

Michael Walzer's Republican Theory of Distributive Justice: "Complex Equality" as Equal Freedom from Domination

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This article presents a republican interpretation of Michael Walzer's theory of distributive justice and of his idea of complex equality. It demonstrates that Spheres of Justice is not only a defense of pluralism and equality (as the subtitle announces), but also of liberty or freedom. Like Quentin Skinner and Philip Pettit, Walzer understands liberty as non-domination. For Walzer, a just distribution of all social goods leads to a "complex egalitarian society" in which every citizen is equally free from domination and tyranny. Against alternative interpretations, this paper suggests that Walzer is indeed a political egalitarian and that complex equality should be interpreted as a simple equality of liberty or freedom. In the conclusion, the article argues that Walzer's and Pettit's versions of republicanism are complementary because they each illuminate the other's blind spot and thus mutually fix each other's particular shortcoming.

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1. Rawls and Walzer

Almost 50 years have passed since John Rawls's *A Theory of Justice* was published in 1971.¹ This influential work, in which Rawls tries to substantiate two principles of justice for social institutions, has led to a true renaissance of normative political philosophy. Still today, his theory "dominates contemporary debates, not because everyone accepts

¹ In the first months of 1975 Rawls added some changes and improvements in his work for the German Edition which came out in 1979. This version was not published in English until 1999.

it, but because alternative views are often presented as responses to it" (Kymlicka 2002: 10). In some ways this is also true for Michael Walzer's groundbreaking work *Spheres of Justice*, which came out in 1983. Though Walzer contends that his "enterprise is very different from Rawls's," he admits that it "would not have taken shape as it did—it might not have taken shape at all—without his work" (Walzer 1983: xviii).

In the preface of the German edition of *Spheres*, Walzer explains what he holds to be the main difference between his and Rawls's theory. According to Rawls, his two principles of justice are sufficient to regulate the distribution of all desirable social goods, like liberty, opportunity, income and offices. Against this claim, Walzer argues that the broad range of different social goods—membership, welfare, security, free time, education, recognition, political power, etc.—cannot be reduced to "a short list of basic goods," and neither are two principles of justice sufficient to regulate the just distribution of all these social goods (Walzer 1983: 4; Walzer 1992: 12). Rather, Walzer calls for a diverse set of rules, standards and principles for the distribution of all different social goods. While "from Plato onward," the majority of philosophers who have written about justice assume that "there is one, and only one, distributive system," Walzer argues for a pluralist approach that encompasses a variety of distributions and distributive principles. He claims "that the principles of justice are themselves pluralist in form; that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents" (Walzer 1983: 5–6). For him, there is only one universal procedural rule: each social good should be distributed according to the criteria valid for its own sphere (Walzer 1992: 12).

Walzer's main suggestion for the multiplicity of social goods and the complexity of distributive systems is his idea of "complex equality". This remarkable idea reconciles the common egalitarian demand for social equality with the recognition of a large number of social inequalities. Walzer distinguishes the political egalitarianism he advocates from the prevailing egalitarian approaches that aim at establishing "simple equality" (Walzer 1983: 13–17). Simple egalitarians usually focus on one social good, like resources or welfare, and argue that this good should be redistributed towards the goal that everyone has the same amount of this good.² Contrary to this, Walzer's claim for "complex equality" permits unequal distributions of social and economic

² In his first two articles on equality Ronald Dworkin focuses on the problem of "distributional equality", which does not concern the distribution of political power but of money and other resources to individuals (Dworkin 1981a, 1981b): "I shall consider two general theories of distributional equality. The first (which I shall call equality of welfare) holds that a distributional scheme treats people as equals when it distributes or transfers resources among them until no further transfer would leave them more equal in welfare. The second (equality of resources) holds that it treats them as equals when it distributes or transfers so that no further transfer would leave their shares of the total resources more equal" (Dworkin 2001: 12).

goods if these goods are distributed under certain conditions. This is also true for Rawls's difference principle which allows social and economic inequalities if they are to the greatest benefit of the least advantaged members of society.³

In a just society that Walzer conceptualizes as a "complex egalitarian society" (Walzer 1983: 17, 320), most goods are distributed unequally. This raises the questions why Walzer sees himself as a political egalitarian at all and why he calls such a society an "egalitarian society." What exactly does his idea of "complex equality" mean and what kind of equality does the term refer to? In the literature on Walzer, some interpretations of "complex equality" have been offered (Arneson 1995, Haus 2000, Miller 1995b, Swift 1995). Though grasping some important aspects of Walzer's idea, however, these approaches seem to miss his main point. The proposal here is for a different reading of Walzer's "theory of complex equality" (Walzer 1983: 28), an interpretation that might be surprising. As its main thesis, this paper suggests that complex equality should be interpreted as an equality of freedom or liberty. Contrary to John Rawls's conception of justice as fairness that demands primarily equal liberty, the idea and value of liberty seems to be of no significant importance in Michael Walzer's normative theory of justice. In *Spheres*, the terms "liberty" and "freedom" are mentioned only a few times, and the subtitle announces merely *A Defense of Pluralism and Equality*. Despite these facts, this paper aims to show that liberty and freedom play a key role in Walzer's theory of justice. Like proponents of contemporary republicanism, Walzer understands liberty primarily in terms of a state that protects all citizens in a reliable way from domination. Such an understanding, which defines liberty as non-domination, was elaborated by Quentin Skinner, and in particular by Philip Pettit in his two books *Republicanism: A Theory of Freedom and Government* (1997), and *On the People's Terms. A Republican Theory and Model of Democracy* (2012). A detailed consideration of Walzer's "complex equality" from the perspective of Pettit's republicanism leads to a better understanding of this idea.

Walzer himself makes clear that he is in favor of a republicanism that is adapted to the pluralism of civil society. Such a "pluralist republicanism," he suggests, "is also likely to advance the prospects of what I called 'complex equality'" (Walzer 2005b: 178, cf. 160–161; cf. Walzer 2007b: 116–120). However, usually Walzer refers to himself as a democratic socialist (Walzer 1980).⁴ In the literature, he is most commonly described as a communitarian (Avineri and de-Shalit 1992: 7,

³ The final statement of the difference principle in *A Theory of Justice* reads: "Social and economic inequalities are to be arranged so that they are [...] (a) to the greatest benefit of the least advantaged, consistent with the just savings principle" (Rawls 1971: 302).

⁴ In *Spheres*, Walzer states that the appropriate "institutional arrangement" for complex equality in "our own society" is a "decentralized democratic socialism" (Walzer 1983: 318).

10; Benbaji and Sussman 2014: 2; Kymlicka 2002: 209; Reiner 2011. Yet for his book *Politics and Passion* Walzer chose the subtitle *Toward a more Egalitarian Liberalism* (Walzer 2005a).⁵ In line with this subtitle, David Miller declares in the introduction of a book he edited with Walzer's articles: "Politically, Walzer is a liberal" (Walzer 2007a: xi–xii). There are good reasons for the claim that all these labels fit Walzer to some extent. Nevertheless, his idea of complex equality is most adequately understood through the lens of the neo-republican ideal of non-domination.

Section Two of this paper lays out Philip Pettit's account of the republican tradition, and in particular his understanding of liberty as non-domination, and its relation to his egalitarian theory of social justice. Section Three shows that Walzer has a very similar understanding of liberty as the opposite of domination. This section also points out how Walzer's concept of liberty relates to his political egalitarianism and how the latter differs from the simple egalitarianism he criticizes. Section Four explains Walzer's ideal of an autonomous distribution of all social goods and gives a preliminary analysis of his idea of "complex equality." Section Five demonstrates that Walzer conceives of complex equality as simple equality of liberty or freedom. In a "complex egalitarian society," every citizen is equally free from domination and tyranny. The conclusion contains a critique of both Walzer and Pettit. However, it argues that the two forms of republicanism are complementary because they each illuminate the other's blind spot and thus mutually fix each other's particular shortcoming.

2. *The Republican Understanding of the Relation of Liberty, Equality and Social Justice*

Philip Pettit understands his work as part of a growing number of contributions to political theory that is oriented towards a republican ideal or the republican tradition of thought.⁶ For Pettit, the recent republican movement began with Quentin Skinner's historical research on the Medieval foundations of modern political thought and his articles on Machiavelli, along with the works of others who write within a republican tradition identified as such by John Pocock (Pocock 1975, Skinner 1990: 293–309, 1998, 2002: 186–212. The latter essay also contains a critique of Isaiah Berlin's concept of negative liberty.). This tradition, which Pettit calls the "Italian-Atlantic," starts historically in Rome with Polybius, Cicero and Titus Livius. Leading Italian thinkers of the Middle Ages and the Renaissance—especially "the divine Machiavel'

⁵ In this book, Walzer explicitly sticks to the view he had already pronounced 1990 in his article "The Communitarian Critique of Liberalism." According to his summary of this view, communitarianism is not "a freestanding doctrine or substantive political program" but "a corrective to liberal theory and practice" (Walzer 2005a: x; cf. Walzer 2005b).

⁶ Cf. Pettit's list of contributions (Pettit 2012: 3 fn. 1).

of the *Discourses*”—base their work on these Roman scholars (Pettit 1997: 5, 2012: 6). In the Anglo-Saxon region, the republican tradition was continued by James Harrington, John Milton and Algernon Sidney, in France by Montesquieu.

Rousseau, on the contrary, constitutes, for Pettit, the beginning of the communitarian tradition that he regards as a continental form of republicanism in the broad sense. Pettit differentiates this form of republicanism from the Italian-Atlantic tradition (Pettit 2012: 11–12). On the one hand, Rousseau maintains one feature of the Italian-Atlantic tradition, the understanding of liberty as non-domination, while on the other, he breaks with this tradition by arguing against the two other features it holds to be characteristic for a republic: a mixed constitution and a contestatory citizenry:

The mixed constitution was meant to guarantee a rule of law—a constitutional order—under which each citizen would be equal with others and a separation and sharing of powers—a mixed order—that would deny control over the law to any one individual or body. The contestatory citizenry was the civic complement to this constitutional ideal: it was to be a citizenry committed to interrogating all the elements of government and imposing itself in the determination of law and policy. (Pettit 2012: 5)

In order to check the government and be vigilant, the citizens need individual and collective virtue. A contestatory citizenry and a functioning mixed constitution can protect all citizens from domination and, thus, protect their liberty (Pettit 2012: 5).

For Pettit, the new perspective that the republican tradition opens up on contemporary politics is mainly indebted to the innovative understanding of liberty as non-domination that goes back to Roman thought. However, this understanding was obscured by the liberal comprehension of liberty as non-interference, starting with the debates around the American Revolution. In line with this, republicanism was substituted by liberalism as the prevailing political philosophy (Pettit 1997: 12). Liberty as non-interference is identical with what, in *Two Concepts of Liberty*, Isaiah Berlin calls “negative liberty.” Berlin marks “negative liberty” off from “positive liberty” (Berlin 1958). Compared with this distinction, Pettit’s concept of liberty as non-domination, which goes back to Skinner, is as a third possibility.

For Berlin, “negative liberty” means the absence of interference—I am negatively free “to the degree to which no human being interferes with my activity” and to the degree that I can make uncoerced and unimpeded choices (Berlin 1958: 7). “Positive liberty” requires more than just not being disturbed or let alone by others, however; it means “self-mastery, with its suggestion of a man divided against himself” (Berlin 1958: 19)—I am positively free to the degree to which I achieve self-mastery, which is the rule of my better parts over my worse.

According to Pettit, the prevalence of Berlin’s distinction obscured the philosophical validity and historical reality of a third understanding of liberty: the republican concept of liberty as non-domination. This

understanding defines liberty also as absence, but as the absence of mastery or domination. The republican understanding is, so to speak, located in the middle between Berlin's alternative because it combines the focus on absence with the focus on mastery or domination. Pettit illustrates his comprehension of mastery and liberty with the relation of master and slave. The intellectual roots of this comprehension hark back to Roman thought (Wirszubski 1950).

The Romans conceived of the good of liberty (*libertas*) as the opposite of the unfree state of the slave (*dominatio, servitus*) who was subjected to his master (*dominus*). In the extreme case, the relation of master and slave means that the one who rules can interfere on an arbitrary basis with the choices of the other. Liberty as non-domination, however, equates to a state in which a person is more or less immune against the arbitrary interference of other persons. At the level of politics, this requires a political order that protects all citizens from the arbitrary interference of the powerful citizens and thus from domination. This is the republican ideal of social and political liberty (Pettit 1997: vii–viii, 22, 24, 27). Both of the republican ideas of a mixed constitution and of a contestatory citizenry serve to realize and to secure this ideal of freedom for all citizens.

In *On the People's Terms*, published in 2012, Pettit presents a republican theory of social justice. Like a republican state, such a theory has to be “substantively” and “expressively egalitarian,” and thus has to treat all citizens as equals (Pettit 2012: 81, 88, 297). In this context, Pettit refers to the egalitarian debate on the “Equality of What?” that has been ongoing for some decades. Should there be equality of income, of resources, of welfare, of rights, of capabilities to perform certain human functions or of some other aspect? (Pettit 2012: 77–81, 297).⁷ Like other egalitarians, Pettit singles out one form of equality that he considers to be the most relevant. His republican understanding of social justice aims at a society in which all citizens equally enjoy the status of being a free citizen. The concept of liberty that constitutes the republican ideal of “equal status freedom” defines liberty as the stable absence of domination: “A republican theory of justice would seek the expressive equalization of freedom as non-domination: the promotion of freedom as non-domination is the basis of an equal concern for each citizen” (Pettit 2012: 297, 123; cf. 298).

The realization of the republican understanding of social justice requires social institutions that safeguard equal liberty for all citizens. Such institutions comprise the provision of public resources for citizens, a high level of social security, and laws and norms. Pettit compares such institutions with antibodies in the bloodstream: just as antibod-

⁷ Cf. footnote 2. Sen explains: “While the question ‘why equality?’ is by no means dismissible, it is not the central issue that differentiates the standard theories, since they are all egalitarian in terms of some focal variable. The engaging question turns out to be ‘equality of what?’” (Sen 1992: 4. For an overview of the debate on *Equality of what?* cf. Cohen 1989).

ies relate to the immunity against certain diseases, so do institutions safeguard citizens from domination (Pettit 2012: 123–24, 128, 297–99). In order to determine “what level of support is sufficient” to efficiently render citizens immune to domination, Pettit introduces “the eyeball-test”: “They can look others in the eye without reason for the fear or deference that a power of interference might inspire; they can walk tall and assume the public status, objective and subjective, of being equal in this respect with the best” (Pettit 2012: 84). Citizens enjoy enough resources and safeguards if their extent is sufficient to pass the eyeball-test. For Pettit, a just and legitimate political order that meets the requirements of the republican ideal has to aim at a state that equally protects all citizens from domination and thus realizes their equal liberty.⁸

3. *Liberty or Domination?*

The concept of liberty plays a central role in John Rawls’s conception of justice as fairness. His first principle of justice, which Rawls gives priority over the second, calls for equal liberties: “Each person is to have an equal right to the most extensive total system of equal basic liberties compatible with a similar system of liberty for all” (Rawls 1971: 302). By “equal basic liberties,” Rawls means classical individual or civil rights like liberty of conscience and freedom of thought and freedom of speech and assembly, as well as the democratic political rights of citizens to vote and to stand for public office (Rawls 1971: 61).

In *Spheres of Justice*, Walzer shows little interest in liberty in the sense of civil rights and liberties. This runs contrary to the approach of his previous book on *Just and Unjust Wars* (Walzer 2006),⁹ as well as to Rawls’s conception of justice. Walzer even considers the two most basic rights: not to be robbed of life or of liberty, “only of limited help in thinking about distributive justice” (Walzer 1983: xv). However, he declares that the kind of egalitarianism he is arguing for in his book “is consistent with liberty” (Walzer 1983: xiv). But what does Walzer mean by the liberty he associates with his political egalitarianism? A crucial quotation from the Preface of *Spheres* makes clear that Walzer has the same understanding of liberty as Skinner and Pettit:

The aim of political egalitarianism is a society free from domination. This is the lively hope named by the word *equality*: no more bowing and scraping,

⁸ Contrary to Rawls in *A Theory of Justice*, Pettit distinguishes between the terms “social justice” and “political legitimacy”. While social justice concerns the relations between people within the state, political legitimacy concerns the relations between “citizens as a whole and the state itself” (Pettit 2012: 130, 75).

⁹ In *Spheres*, Walzer states in retrospect: “Some years ago, when I wrote about war, I relied heavily on the idea of rights. For the theory of justice in war can indeed be generated from the two most basic and widely recognized rights of human beings—and in their simplest (negative) form: not to be robbed of life or of liberty” (Walzer 1983: xv).

fawning and toadying; no more fearful trembling; no more high-and-mightiness; no more masters, no more slaves. It is not a hope for the elimination of differences; we don't all have to be the same or have the same amounts of the same thing. Men and women are one another's equals (for all important moral and political purposes) when no one possesses or controls the means of domination. But the means of domination are differently constituted in different societies. Birth and blood, landed wealth, capital, education, divine grace, state power—all these have served at one time or another to enable some people to dominate others. Domination is always mediated by some set of social goods. (Walzer 1983: xiii, Walzer's italics)

The political egalitarianism Walzer is advocating doesn't aim at equalizing the unequal or giving everyone equal shares of some good. The kind of equality he strives for is a form of equality he characterizes as "free from every sort of domination" (Walzer 1983: xv). For Walzer, a society free from domination and subordination is not only a free society but also a society of equals. In such a society, citizens are equal in the sense that they are equally free from domination. Such a society would pass Pettit's eyeball-test because its citizens can indeed "walk tall" and "look others in the eye." For Walzer, a society in which all citizens are equally free from domination is also a just society. This is the central idea of the political philosophy he lays out in *Spheres*.

From Walzer's perspective, freedom and liberty are concepts opposed to "domination" and "dominance": a free society is a society free from domination and dominance. As such, these are key concepts in Walzer's theory of justice. For him, "dominance" is "the central issue in distributive justice" (Walzer 1983: 16). But what does Walzer mean exactly by the terms "dominance" and "domination," and how does he distinguish the two? Domination is, as quoted, "always mediated by some set of social goods," so insofar as these goods are dominant, they can serve as a means for domination. In our contemporary society, the main dominant social goods are money or capital, which are convertible into other social goods like an excellent education, recognition or political power and allow the rich to dominate the poor (Walzer 1983: 22, 315).

Walzer defines a dominant good in the following way: "I call a good dominant if the individuals who have it, because they have it, can command a wide range of other goods" (Walzer 1983: 10)¹⁰ a dominant good is easily converted into another good or into many others (Walzer 1983: 11). This illustrates why people try to accumulate dominant goods, like money. The central problem with dominance and dominant goods for Walzer is that "the dominance of goods makes for the domination of

¹⁰ Walzer goes on to say about the dominant good: "It is monopolized whenever a single man or woman, a monarch in the world of value—or a group of men and women, oligarchs—successfully hold it against all rivals" (Walzer 1983: 10–11). Walzer's term of a *monopoly* of social goods is somewhat misleading as in most societies it is rarely only *one* person who owns or controls some sort of social good.

people" (Walzer 1983: 19). Domination of people and its social prerequisite, the dominance of goods, is what Walzer considers to be unjust.

Of course, the problem of an unequal distribution of goods has often been addressed by the prevailing egalitarian political philosophers. In Walzer's terminology, these philosophers advocate "simple equality." Simple equality means numeric or arithmetic equality, which is realised if I have the same amount of a good as you do (Walzer 1983: 13–17).¹¹ Simple egalitarians hold that an unequal possession of the dominant good or the dominant goods is unjust. As a consequence, they advocate a more equal distribution and thus a redistribution of goods. The goal for these egalitarians is to establish simple equality, which is their understanding of a just distribution. The problem is only which kind of equality should be established.¹²

Walzer has a highly critical attitude of the concept of simple equality. He argues that a "regime of simple equality won't last for long" and "would require continual state intervention" (Walzer 1983: 14–15). Furthermore, simple equality is an extremely reductionist approach that is quite inappropriate for the plurality and complexity of our distributive systems and their issues. In *Spheres*, therefore, Walzer doesn't focus on how to get rid of simple inequalities but attends to possible ways and solutions to reduce dominance. The central claim of his theory of justice is that "the way should be opened for the autonomous distribution of all social goods: this amounts to saying that dominance is unjust" (Walzer 1983: 13). Walzer's goal is a society in which this "autonomous distribution" of all social goods is enforced, which, so he claims, prevents dominance.

4. *Autonomous Distributions and Complex Equality*

For Walzer, it is a fact that social goods tend to have different meanings in different societies. The claim of his interpretative method is that the proper distributive criteria of social goods are intrinsic to each particular social good. It is the meaning of each social good that determines the criterion of its just distribution.¹³ Walzer argues, for example, that the appropriate understanding of the meaning of medical care and welfare reveals to us that these goods should not be sold but allocated according to need (Walzer 1983: 64–91).

The consequence of Walzer's claim that the meaning of each social good determines its criterion of just distribution is that each social good and its distinct meaning constitutes—as he puts it metaphorically—a

¹¹ The concept of simple equality as numeric or arithmetic equality goes back to Plato and Aristotle (Aristotle, *Politics*, V 1 1301b 29–34; Plato, *Laws*, VI 757). Cf. the concept of simple equality Miller (1995b: 197–202).

¹² As mentioned previously, among egalitarians there has been a vivid debate going on about the crucial question: *Equality of What?*

¹³ Cf. for the difficulties of Walzer's claim that the meaning of each social good determines its criterion of just distribution Miller (1995a: 1–16, especially 5–10).

separate and relatively autonomous sphere of justice: "When meanings are distinct, distributions must be autonomous. Every social good or set of goods constitutes, as it were, a distributive sphere within which only certain criteria and arrangements are appropriate" (Walzer 1983: 10). In the case of medical care and welfare in general, these constitute a sphere in which the proper criterion for a just distribution is need. Public honour, on the other hand, constitutes a sphere in which the criterion is merit or desert, while office constitutes a sphere in which the suitable criterion is qualification (Walzer 1983: 135–139, 143–147, 259–262). And it is the distribution of these social goods according to their appropriate criteria that makes the distribution autonomous. Walzer is aware, though, that there is no absolute autonomy of the spheres but only a relative one, because what "happens in one distributive sphere affects what happens in the others" (Walzer 1983: 10). The autonomy is internal to the spheres, not in the system of their external, inter-sphere relations.

Contrary to an autonomous distribution, the allocation of medical care, public honour or offices to people who possess the dominant good of money means an "invasion" of these spheres and a violation of their inherent criteria: "Dominance describes a way of using social goods that isn't limited by their intrinsic meanings or that shapes those meanings to its own image" (Walzer 1983: 10–11). For Walzer, the latter equals a false interpretation and an overpowering of meaning. The result of Walzer's reflections on social goods and distribution is a general distributive principle which reads as follows:

The critique of dominance and domination points toward an open-ended distributive principle. *No social good x should be distributed to men and women who possess some other good y merely because they possess y and without regard to the meaning of x.* (Walzer 1983: 20, Walzer's italics)

Thus, in this formulation, the good y is a dominant good, and dominance would be to distribute x to people merely because they possess that dominant good y.¹⁴

In the preface of the German edition of his work on distributive justice, Walzer emphasizes that he holds the idea of complex equality to be the most interesting one of the book (Walzer 1992: 11). But again, what does "complex equality" mean exactly? Are there any good reasons to characterize Walzer's conception of just distributions as egalitarian in the sense of aiming at equality at all? If public honour is distributed according to desert or merit, for example, and welfare "in proportion to need," these distributions will lead to unequal results (Walzer 1983: 84). The same is true for higher education which, contrary to basic education, is to be distributed according to the criteria of interest and ca-

¹⁴ Indeed, according to Walzer there are three criteria for the distribution of goods that "meet the requirements of the open-ended principle": Free exchange, desert, and need (Walzer 1983: 21). Walzer claims "that every criterion that has any force at all meets the general rule within its own sphere, and not elsewhere" (Walzer 1983: 26). Cf. the problems of this claim Haus 2000, Den Hartogh 1999.

capacity (Walzer 1983: 203, 206). And even in the sphere of democratic politics Walzer sees no problem with an unequal distribution of political power.¹⁵

Walzer's idea of complex equality is his alternative to the notion of simple equality, for which egalitarians usually argue. What he means by complex equality is phrased in a central passage of his book:

The *regime of complex equality* is the *opposite of tyranny*. It establishes a set of relationships such that domination is impossible. In formal terms, complex equality means that no citizen's standing in one sphere or with regard to one social good can be undercut by his standing in some other sphere, with regard to some other good. Thus, citizen X may be chosen over citizen Y for political office, and then the two of them will be unequal in the sphere of politics. But they will *not be unequal generally* so long as X's office gives him no advantages over Y in any other sphere—superior medical care, access to better schools for his children, entrepreneurial opportunities, and so on. So long as office is not a dominant good, is not generally convertible, office holders will stand, or at least can stand, in a *relation of equality* to the men and women they govern. (Walzer 1983: 19–20, all italics by M. K.)

The opposition of the regime of complex equality to tyranny is crucial for an adequate understanding of Walzer's idea of complex equality—as indicated by the title of the final chapter of his book on distributive justice: *Tyrannies and Just Societies*. While Walzer holds a tyrannical society to be an unjust society, he regards a “complex egalitarian society” to be a just society.

Although Walzer uses the term “tyranny” in *Spheres* in a wide sense, he is well aware that the “immediate connotations of the word *tyrant* are political; its pejorative sense derives from centuries of oppression by chiefs and kings—and, more recently, by generals and dictators” (Walzer 1983: 282, Walzer's italics). For Walzer, in fact, every usage of political power that aims at getting access to goods from other spheres is tyrannical. Like dominance, tyranny in the most general sense comprises a disregard for the principles of justice internal to each distributive sphere and an aggressive entry so as to “invade” these spheres (Walzer 1983: 19, 315; cf. 10–11, 59). However, the original meaning of tyranny as an illegitimate and arbitrary rule over people is also central for Walzer's theory of justice. This connects him with republicanism, for which tyranny is the analogy of the rule of a master over a slave that has to be avoided by all means (cf. Saracino 2012). Analogously, Walzer's political theory in *Spheres* is a critique of tyrannical and therefore illegitimate and arbitrary rule that goes along with the domination of people and severe inequality and injustice. Indeed, one of his most important insights in *Spheres* is that an illegitimate rule over

¹⁵ Although he admits that everyone should have the right to “exercise minimal power” through the right to vote, he understands democratic politics as “a monopoly of politicians” and declares: “Democracy puts a premium on speech, persuasion, rhetorical skill. Ideally, the citizen who makes the most persuasive argument—that is, the argument that actually persuades the largest number of citizens—gets his way” (Walzer 1983: 309, 304; cf. 305).

goods is connected to an illegitimate rule over people. The latter can be derived from the former: “In political life—but more widely, too—the dominance of goods makes for the domination of people” (Walzer 1983: 19).

In a just society, inequalities within each sphere and even the monopolization of goods in one sphere are not necessarily inappropriate; different people succeed in different spheres, but there is no ruling class or all-round winner. Dominance and tyranny, on the other hand, are inimical to justice. In a complex egalitarian society, there is no dominant good that is convertible into other social goods and any convertibility is strictly limited. The people who hold political power guard the boundaries of the spheres and prevent powerful men and women from violating the appropriate standards of distribution and from “invading” the other spheres: “But we can only talk of a *regime* of complex equality when there are many boundaries to defend; and what the right number is cannot be specified” (Walzer 1983: 10, 28, Walzer's italics). Because in a complex egalitarian society no one possesses or controls the means of domination, it is a society free of tyranny, domination and subordination.

5. *Complex Equality as Simple Equality of Liberty*

In the literature, there is a controversy concerning the question of whether Walzer is a political egalitarian who tries to save the concept of equality by its reinterpretation or whether he is a non-egalitarian and a critic of the ideal of equality, as Angelika Krebs claims (Den Hartogh 1999, Haus 2012, 2014, Krebs 2012). Obviously, Walzer himself contributed to this disagreement because he criticizes the ideal of simple equality and yet advocates complex equality and gave his book the subtitle *A Defense of Pluralism and Equality*. This raises an essential question: what exactly does the term “equality” mean in Walzer's notion of a complex equality, or, what kind of equality is Walzer advocating with his call for its complex form?

Michael Haus distinguishes four egalitarian aspects in Walzer's theory of justice that clarify the intuition on which the conception of complex equality is based: equality as equal opportunities, equality through compensations (citizens “lose” in some spheres and “win” in others), equality as equal worth of all citizens (autonomous distributions allow no general ranking in society), and an equality of membership or citizenship in the political community (Haus 2000: 254–261, 2014: 40–44). Another interpretation is given by David Miller in his essay on “Complex Equality” in a volume of essays he edited together with Michael Walzer on *Spheres*. As Miller points out, we should look at complex equality “arising as a by-product of many separate distributions, each of which is in itself inequalitarian [...]. So here equality does not refer to the way some identifiable good is distributed, but describes

the overall character of a set of social relationships” (Miller 1995b: 198–199).¹⁶

According to Miller, therefore, “an overarching equality of status” is the “best interpretation” of complex social equality: “In a society which realizes complex equality, people enjoy a basic equality of status which overrides their unequal standing in particular spheres of justice such as money and power” (Miller 1995b: 199, 206). In equality of status, equal citizenship plays a cardinal role. All citizens are “enjoying an equal status *qua* citizens” (Miller 1995b: 206). According to Walzer, membership in some human community is the “primary good that we distribute to one another” (Walzer 1983: 31). Although the members of a community have the right to politically determine who they want to admit, they are morally constrained by the principle of mutual aid. Even more important, everyone who is admitted as a new immigrant, as a refugee or as a resident or worker “must be offered the opportunities of citizenship” (Walzer 1983: 62).

In his interpretation of complex equality as equality of status or equality of citizenship, Miller declares that the term “equality” should not be understood as a form of simple equality.¹⁷ However, the “kind of equality” manifested in the overall relationship of people in a complex egalitarian society has to be understood exactly as that. For Walzer, simple equality “is a simple distributive condition, so that if I have fourteen hats and you have fourteen hats, we are equal” (Walzer 1983: 18). By this definition, in a distribution of membership or status, all citizens are equal if they all have the same status of citizenship. In his reply to the critique of the egalitarian Richard Arneson, Walzer makes it clear that complex equality also appeals and goes back to simple equality: “complex equality is a version of equality; the adjective qualifies the noun, it doesn’t replace it” (Walzer 1995: 283, cf. Arneson 1995: 249–250, Walzer 2014: 9–14). In a complex egalitarian society people will be “in fact more equal, on some measure, than they are now” (Walzer 1995: 283).

For Walzer, the crucial measure, that on which people in a complex egalitarian society would be more equal, is freedom as non-domination. In his reply to Arneson, Walzer moves on to say that the egalitarianism of complex equality is “manifest in a radical decline of the dominance of some people over others” (Walzer 1995: 283). Such dominance—or,

¹⁶ From a perspective of complex equality, equality is not conceived as a “Zustand der Gleichverteilung bestimmter Güter, sondern als eine übergreifende Eigenschaft des gesellschaftlichen Zusammenlebens” (Haus 2003: 177).

¹⁷ Miller interprets “Walzer’s overarching notion of complex equality” as “the idea that in a society in which different people succeed in different spheres, their relationships overall can manifest a certain kind of equality. This is not simple equality, the sort that might obtain if people had equal amounts of property, or income. It is equality that comes about through many separate inequalities, cancelling or offsetting one another in such a way that no one can be picked out as an all-round winner” (Miller 1995a: 12).

more precisely, and as Walzer usually expresses it—such domination is “always mediated by some set of social goods”. Since the main dominant social good in contemporary societies is money, its exchange into other goods like education, welfare or political power has to be blocked (see Walzer’s list of all blocked exchanges Walzer 1983: 100–103). These are all goods that money should not be able to buy. How closely Walzer links the two concepts “equality” and “liberty” shows his conviction, that “it isn’t only equality but freedom, too, that we defend when we block a large number of (the larger number of) possible exchanges” (Walzer 1983: 317). As a formula: the less dominance of goods, the less domination of people over others and the more liberty, equality and justice. The most fundamental form of simple equality that is brought about in a society that achieves complex equality is not equality of status defined as equality of membership. On the contrary, the most crucial form of simple equality that Walzer anticipates as the result of autonomous distributions, and thus, of a complex egalitarian society, is equality of liberty or freedom, or, as Pettit puts it, “equal status freedom.”

In the preface to *Spheres*, Walzer understands his “entire book” as “an answer of a complicated sort” to the question: “In what respects are we one another’s equals?” (Walzer 1983: xii). His most fundamental answer to this question is: “Men and women are one another’s equals (for all important moral and political purposes) when no one possesses or controls the means of domination” (Walzer 1983: xiii). People are most importantly one another’s equals insofar as they are equally “free from every sort of domination” (Walzer 1983: xv, cf. 317). As, in a complex egalitarian society, everyone is equally free from domination, tyranny and subordination, complex equality should be interpreted primarily as simple equality of freedom or liberty. Thus a just and pluralistic society is also an equal and free society or a society of free and equal citizens. The concept of liberty and equality achieved by Walzer’s complex egalitarian society is primarily negative: it means the absence of tyranny or non-domination. This conception of liberty is the one that prevails in contemporary republican political thought.

Conclusion

Despite Walzer’s critique of simple equality, in the end his theory of justice aims primarily at simple equality of liberty or freedom. Though the “product of autonomous distributions” is, as Walzer declares, “complex equality,” it is also a simple equality of liberty or freedom (Walzer 1995: 283). However, this does not mean that Walzer contradicts himself or that his theory of justice is inconsistent. Although the state of equal freedom from domination is an essential feature of a complex egalitarian society, citizens in such a democratic society are equal and unequal in many different respects. They have unequal amounts of most social goods, inevitably, but they have “a single political status”

and there will be “equality of membership” (Walzer 1983: 62, 84). In order to ensure equal membership and avoid the exclusion of citizens, there is an equal basic education, an equal right to vote, “equal rights” in general, and suchlike (Walzer 1983: 202–203, 206, 305–306, 309). All these forms of equality are forms of simple equality, and, combined, they constitute complex equality or features of a complex egalitarian society. However, simple equality of liberty or freedom is the most important trait of such a democratic society.

Walzer criticizes political and theoretical approaches that aim at establishing simple equality by redistributing the dominant good for being reductionist and unstable. Certainly, the first of these two criticisms does not apply to a complex egalitarian society, in which all social goods are distributed according to their respective social meanings. Regarding the second, Walzer confesses that complex equality would not “necessarily be more stable than simple equality” (Walzer 1983: 17). His third criticism of a regime of simple equality is that it “would require continual state intervention” (Walzer 1983: 15). Although Walzer conceives of the state as the appropriate setting or framework of his whole theory of justice, however, he denies that this criticism applies to a complex egalitarian society (Walzer 1983: 28–30). He claims that, in such a society, “resistance to convertibility would be maintained, in large degree, by ordinary men and women within their own spheres of competence and control, without large-scale state action” (Walzer 1983: 17). However, he contradicts this claim by saying that it is political power that “is used to defend the boundaries of all the distributive spheres, including its own, and to enforce the common understandings of what goods are and what they are for” (Walzer 1983: 15 fn., 281).¹⁸ Nevertheless, Walzer admits that political power can be used “to invade the different spheres and to override those understandings” (Walzer 1983: 15 fn.).

Although Walzer devotes a long chapter of *Spheres* to political power, he does not explain how office holders can be prevented from invading the different spheres. There is another serious problem that Walzer does not address. Even if all goods were distributed according to their social meanings, the people who hold political power could still possess the power to interfere in the affairs of the citizens they govern on an arbitrary basis. These two problems represent a blind spot of Walzer's theory of justice: essentially, it offers elements of a theory of democracy but no theory of government. Pettit's neo-republicanism, however, is able to fix this shortcoming. As the subtitle of Pettit's book *Republicanism* indicates, he offers not only a theory of freedom but of government (Pettit 1997). Pettit's version of republicanism devotes considerable attention to the question of how to check the government or the people

¹⁸ For Walzer, political power is “probably the most important, and certainly the most dangerous, good in human history” (Walzer 1983: 15). Cf. the chapter on political power (Walzer 1983: 281–311).

who hold political power. For him, a contestatory citizenry and a functioning mixed constitution can protect all citizens from domination.

However, Pettit's neo-republicanism has its own blind spot. Like Skinner, Pettit conceives of domination primarily as a direct relation among people. Domination can occur in the workplace and in the family as domination between private individuals. However, domination is also mediated through political institutions. Government power is supposed to be a remedy for the domination between private individuals, but can lead to a new form of domination that occurs between the holders of political power and the people they govern. Although Pettit is right to conceive of domination as a direct relation among people, he neglects to consider the fact that domination is usually also mediated through social goods. Contrary to Walzer, Pettit has no theory of social goods. It is a main strength of Walzer's theory that it focuses on the different social goods through which domination is mediated and that he is able to demonstrate that dominant goods serve as a means for the domination of people. Therefore, Walzer's theory is able to fix an important shortcoming of Pettit's theory. As a result, Pettit and Walzer pick out different means and ways how to reach the republican goal at which they both aim at, the freedom of citizens from domination; each succeeds in a place where the other fails, and so, their two republican theories should be viewed as allies that complement each other.

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