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BEYOND LIBERALISM?
A MARXIAN ACCOUNT OF LIBERTY

Review of: Jeffrey Reiman (2012) *As Free and as Just as Possible. The Theory of Marxian Liberalism*. Chichester/Malden: Wiley-Blackwell, 256 pp.

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Liberalism and Marxism are often presented as two opposing and incompatible projects. Marxists hold that liberalism's emphasis on individual rights is ideological because it hides underlying power relations and structures of exploitation. Liberals, on the other hand, are worried about Marxists' denial of individuals' rights and freedoms in the name of socialism. Yet in his latest book Jeffrey Reiman argues that we have to overcome this opposition. In fact, according to Reiman the most plausible theory of justice is a theory that combines both insights from liberalism and from Marxism into a theory of *Marxian Liberalism*.

Reiman adds a Marxian twist to liberalism by combining liberalism's strong emphasis on individual liberty, with a Marxian theory of economic relations and institutions, and of the material preconditions of liberty. He summarizes his own project as follows: '*liberalism* indicates the goal of the

theory, and *Marxism* characterizes the conditions for achieving that goal' (26). More specifically, Reiman subscribes to John Rawls' two principles of justice and their lexical ordering and thus holds that justice first and foremost requires equality of basic liberties, and that socio-economic inequalities are justified only if they improve the shares of the worst-off group in society (the 'difference principle'). The contribution of Reiman's book lies primarily in the specific way he arrives at these liberal-egalitarian principles, most notably through his defense of a right to property subject to Rawls' difference principle, which constitutes the main part of the book.

Reiman is, before anything else, a liberal. He defends a theory of Marxian Liberalism, not a theory of Liberal Marxism. Reiman's liberalism ultimately comes down to one fundamental moral right: people's natural right to liberty. According to Reiman, the right to liberty should be understood as a minimal and negative right, which entails the freedom of people from 'coercion that would block their ability to act on the choices they make' (10). From this negative natural right, Reiman concludes that the only forms of coercion that are allowed are those that protect people against violations of their liberty, and those that people consent to (67). Reiman stresses that this consensus does not necessarily have to come in the form of actual consensus or acceptance, 'theoretical consent' or acceptability suffices (89). The basic right to liberty therefore requires a hypothetical contracting situation similar to Rawls' original position.

Importantly, the right to liberty does not in itself entail a right to property. Instead, Reiman argues that property is a human institution that needs to be justified by reference to the right to liberty (158). According to Reiman, the relation between liberty and property is in fact ambivalent. On the one hand, ownership of private property promotes the liberty of the owner because it enhances their ability to act on the choices they make. On the other hand, private property limits the liberty of non-owners. For instance, if I own a large piece of land, you may no longer walk on it without my permission. Reiman claims that although liberal philosophers such as John Locke and Immanuel Kant have recognized the 'ambivalence of property', they fail to see that private property is not just a limitation of liberty but a form of *coercion*.

It is at this point, so Reiman argues, that a Marxian analysis of the relation between liberty and property is needed in order to complement liberalism. Even though workers think that they sell their labor as a matter of free choice, they are in fact structurally coerced to do so because of the existence of an unequal distribution of property. Since only some own the means of production, the non-owners have no other choice, besides starvation or crime, than to work for the owners (112). Structural coercion is thus an essential characteristic of capitalism, understood very loosely as a society in which most productive resources are privately owned by individuals or groups, in which there is competition for profit, and in which workers can be laid off if economic conditions warrant (22).

In order to provide a deeper analysis of the coercive nature of property rights and capitalism, Reiman argues for what he calls a ‘moral version’ of Marx’s labor theory of value (123). This moral version of the labor theory of value holds that what people essentially give when working is their time and energy. This implies that if someone owns goods that are produced by someone else, the labor of that other person has been put at the owner’s disposal. Consequently, alternative economic distributions can be understood ‘as representing different proportions in which individuals work for one another’ (126). This Marxian analysis thus requires one to go beyond the distribution of goods and resources in society in order to reveal actual patterns of distribution: the distribution of labor and the extent to which individuals work for one another.

Instead of rejecting property rights and capitalism, Reiman argues that property rights can be morally justified as long as the distribution of property respects the ‘difference principle’, i.e. the principle that an unequal distribution of goods or resources is justified only if it improves the position of the worst-off group in society. In order to argue for this conclusion, Reiman introduces the Marxian-Liberal Original Position. The agents in this Marxian-Liberal original position do not only have knowledge of the structural coerciveness of property and the moral version of the labor theory of value, but also of the extent to which property rights actually enhance people’s liberty to act on their own choices, and reduce the necessary labor to do so (170). That is, Reiman claims that the parties in the original position should not only have knowledge about the structural

coerciveness inherent in capitalism, but that they should also acknowledge that capitalism has proven itself as the mode of production that can generate the greatest material productivity and therefore increases people’s abilities to act on their choices.

Reiman claims that when we fully appreciate this ambivalence of property and capitalism, we have a strong argument for the difference principle. If we accept the labor theory of value it can be shown that the difference principle asks that the more talented ‘take no more labor-time from the less talented than they give benefits for it in return’ (145). The Marxian insight that the existence of property rights is structurally coercive, together with the belief that capitalism dramatically increases freedom by raising the material standard of living, thus shows that the difference principle is the most rational principle to accept because it balances both the advantages and disadvantages of capitalism: it ensures the maximal material standard of living for every individual, while minimizing the social subjugation that comes with the existence of property rights (179-180).

‘As Free and as Just as Possible’ offers a very interesting synthesis of two traditions in philosophy which are often thought to be incompatible. Reiman illustrates how Liberalism and Marxism could complement each other, and he puts forward an original ‘Marxian’ defense of the difference principle. Although I am not sure whether a liberal could accept Reiman’s labor theory of value among the ‘general facts of economics and psychology’ (Rawls 1999, 137), this need not undermine the overall importance of Reiman’s contribution to theorizing about justice.

Despite the strengths and originality of Reiman’s book, some aspects of Marxian Liberalism remain underdeveloped. Let me mention two problems here.

My first worry has to do with the justification and interpretation of the right to liberty. The right to liberty functions as the foundation for Marxian Liberalism and plays a prominent role in Reiman’s defense of private property and the difference principle. However, it is not completely clear to me how this right is justified, and why we should accept Reiman’s

negative interpretation of liberty in terms of freedom from (unchosen) coercion. Reiman claims that the right to liberty is a *natural* right and he argues that liberty is grounded in the equality and independence of human beings (75). According to Reiman, this description of human beings supports the right to liberty because of, what Reiman calls, our ‘rational moral competence’ to arrive at correct moral judgments on the basis of facts (81). Ultimately, Reiman claims ‘the only evidence for the validity of a given normative judgment is that other reasonable people make it also’ (84).

As a justification of the natural right to liberty this is highly unsatisfying. It is unclear why the acceptance of certain normative ideas by other people constitutes a justification of a fundamental moral right. One option would be to provide a discourse-theory account of justification that aims to explain under which conditions the outcome of actual deliberation generates morally binding conclusions. However, such an account is neither provided nor hinted at by Reiman. The result is that Reiman does not provide any reason why we should accept this basic natural right.

In addition, it remains unclear why one should accept only a negative right to liberty, and not a more positive interpretation of liberty in terms of the possibilities to lead an autonomous life. In fact, even though Reiman defines the right to liberty as a negative right, the implications he draws from this right seem to go beyond the negative interpretation. In his defense of property rights, for instance, Reiman claims that property enhances individuals’ abilities to act on their choices. However, if we have to understand liberty as freedom from coercion, it is not clear why enhancing people’s ability would count as liberating. Given Reiman’s account of the structural coerciveness of property rights it seems more obvious to reject property rights regimes. So it seems that either Reiman has to adjust his interpretation of the basic right to liberty, or he has to adjust his normative conclusion. In general, I do not see why Reiman deliberately steers away from a more Kantian or Rawlsian idea of autonomy. It seems to me that Reiman’s most original contribution, his defense of the difference principle in light of the labor theory of value, could be integrated in a Rawlsian framework without having to replace the Kantian elements of Rawls’ theory.

My second worry has to do with the lack of discussion of global and environmental issues. Inequality and exploitation do not only exist within nation-states, but given the existence of global economic relations and institutions, structural coercion is global in scope. Surprisingly, Reiman limits his discussion of Marxian Liberalism to the nation-state and he does not discuss the possible implications of the extension of liberal-egalitarian principles to the global realm. It is unclear why Reiman limits the scope of his theory in this way, because there is nothing in his argument that legitimizes such a limitation of the scope of justice. The lack of discussion of the global dimensions of Marxian Liberalism is therefore a genuine omission.

The omission of environmental issues is most noticeable in Reiman’s discussion of the historically changing content of justice. According to Reiman, a society that is regulated by the difference principle is only a temporary historical phase and will in the future be replaced by communism: a society regulated by the principle ‘from each according to his ability, to each according to his needs’ (22). Reiman believes that the increased material productivity caused by capitalism will change human nature. Due to increased productivity, basic needs will be secured which reduces people’s insecurity and which causes them to become more altruistic: ‘when technology truly produces just about everything that people want, there will be little to gain from having more than others’ (65). And he adds: ‘in that world, people will labor for the pleasure of it, and they will be happy to see everyone prosper according to their needs’ (66). Reiman’s optimism about increasing material productivity sits uneasily with the scarcity of natural resources, problems of overpopulation and global warming. These problems offer some reasons to be skeptical about Reiman’s progressive teleology, which entails overcoming scarcity and limited altruism. The omission of a discussion of environmental issues is slightly ironic in the light of the dramatic environmental records of the communist states of the twentieth century.

The lack of discussion of global and environmental concerns is all the more surprising given Reiman’s emphasis on the *practical* nature of justice. Justice, Reiman argues, is concerned with what can reasonably be required from people, and therefore a theory of justice has to be

responsive to their actual needs and abilities (3-4). In this sense, Marxian Liberalism proposes principles of justice for a society that is ‘as free and as just as possible’ and not a theory of perfect justice. Given the world as it currently is, it seems to me that a theory of justice cannot be silent about both global and environmental concerns.

As Free and as Just as Possible offers a very accessible introduction to two major political thinkers, John Rawls and Karl Marx, to the relation between their respective theories and the work of John Locke and Immanuel Kant, as well as more recent theories of Jan Narveson and G.A. Cohen. Although I have, in the end, not been convinced of becoming a Marxian Liberal, Reiman’s defense of the difference principle definitely offers an original and refreshing take on this much discussed principle of distributive justice.

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References

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