

The Limits of Limitarianism: Why Political Equality is not Protected by Robeyns' Democratic Argument

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In the last decades, especially since the 2008 economic crisis, the exponential growth of wealth owned by the top 1%, and more by the 0,01%, segment of population in liberal democracies has gained centrality in the public debate and attracted increasing attention from social scientists and philosophers. That growth is often associated with the equally stunning increase of inequality between the super-rich and the middle and lower classes.¹ However, extreme wealth and inequality, no matter how strictly linked, are two different phenomena that require different moral and political assessments.

Some scholars argue that being rich or super-rich is morally wrong as long as there are people who are not able to meet their urgent needs (Frankfurt 1987 and 2000, Nussbaum 1990, Wiggins 1991, Anderson 1999). Others think that having too much “might even be detrimental to the development and the exercise of rich people’s autonomy” (Zwarthoed 2018, 1183), because the super-rich are never forced to make real choices, that is, choices that ‘cost’ something. In both cases, being rich is objectionable regardless of the gap between the holdings of the super-rich and the rest of society. In the first case, having too much is not morally questionable if all have their urgent needs satisfied. In the second case, excessive wealth is problematic for those who have it, hence independently of what others have.

A different group of scholars (Segall 2016; Temkin 1993) perceive equality as an intrinsic value, hence the focus is neither on how much one has in absolute terms nor on how much one has in relation to others but on the sheer fact that there is material inequality. According to this perspective, which can be labelled intrinsic egalitarianism, the difference should be as small as possible.² Other philosophers, usually relational egalitarians (O’Neill 2008; Scanlon 2018), provide reasons to be concerned with inequality even if they do not see equality as an intrinsic value. In this case, the badness or injustice of inequality has to do mainly with its consequences. For instance, (excessive) economic inequality is said to undermine equal status, equality of opportunity, or political fairness (Scanlon 2018). Extreme wealth is only problematic when it generates a level of inequality that determines some negative consequences.³

¹ For an empirical overview of the current wealth concentration around the world see: *World Inequality Report 2018*. See also Piketty 2014, 2020.

² In a more recent work Temkin (2017) characterizes his position as comparative fairness to underscore, among other things, that his view is not that equality is always desirable. This does not change the picture much because Temkin recognizes that only in a very abstract sense his account allows for deviations from equality: “comparative fairness will allow deviations from equality with respect to what matters, only given the assumption that individuals are robustly responsible for their actions, characters, or predicaments. Since there are reasons to doubt whether or not anyone really is, in a robust sense, responsible for her actions, character, or predicament, there are reasons to think that the ideals of comparative fairness and equality may, in fact, be extensionally equivalent.” (Temkin 2017, 56). Thanks to an anonymous reviewer for drawing our attention to this point.

³ Scanlon distinguishes between reasons that are egalitarian in the narrow and in the broad sense. Take the example of the negative effects inequality has on the health of those who have less. For Scanlon, ‘this provides strong instrumental reasons for reducing inequality that are egalitarian in the broad, but not the narrow sense, since reasons for concern with ill-health are not themselves egalitarian.’ (Scanlon 2018, 2). Reasons are egalitarian in the narrow sense when they

In this debate, Robeyns' limitarianism advances the idea that "we all have a duty not to be rich" (Robeyns 2017, 2); or more precisely, "it is not morally permissible to have more resources than are needed to fully flourishing in life" (Robeyns 2017, 1). The idea is intriguing for at least three reasons. First, the focus on the top of distribution marks a novelty in the field because theories of distributive justice often deal with the bottom of distribution. Second, her account provides a principle to limit wealth and a formula to specify quite exactly *how much is too much* in absolute terms, a quantitative commitment quite uncommon in normative thinking. Third, her account eschews the problems plaguing intrinsic egalitarianism (e.g. the levelling down objection) because having too much is not perceived as intrinsically bad or unjust. Rather, as she puts it, "limitarianism as a distributive view is justified in the world as it is (the non-ideal world), because it is instrumentally necessary for the protection of two intrinsic values: political equality and the meeting of unmet urgent needs" (Robeyns 2017, 4).

Despite its significant merits, this paper will show that Robeyns' account still has serious shortcomings. In the first section, we briefly reconstruct the limitarian approach. In the second section, we list a series of criticisms that – we think – limitarianism is obliged to face. They pave the way for an alternative proposal that we call proportional justice. In the third section we explain how proportional justice is better equipped than limitarianism to defend political equality.

I. Limitarianism, wealth and political influence

Robeyns justifies limitarianism as a way of advancing and protecting the two political values mentioned above: meeting urgent needs and political equality. The argument from unmet urgent needs (Robeyns 2017, 10) rests on three main empirical conditions – (a) the condition of extreme global poverty, (b) the condition of local or global disadvantages, (c) the condition of urgent collective action problems. All three are determined by the poor's lack of adequate economic resources and Robeyns proposes to use the rich's *surplus money*, identified as what remains after they have purchased all they need to have a fully flourishing life, to satisfy the poor's urgent needs: "the argument for urgent unmet needs is based on the premise that the value of surplus income is morally insignificant *for the holder* of that income, but not for society at large, at least under certain alternative usages" (Robeyns 2017, 13).⁴ Obviously, once this goal is achieved the remaining distance between rich and poor no longer matters.

The democratic argument rests on the idea that extreme wealth may disrupt political equality, producing large inequalities in political influence. Empirical research (in particular in the USA) provides strong evidence that money influences politics and that the most affluent citizens enjoy a significantly bigger share of political influence than the one left to the middle class and, a fortiori, to the poor.⁵ This is obviously a problem for liberal democracies' commitment to political equality, and limitarianism credits itself as a way to remedy this state of affairs.

Robeyns starts from the four mechanisms described by Thomas Christiano (2012) to identify the ways in which money influences politics. These are 1) money to fund electoral campaigns

directly concern the relational and comparative dimension between people, for example when economic inequality gives 'those who have more an unacceptable degree of control over the lives of those who have less' (Scanlon 2018, 2). It is on the latter that Scanlon and most relational egalitarians focus.

⁴ Surplus money is "the difference between an individual's financial means and the threshold that distinguishes rich from non-rich people" (Robeyns 2017, 7). In turn, rich are those people who enjoy "the state in which one has more resources than are needed for maximally flourishing in life" (Robeyns 2017, 2).

⁵ See: Bartels 2016; Gilens and Page 2014, 2017.

(money for votes), 2) money to influence which issues get into the agenda for collective decision-making (money as gate-keeper), 3) money to finance the activities of lobbyists, *think tanks* and intellectual activity in general (money to influence public opinion), 4) money to indirectly influence public decisions (money as independent political power). She evidently assumes that the so-called ‘insulation strategy’ – a set of methods to cap private contributions to candidates and parties, severely curtail television and radio advertising, and guarantee public slots in the media devoted to representing the views of all different candidates⁶ – is not a sufficiently strong remedy. The strategy is indeed largely insufficient against the first two mechanisms and fully impotent against the last two.⁷

The next step in Robeyns’ argument is to argue that what undermines political equality is the same factor that impedes meeting urgent needs, that is, surplus money. After satisfying their needs for a fully flourishing life, the rich can use their surplus money to buy political influence. If we want to protect political equality we should not place our hopes on insulating (surplus) money from politics, but simply on eliminating it. If citizens hold no more than what is necessary to flourish fully in life, then they will have nothing left to buy political influence.

It is important to notice that the threshold that distinguishes between rich and non-rich is set in absolute terms, not in relative ones. This serves the purpose of avoiding two problems related to relative measures. The first is the insensitivity to changes in absolute income and wealth level. To use Robeyns’ example, if the Swedish government distributes the annual profits of a new oil source and each Swedish citizen (or household) receives 50,000 €, “the number of rich, richer, and richest on a relative riches measure will stay exactly the same” (Robeyns 2017, 16). Yet the amount of surplus money changed considerably in favour of the top classes. The second concern is the identification of the wealthy with the best-off independently of how rich or poor the best-off are. A relative notion of riches cannot capture the case in which a “person can have an excellent or even the very best position in comparative terms, but could in absolute terms be in a dire situation” (Robeyns 2017, 17). To use again Robeyns’ example, having access to a knife or a torch in an overcrowded refugee camp in Darfur might make a person well-off in comparative terms, possibly even best-off. And yet one could hardly describe that person as rich (Robeyns 2017, 17). Most importantly, we could add, the person in question does not seem to have the resources needed to influence politics more than any other member of the society.

Even if Robeyns opts for absolute measures, she makes them somewhat sensible to the context. For instance, an income of 100,000€ a year may not make you *rich* in Western Europe but it certainly does in Sub-Saharan Africa. She calls measures sensitive to context “contextual measures” to distinguish them from “distribution-relative measures”. As she puts it “[d]istribution-relative measures define riches or poverty as being at a certain distance from the average of the distribution. *Context-relative or contextual measures*, on the other hand, make *some* (generally weaker) reference to the context of the measurement in the definition of the riches or poverty-line, without making that reference a function of the distribution itself” (Robeyns 2017, 18).

Given these preliminary methodological considerations, the next step is to determine clearly who counts as rich and who does not. Although Robeyns opts for money as the currency of her account, the metric is not money, rather what money enables people to do and to be. In other words,

⁶ For other mechanisms to prevent that economic power buys political influence see: Cagé 2020.

⁷ For the explanation of why the insulation strategy looks either insufficient or fully impotent against Christiano’s mechanisms see Ali and Caranti 2021: 7-8.

she endorses the capability approach as a metric of justice. People are diverse in their ability to convert economic resources into valuable functionings, hence they need different amounts of resources to meet the same set of capabilities. The reference to the context reappears here. For example, Robeyns plausibly supposes that in contemporary Europe or North America “one must have access to the goods that enable one to be mobile within a radar of a few hundred miles. Hence people need either to be able to afford a decent car or have access to public transport that enables the same functioning. Certainly, however, one wouldn’t need to have access to a private jet” (Robeyns 2017, 26).

Once we have chosen the list of basic capabilities for a fully flourishing life in a specific context, we need to calculate how much money is necessary to buy these goods and services. The resulting amount corresponds to the riches line. For example, if this line lies on 200,000€ a year (Robeyns 2017, 26), no member of a household unit should own more economic resources than that amount.⁸ This averts *surplus money* and with it the risk that some citizens may use it to acquire unfair political influence and power. Political equality is thereby protected and reaffirmed.

2. The limits of limitarianism

Unfortunately, things are more complicated than Robeyns supposes. Problems range from the rather demanding assumptions Robeyns makes to construe the argument to difficulties that seem to remain in force even if all such assumptions are conceded. Robeyns is not unaware of some of these problems and yet the way she defends herself is not entirely convincing. Most importantly, some difficulties could be circumvented if one abandoned the hope to defend political equality by targeting surplus money and opted for a focus on limiting *the distance* in material resources between the best-off and worst-off in society. While the latter point will be explained in the last section, in the following we list some of the difficulties that limitarianism faces, with particular attention devoted to the democratic argument. The difficulties are ordered in a tentatively ascending order of seriousness. Moreover, we proceed from criticisms that are at least partly ‘external’, targeting methodological choices Robeyns borrows her capability approach (points 1-7), to ‘internal’ criticisms which remain valid even if her capabilitarian assumptions are accepted (points 8 -10).

1. An evident assumption Robeyns makes is that one can determine with sufficient clarity and precision the set of capabilities that determine a “fully-flourishing life”. She eschews a subjectivist perspective in which individuals are entitled to say what makes their life fully flourishing. At the same time, she does not seem to be comfortable with a purely objectivist approach in which a set of experts is going to determine the pool of capabilities needed. The solution seems to be a combination of expert-based opinion on what capabilities are needed in a specific socio-economic context and a democratic specification of what *levels* of those capabilities are necessary for a fully flourishing life. The existing literature for the standard of living in a Western European country on which Robeyns relies suggests the following: “physical health, mental health, personal security, accommodation, quality of the environment, education, training and knowledge, recreation, leisure and hobbies, and

⁸ Robeyns (2017, 20-23) calls the economic resources owned by each member of a household *the power of material resources (PMR)*. For an explanation of this notion see next section.

mobility.” (Robeyns 2017, 26). The democratic process will tell us the level of capabilities “we think it is reasonable for people to claim for a fully flourishing yet not excessive life” (Robeyns 2017, 26).

Now, the first problem is that the existing literature from which everything starts is quite limited, given that Robeyns quotes only two of her preceding papers in support of her thesis. That’s a rather big responsibility to take on one’s shoulders, given the immense impact that this list is supposed to have on our lives. But even conceding that this list of capabilities is accurate enough for the responsibility it carries, the democratic deliberation that should define the levels of enjoyment of each capability is even more problematic. On the one hand, one should ask how the democratic process could already be freed from the biases that are supposed to be cured *after* the threshold is defined and enforced. On the other hand, even if these biases were magically removed, people may wonder whether the substantial limitation of individual freedom implicit in the setting of a ‘right’ level of functioning should be decided by a majority.

2. A further reason of skepticism about using the capability approach to determine what counts as a fully flourishing life goes as follows. If what moves our moral and political justification is the goal to satisfy the *basic* needs of people, the capability approach seems to be a rather natural choice, because we need a metric of justice with a sensitivity to individuals’ different ability to reach certain functionings. Not surprisingly, almost all scholars who opt for the capability approach advocate a sufficientarian principle.⁹ But when we focus on the capabilities needed for a ‘normal life’, and even more on those needed for a ‘fully flourishing life’, it is difficult to identify in a non-arbitrary manner the relevant functionings.¹⁰ Above a certain threshold of very basic functionings, the capability approach, and therefore Robeyns’ limitarianism, run the risk of imposing a certain conception of the good, because the amount of disagreement among people as to what counts as a normal, let alone flourishing life is very likely to be much wider than disagreement concerning what counts as decent one.
3. One could also raise doubts about the possibility of distinguishing with sufficient clarity and precision the functionings that impact the quality of life on the material side from the functionings that impact on the non-material side, a distinction quite central for Robeyns. One feature that distinguishes the two groups is that only the former functionings are considered as dependent on the material resources at our disposal. To use Robeyns’ own example, the opportunity to be active in local politics is considered as a functioning that impacts the quality of our lives on the non-material side (Robeyns 2017, 25-26). As such, it is considered as independent of the

⁹ See Sen 2009, Nussbaum 2006.

¹⁰ In the debate, there are two broad approaches to identify the list of basic capabilities. Nussbaum (2006) follows a rather perfectionist path while Sen (2009) leaves the list open to a democratic deliberation. Robeyns (2017) seems to suggest a mix of the two approaches. It should be noted, however, that both approaches are problematic, and particularly so when we focus on functionings above a minimal threshold. Nussbaum’s approach risks to be paternalistic and Sen simply disregards the fact that before choosing the list by a democratic deliberation we should have some guarantees that the democratic deliberation is free from biases and does not end up in the imposition of a majoritarian view.

economic resources at one's disposal. But here is the problem. Probably those who are quite distant from the riches line will have less time to devote to local politics than those very close to it. Certainly for the latter being active in local politics will cost more than what it costs to the former. In what sense is this opportunity not related to how much money one has?

4. In addition to the problem of determining what capabilities and what levels are needed for a fully flourishing life, one could raise doubts about the possibility to estimate with sufficient precision *how much money* is necessary in a given society to ensure access to the required capabilities. To see the problem, we need to introduce what Robeyns (2017, 20-23) calls *the power of material resources (PMR)*, that is, the ability of each citizen's material resources to secure the required functionings. She calculates it by summing a) the gross total income of a household deriving from all sources (labor, entitlements, profit, returns on financial capital), b) the monetary estimate of any transfer in favor of the household other than earnings (e.g. having one's rent paid by a rich uncle) and c) the life annuity of household assets. From this sum the following is subtracted: d) expenditures from income-generating activities, such as net expenditures on child care and other forms of family care, expenditures for commuting or the improvement of one's human capital within a household; e) taxes paid on income and on the annuity. The result is then corrected through two factors: 1) the Conversion Factor (CF) that accounts for the capability insight that different people may need different amounts of money for reaching the same level of functionings (CF=1 if the person is perfectly able to translate money into functionings) and 2) the household Equivalence Scale (ES) that allows the rescaling of the household income (broadly considered as to include all other sources, including returns from wealth, as explained above) to what that income means for each person living in that household.

Much could be said about this insightful way of calculating the material resources at the disposal of each citizen to 'buy' functionings. Let us focus on CF. It is not clear whether the capability point behind it is meant to account for personal characteristics only (being disabled or healthy, for example) or whether it should also account for features of the environment in which people live. Attending public schools in city centers or in remote, isolated areas makes a dramatic difference. Is CF supposed to also correct these kinds of systemic inequalities that have nothing to do with strictly defined personal characteristics? More generally, is it realistic to believe that CF could capture all the very numerous context-based factors that affect citizens' capacity to translate their resources into functionings?

5. Once a line for buying 'only what is necessary for a fully flourishing life' in a society is publically set, one may encounter some problems with stability. Isn't stability dramatically eroded if citizens who are much below the riches line are now publicly judged as having less than what they need for a life in which they can flourish fully? A government publicly declares what citizens need for a fully flourishing life and then does nothing (or is not obliged to do anything) other than meeting their urgent needs. It is reasonable to expect that citizens won't develop much loyalty. Notice the difference with a non-limitarian society. Here my having

less than you is not sanctioned as a sign that my life is a partial failure, with the further complication that about this partial failure the state is not required to lift a finger.

6. The difficulty just mentioned with citizens quite distant from the riches line is exacerbated, and made more general in its negative effects, by a dilemma of which Robeyns is fully aware. Capping wealth through a riches line may damage efficiency up to the point that poor citizens, even with the best redistribution possible, will not have their ‘urgent basic needs met’. Robeyns thinks that one is forced to choose between prioritizing meeting urgent basic needs at the expense of political equality or prioritizing political equality at the expense of meeting urgent basic needs. But this is true only if there is no way to protect political equality without losing systemic efficiency, or without losing less of it than the amount required by limitarianism. We shall see in the next section that such an alternative is available.
7. More in general, since political equality is treated by Robeyns as one of the values that deserve protection (the other explicitly recognized is the meeting of urgent needs, but nothing indicates that other values can or should not be given some weight), one may wonder why other values, which are usually perceived as important if not essential in the liberal-democratic horizon in which Robeyns’ proposal is inserted, are not even considered. Personal liberty, which includes the liberty to earn legitimately surplus money, is one of them.¹¹ Pluralism, understood as the ability to decline the list of objective functionings in a more personal manner than the objectivist-plus-majoritarian manner Robeyns favors, is another. General efficiency, at least as functional to raise the resources to redistribute in favor of the worst-off, is yet another. Again, as in the preceding point, one may be tempted to sacrifice these values if this were the only efficient manner to protect political equality. But, as we shall see, fortunately there are alternatives.
8. The democratic argument works only if it is reasonable to think that people on the riches line or close to it won’t renounce some of the money needed for their basic capabilities to buy political influence. Robeyns assumes or needs to assume that the cost of this operation would be existentially too high, otherwise it is easy to imagine that people near or on the line would have money to buy political influence that people who have barely enough to meet their basic urgent needs clearly do not. If this assumption is not made, it becomes natural to think that money becomes a threat to political equality not when some have a surplus, but when some have ‘much more than others’.
9. The problem becomes particularly acute because Robeyns herself recognizes the possibility that in a world with a top threshold people may still buy luxury items, if they are ready to give up some basic functionings (Robeyns 2017, 27-28). Now, if they can do so for what many would consider a whim (Robeyns’ example is *flying* to a party), *a fortiori* they should be considered as capable, indeed likely, of doing it to

¹¹ Obviously after the riches line limitarianism can hardly distinguish between a penny stolen and a penny earned with great effort and potential benefit for the society. In fact, Robeyns claims that a virtue of limitarianism is that it does not need that distinction (Robeyns 2017: 13-14). This however indicates that desert –another value that liberal democratic citizens and not a few philosophers (*pace* Rawls) praise – has a difficult life in the limitarian world: it probably enjoys some recognition before the riches line and magically none whatsoever after.

buy political influence.¹² Hence people near the threshold will be more influential than average or poor citizens even in the limitarian world. To rephrase this crucial point, even if nobody has surplus money, and even if the best-off are placed quite below the supposed riches line, they might have significantly more economic resources at their disposal to influence politics than other citizens who, as far as limitarianism is concerned, may have very little. Recall in this regard that limitarianism does not exclude but certainly does not require any further redistribution below the riches line once all surplus money has been used to meet urgent needs. Incidentally, if urgent *global* needs are those to be met, it is reasonable to think that the redistribution will only marginally benefit the poor in an advanced liberal democracy. All of this poses a clear and immediate threat to political equality and suggests again that what matters for protecting political equality is the magnitude of the economic gap between the best-off and the middle or lower classes, even if the best-off are well within the limit set by Robeyns.

10. The preceding problem is worsened by the consideration that, in order to discourage the exchange between basic functionings and political influence, the riches line needs to be rather low. This poses a new dilemma for Robeyns. The higher the line is, the easier it will be for people close to the line to give up some level of their functionings to acquire political influence. The lower the line is, the smaller that risk will be, but the more difficult it will be to do justice to political values that Robeyns herself recognizes (meeting urgent needs) and to other values like personal liberty, pluralism, and efficiency that she does not take into consideration, but most democratic citizens care about.

Some of the points listed above could be reformulated and better clarified by focusing on the fact that Robeyns favors a non-intrinsic conception. To recall: being rich is not perceived as intrinsically bad, rather preventing people from being rich is instrumentally necessary to protect two basic values: meeting unmet urgent needs and political equality. Now, if being rich is not intrinsically bad or, which is the quite same, if reducing the wealth of the wealthy is not an end in itself, but must serve some good, it is reasonable to assume that Robeyns' account should satisfy two conditions: (1) the proposed alternative distribution should improve the condition of some members of the society (a person-affecting conception), (2) the loss of wealth suffered by some should not be more than what is strictly necessary for the desired improvement. Only if Robeyns assumed that being rich is intrinsically bad could one accept that 1) nobody benefits from the alternative distribution favored by limitarianism and 2) some citizens lose more wealth than strictly necessary to pursue the intrinsic good we are after.

It is easy to show that neither the argument from urgent needs nor the democratic argument satisfy either condition. Regarding the first argument, it is dubious that the only way to collect the necessary resources to meet urgent needs is to cap wealth with a top threshold. It is reasonable to think that allowing people to be rich is compatible with or perhaps even required by the pursuit of

¹² For a similar objection see: Volacu and Dumitru 2019. Timmer (2019) replies to their objection downgrading limitarianism from a distributive principle to a policy. He suggests that limitarianism is not meant as a sufficient, but merely as a useful instrument to protect political equality. Obviously this greatly diminishes the potential appeal of the theory.

that goal. Notice: the point is not that being rich is required to maximize – in a Rawlsian/prioritarian spirit – the position of the worst-off – a goal Robeyns has no reason to share. The point is that allowing people to be rich may be a precondition for creating the wealth necessary to meet the urgent needs of all citizens (or human beings in general). Robeyns shows herself to be aware of the problem when she admits that protecting political equality through a top threshold may enter into conflict with meeting urgent needs. While she grants that most economists think that taxing people more than 70% of their income is detrimental to state revenues, and hence to the possibility of redistributing to meet urgent needs, the democratic argument requires that people are taxed 100% on the income that exceeds the set limit. But if this is what happens to a society ruled by limitarianism, then the second condition is only partially satisfied. The loss of wealth some suffer is justified for the pursuing of one moral goal and yet it is not necessary, actually it could be detrimental, to the pursuing of another moral goal. Finally, if the second condition is only partially met, then the first condition may not be satisfied either: the proposed distribution may fail to improve the situation for at least some citizens and possibly even be the cause of the problems it promises to solve.

The democratic argument does not fare better. In this case, one can concede for the sake of the argument that removing all surplus money prevents the breach of political equality so that the first condition is respected. If we ignore our concerns about the difference in political influence between people near the riches line and those distant from it (points 8-10 above), one may be able to say that the removal of surplus money is a *sufficient* condition to realize that value. The argument, in any event, does not satisfy the second. Since political equality could be protected also by ensuring that inequality between rich and poor is kept within certain proportions, as we shall see in detail later, the second condition is not satisfied. Limitarianism prescribes a limitation of individual wealth that is unduly severe and, most importantly, *unnecessary* to protect political equality.

Finally, one may have a general concern about the way Robeyns treats the value of political equality. The democratic argument considers political equality as an important element of a just society (Robeyns 2017, 10; 2019, 7). More precisely, it treats political equality as one of the values deserving protection. Certainly, she at least makes room for another one (meeting of urgent needs) and the priority among the two is unclear. Political equality, however, should probably be considered as a strict requirement of justice, as opposed to one of the competing values justice is called to defend. Even if we had reason to believe that an epistocracy serves some important moral values (not only of the utilitarian kind such as efficiency, but also more deontological ones such as equality of opportunity) better than a democracy, very few citizens sharing a liberal democratic culture would argue that this is the way to go.

We can view the same problem from another perspective. If political equality is conceived as Robeyns does, one must say something about the ranking of different values and explain why, for example, political equality trumps not only meeting urgent needs but also in general efficiency, or the meeting of personal preferences. Democratic citizens, in the non-ideal world assumed by Robeyns, might sincerely recognize the relevance of the value of political equality, but not to the point of giving it an absolute priority. In addition to seeing it in conflict with meeting urgent needs, as Robeyns does, they might see it as conflicting with other values. They might claim that in a liberal democracy and in a free competitive market, economic rewards and remuneration should reflect individuals' efforts and productivity. The value of political equality matters to them, but so

does a distribution of income and wealth which respects legitimate individual properties, the exercise of economic liberties, the free enjoyment of the fruits of such exercise, and the individual right to pursue their own life plan, luxury preferences included. From this perspective, a certain degree of trade-off between political equality and other values would be inevitable. The balance could be to leave things as they are: we all have the right to vote, but it is OK that our money heavily influences our political influence.

To halt this way of reasoning, which would be quite detrimental to limitarianism, we need to show that political equality maintains a sort of lexicographical priority, that it should be conceived as the condition that allows the coexistence of the many values democratic citizens care and argue about, as opposed to one of the competing values in a pluralistic society. This should not be too difficult to do. As Rainer Forst observes, justice is not only “a matter of which goods, for which reasons and in what amounts, should legitimately be allocated to whom, but in particular of how these goods come into the world in the first place and of who decides on their allocation and how this allocation is made” (Forst 2014, 34). Individuals’ shares in the distribution of income and wealth do not depend exclusively on the exercise of their economic liberties and on their efforts (though these things matter), but also on factors that have to do with more or less formally encoded rules that operate in the background. If this is true, then even before we start wondering whether one is receiving their just share of resources or social goods, we should be certain that the rules of the game have not been imposed by some citizens over others. In other words, we need assurance that people had and still have the power to be co-authors of the legal, political and socioeconomic rules that govern the ‘social relations’ in which they are involved.

In sum, many difficulties limitarianism face follow from the idea that what matters to reduce the (bad) influence of money in politics is the existence of surplus money in the society. If we eliminate that, people will no longer have the means to buy political influence. We showed that, even if we accept Robeyns’ problematic identification of what counts as functionings necessary for a fully flourishing life and what levels of them are sufficient for that purpose, there is no guarantee that people will not sacrifice some of their basic functionings to buy political influence. Moreover, as mentioned above, since limitarianism has no relative threshold, the distance between the best-off and worst-off can be considerably wide. In particular, the worst-off could be in rather dire conditions and this would evidently put them at the very concrete risk of being ‘outweighed’ by the best-off in terms of political influence. As far as we know, Robeyns’ idea of meeting urgent needs through a simple transfer of resources from the rich to the poor could be so detrimental to the economy that the urgent needs of the poor could be met even less than they would be without a top threshold.

Obviously, in a liberal democracy a certain amount of money-fueled inequality in political influence is inevitable. The only way to eliminate it would be to opt for perfect equality in material resources among citizens, a solution hardly compatible with many of the basic liberties people are not ready to renounce. If this is the case, then the normative priority should be to make sure that the difference in question never becomes wide enough to be reasonably construed as a form of domination. This entails a change of perspective from a concern with richness measured in absolute terms to a concern with the distance in richness between the best-off and worst-off, that is, with the size of economic inequality. From this perspective, the real enemy of political equality is not richness, as in Robeyns, but unbounded material inequality. What we must be concerned with is that the difference in material resources among citizens does not become so wide that it translates into

political domination (properly defined). This is the proposal of proportional justice that we present in its general features in what remains of this paper.¹³

3. An alternative solution: proportional justice

Proportional justice starts, somewhat similarly to limitarianism, from the fact of material domination in liberal democracies. By that we mean the fact that at least in some advanced liberal democracies people positioned in the top segment of distribution exert significantly more political influence than average or poor citizens. In particular, in our definition a group of citizens is materially dominated when the distribution of wealth and income in the society assigns to other, more affluent groups a significantly bigger share of economic and political influence on legislation and, in particular, on the shaping of those fundamental laws and institutions Judith Shklar (1990) calls primary rules.¹⁴ Unlike limitarianism, proportional justice holds that the best way to counter material domination is not the imposition of a top threshold meant to eliminate surplus money, but the introduction of limits to material inequality between best-off and worst-off. We suggest to make sure that some are never so richer than others that their wealth give them the opportunity to buy a quota of political influence significantly bigger than the one the worst-off can afford. As it will be shown in a moment, targeting inequality as opposed to absolute measures of wealth is both more efficient as a way of protecting political equality and costs less in terms of erosion of values that liberal democracies are committed to take seriously, such as personal liberty, general efficiency (hence resources to redistribute in favor of poor citizens), and pluralism.

Since proportional justice suggests that inequality is not bad in itself, but only when it becomes so high that threatens political equality, it is obviously obliged to say something as to *when* economic inequality becomes too high. The following criteria provide indications as to how the limit should be sought:

- 1) The limits of permissible inequality may be expressed through two ratios: one between the wealth of the best-off segment of the population and the wealth of the worst-off segment; the other between the incomes of the same segments (post-tax and transfer benefits). One should distinguish between wealth and income, not only out of conformity with current scientific standards, but because wealth inequality is more pronounced, produces more economic inefficiency, and more effectively impacts economic and political power than inequality of labor income.¹⁵ It should be recognized that the distinction between income and wealth, that we adopt because embedded in standard literature, could be overcome by adopting the interesting methodology Robeyns follows to define her index of Power of Material Resources. In particular, recall that she calculates it by summing the gross total income of a household deriving from all sources, the monetary estimate of any transfer in favor of the household other than earnings and the life annuity of household assets. By so doing, returns from wealth are incorporated

¹³ For further details, see Ali and Caranti 2021; and Ali 2021 forthcoming.

¹⁴ In all republican conceptions, from the classical ones, through Rousseau (1997) and Kant (1996), up to the contemporary neo-republicans (Pettit 1999) and their critics (e.g. Thompson 2018), you are dominated if you fall under the arbitrary power of others. Clearly, domination occurs even in a society with perfect material equality where a group is formally excluded from certain positions in government or denied equal political rights. However, we only focus here on material domination which comes from the capacity to control economic resources as a means to exercise political influence (Lessig 2019).

¹⁵ See Piketty 2014.

into the household income (broadly considered). Also recall that Robeyns interestingly manages to move from an estimate of the household income to an estimate of what that income means to each member of the household (the household Equivalence Scale). While PMR is used by Robeyns to calculate how much is needed to buy the functionings necessary for a fully flourishing life, it could also be used as a precise enough measure of the economic resources of each citizen. If this is done then we no longer need two limit ratios, but only one.

- 2) Ratios come with the ‘threshold’ problem. Imagine we say that the richest segment’s income cannot be 29 times higher than that of the worst-off segment. We would be saying that those who make 29.0001 more times than what the average worst-off make will dominate, while those who make 28.9999 will not. Probably what we need to overcome the problem is a mathematical formula more sophisticated than ratios. Also if we have reasons to believe that the difference in the cost that the best-off and worst-off have to pay to buy the same amount of political influence decreases the more affluent both groups become (assuming of course they remain at the same distance), we may need a coefficient that accounts for the fact. We leave to others more qualified than us to address the mathematical intricacies. Also, the measuring will be different whether we take into account the income and wealth of individuals or that of households, and something should be said to justify whether we focus on one or the other. Here Robeyns’ Conversion Factor (see above) could be a solution. In any event, the general normative point – the necessity to establish some form of proportion in the resources of the best-off and worst-off – does not change. Notice that even if a satisfactory solution to the threshold problem or other technical problems is not available, one should be ready to sacrifice elegance for the sake of protecting political equality through an unambiguous measure of the limit. After all, not only is the threshold problem widespread in any legislative body (think of tax brackets), but it is certainly not a problem peculiar to proportional justice given that many distributive accounts (including limitarianism) suffer the same difficulty.
- 3) The permissible ratios should reflect what the best empirical science available at any time indicates the necessity of avoiding the risk of material domination in a specific society. In particular, any account of the limit will have to justify how the best-off and the worst-off segments of the population are identified. To compare the resources of the top 10% with those of the bottom 50% is one thing; to compare the resources of the top 1% and those of the bottom 20% is quite another. The justification must rest on empirical findings on the relation between money and political influence and other relevant facts such as the availability of welfare services. To have a certain income in a society that offers free access to healthcare, schools and college is quite different than having the same amount in a society without those services.
- 4) A specific justification will have to be provided if the account, as it is reasonable to assume, will focus on *average* income and wealth of the worst-off segment. For example, since the poorest individuals in the society earn and own less than the average of the bottom segment, they seem to remain at risk of domination even if the ratio is respected. This suggests the opportunity to make the bottom segment narrow enough to limit this risk. More importantly, the bottom segment should be defined in such a way

that there are strong reasons to believe that the poorest in it are poorest not because of some modifiable societal arrangement, but because of subjective factors unrelated to the shaping of primary rules. Once all this is done, the criterion will take the following form: *No one should have an income (post-tax and transfer benefits) that exceeds the limit of being N_2 times higher than the average income of the bottom $X\%$ of the national population, and no one should possess a wealth (post-tax and transfer benefits) that is N_2 times higher than the average wealth of the bottom $Y\%$ of the national population.*

- 5) The ratios should be prudent in the sense that we are authorized to adopt one only if there are strong reasons to believe that a more permissive limit would entail the risk of domination. In other words, the limit should be permissive enough to allow as much exercise of economic liberties and social efficiency as possible. The only acceptable reason to limit one of these values is the risk of material domination.
- 6) The ratios should be realistic in the sense that they should not aim to make each citizen perfectly equal in terms of political influence. Differences in political influence, even considering only economic factors, will likely remain in any just society.¹⁶
- 7) In principle, the ratios should be the same for all liberal democratic societies. However, the specificities of income and wealth distribution in each liberal democracy as well as the differences in welfare provisions suggest the opportunity to cut different segments at the top and at the bottom and in general to have different ratios. It follows that we may keep the general validity of the ratios as a regulative ideal for liberal democracies (a sort of general formula of democratic distribution), while proceeding at this initial stage by focusing on one country at a time, privileging those countries in which data on wealth and income distribution are available and research on the relation between money and influence has already produced some reliable results.
- 8) The ratios only apply to the domestic level. We are far from denying that we have obligations of justice to reduce material inequalities at the global level. Actually, these obligations may be more stringent, because the gap is much wider. We simply do not deal with the problem in this paper.

We have shown elsewhere (Ali and Caranti 2021) that the application of the above criteria to domestic contexts where the studies on the relation between money and political influence are available does lead to a figure, which in the case of the contemporary USA is 1/29 for income.¹⁷

Let us now focus on the differences between proportional justice and limitarianism and the comparative advantage of the former over the latter. The most fundamental and obvious difference is that proportional justice assumes that unbounded inequality is more dangerous than surplus

¹⁶ Notice that even limitarianism is not equipped to secure perfect political equality because, as we argued in the preceding section (points 8-10), people close to the riches line will find it easier to buy political influence than those distant from it. Thanks to an anonymous referee for forcing us to clarify this point.

¹⁷ One of the most solid (and impactful) studies on the relation between money and political influence has been the 2014 paper by Martin Gilens and Benjamin Page “Testing Theories of American Politics: Elites, Interest Groups, and Average Citizens”. The authors show that economic elites (identified in this study with the top 10%) have a predominant impact on the public policies of the United States. Other studies have confirmed their empirical analysis, while refining and expanding the conclusions to be drawn from it (Rosset and Stecker, 2019; Rhodes and Schaffner 2017; Schäfer and Schwander 2019). A recent comparative study (Guntermann 2020) argues that there is no clear evidence that poor citizens are under-represented *in government formation*. However, even this study admits that low-income citizens are disadvantaged by other processes, such as the influence of money on policy-makers, and the scant attention parties pay to issues that would be in the objective interest of these citizens.

money if one is worried about money-driven political influence. The idea is that if we make sure that the worst-off in a society are a) all above a certain threshold of decency (hence not literally under the threat of being blackmailed by others¹⁸ and b) not too distant from the best-off, then the bigger amount of resources at the disposal of the best off will determine some difference in their political influence but never political domination.

Strictly related to that is the fact that proportional justice does not make the assumption that only surplus money can be used to buy political influence. Proportional justice rejects the idea that one can identify a threshold before which money will never be used to buy political influence. It rather assumes – and we take this to be rather uncontroversial – that *in a continuum* the richer one is, the less costly it will be to buy political influence. From this perspective, the very distinction between surplus money and money needed for basic functionings is problematic, even if we had a clear view of what these basic functionings are and a method to decide in a neither patronizing nor authoritarian manner the levels of such functionings one needs for fully flourishing in life.

Proportional justice is not against being rich. In fact, one can be as rich as one desires provided that the worst-off are not too distant. If we start from a distribution that violates the ratio, the required change could be brought about by raising the resources of the worst-off as well as by capping the resources of the best-off. And above all, in the long run, it also means that it is permissible for the rich to become richer in absolute terms, as long as the worst-off's absolute share of economic resources is also raised as much as it is necessary to respect the ratios.

Proportional justice holds, like limitarianism and justice as fairness, the normative priority of justice over efficiency. Thus, we have reasons to prefer a society A that avoids material domination even if this is less efficient than a society B in which there is material domination. And this is true both if B is less efficient than A in the aggregate and (here is the difference with justice and fairness) even if in society B the worst-off would be better off in absolute terms. Proportional justice holds that loss of efficiency (in both senses) is a price liberal democracy should pay to avoid material domination. At the same time, we do not limit economic inequality (and therefore restrict social efficiency and the exercise of economic liberties) any more than is strictly necessary to avoid the risk of material domination. This means that efficiency is not so severely curtailed as it is with Robeyns. Recall that limitarianism, at least in the version that gives priority to the value of political equality over that of meeting urgent needs, is bound to inefficiently tax 100% the extra income earned by those who are already at the top threshold. We have no reason to do that. People may become increasingly richer provided that taxation or other forms of redistribution ensure that the distance from the worst-off does not violate the limit ratio.

To give an obvious example, while limitarianism requires that no US citizen today has more than what is necessary to have a fully flourishing life in that socio-economic context, we would impose simply that no one has an income more than 29 higher than the average income of the bottom 20%. This would leave open the possibility that people work more to buy as many luxury items they wish on the condition that the worst-off are 'lifted up' (presumably but not necessarily through taxation) so that the 1/29 ratio is still respected.

This allows proportional justice to avoid the incentive objection, which plagues limitarianism, as Robeyns knows (Robeyns 2017, 34-37). Limitarianism demands to cut all economic resources above the riches line. In this way the almost rich are evidently discouraged from producing more. This loss of efficiency is bad in itself, unnecessary to protect political

¹⁸ We explain better this point at the end of section 3.

equality and, as we saw above, bad for limitarianism itself, because it subtracts resources that could be used to meet urgent needs. Robeyns (2017, 34-35; 2019, 261-262) seems to suggest an inevitable trade-off between the two main values she defends. This contrast is significantly eased, if not removed altogether, by proportional justice: we may still have to sacrifice some efficiency for protecting political equality, hence be unable to produce all the resources that could be used to meet urgent needs. Yet the loss of efficiency is smaller: the best-off have incentives to contribute to the creation of wealth because they do not have to give up the hope to have surplus money. They are merely asked not to ‘fly’ too distant from the worst-off, something which may even be ensured *without* taxing them heavily on that extra productivity: it could be achieved by lifting up the condition of the worst-off, for example through policies that promote full employment.

However, at least one difficulty for proportional justice should not be passed in silence. Given that our proposal focuses on average income and wealth of the worst-off segment¹⁹, and since the ‘poorest’ individuals in the society earn and own less than the average of the bottom segment, even if the ratio is respected, they might see their urgent needs unsatisfied and they may be dominated. This suggests the necessity to distinguish two scenarios and deal normatively with them. The first scenario is that of a very poor society in which, even if the ratio is respected, the worst-off are so poor that they are materially dominated because they are at the mercy of the more affluent citizens’ charity to survive.²⁰ In this extreme case, we admit that the principle of proportionality should give way to a principle of sufficiency or social minimum. In other words, we may need to shrink the ratio up to the point in which the average worst-off reaches a threshold in which they are no longer at the mercy of the more affluent. In a liberal democracy, given its comparatively high capacity to produce wealth and to redistribute, this is a remote possibility but it is still necessary to account for it. In another case, the ratio is respected, and the society is also rich enough that the average income and wealth of the worst-off does not expose the poor to the form of material domination of the preceding case. Still, some members of society might still suffer a severe condition of poverty due their subjective factors. In this case, the principle of proportionality does not require any additional redistribution, because, again, the bottom segment should be defined in such a way that there are strong reasons to believe that the poorest in it are poorest not because of some modifiable societal arrangement, but because of subjective factors unrelated to the shaping of primary rules. Proportional justice assumes that any compelling conception of justice needs such a distinction.²¹

Conclusion

In this paper, we recognize the great progress Robeyns brings into normative thinking through her democratic argument. A concern about the influence money has on politics is suggested by the experience that very rich people can easily convert their money into political power. We also agree with Robeyns’ tacit assumption that the insulation strategy is not a solution. However, we showed that Robeyns’ democratic argument suffers major shortcomings. Among those identified, perhaps most serious is the assumption that the ability of money to buy political influence magically

¹⁹ This theoretical feature is shared also by the difference principle which identifies the worst-off not with single individuals, but with the least advantaged social group: unskilled workers (Rawls 1971, 78).

²⁰ These forms of material domination are not related to Christiano’s four mechanisms, rather they concern some pervasive interactional forms of control and domination of the poorest.

²¹ On this distinction see: Shklar 1990; Pogge, 2010; Forst 2014.

begins after a certain threshold and is zero right before the same threshold. We argued that it is evidently more plausible to think of that ability as gradually increasing in direct proportion to the resources citizens have. From this, and from the consideration that it is very difficult to establish in a non-arbitrary manner the amount of functionings (and levels thereof) necessary for a fully flourishing life, we inferred that the idea of defending political equality by eliminating surplus money is to be abandoned, especially if one can reach the same goal through a different path. The path we suggest is proportional justice, that is, the idea of protecting political equality by watching the distance in economic resources between the best-off and the worst-off. Proportional justice requires a sacrifice of economic efficiency significantly smaller than limitarianism, does not incur in the incentive objection, does not require the problematic definition of what counts as a fully flourishing life, and makes room for pluralism in a way that is not open to limitarianism.

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