shift to a "contractual person" as the bearer of responsibility. See Schram, *After Welfare: The Culture of Postindustrial Social Policy* (New York: New York University Press, 2000), 8–21.

such as Norway, have instituted policies that tighten eligibility for the receipt of public assistance and require recipients to take jobs or enter programs whose objective is to put them in the active workforce as soon as possible. European welfare states now give more opportunities to single men and couples to access workfare programs, and increasingly these policies also apply to single parents, most of whom are women, except those with very young children. Most of these European policies are not as punitive with time limits and sanctions as American policies, but on the whole the philosophy motivating them is similar.[7]

The meaning and effect of workfare policies, in my opinion, cannot be separated from recent developments in the structuring of wage work and the division of labor, because the two reinforce each other. All over the world, to varying degrees, the rewards of work have been declining for persons without higher education or other specialized training, and in most of the world this is the majority of the adult population. Real wages have been declining for many categories of work in the last twenty years. Benefits have been declining more precipitously, especially in countries where unions and labor laws do not mandate or strongly protect workers' interests. Perhaps most disturbing, wage work has become increasingly "casualized": rather than defined as full-time employees with contracted wages and benefits, workers are classified as "temporary" or "part-time" or both, even when they work full-time days or nights for months at a time. Many people work nonstandard hours on weekends or evenings, and their hours may shift without their consent. As I already mentioned, inserting welfare recipients into this work world is not likely to give them decent wages or better skills, and the unpredictability of this world can make it very difficult for them to coordinate family and work

7. For details on contemporary welfare policy in Europe, see Joel F. Handler, *Social Citizenship and Workfare in the United States and Western Europe: The Paradox of Inclusion* (Cambridge: Cambridge University Press, 2004), especially chaps. 3 and 4; and Neil Gilbert, *Transformation of the Welfare State: The Silent Surrender of Public Responsibility* (Oxford: Oxford University Press, 2002). Desmond King analyzes work-welfare policies of the 1980s in the United Kingdom and the United States in the context of the history of employment policy in the twentieth century. See King, *Actively Seeking Work? The Politics of Unemployment and Welfare Policy in the United States and Great Britain* (Chicago: University of Chicago Press, 1995).

responsibilities. Making work a condition of the receipt of public assistance, furthermore, helps discipline all low-wage workers not to protest these conditions.

It is not my purpose here to explain the causes of this policy shift that has affected most contemporary welfare states. Like most large-scale social trends, this one is overdetermined. Some analysts attribute much to structural economic changes stemming from deindustrialization in the American and European economies. Competitive pressures of globalization create a perceived imperative for firms to have a more flexible and adaptable workforce. A "safety net" for workers is a luxury that the state can no longer afford. At the same time, an aging population and reduced tax base put extra pressure on social spending. The massive entry of women into the labor force contributes by introducing more competition in labor markets and more expectations about women's proper roles. Accompanying these structural socioeconomic factors has been a large shift in ideas about what causes poverty and who has responsibility to do what to remedy the situation of those who live in poverty. In the mid-twentieth century the idea behind welfare policy in most welfare states, albeit to different degrees, was that the members of a whole society collectively bear responsibility for taking care of one another's old age, health care, and children, and for keeping us out of poverty. Welfare states varied significantly in the extent and universality of public programs, but all were founded on a notion that people in a modern society are interdependent, that the complex social and economic processes in which they participate often affect people in unpredictable ways, and that people owe one another a certain measure of reciprocal care because of these interdependencies.

The last twenty years have seen the triumph of a more individualist understanding of social relations that weakens or even destroys this idea of collective responsibility. Welfare policy discourse in the United States has led this shift, partly because the level of commitment to social programs has always been lower here than in most other countries. The seeds of recent welfare policy discourse in the United States have nevertheless found fertile soil in which to sprout in other countries in a relatively short period of time. In what follows I wish to examine the discourse of personal responsibility that has gained ascendancy as a rationale for current policies all over the world.

Normative Assumptions of the Discourse of Personal Responsibility

A key term helping to propel welfare reform in the United States in the 1990s, as well as in some of the other reforming states, was "personal responsibility." Those identified as liberals championed this idea at least as much as those identified as conservatives. Here is President Bill Clinton in a radio address to Americans in September 1995: "Last week I spoke with you about what I believe must be done to reform our nation's broken welfare system. I said that real welfare reform should reflect the values all of us Americans share—work, personal responsibility, and family."[8]

What does "personal responsibility" mean? In this sentence its appearance is nearly redundant. Throughout debates about welfare and poverty, personal responsibility has been identified with work and family and nothing else. To be personally responsible means that you work for subsistence rather than depend on others or on state largesse. Family members have the primary responsibility to care for and materially support those people who for whatever reason cannot work. By including personal responsibility on the list of shared American values, President Clinton places a moral emphasis on the value of work and family, but adds a new value only in one respect: he emphasizes that the worker and the family should be on their own.

What work does the "personal" in the phrase "personal responsibility" do? It emphasizes that the responsibility you have is for *yourself* and your family. As David Schmitz puts it, the ideal this phrase expresses is that each person or each family should *internalize* the consequences of its actions. Each must self-sufficiently bear the costs of its choices and has no moral right to expect help from others, even if the individual or family should suffer harm or disadvantage.[9] Each person lives within a sphere of action that delimits the range of his or her personal responsibility. Moral responsibility for every circumstance in a society can presumably be assigned by describing the limits of each person's sphere of personal responsibility.

8. Presidential Address, September 16, 1995.

9. David Schmitz, "Taking Responsibility," in David Schmitz and Robert E. Goodin, *Social Welfare and Individual Responsibility* (Cambridge: Cambridge University Press, 1998), 1–96.

The idea of personal responsibility as it has been mobilized in welfare policy discourse assumes what I will later discuss as the "blame" or "fault" model of responsibility most typical of legal discourse and present in much moral discourse. One feature of this conception of responsibility is that its purpose is to pin responsibility on one agent in order to absolve others. There are thus two implications of this notion that each person or family has its own sphere of responsibility into which he or they ought to internalize all the costs of their action: others do not have any obligatory responsibilities for helping us, and we have none toward them. Each does have the responsibility both to monitor the consequences of his or her actions to make sure that they do not wrongly affect others, and to "internalize" them if they do (for example, by paying compensation); on this view, however, there are no positive responsibilities persons have in relation to one another by virtue of participating together in social processes. If each lives self-sufficiently without depending on others, then they have discharged their personal responsibility. I believe that this absolving function of the discourse is one reason for its popularity.

This discourse also thinks away large-scale social structural processes as relevant to assessing people's responsibility for their circumstances and their responsibilities to others. In this very simple picture of society there exist only individuals and family units, who interact with one another now and then. Phenomena such as those I discussed above as relevant for understanding both changes in welfare policies and the significance of their consequences—such as increased global economic competition, the related removal of much industrial production from the most developed societies, trends in divorce and single parenting across many parts of the world, and many other structural factors—seem to have no place in the society presupposed by this moral philosophy.

I will now examine this discourse of personal responsibility and its assumptions. Two policy writers were perhaps the most responsible for developing and promulgating it in the 1980s: Lawrence Mead and Charles Murray. They argued that social policy ought to focus on the behavior and attributes of persons needing assistance, and on the incentives and disincentives of the policies that supposedly encourage or discourage deviant or socially undesirable behavior such as non-work or out-of-wedlock

child-bearing. In a relatively short time, they successfully influenced a whole set of researchers and policy makers in the United States. and rapidly shaped social policy debate in other advanced industrial societies. While there have been numerous analyses of the empirical claims made by Mead or Murray,[10] I have seen no extended analysis and critique of their social theoretical and normative claims and assumptions.

Both Mead and Murray tell a story about U.S. social policy that sees policy as on the right track from the early twentieth century through the 1960s; according to their story, policy began going astray with the Great Society programs of the late 1960s and 1970s.

Mead distinguishes between public policies that aim to regulate *economic life* and those that aim to reform American *society.* Thus, progressive reforms of the early twentieth century, New Deal programs of the 1930s, and the civil rights reforms of the 1960s, all of which Mead endorses, "addressed economic social impediments that were believed to make society inefficient, uncompetitive, or unfair to working people and, later, to minorities."[11] Their aim, according to Mead, was to remove barriers to the opportunity for rewards from such work. The New Deal gave greatest emphasis to changing the economic rules so that workers could then take up the opportunities opened thereby and make their own way. Civil rights reforms had the same function specifically for racial minorities, Mead claims. They enforced the opening of all economic opportunities to qualified persons without regard to race or ethnicity, again, so that individuals could make their own way in earning a living and achieving success.

Mead thinks this contrasts with the social programs of the 1960s and 1970s. Rather than being concerned with monopolistic limitations on economic opportunity that disadvantaged individuals faced, these programs focused on changing the actual circumstances of disadvantaged individuals. They provided direct benefits and services in the form of cash income; subsidies for

10. See, for example, Michael B. Katz, *The Undeserving Poor: From the War on Poverty to the War on Welfare* (New York: Pantheon Books, 1990); and Robert Greenstein, "Losing Faith in 'Losing Ground': The Intellectual Mugging of the Great Society," *New Republic* 192.13 (March 25, 1985): 12–17.

11. Mead, *Beyond Entitlement*, 19.

food, health care, housing, and other goods; training and counseling; and so on. According to Mead, these programs greatly increased social spending without significantly altering the capacities or economic status of their beneficiaries. The main problem, according to Mead, was that such programs created the expectation that poor people are entitled to benefits for which they need do nothing in return. This expectation created a culture of dependency in which those who qualify for these benefits do not have to play by the same rules as other people in society.[12]

Mead argues that a major reason for these misguided policies is that academics and policy makers had come to adopt a "sociological" approach to poverty. In this philosophy, "the poor and disadvantaged were understood to be so conditioned by their environment that to expect better functioning from them, such as work, became almost inconceivable. The responsibility for their difficulties, even behavioral ones, was transferred entirely to government or society."[13] Mead is referring to the fact that many social policy researchers, even before the 1960s, thought, as many do now, that in order to eliminate poverty a society should understand that structural social processes cause many of the background conditions that make the lives of poor people so much more insecure and difficult to negotiate than the lives of others. According to Mead, the keystone of this sociological approach has been to attribute problematic behaviors and characteristics of poor people to hostile social conditions. He alleges that the sociologists who appeal to structural conditions are "determinists," a characterization that researchers who do appeal to structural factors to explain the background conditions of poverty would certainly deny. For Mead this determinist sociological account permitted academics, advocates, and policy makers to design programs for needy and disadvantaged persons such as single mothers with a generous sense of noblesse oblige and no concern for holding recipients accountable for their lives or encouraging them to get off benefits.[14]

Charles Murray tells a similar story, with more emphasis on normative values. Prior to the 1960s there was a consensus that a citizen in good standing was self-supporting. Those who could not be self-supporting looked to their families for help. Able-

12. Mead, *Beyond Entitlement*, especially chap. 2.
13. Mead, *Beyond Entitlement*, 55.
14. Mead, *Beyond Entitlement*, 54–61.

bodied adults were assumed to be responsible for their circumstances. People understood that much about people's circumstances had to do with what they received from their parents and their communities, and through sheer luck. But they believed that, all things considered, the society was doing all it properly could to try to provide equal opportunity. Because overt and legally sanctioned racially discriminatory politics and practices flew in the face of this commitment to equal opportunity, civil rights reforms were necessary. Once this equal opportunity was in place, however, the society approximated justice.

Beginning in the 1960s, according to Murray, social policies upset this moral consensus. They aimed to address the disadvantages of poverty that remained even after genuinely equal opportunity was in place. Murray focuses largely on African Americans, noticing that in the 1970s some blacks climbed the economic ladder opened to them, while others did not. Since those who did not had the same formal opportunities, Murray suggests, it is apparent that something about their attributes and behavior, rather than unfair institutions, held them back.[15]

But the dominant liberal wisdom of the time, according to Murray, argued that "the system" was to blame. In a few short years, according to Murray, dominant social policy understanding shifted

> from a view of the American system as benign and self-correcting to the pervasive assumption that if something was wrong, the system was to blame. . . . Ultimately, the rationale for

15. Several good works analyzing recent welfare policy discourse in the United States analyze its focus on people of color and discursive moves attributing the causes of poverty to behavior and attributes allegedly fostered in poor communities in which African Americans or other people of color predominate. See, for example, Jill Quadagno, *The Color of Welfare: How Racism Undermined the War on Poverty* (New York: Oxford University Press, 1994); and Linda Faye Williams, *The Constraint of Race: Legacies of White Skin Privilege in America* (State College: Penn State University Press, 2003), especially chaps. 5, 6, and 7. Sandford Schram argues that in writers like Mead, "black" no longer signifies a category of inferiority so much as economic danger; this can legitimate discrimination against "blacks" under the cover of economic discrimination; see Schram, *After Welfare*, 37–43. A racialized separation between "good" worker-citizens and unemployed recipients of public assistance who don't care about a work ethic has increasingly opened in Europe as well.

> the sweeping changes in practice that occurred in the last half of the 1960s had to fall back upon a belief that the system as it existed prior to 1964 was deeply flawed and tended to perpetuate evils.[16]

A new spirit of permissiveness pervaded policy circles, which structured benefits for more needy people without expecting them to be accountable for their circumstances, as the old morality had. The values of this liberal ascendancy promoted equality of outcome rather than simply equality of opportunity.

The criticisms that Mead and Murray made of social policy of the 1960s and 1970s, which contributed to the successful reform of welfare policies, rest on three assumptions that I will now analyze and bring into question: (1) personal responsibility and social structural causation are dichotomous, mutually exclusive categories; (2) the background conditions against which people act today are not unjust; (3) policy makers and citizens need only worry about the responsibility of the deviant poor; for the most part, members of other social segments act responsibly.

The process of questioning each of these assumptions will take us toward opening the major question of this book: how should we as individuals think about our own responsibility in relation to social injustice?

Social Structure and Personal Responsibility as Mutually Exclusive Categories

Both Mead and Murray railed against what they claimed was the success of liberal social science in persuading policy makers and many in the general public that poverty has structural causes. Poverty research of the 1960s and 1970s, according to Mead, became dominated by what he calls the "sociological" approach. This approach, he claims, brought "determinism" to accounts of poor school performance or lack of marketable skills. Great Society policies, he says, assumed that

> the responsibility for the poor and their problems lay entirely outside themselves, in the hands of society and government.

16. Murray, *Losing Ground*, 44.

> Government persisted in the progressive style of reform, seeking barriers outside the poor, even though behavior problems such as nonwork, crime, and illegitimacy had become at least as great a difficulty for the disadvantaged. Behavior stems in the first instance from the individual, there is no way to change it unless at least some responsibility is imputed to the individual. The assumption of social responsibility blocked policy makers from recognizing those problems, let alone solving them.[17]

In light of Mead's objection to what he calls this "sociological" explanation of poverty as rooted in the background conditions that individuals face, it is rather surprising to see him approve of the economic regulatory policies of the 1930s and after, many of which surely must be called structural in their intent. Mead approves of policies that regulate the institutions and relationships between institutions in which individuals have to make their own way. He insists that Great Society programs were different in that they focused on directly changing the circumstances of disadvantaged individuals by providing direct benefits. In one context he seems willing to accept that structural causes can contribute to the disadvantaged circumstances in which people find themselves, but in the more recent context of the 1970s he cannot. The idea is that the New Deal programs and the civil rights legislation removed structural impediments and thus made background structures just. Any residual disadvantage, therefore, is attributable to individual attributes and behavior. He ridicules those who continue to appeal to structural conditions, implying that such accounts entirely absolve the individuals concerned of any responsibility for their lives: "Poor children's learning problems in school, for example, were 'caused' by their parents' own limited background, plus the deficiencies of public programs. Implicitly this cast the government's clients as the passive products of their environment, including public policy."[18]

Murray too finds that the mid-1960s saw the emergence of a completely new understanding of the meaning and status of poverty. In a few short years, he says, dominant social policy understanding shifted from a view of the American system as "benign and self-correcting," as I quoted above, to a view that said

17. Mead, *Beyond Entitlement*, 46.
18. Mead, *Beyond Entitlement*, 55.

that the socioeconomic system is hugely flawed and victimizes the poor:

> What emerged in the mid-1960s was an almost unbroken intellectual consensus that the individualist explanation of poverty was altogether outmoded and reactionary. Poverty was not a consequence of indolence or vice. It was not the just deserts of people who didn't try hard enough. It was produced by conditions that had nothing to do with individual virtues or effort. Poverty was not the fault of the individual but on the system.[19]

Neither Mead nor Murray takes any steps to *disprove* the claim that understanding poverty requires taking into account socioeconomic structures such as labor markets; investment patterns; a changing class mix in neighborhoods, divorce laws, and practices; and so on. Instead, they simply reduce the idea to absurdity by suggesting that it precludes attribution of any responsibility to an individual for her circumstances: "The point of sociological reasoning was exactly to exempt those at the bottom of society from responsibility for their condition."[20] They assume that a structural account of poverty and an appeal to personal responsibility are mutually exclusive. If one is true, then the other must be ruled out.

With this assumption they are able to turn the tables rhetorically on the liberals they criticize. Certainly it is disrespectful to talk about our fellow citizens as though they lack agency, are merely passive transmitters of social forces around them. Individuals nearly always have options to choose from, however limited, and they act on decisions they make in relation to those options. That's what it means to be a person. Most of us are uncomfortable denying the influence of individual responsibility in that sense. If individual responsibility and structural explanations are mutually exclusive ways of accounting for poverty and disadvantage, then appealing to structural explanations is wrong and disrespectful and distracts us from our primary task: holding people responsible for their behavior. Policy focus should be on individuals' behavior, punishing them for deviance if necessary, and offering incentives for positive behavioral change.

19. Murray, *Losing Ground*, 29.
20. Mead, *Beyond Entitlement*, 57.

If in fact the poverty researchers of the late 1960s and 1970s had put forward structural accounts of poverty that precluded also attributing people's circumstances to their own choices and actions, then those researchers would have been misguided. But this misrepresents the work of most of them. Because Murray and Mead assume that only one factor can be accepted in any account, they wind up distorting the meaning of some accounts. Mead quotes liberal policy research as follows to produce evidence that William Ryan holds a deterministic view of the structural causes of poverty that absolves individuals from responsibility: "The crucial criterion by which to judge analyses of social problems," says Ryan, "is the extent to which they apply themselves to the *interaction* between the victim population and the surrounding environment and society, and, conversely, the extent to which they eschew exclusive attention to the victims themselves—no matter how feeling and sympathetic that attention might appear to be."[21]

Constructing structural causation and personal responsibility as mutually exclusive ways of accounting for poverty presumes the targeted nature of a liability conception of responsibility to which I alluded above. On this conception, to identify some factor or agent as responsible for a condition means to absolve others. But such a monocausal conception is implausible. There is no call in Ryan's work for absolving individuals and appealing *only* to structural causes. The key word in the quotation above is *interaction;* Ryan is claiming that an adequate understanding of poverty requires considering at least two sides—the individual's desires, perceptions, motives, and actions, as they *interact* with background structures in the social environment.

In chapter 2 I will take up more thoroughly the question of why it is important to have an understanding of structures in making judgments of justice and injustice, and how such an understanding relates to individual action and responsibility. For now we can say that social-theoretical and explanatory accounts of poverty or opportunity that appeal to structures can and do leave plenty of room for understanding individuals as agents who respond to these structural conditions in different ways. Structures describe a set of socially caused *conditions* that *position* a large number of people in

21. William Ryan, *Blaming the Victim* (New York: Pantheon Books, 1971), 248. Quoted in Mead, *Beyond Entitlement,* 57.

similar ways. Nevertheless, each person so positioned is responsible for how she or he takes up these conditions.

Let's take as an example William Julius Wilson's account of the convergence of factors that he claims account for the specific and partly new conditions that residents of racially segregated neighborhoods in northern cities faced in the late 1970s and 1980s, and to a large degree still face.[22] The 1970s saw a massive shift in investment patterns in the United States. Employers closed down manufacturing facilities that had supplied well-paying jobs for many people. To the extent that new jobs appeared in their place, they tended to be lower skilled and low paying, with little room for skill development or pay advancement. New jobs also tended to appear not in the city core but in the burgeoning suburbs not easily reachable by public transportation. At the same time as this disinvestment in racially segregated neighborhoods occurred, the removal of formal barriers to housing and job discrimination made it easier for more affluent and educated residents to move out. Since the 1980s, cities have lost revenue, and the "ghetto" has become home to an increasingly higher proportion of poor people living in less densely populated circumstances, and in neighborhoods with few businesses and deteriorated public schools.

One can quarrel with numerous aspects of this story, and many have. I offer it not as the whole truth, but as a clear account of structural relations that can help understand the situation of some poor people. The account is about general conditions. It depicts a set of circumstances that most dwellers in racially concentrated poor urban neighborhoods have faced, and how these circumstances come about through the conjunction of several factors and processes. Nothing in the account precludes also trying to understand the desires, perceptions, motives, and actions of individuals who face these conditions, and saying that they are responsible for the choices they make under these circumstances. Every individual similarly positioned in relation to such structures has her own story.

The structural account shows what kind of *opportunity set* persons similarly positioned have available to them; it says

22. William Julius Wilson, *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy* (Chicago: University of Chicago Press, 1987); and *When Work Disappears: The World of the New Urban Poor* (New York: Knopf, 1996).

nothing about how any individual acts in response to that opportunity set. Surely it is disingenuous, however, to suggest that persons living in neighborhoods with poor schools, few stores, and dilapidated housing, miles away from the closest job opportunities, have an equal opportunity with other persons in the same metropolitan area. This brings me to the next assumption that Murray and Mead make in their focus on personal responsibility.

Background Structures Are Not Unjust

In order for Mead and Murray to insist that people receiving or seeking public assistance should be held solely responsible for their situation, that positive sanctions should be applied to them in the form of work assignments or removal of benefits, they must assume that the general background conditions these people face are not unjust. Most people agree that holding people responsible for how they have fared in a test of achievement requires that those being tested not face impediments others do not. In fact, Mead and Murray do make this assumption in at least two linked respects. They claim that the civil rights movement removed the last forms of legal sanction for educational and employment discrimination, and thus that equal opportunity has been achieved. Any shackles that some people labored under have been removed.

They also express what I regard as a sense of exhaustion with criticisms of injustice and claims for social reform, a sense that seems to me symptomatic of the public spirit in the contemporary welfare state world. Murray evinces nostalgia for a time, before the 1960s, when the majority of people in American society understood its institutions as "benign and self-correcting." If there were any injustices, they did not run deep, and the system had the good sense and capacity to correct them. Both Mead and Murray claim that government and other societal institutions are doing all that they can to remove barriers to achieving well-being. If society's institutions are indeed doing everything that can be done to foster substantive opportunity for everyone to achieve well-being and a good chance to enact their life plans, then it cannot be judged unjust. Given the state of affairs not only in the United States but also in Canada and Europe (and I haven't even yet mentioned the rest of the world) that I discussed at the beginning of this chapter,

this claim is at least questionable, especially when over the last twenty years regulatory institutions have withdrawn from requiring businesses to foster employee well-being and pay taxes for public education and other social supports.

While contemporary public discussion in the United States has largely ignored the care work problem as well as the problems of the general disappearance of work and the shrinking wages for the work that remains, public discussion even now dwells on one social problem certainly relevant to determining whether the background institutions that Americans face as they try to achieve well-being are just. While there are vast disagreements about why, almost no one in American society today thinks that educational opportunity is equal. There are vast and growing disparities in the quality of education to which Americans have access,[23] and these shamefully track race and class, to a large degree because each community is expected to shoulder the burden of paying for the education of its own. The turn-of-the-twentieth-century hope that public education can equalize the relationship among children of very unequal parents, giving each child an equal chance to compete with others from more privileged backgrounds, seems like a strange dream.

Even Charles Murray admits that the educational system is unjust, and in his book he introduces ideas about what would make it just that would be truly radical if followed. In schooling, he asserts, effort should always be rewarded, and the attainment of levels of competence should be recognized. Failure to achieve, however, he says, should not be punished. Those who fail in educational attainment should always have another chance to try. Failure in one endeavor, moreover, should not preclude the opportunity to try in others. "For students who are growing up expecting (whatever their dreams may be) ultimately to be a failure, with failure writ large, the first essential contravening lesson is that failure can come in small, digestible, packages. Failure can be dealt with. It can be absorbed, analyzed, and converted to an asset."[24]

In principle, this philosophy says, anyone who wants to try to learn something, to improve his or her skills in order to be better able to contribute to the social fabric, should have the opportunity to do so. Murray recommends policies that would follow this

23. See Linda Darling-Hammond, "Unequal Opportunity: Race and Education," *Brookings Review* 16.2 (Spring 1998): 28–32.

24. Murray, *Losing Ground*, 227.

principle. He does not draw out very specifically the implications of the principle or the nature of such policy possibilities, but I think they are radical. The opportunity to learn something should not be closed off, even if a person has so far failed. If we take that principle seriously, it is up to the society collectively to offer that opportunity to acquire a certain level of knowledge and skill, as a *lifetime* possibility. No society in the world currently does this. To a large extent, failure in school is punished, both in the social stigma it carries and in the manner in which it tends to close off opportunity to try again, or to try something different. Most important, most societies with a decent educational system for children offer *only one* opportunity in a lifetime to develop skills needed to achieve well-being: namely, when one is a child. If a person is slow, or makes a mistake in priorities, or chooses to have fun rather than work during schooling years, then he or she usually has no opportunity for a second try at public expense. (General Education Diploma courses do not usually teach very much.) Or, if a person did acquire a good set of skills that enabled him or her to gain a good living for twenty years, but then these skills become obsolete, most such persons have little serious opportunity to learn new skills at public expense. Some European societies offer retraining opportunities to workers whose skills are no longer usable by industry, but even the best of these programs are limited in scope. A just society would not punish failure and, at least to a certain level, it would make the opportunity to learn and develop skills available to all persons throughout a lifetime. I submit that this follows from Murray's own principles.

In sum, the logic of Mead and Murray's arguments that society should hold poor people personally responsible for their situation presupposes that those persons suffer no injustice from the society. They both assert that in the twentieth century truly equal opportunity has been achieved, by which they imply that disadvantaged people face no injustice. This assumption, however, cannot be sustained.

It Is Only the Responsibility of Poor People That We Need to Worry About

The final questionable assumption I find made by the discourse of personal responsibility is that public attention need be paid only to the alleged irresponsibility of poor people. This assumption

arises from the scenario writers like Mead and Murray have constructed. The "equal-opportunity society" has been achieved, and most people have in fact taken advantage of the opportunities available to them to build satisfactory lives. What social-structural barriers there might have been to account for some people's disadvantaged circumstances have been removed. A residue remains of needy people who depend on public support: their poverty can be accounted for only by something about them—they refuse to work, refused to acquire skills when they had the chance, had babies when they were too young. This relatively small proportion of members of our society are simply deviant. They do not accept the same rules and exhibit the same character traits as the rest of Americans. The reason to focus on them and to construct policy so as to produce incentives to induce change in their behavior is that their irresponsibility brings costs to the rest of us.

I suggested earlier that the rhetoric of personal responsibility encourages an isolated, atomistic way of thinking about individuals. What it means to be responsible is for a person to maintain control over his or her actions and their consequences, and to make sure that they and only they bear their costs. A capable, responsible person does not depend on others. Insofar as some people, particularly children, are necessarily dependent, it is their family members who should care for them; the unit of responsibility is the family, which should internalize all its costs. Someone dependent on public assistance is therefore by definition not taking responsibility for his or her person. Being personally responsible, furthermore, requires nothing other than that one does not depend on public largess. There is, then, a kind of tautology in the account of poverty that this rhetoric produces. These people are poor because they are not personally responsible, and the evidence of their lack of personal responsibility is that they depend on public assistance. On this construction, recipients of public assistance are different—they are the only ones who receive public assistance. They deserve unique attention because by definition only *they* lack personal responsibility. Everyone else is a responsible person insofar as somehow they are able to take care of themselves and their families.

The personal responsibility discourse attempts to isolate the deviant poor and render them particularly blameworthy for their condition, which then justifies the application of paternalistic or punitive policies to them. What would happen, however, if we

found out that poverty is relatively common and that persons with many diverse characteristics might be poor, at least for a certain period of time? Mark Rank has studied poverty in the United States in a way that considers the life course of individuals.[25] Most people who live under the federally defined poverty line do not stay there all their lives. "Spells" of poverty are most common. Even fewer of these receive public assistance, either because they do not meet eligibility criteria, or because they do not know they are eligible, or because they choose not to access public assistance benefits. Rank finds that taking into consideration their entire lives, however, the *majority* of Americans experience at least one "spell" of poverty, and many experience multiple spells separated by better times. We would be likely to find that a large proportion of people in some European countries also experience poverty at some point in their lives, if we bracket the more generous and reliable safety net available to a larger cross-section of individuals in those countries.

Rank argues that if a majority of Americans live below the poverty line for some time in their lives, then we cannot separate poor people from other people according to some character traits, dispositions, or failings they have. Each person has his or her own story about what actions and choices might have contributed to his or her dire circumstances in this instance, but these are too varied to generalize about, and many of them look a lot like choices and actions that others have made or would make. Not only people who wind up poor for some time of their lives do irresponsible things or make irresponsible choices. It is disingenuous to isolate people who wind up poor and suggest that they alone are irresponsible. Many people, in all social strata, at least at times behave less responsibly than they ought to.

Despite the power of the rhetoric of personal responsibility in influencing the public discourse of welfare, few people in their sober moments really think that being a responsible citizen means simply and entirely that one avoids dependence on others. Not only is the image of the isolated family that internalizes the costs of all its actions unrealistic, but it depicts an ugly world in which people routinely do not care about one another. A more realistic understanding of being responsible, one that better matches what

25. See Mark R. Rank, *Living on the Edge: The Realities of Welfare in America* (New York: Columbia University Press, 1994).

most people think, might go something like this: a responsible person tries to deliberate about options before acting, makes choices that seem to be the best for all affected, and worries about how the consequences of his or her action may adversely affect others. While a widely accepted notion of responsibility, I submit, this is also a demanding standard. Few people live up to it all the time, and many people are sometimes irresponsible by this standard. The important thing for my argument now is that it is doubtful that people of any class, race, gender, religion, or other general category are, as a group, any more or less responsible according to this standard than people of another group generally are.[26]

Many relatively privileged people behave irresponsibly in all kinds of ways—they abuse family members, put little effort into their work, use dangerous drugs. "Perhaps," the likes of Murray and Mead might respond, "but rarely do others beyond a small group close by have to suffer the costs of their actions." Only a brief glance at newspapers, however, suffices to belie this general claim. Over and over, people in powerful positions in large institutions whose workings often affect millions make selfish or badly informed decisions that cost employers, consumers, or taxpayers billions, and few of the culprits receive significant punishment. Many of these harmful actions are not illegal or at least not believed to be illegal by those engaging in them. The speculation in mortgage-backed securities and other financial instruments by the largest financial institutions that led to financial collapse beginning in 2008 is just the most recent and wide-ranging example of systematic privileged irresponsibility harming millions of people.

Many instances of irresponsibility involve illegal activities, and they are roundly condemned. Arguably people across society in many walks of life, and at different levels of relative privilege, behave irresponsibly but legally in ways that put serious costs on other people. Property-owning citizens refuse a tax increase, forcing the public school system to close some schools, increase class sizes, and cut programs. Company officers draw on worker pension funds to finance their operations over the years, and economic downturns prevent them from making good on the "borrowing,"

26. See Jennifer L. Hochschild, "The Politics of the Estranged Poor," *Ethics* 101.3 (April 1991): 560–578. The estranged poor in many ways act very much like other Americans, except that they do more of whatever the rest of us do and are harmed more in so doing.

with the result that workers are left without retirement income. Examples are too easy to find.

Public opinion surveys and interviews consistently find that when asked, lower-income people generally hold the same values as other people about the importance of contributing to the social fabric, taking care of oneself and one's family as well as possible, and having concern for the well-being of others.[27] Whatever standards of responsible behavior people from many sectors of society espouse, too many people from all sectors fail to live up to those standards. Scholars, policy makers, journalists, and business and civil leaders should certainly worry that there may be too much irresponsibility in our societies. This worry, however, ought to be directed at us all.

Along with many who study welfare policy, I advocate a return to understanding poverty and disadvantage in structural terms. One of the things I have argued in this chapter is that it is not possible to think about issues of poverty without to some extent looking at social structures. Even those who criticize an appeal to structure find themselves making such an appeal. I have shown that despite their opposition to a "sociological" approach to accounting for poverty, Murray and Mead do not avoid certain appeals to social structures, even if in their view they no longer exist.

The next chapter will explain in general theoretical terms what structural injustice means. Proposing this concept in no way implies denying that poor people bear responsibility for their circumstances. A sensible understanding of the sources of *any* person's situation, whether poor or not, should refer *both* to the structural constraints and opportunities he or she faces, *and* to his or her choices and actions in relation to them.[28] Those of us who are not poor—or not poor right now—participate in the same structures of privilege and disadvantage, constraint and enablement, as those who fall below the poverty line at some point. We need to assess *our* responsibility in relation to these structures.

The premise of this book is that we lack good conceptual tools for thinking about individual responsibility in relation to structural

27. See, for example, Jacquelin W. Scarborough, "Welfare Mothers' Reflections on Personal Responsibility," *Journal of Social Issues* 57.2 (2001): 261–276.

28. See Mark R. Rank, *One Nation Underprivileged: Why American Poverty Affects Us All* (Oxford: Oxford University Press, 2004).

social processes. In the three central chapters I offer an account of structural injustice and a theory of responsibility for such structural injustice. Before turning to that task, however, I will conclude this chapter by discussing ways that some philosophers have recently discussed responsibility and equality.

Dworkin's Theory of Responsibility and Luck

Policy discourse on personal responsibility resonates for many people because it draws on a set of convictions that few can reject. Part of what it means to respect people is to consider them agents of their own lives. People make choices that affect how their lives go, and they are responsible for these choices and their consequences. Social cohesion and cooperation depend, moreover, on people acting as much as they can in ways that make positive contributions to the social fabric and trying not to burden others. Those who appeal to structures as causes of poverty, on the other hand, rely on an equally strong intuition: to the extent that their situations, and even their own capacities and dispositions, derive from sources outside their control, people should not be blamed for their relative disadvantage and instead should be helped or compensated for them.

During the same decades that debates on social policy considered the question of the personal responsibility of poor people, a parallel debate took place among theorists of justice. In his theory of equality of resources, Ronald Dworkin aimed to recognize both of the above intuitions. The equal regard for persons that is the foundation of social justice does not require that everyone have access to an equal level of material goods. A just society appropriately asks to what extent the relative material disadvantage of a person is a consequence of choices that he or she has made, and to what extent it derives from circumstances out of her or his control. Justice requires rectifying or compensating for the latter, Dworkin argues, but not for the former. Inequalities deriving from a person's choices, but only those, are acceptable from the point of view of justice.

Dworkin's theory has been the subject of debate among a set of philosophers who agree with the basic idea that a theory of equality ought to distinguish between that aspect of a person's situation which results from her choices and that which results from

circumstances beyond her control, which Dworkin calls a matter of luck. Their debate concerns how this distinction should be formulated and whether the "currency" of equality is resources, as Dworkin claims, or instead some version of welfare or opportunity. Erik Rakowski, Gerald Cohen, Richard Arneson, and John Roemer have contributed to this debate.[29] In the section that follows I do not review their discussion of these issues or take a position on them. I turn to luck egalitarian theory because more than other theories of justice it makes the issue of personal responsibility thematic, though with very different emphasis and consequences than the policy theorists I discussed above. I will concentrate on Dworkin's theory and will briefly mention one element of John Roemer's revision of it.

Despite the important differences between Dworkin's political commitments and those of writers such as Murray and Mead, I will argue that Dworkin's account has two similarities with the policy discourse of personal responsibility. Dworkin's theory of the relative equality and inequality of persons focuses largely on the attributes of individuals. Furthermore, in conceptualizing everything about a person's situation not derived from her choices in terms of luck, Dworkin fails to distinguish between causes of relative disadvantage that are simply unlucky and those that result from social organization and social processes. I will show that even his own theory must implicitly rely on an understanding that some circumstances out of a person's control concern the combined effects of the actions of others within specific institutions. His explicit theory ignores social structure, however, making it an unsatisfactory approach to justice. If we make the place of social background conditions explicit, I argue, as I already have in considering the policy discourse, then it becomes important to ask about the responsibility that persons bear not only for the consequences of their actions on their own circumstances, but on the circumstances of those unjustly disadvantaged by social structures.

29. Erik Rakowski, *Equal Justice* (New York: Oxford University Press, 1991); G. A. Cohen, "On the Currency of Egalitarian Justice," *Ethics* 99.4 (July 1989): 906–944; Richard J. Arneson, "Equality and Equal Opportunity for Welfare," *Philosophical Studies* 56.1 (May 1989): 77–93; John E. Roemer, *Theories of Distributive Justice* (Cambridge, MA: Harvard University Press, 1996).

Quite unlike those using concepts of personal responsibility in policy discourse, Dworkin uses them in justifying a strong and relatively generous welfare state. Justice requires that a state engage in redistributive measures to compensate individuals for disadvantage that derives from their circumstances rather than their choices. He includes in the category of people's circumstances, rather than their choices, the families into which they are born, along with the resources available to them for that reason; features of the environment in which they act; unchosen characteristics such as their sex, race, or nationality; and, most especially, their mental and physical abilities and talents, or lack thereof.

The main division between choices and circumstances that Dworkin discusses, and around which much of his debate with the luck egalitarian theory turns, is between different personal attributes. A person's choices involve acting on preferences they are glad they have, as well as traits of character, such as ambition, stubbornness, sensitivity, or indifference, that condition how they make use of their abilities. It is a matter of brute luck, Dworkin claims, that some people are particularly agile or talented with numbers, and others are unable to walk or are unable to manipulate sophisticated concepts. The abilities that some people have enable them to contribute to marketable products in ways that reap significant rewards, while those of others put them at a disadvantage in the social market. These differences are arbitrary, however, from a moral point of view. For this reason the less talented or handicapped should not have to bear the costs of their difficulty in developing marketable skills. Instead they should be compensated by means of social policies that redistribute some of the undeserved reward the talented receive to the less talented.

Much of the debate about this theory has focused on just how to draw this distinction between the aspects of a person's situation that arise from choice and those that are attributable to luck. Dworkin admits that it may be impossible to draw this distinction in particular cases, but for him this is not the point. His purpose is to justify a redistributive welfare state while at the same time acknowledging that not all inequalities are unjust. He makes the argument for welfare provision through a discussion of a hypothetical insurance market.[30] What are the sorts of brute bad luck

30. Dworkin, "Justice, Insurance, and Luck," in *Sovereign Virtue*, 331–340.

against which it would be prudent for a rational person to insure? To model the market, Dworkin makes the counterfactual assumption that everyone faces the same level of risk of encountering such misfortunes, and that an insurance premium can be calculated that spreads that risk across those who are insured and funds a subsidy to those unfortunate persons to whom the bad luck happens sufficient to give them equality of standing with everyone else. A just welfare system will provide public assistance at the level of what such an insurance system would, and no more.

It is an ingenious argument about what a just state ought to do, derived from assumptions of market mechanisms only. This approach to thinking about just distribution is attractive partly because it recalls some of the earliest justifications for state-administered welfare provisions in the theory of social insurance. That theory argued that such fates as workplace accidents or being laid off are undeserved occurrences and that broad masses of the society face these risks. Because they can have serious consequences for the well-being of individuals and their families, a just society spreads the costs of the misfortune broadly across the society.

My quarrel is not with the impracticality of drawing the line between choice and circumstance in the case of particular individuals, nor with the impracticality of making insurance market calculations corresponding to this theory. As I said, Dworkin's purpose is to articulate principles to justify a state compensatory system. Instead, the fault I find with Dworkin's approach to justice is that he focuses largely on attributes of persons and ignores or rejects a theoretical place for bringing social structures into view. Despite his very different political objectives, in these ways Dworkin's philosophy is similar to that which animates those such as Murray and Mead who promote ideas of personal responsibility in policy.

In a way not very different from conservative proponents of personal responsibility, Dworkin and most of his luck egalitarian critics focus on the attributes of individuals to explain why they are relatively disadvantaged:

> The distinction required by equality of resources is the distinction between those beliefs and attitudes that define what a successful life would be like, which the ideal assigns to the person, and those features of body or mind or personality which provide

> means or impediments to that success, which the ideal assigns to the person's circumstances.[31]

As Samuel Scheffler puts it, both sides of this distinction are "inward looking."[32] It is largely features of the individual person that account for her situation—what she likes to buy, how she likes to spend her time, just what abilities she has and how she uses them, and so on. Dworkin insists that some of these features that account for a person's situation of advantage or disadvantage, most particularly ability, are beyond her control. She should be compensated for disadvantage traceable to them. What this entire approach to disadvantage and advantage fails to notice, however, is the social-structural context that helps make features of a person advantageous or disadvantageous.

Thus Dworkin considers some features of an individual to be handicaps, simpliciter. A person born without sight, for example, will simply have greater difficulty than a sighted person acquiring the skills to be a civil engineer. He should be compensated for his limited earning power, because his situation is simply bad luck. This judgment, which accords with the common sense of most people, fails to see that whether a feature of a person impedes his ability to develop certain skills or pursue certain goals depends largely on the social conditions in which the person lives. A person's vision impairment impedes his ability to be a good civil engineer only in a society that fails to offer educational and employment opportunities that accommodate persons with differing physical abilities. In her well-known critique of luck egalitarianism, Elizabeth Anderson puts a similar point this way: "One's capabilities are a function not just of one's fixed personal traits and divisible resources, but of one's mutable traits, social relations and norms, and the structure of opportunities, public goods, and public spaces."[33]

Focusing on the attributes of the person, Anderson argues, makes welfare justice appear to be taking a pitying attitude toward persons who have the bad luck of disadvantaging attributes. If

31. Dworkin, "Equality of What?" in *Sovereign Virtue*, 82.

32. Samuel Scheffler, "What Is Egalitarianism?," *Philosophy and Public Affairs* 31.1 (Winter 2003): 21.

33. Elizabeth Anderson, "What Is the Point of Equality?" *Ethics* 109.2 (January 1999): 319.

these disadvantages occur largely because of the placement of persons with those attributes in a particular social structural context, however, then it is the institutions and norms that should be criticized and changed, rather than the person who should be pitied and compensated.

Dworkin and most of his luck egalitarian critics conceptualize the relationship between personal endowments and the aggregate tastes and preferences of others as a matter of brute luck. On this theory a great many things seem to be crowded into the category of luck: a person's genetic makeup, the family and community in which a person is socialized, how the tastes of other people have evolved, the availability of training to develop a skill, the fact that a potential employer was attentive in an interview that particular day—these all appear equally to be matters of luck, in this theory. Is it plausible to throw all these items, along with numerous other attributes and circumstances beyond a person's control, into the "black box" of luck, as Susan Hurley calls it?[34]

By referring to circumstances beyond a person's control that are a source of disadvantage as bad luck, Dworkin wishes to suggest that they are morally arbitrary. Because they are morally arbitrary, a proper conception of justice requires the state to compensate for such undeserved disadvantage. This formulation inappropriately collapses the idea of injustice with the idea of undeserved fate. The idea of injustice is not identical to the idea of undeserved misfortunate. Making a judgment of injustice involves a stronger and more specific judgment than that a person suffers undeserved misfortune.

Judith Shklar argues that attributing deficits in well-being to luck or chance generally encourages people to resign themselves to those circumstances. Attributing disadvantage or suffering to bad luck allows us to be what Shklar calls "passively unjust": we do not feel obliged to take action to remedy the harms people suffer, because we construct their sources as inexplicable and beyond our power to change. We may say that persons to whom luck has given advantages ought to help those less fortunate because they can, but it is difficult to argue on this basis that the disadvantaged are entitled to redress or prevention of their situation.

34. S. L. Hurley, *Justice, Luck, and Knowledge* (Cambridge, MA: Harvard University Press, 2003), especially introduction, chaps. 5 and 6.

To judge that a suffering or disadvantage is unjust, on the other hand, implies that we acknowledge the circumstance as grounded at least partly in institutions and the social processes they generate. When we acknowledge such social causes of suffering or disadvantage, we thereby at least implicitly recognize an obligation to try to improve those social processes.[35]

Let us agree with luck egalitarians that some sources of a person's circumstances are a matter of luck. So we will agree that a person's genetic makeup is a matter of luck from the point of view of issues of justice. Many projects fare well or badly, furthermore, because of timing, or because the weather was good or bad, or because things just managed to "click" between people. Most illnesses and injuries are a matter of bad luck. Much in life certainly is a matter of luck. There is a large category of circumstances beyond a single person's control that affect her life prospects, however, that are not matters of luck in these sorts of ways. They are instead traceable to the arrangement of institutional rules, the power that some individuals and groups have within institutions, the way that social processes have become materialized in the built environment, and the cultural habits that people have formed.[36]

Not all facts about a person's situation are equally morally arbitrary. Some are morally questionable just because they do derive from choices and institutional decisions that make some people vulnerable to domination, exploitation, and exclusion.[37] These social-structural background conditions, moreover, often exacerbate the effects of bad luck. Many in the world were shocked to see how social processes of residential segregation, biased evacuation planning, lack of access to health care, and low incomes made the effects of Hurricane Katrina worse for many on the U.S. Gulf Coast than they might otherwise have been.

35. Judith Shklar, *The Faces of Injustice* (New Haven: Yale University Press, 1990).

36. This is one of the main points of Elizabeth Anderson's critique of the luck egalitarian theory.

37. See Anne Phillips, *Which Equalities Matter?* (Cambridge: Polity Press, 1999), 55–60; cf. Christopher Lake, *Equality and Responsibility* (Oxford: Oxford University Press, 2001), chap. 5. Some goods are relationally constituted, in the sense that those who are better off stand in a superior competitive position that allows them to shape, restrict, and otherwise frustrate the ambitions and purposes of the worse off, even if the better off do not intend to be dominative in this way.

Not all facts about a person's circumstances, as distinct from her choices, are morally arbitrary. To the extent that they derive from actions, policies, institutional organization, and the combined consequences of these factors that make some people vulnerable to domination, exploitation, or deprivation, they raise specific issues of justice that implicate other people in the circumstances of those vulnerable people. Injustice in this sense concerns more than simply the fact that people suffer fates they do not deserve. It concerns how institutional rules and social interactions conspire to narrow the options many people have. In principle, rectifying injustice understood in this way implies not compensating people for disadvantage or engaging in policies of redistribution after the social processes have wrought their damage. Instead, promoting justice in social structures and their consequences implies restructuring institutions and relationships to *prevent* these threats to people's basic well-being.

The conceptual and practical line between what people in a society consider simply misfortune and what counts as socially caused injustice, according to Shklar, is undecidable. How people draw the line at a particular time and with respect to which sufferings depends on the state of social knowledge and the perceived capacity for collective action to prevent or repair deficits in well-being. All of these judgments and perceptions, moreover, are matters of political struggle and persuasion. Over the centuries, social judgment has increasingly conceptualized circumstances that once were thought of as simply misfortunate as injustice: "Being a woman is a misfortune that has become an injustice because we want to change our estate."[38]

In fact Dworkin's theory cannot avoid reference to social-structural context of a sort. On his theory, whether the attributes that define a person's circumstances count as positive talents that help a person succeed in life or as impediments to achievement depends on what the exercise of these talents or their products can command on markets for labor and goods. The skills and aptitudes of some people yield them high rewards because they correspond to products or services that other people want, while the skills and aptitudes of others find few buyers. Other people's preferences aggregate into structures through markets, and these often contingent and fickle processes help determine whether people's

38. Shklar, *The Faces of Injustice*, 67.

live go well or badly. This is not a very complex notion of social structure, but it is an understanding of social background conditions constituted by relationships and connections among people that Dworkin's account assumes, and must assume. However, the assumption remains in the theory's background.

Through the structural processes of market relationships, how a person's life goes depends partly on the fit between his or her talents, skills, and ambitions, on the one hand, and what an aggregate of other people values enough to pay for, on the other. While the market demand for a person's skills and what they produce is a circumstance conditioning a person's life that is largely beyond her individual control, it is not usually a matter of brute luck. Market relationships are constituted by cultural traditions and changing fashions that influence preferences, by institutionalized relations of power that enable some people to have greater command over resources than others, and by other institutional missions and rules. Market incentives and the aggregated consequences of market relationships in turn condition these relations and institutions. Although Dworkin's theory tries to operate with a thin set of methodologically individualist assumptions about how societies work, it does so only by ignoring the existence of other structured social processes that condition people's situations, which cannot be written off as simply matters of luck.

In her critique of luck egalitarianism, Elizabeth Anderson argues that a theory of justice should bring into view the interdependency of persons through social relationships of the division of labor and the institutional rules and practices of social cooperation. When we regard the society as a system of cooperation in which members are interdependent, then promoting justice does not reduce to policies that redistribute the good or ill effects of bad luck after the fact. Instead, we should be asking as well whether institutional rules, social practices, and structural relations can be reformed so that they produce less undeserved inequality to begin with.[39]

39. Anderson, "What Is the Point of Equality?" She cites my own argument that it is important to thinking about issues of structure in addition to distribution; see Iris Marion Young, *Justice and the Politics of Difference* (Princeton: Princeton University Press, 1990), chap. 1; see also Iris Marion Young, "Taking the Basic Structure Seriously," *Perspectives on Politics* 4.1 (March 2006): 91–97.

Roemer's Revision

In his analysis and critique of Dworkin's theory, John Roemer revises the theory to a certain extent to take into account social-structural relations. Roemer argues that Dworkin is mistaken to conceptualize that aspect of a person's situation for which she is responsible as a function of the preferences with which she identifies, such as her determination to complete a good dissertation.[40] Also challenging Richard Arneson's attempt to theorize ideal preferences as those wholly under a person's control, Roemer argues that even those preferences that people are glad they have are usually influenced by their social environment—the values of the family in which one was socialized, for example, or how much of what kind of what Pierre Bourdieu calls cultural capital is available to people in their milieu.[41] Rather than assign people responsibility for their situation according to how far it derives from desires and ambitions they call their own, Roemer says, it would be better to rely on the commonsense understanding that people should be held responsible for whatever about their circumstances stems from factors under their control. It is not obvious, however, either to an individual herself or to outsiders, how to differentiate in which respect and to what extent a person has control over factors that contribute to her advantage or disadvantage relative to others.

Roemer proposes the following ingenious method for making this judgment, for which he supplies precise mathematical methods of calculation. Divide the members of a society into categories, each defined by an identical list of circumstances that are properly assigned to environmental or background conditions that are beyond the control of each of the category's members—factors such as gender, race, generation, being the child of parents with little formal education, and so on. We will distinguish several such "types" to which individuals belong as sharing similar background conditions beyond their control. In order to determine

40. Roemer, *Theories of Distributive Justice*.

41. Much of Pierre Bourdieu's work was devoted to showing how much taste and preference have bases in social-structural relationships that also function to a significant degree to reinforce social inequality. See, for example, *Distinction: A Social Critique of the Judgment of Taste*, trans. Richard Nice (Cambridge, MA: Harvard University Press, 1984).

which inequalities among people are not unjust, because traceable to causes within their control, we can only compare individuals within types. Within the group of white females born in the 1940s whose parents had little income or education, we will find some who worked extraordinarily hard to improve their situation and became high-paid lawyers, and others who successfully stayed out of trouble but didn't put much effort into learning. Whatever inequalities of income and status exist among them are fair, on this view, even though the inequality between the ordinary working-class women and the lawyer son of a lawyer may not be. I find two things perspicuous about this manner of assessing inequality in relation to personal responsibility.

First, it exposes the fallacy of judging some people as responsible or not responsible for their circumstances by comparing their attitudes, behaviors, and situations with those of others with differing background conditions. Writers such as Murray and Mead often seem to do this. They hold up a norm of upwardly mobile professionals who attend parent-teacher meetings and then find poor single mothers who express cynicism about their children's schools irresponsible. Poor single mothers should indeed be assigned some degree of responsibility for their situation and that of their children, as indeed most of us should be held responsible in some measure for how our lives go. Only by comparing the efforts and actions of persons with a similar range of options and constraints, however, can we fairly assess the extent to which their actions might be praised or found wanting.

Second, and even more important for my argument in this book, Roemer implicitly rejects Dworkin's effort to account for inequality entirely in terms of individuals acting on their tastes and preferences and affecting one another's life prospects only through their interest in purchasing one another's goods, services, and labor. By arguing that inequality and responsibility must be conceptualized by means of social categories in which people are differently positioned and which are defined by numerous institutional rules and social practices, Roemer appeals to a notion of social structure as necessary to theorizing social justice.

Roemer's account stops short of addressing the most important issues of justice that his modeling raises, however. The sorts of inequalities that most raise issues of justice are not those that appear between persons similarly positioned in structures of gender, age, family background, income level, and so on. Rather, it

is the inequalities among the structured social positions themselves to which most social critics attend when they claim that they are *social* injustices. There may well be issues of justice concerning trying to reward genuine effort to contribute to the collective welfare, whatever the objective circumstances of persons who make these efforts; and there are certainly reasons to punish people who are selfish or negligent, or knowingly harm others, however they are situated. The matters of social justice, however, concern whether the background conditions of people's actions are fair, whether it is fair that whole categories of persons have vastly wider options and opportunities than others, how among the opportunities that some people have is the ability, through the way institutions operate, to dominate or exploit others, or benefit from their domination and exploitation.

There is another significant similarity between luck egalitarian theory and the policy discourse invoking personal responsibility. The luck egalitarians also emphasize issues of the responsibility of relatively disadvantaged persons for their disadvantaged situation. People should be compensated for the disadvantage they suffer up to but not beyond the point where their disadvantage results from actions in their control. This principle holds as true for the playboy who squanders his inheritance racing fancy cars, and thereby is worse off than many others, as for the lower-income working man who charges a fancy suit even though he knows he has maxed out his credit cards. The implicit theory of social relations here is individualistic and expresses the philosophy of the "ownership" society. In principle, everyone should bear the costs of the choices and actions that are her own and in her control, and not expect others to shoulder some of the burden. Conversely—and this is how the theory differs from the conservative policy discourse—to the extent that the disadvantage results from circumstances outside one's control, redistributive tax measures should put the person in the situation he or she would have been in if the misfortune had not occurred.

Despite some tendencies in that direction, the theory cannot be completely atomistic, or regard each person as having a bounded self that commits a wrong when the consequences of action over which he has control affects others. As I discussed earlier, to the extent that the theory models market relationships, it presumes that when people freely pursue their own conception of the good, and demand certain goods and skills on the market as a

consequence, they may negatively affect the lives of others whose ambitions and talents turn out not to command a price on that market. Because the tastes and actions of some people affect others in this way, on this theory justice requires that those whose market choices negatively affect the situation of others pay fees that will compensate the latter for these disadvantages beyond their control. Dworkin models the extent of such redistribution in terms of a hypothetical insurance market. Assuming that everyone in the society faces a similar level of risk that his own plan of life and talents will turn out to be market duds, state-administered redistribution should correspond to the compensation an insurance system would calculate, where each person who bought insurance against this risk paid an identical premium. What I find attractive about this way of looking at public assistance in the early twenty-first century is that it recalls the theories of social insurance that served as a major justification for the creation of the welfare state in the early twentieth century. Such a conception of shared risk in relation to the consequences of social processes has all but disappeared from the culture of advanced industrial societies.[42]

The theory nevertheless focuses on how individuals should be held responsible for the consequences of choices and actions within their control, and says nothing about whether and how individuals should take responsibility for the social processes that open or limit opportunities for individuals to flourish. In this theory, the only responsibility individuals have in relation to others is to try to internalize the costs of their actions and contribute to a redistributive tax system that compensates people for imperfections in that internalization. As I have argued above, the circumstances that unfairly disadvantage some people are not properly construed as manifestations of bad luck. To a large extent, though not entirely, they are conditioned by institutionalized rules and social practices that put people in differential positions of power in relation to others, give some people higher status than others, or afford them a wide range of options for their actions as compared to others. A theory of personal responsibility in relation to justice ought to ask not only in what ways individuals are responsible for their own circumstances, but also in what ways we should understand ourselves responsible for the background con-

42. For further discussion of what caused this change, see Rosanvallon, *The New Social Question*.

ditions of others' lives that are produced by structured institutional relations.

In an essay responding to John Roemer's theory, Nancy Rosenblum attributes recent philosophical and policy concern with personal responsibility to a "declining faith in our own political agency": "We do not invoke Emersonian self-reliance or propose throwing people back on private benevolence simply because we have gotten in touch with our deep intuitions about the virtues of autonomy. Our current preoccupation with personal responsibility owes at least as much to political despair."[43]

We have lost the conviction, Rosenblum thinks, that social problems and disadvantages can be ameliorated through collective action: "The less confidence we have in our own democratic political agency, the more we demand of others."[44] There is no evidence, moreover, that this is a peculiarly American despair. Its symptoms are widespread. We passively regard the complex workings of our society as like natural forces whose effects are fortunate for some, unfortunate for others, but not a matter of justice for which we should take collective responsibility. As I will discuss in a later chapter, such a stance toward social processes inappropriately reifies them. By treating them under the black box of luck rather than seeing them as the outcome of practices and policies that could be altered, moreover, we adopt a stance of *bad faith* in respect to our own responsibility for them.

The chapters that follow in this book theorize a more active relation between individuals, social-structural processes, and responsibility. In the next chapter I explicate more thoroughly what it means to say that the background conditions for people's actions are social-structural. Then I develop an extended answer to the following questions: How should individual moral agents think about our own action in relation to the social-structural processes that produce injustice? What does it mean to take responsibility for altering these social processes to make their consequences more just?

I will argue that an adequate and thorough answer to these questions requires developing a conception of responsibility that does not assume blame, fault, or liability as the primary way of

43. Nancy L. Rosenblum, "Civic Equality," *Boston Review*, http://bostonreview.net/BR20.2/Rosenblum.html (accessed 9/18/2003).

44. Rosenblum, "Civic Equality."

assigning responsibility. Chapters 4 and 5 of this book develop that conception. The next two chapters prepare the way for the exposition of that conception.

Chapter 2 helps explicate the meaning of my guiding question by theorizing social structural processes in a way useful for understanding why structural inequality is a crucial form of injustice. Then in chapter 3 I will review the distinction Hannah Arendt draws in some of her writings between guilt, on the one hand, and political responsibility, on the other. Although Arendt's suggestive account falls short of giving answers to the guiding questions above, I find that working through her intuitions and her reasons for making this distinction helps clarify much that is at stake in answering them.