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# JUSTICE:

ALTERNATIVE POLITICAL PERSPECTIVES

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## Justice Under Socialism

Edward Nell and Onora O'Neill

*"From each according to his ability, to each according to his need."*

The stirring slogan that ends *The Critique of the Gotha Program* is generally taken as a capsule summary of the socialist approach to distributing the burdens and benefits of life. It can be seen as the statement of a noble ideal and yet be found wanting on three separate scores. First, there is no guarantee that, even if all contribute according to their abilities, all needs can be met: the principle gives us no guidance for distributing goods when some needs must go unmet. Second, if all contribute according to their abilities, there may be a material surplus after all needs are met: again, the principle gives us no guidance for distributing such a surplus. Third, the principle incorporates no suggestion as to why each man would contribute according to his ability: no incentive structure is evident.

These apparent shortcomings can be compared with those of other principles a society might follow in distributing burdens and benefits. Let us call

1. "From each according to his ability, to each according to his need," the *Socialist Principle of Justice*. Its Capitalist counterpart would be
2. From each according to his choice, given his assets, to each according to his contribution. We shall call this the *Laissez-Faire Principle*.

These two principles will require a good deal of interpretation, but at the outset we can say that in the Socialist Principle of Justice "abilities" and "needs" refer to persons, whereas the "choices" and "contributions" in the Laissez-Faire Principle refer also to the management of impersonal property, the given assets. It goes without saying that some of the "choices," particularly those of the propertyless, are

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normally made under considerable duress. As "choice" is the ideologically favored term, we shall retain it.

In a society where the Socialist Principle of Justice regulates distribution, the requirement is that everyone use such talents as have been developed in him (though this need not entail any allocation of workers to jobs), and the payment of workers is contingent not upon their contributions but upon their needs. In a laissez-faire society, where individuals may be endowed with more or less capital or with bare labor power, they choose in the light of these assets how and how much to work (they may be dropouts or moonlighters), and/or how to invest their capital, and they are paid in proportion.

None of the three objections raised against the Socialist Principle of Justice holds for the Laissez-Faire Principle. Whatever the level of contribution individuals choose, their aggregate product can be distributed in proportion to the contribution—whether of capital or of labor—each individual chooses to make. The Laissez-Faire Principle is applicable under situations both of scarcity and of abundance, and it incorporates a theory of incentives: people choose their level of contribution in order to get a given level of material reward.

Principles 1 and 2 can be crossfertilized, yielding two further principles:

3. From each according to his ability, to each according to his contribution.
4. From each according to his choice, to each according to his need.

Principle 3 could be called an *Incentive Socialist Principle* of distribution. Like the Socialist Principle of Justice, it pictures a society in which all are required to work in proportion to the talents that have been developed in them. Since unearned income is not available and rewards are hinged to contribution rather than need, all work is easily enforced in an economy based on the Incentive Socialist Principle. This principle, however, covers a considerable range of systems. It holds for a Stalinist economy with an authoritarian job allocation. It also holds for a more liberal, market socialist economy in which there is a more or less free labor market, though without an option to drop out or live on unearned income, or the freedom to choose the level and type of qualification one is prepared to acquire. The Incentive Socialist Principle rewards workers according to their contribution: it is a principle of distribution in which an incentive system—reliance on material rewards—is explicit. Marx believed this principle would have to be followed in the early stages of socialism, in a society "still stamped with the birthmarks of the old society."

Under the Incentive Socialist Principle, each worker receives back the value of the amount of work he contributes to society in one form or another. According to Marx, this is a form of bourgeois right that "tacitly recognizes unequal individual endowments, and thus natural privileges in respect of productive capacity." So this principle holds for a still deficient society where the needs of particular workers, which depend on many things other than their productive capacity, may not be met. Although it may be less desirable than the Socialist Principle of Justice, the Incentive Socialist Principle clearly meets certain criteria the Socialist Principle of Justice cannot meet. It provides a principle of allocation that can be applied equally well to the various situations of scarcity, sufficiency, and abundance. Its material incentive

structure explains how under market socialism, given a capital structure and a skill structure, workers will choose jobs and work hard at them—and also why under a Stalinist economy workers will work hard at jobs to which they have been allocated.

Under the Incentive Socialist Principle, workers—whether assigned to menial work or to specific jobs—respond to incentives of the same sort as do workers under the Laissez-Faire Principle. The difference is that, while the Laissez-Faire Principle leaves the measurement of the contribution of a worker to be determined by the level of wage he is offered, the Incentive Socialist Principle relies on a bureaucratically determined weighting that takes into account such factors as the difficulty, duration, qualification level, and risk involved in a given job.

There is another difference between societies living under the Laissez-Faire Principle and those following the Incentive Socialist Principle. Under the Laissez-Faire Principle, there is no central coordination of decisions, for assets are managed according to the choices of their owners. This gives rise to the well-known problems of instability and unemployment. Under the Incentive Socialist Principle, assets are managed by the central government; hence one would expect instability to be eliminated and full employment guaranteed. However, we do not regard this difference as a matter of principle on the same level with others we are discussing. Moreover, in practice some recognizable capitalist societies have managed to control fluctuations without undermining the Laissez-Faire Principle as the principle of distribution.

Let us call Principle 4 the *Utopian Principle of Justice*. It postulates a society without any requirement of contribution or material incentives, but with guaranteed minimal consumption. This principle suffers from the same defect as the Socialist Principle of Justice: it does not determine distributions of benefits under conditions either of scarcity or of abundance, and it suggests no incentive structure to explain why enough should be contributed to its economy to make it possible to satisfy needs. Whether labor is contributed according to choice or according to ability, it is conceivable that the aggregate social product should be such that either some needs cannot be met or that, when all needs are met, a surplus remains that cannot be divided on the basis of needs.

On the surface, this Utopian Principle of Justice exudes the aroma of laissez-faire: though needs will not go unmet in utopia, contributions will be made for no more basic reason than individual whim. They are tied neither to the reliable effects of the incentive of material reward for oneself, nor to those of the noble ideal of filling the needs of others, nor to a conception of duty or self-sacrifice. Instead, contributions will come forth, if they do, according to the free and unconstrained choices of individual economic agents, on the basis of their given preferences. Preferences, however, are not "given"; they develop and change, are learned and unlearned, and follow fashions and fads. Whim, fancy, pleasure, desire, wish are all words suggesting this aspect of consumer choice. By tying the demand for products to needs and the supply of work to choice, the Utopian Principle of Justice ensures stability in the former but does not legislate against fluctuations and unpredictable variability in the latter.

So the Socialist Principle of Justice and the Utopian Principle of Justice suffer from a common defect. There is no reason to suppose these systems will

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operate at precisely the level at which aggregate output is sufficient to meet all needs without surplus. And since people do not need an income in money terms but rather an actual and quite precisely defined list of food, clothing, housing, etc. (bearing in mind the various alternatives that might be substituted), the *aggregate* measured in value terms could be right, yet the *composition* might still be unable to meet all the people's needs. People might choose or have the ability to do the right amount of work, but on the wrong projects. One could even imagine the economy growing from a situation of scarcity to one of abundance without ever passing through any point at which its aggregate output could be distributed to meet precisely the needs of its population.

So far, we have been considering not the justification or desirability of alternative principles of distribution, but their practicality. It appears that, in this respect, principles hinging reward on contribution rather than on need have a great advantage. They can both provide a general principle of distribution and indicate the pattern of incentives to which workers will respond.

It might be held that these advantages are restricted to the Incentive Socialist Principle in its various versions, since under the Laissez-Faire Principle there is some income—property income—which is not being paid in virtue of any contribution. This problem can be dealt with either, as we indicated above, by interpreting the notion of contribution to cover the contribution of one's assets to the capital market, or by restricting the scope of the Laissez-Faire Principle to cover workers only, or by interpreting the notion of property income so as to regard wages as a return to property, i.e., property in one's labor power. One can say that under capitalism part of the aggregate product is set aside for the owners of capital (and another part, as under market socialism, for government expenditure) and the remainder is distributed according to the Laissez-Faire Principle. Or one may say that property income is paid in virtue of past contributions, whose reward was not consumed at the time it was earned but was stored. Apologists tend to favor interpretations that make the worker a sort of capitalist or the capitalist a sort of slow-consuming worker. Whichever line is taken, it is clear that the Laissez-Faire Principle—however undesirable we may find it—is a principle of distribution that can be of general use in two senses. Appropriately interpreted, it covers the distribution of earned and of unearned income, and it applies in situations both of scarcity and of abundance.

So we seem to have reached the paradoxical conclusion that the principle of distribution requiring that workers' needs be met is of no use in situations of need, since it does not assign priorities among needs, and that the principle demanding that each contribute according to his ability is unable to explain what incentives will lead him to do so. In this view, the Socialist Principle of Justice would have to be regarded as possibly noble but certainly unworkable.

### The Socialist Principle Defended

But this view should not be accepted. Marx formulated the Socialist Principle of Justice on the basis of a conception of human abilities and needs that will

yield some guidance to its interpretation. We shall now try to see whether the difficulties discussed above can be alleviated when we consider this principle in the light of Marxian theory.

Marx clearly thought that the Socialist Principle of Justice was peculiarly relevant to situations of abundance. In the last section we argued that, on the contrary, it was an adequate principle of distribution only when aggregate output exactly covered total needs. The source of this discrepancy lies in differing analyses of human needs.

By fulfillment of needs we understood at least a subsistence income. Needs are not met when a person lacks sufficient food, clothing, shelter, medical care, or socially necessary training/education. But beyond this biological and social minimum we can point to another set of needs, which men do not have *qua* men but acquire *qua* producers. Workers need not merely a biological and social minimum, but whatever other goods—be they holidays or contacts with others whose work bears on theirs or guaranteed leisure, which they need to perform their jobs as well as possible. So a principle of distribution according to needs will not be of use only to a subsistence-level economy. Very considerable goods over and above those necessary for biological subsistence can be distributed according to a principle of need.

But despite this extension of the concept of need the Socialist Principle of Justice still seems to face the three problems listed [earlier]:

1. What guarantees are there that even under abundance the *composition* of the output, with all contributing according to their abilities, will suffice to fill all needs? (There may still be scarcities of goods needed to fill either biological or job-related needs.)
2. What principle can serve to distribute goods that are surplus both to biological and to job-related needs?
3. What system of incentives explains why each will contribute to the full measure of his abilities, though he is not materially rewarded for increments of effort? Whether or not there is authoritative job allocation, job performance cannot be guaranteed.

Marx's solution to these problems does not seem too explicit. But much is suggested by the passage at the end of the *Critique of the Gotha Program* where he describes the higher phase of communist society as one in which "labor is no longer merely a means of life but has become life's principal need."

To most people it sounds almost comic to claim that labor could become life's principal need: it suggests a society of compulsive workers. Labor in the common view is intrinsically undesirable, but undertaken as a means to some further, typically material, end. For Marx this popular view would have been confirmation of his own view of the degree to which most labor under capitalism is alienating. He thought that under capitalism laborers experienced a threefold alienation: alienation from the *product* of their labor, which is for them merely a means to material reward; alienation from the *process* of labor, which is experienced as

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forced labor rather than as desirable activity; and alienation from *others*, since activities undertaken with others are undertaken as a means to achieving further ends, which are normally scarce and allocated competitively. Laborers cooperate in production but, under capitalism, compete for job and income, and the competition overrides the cooperation. Hence Marx claims (in the *Economic and Philosophical Manuscripts*) that "life itself appears only as a means to life." Though the horror of that situation is apparent in the very words, many people accept that labor should be only a means to life—whose real ends lie elsewhere; whether in religion, consumption, personal relations, or leisure.

Marx, on the other hand, held that labor could be more than a means; it could also be an end of life, for labor in itself—the *activity*—can, like other activities, be something for whose sake one does other things. We would be loath to think that activity itself should appear only as a means to life—on the contrary, life's worth for most people lies in the activities undertaken. Those we call labor do not differ intrinsically from the rest, only in relation to the system of production. In Marx's view a system was possible in which all activities undertaken would be nonalienating. Nobody would have to compete to engage in an activity he found unpleasant for the sake of a material reward. Instead, workers would cooperate in creative and fulfilling activities that provide occasions for the exercise of talents, for taking responsibilities, and that result in useful or beautiful products. In such a situation one can see why labor would be regarded as life's greatest need, rather than as its scourge. Nonalienated labor is humanly fulfilling activity.

In the course of switching from the conception of alienating labor to that of nonalienating labor, it might seem that we have moved into a realm for which principles of distribution may be irrelevant. What can the Socialist Principle of Justice tell us about the distribution of burdens and benefits in "the higher phase of Communist society"?

In such a society each is to contribute according to his abilities. In the light of the discussion of nonalienated labor, it is clear that there is no problem of incentives. Each man works at what he wants to work at. He works because that is his need. (This is not a situation in which "moral incentives" have replaced material ones, for both moral and material incentives are based on alienating labor. The situation Marx envisages is one for which incentives of *all* sorts are irrelevant.)

Though this disposes of the problem of incentives under the Socialist Principle of Justice, it is much less clear whether this principle can work for a reasonable range of situations. Can it cope with both the situation of abundance and that of scarcity?

In the case of abundance, a surplus of goods over and above those needed is provided. But if all activities are need-fulfilling, then no work is done that does not fulfill some need. In a sense there is no surplus to be distributed, for nothing needless is being done. Nevertheless, there may be a surplus of material goods that are the by-product of need-fulfilling activity. In a society where everybody fulfills himself by painting pictures, there may be a vast surplus of pictures. If so, the Socialist Principle of Justice gives no indication of the right method for their distribution; they are not the goal for which the task was undertaken. Since they do

not fulfill an objective need, the method for their distribution is not important. In this the higher phase of communist society is, as one might expect, the very antithesis of consumerism; rather than fabricate reasons for desiring and so acquiring what is not needed, it disregards anything that is not needed in decisions of distribution.

There, nevertheless, is a problem of distribution the Socialist Principle of Justice does not attempt to solve. Some of the products of need-fulfilling activity may be things other people either desire or detest. When need-fulfilling activity yields works of art or noisy block parties, its distribution cannot be disregarded. Not all planning problems can be solved by the Socialist Principle of Justice. We shall not discuss the merits of various principles that could serve to handle these cases, but shall only try to delimit the scope of the Socialist Principle of Justice.

This brings us to the problem of scarcity. Can the Socialist Principle of Justice explain why, when all contribute to the extent of their abilities, all needs can be met? Isn't it conceivable that everyone should find fulfillment in painting, but nobody find fulfillment in producing either biological necessities or the canvases, brushes, and paints everybody wants to use? Might not incentive payments be needed, even in this higher phase of communist society, to guarantee the production of subsistence goods and job-related necessities? In short, will not any viable system involve some alienating labor?

Marx at any rate guarantees that communism need not involve much alienating labor. He insists that the Socialist Principle of Justice is applicable only in a context of abundance. For only when man's needs can be met is it relevant to insist that they ought to be met. The Socialist Principle of Justice comes into its own only with the development of the forces of production. But, of course, higher productivity does not by itself guarantee the right composition of output. Subsistence goods and job-related services and products might not be provided as the population fulfills itself in painting, poetry, and sculpture. Man cannot live by works of art alone.

This socialist version of the story of Midas should not alarm us too much. The possibility of starvation amidst abundant art works seemed plausible only because we abstracted it from other features of an abundant socialist society. Such a society is a planned society, and part of its planning concerns the ability structure of the population. Such a society would include people able to perform all tasks necessary to maintain a high level of material well-being.

Nevertheless, there may be certain essential tasks in such a society whose performance is not need-fulfilling for anybody. Their allocation presents another planning problem for which the Socialist Principle of Justice, by hypothesis, is not a solution. But the degree of coercion need not be very great. In a highly productive society the amount of labor expended on nonfulfilling tasks is a diminishing proportion of total labor time. Hence, given equitable allocation of this burden (and it is here that the planning decisions are really made), nobody would be prevented from engaging principally in need-fulfilling activities. In the limiting case of abundance, where automation of the production of material needs is complete, nobody would have to do any task he did not find intrinsically worthwhile. To the

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However, the degree of coercion experienced by those who are allocated to necessary but nonfulfilling chores may be reducible if the planning procedure is of a certain sort. To the extent that people participate in planning and that they realize the necessity of the nonfulfilling chores in order for everyone to be able to do also what he finds need-fulfilling, they may find the performance of these chores less burdensome. As they want to achieve the ends, so—once they are informed—they cannot rationally resent the means, provided they perceive the distribution of chores as just.

The point can be taken a step further. Under the Socialist Principle of Justice, households do not put forth productive effort to be rewarded with an aliquot portion of time and means for self-fulfillment. It is precisely this market mentality from which we wish to escape. The miserable toil of society should be

performed gratis for the benefit of society . . . performed not as a definite duty, not for the purpose of obtaining a right to certain products, not according to previously established and legally fixed quotas, but voluntary labor . . . performed because it has become a habit to work for the common good, and because of a conscious realization (that has become a habit) of the necessity of working for the common good. [V. I. Lenin, "From the Destruction of the Old Social System to the Creation of the New," April 11, 1920. From *Collected Works*, English trans., 40 vols. (London: Lawrence & Wishart, 1965), vol. 30, p. 517.]

Creative work should be done for its own sake, not for any reward. Drudgery should be done for the common good, not in order to be rewarded with opportunity and means for creative work. Of course, the better and more efficient the performance of drudgery, the more will be the opportunities for creative work. To realize this, however, is to understand the necessity of working for the common good, not to be animated by private material incentives. For the possibilities of creative work are opened by the simultaneous and parallel development of large numbers of people. To take the arts, poets need a public, authors readers, performers audiences, and all need (though few want) critics. One cannot sensibly wish, under the Socialist Principle of Justice, to be rewarded *privately* with opportunities and means for nonalienated work.

There is a question regarding the distribution of educational opportunities. Before men can contribute according to their abilities, their abilities must be developed. But in whom should society develop which abilities? If we regard education as consumption, then according to the Socialist Principle of Justice, each should receive it according to his need.

It is clear that all men require some early training to make them viable social beings; further, all men require certain general skills necessary for performing work. But we could hardly claim that some men need to be doctors or economists or lawyers, or need to receive any other specialized or expensive training. If, on the

other hand, we regard education as production of those skills necessary for maintaining society and providing the possibility of fulfillment, then the Socialist Principle of Justice can determine a lower bound to the production of certain skills: so-and-so many farmers/doctors/mechanics must be produced to satisfy future subsistence and job-related needs. But the Socialist Principle of Justice cannot determine who shall get which of these educational opportunities. One traditional answer might be that each person should specialize at whatever he is relatively best suited to do. Yet this only makes sense in terms of tasks done as onerous means to desirable ends. Specialization on the basis of comparative advantage minimizes the effort in achieving given ends; but if work is itself fulfilling, it is not an "effort" that must be minimized.

In conditions of abundance, it is unlikely that anyone will be denied training they want and can absorb, though they may have to acquire skills they do not particularly want, since some onerous tasks may still have to be done. For even in conditions of abundance, it may be necessary to compel some or all to undertake certain unwanted training in the interests of the whole. But it is not necessary to supplement the Socialist Principle of Justice with an incentive scheme, whether material or moral. The principle already contains the Kantian maxim: develop your talents to the utmost, for only in this way can a person contribute to the limits of his ability. And if a society wills the end of self-fulfillment, it must will sufficient means. If the members of society take part in planning to maintain and expand the opportunities for everyone's nonalienated activity, they must understand the necessity of allocating the onerous tasks, and so the training for them.

Perhaps we can make our point clearer by looking briefly at Marx's schematic conception of the stages of modern history—feudalism, capitalism, socialism, communism—where each stage is characterized by a higher productivity of labor than the preceding stage. In feudalism, the principle of distribution would be:

5. From each according to his status, to each according to his status—the *Feudal Principle of Justice*.

There is no connection between work and reward. There are no market incentives in the "ideal" feudal system. Peasants grow the stuff for their own subsistence and perform traditional labor services for their lord on domain land. He in turn provides protection and government in traditional fashion. Yet, though labor is not performed as a means to a distant or abstract end, as when it is done for money, it still is done for survival, not for its own sake, and those who do it are powerless to control their conditions of work or their own destinies. Man lives on the edge of famine and is subject to the vagaries of the weather and the dominion of tradition. Only a massive increase in productive powers frees him. But to engender this increase men must come to connect work directly with reward. This provides the incentive to labor, both to take those jobs most needed (moving from the farm to the factory) and to work sufficiently hard once on the job.

But more than work is needed; the surplus of output over that needed to

maintain the production (reinvested, not works or owned by capitalists for workers who and will even eliminating the institutions of property of the connection between one sense is made altogether.

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maintain the work force (including managers) and replace and repair the means of production (machines, raw materials) must be put to productive use; it must be reinvested, not consumed. In capitalism, station at birth determines whether one works or owns capital; workers are rewarded for their contribution of work, capitalists for theirs of reinvestment. There is a stick as well as a carrot. Those workers who do not work, starve; those capitalists who fail to reinvest, fail to grow and will eventually be crushed by their larger rivals. Socialism rationalizes this by eliminating the two-class dichotomy and by making reinvestment a function of the institutions of the state, so that the capital structure of the society is the collective property of the citizenry, all of whom must work for reward. In this system the connection between work and reward reaches its fullest development; and labor in one sense is most fully alienated. The transition to communism then breaks this link altogether.

The link between work and rewards serves a historical purpose; namely, to encourage the development of the productive forces. But as the productive forces continue to develop, the demand for additional rewards will tend to decline, while the difficulty of stimulating still further growth in productivity may increase. This, at least, seems to be implied by the principles of conventional economics—diminishing marginal utility and diminishing marginal productivity. Even if one rejects most of the conventional wisdom of economics, a good case can be made for the diminishing efficacy of material incentives as prosperity increases. For as labor productivity rises, private consumption needs will be met, and the most urgent needs remaining will be those requiring *collective* consumption—and, indeed, some of these needs will be generated by the process of growth and technical progress. These last needs, if left unmet, may hinder further attempts to raise the productive power of labor. So the system of material incentives could in principle come to a point where the weakened encouragements to extra productivity offered as private reward for contribution might be offset by the accumulated hindrances generated by the failures to meet collective needs and by the wastes involved in competition. At this point, it becomes appropriate to break the link between work and reward. Breaking the link, however, is not enough. Both the Socialist Principle of Justice and the Utopian Principle of Justice break the link between work and reward. But the Utopian Principle of Justice leaves the distinction between them. Work is a means, the products of work are the ends. Given a high productivity of labor, workers would in principle choose their occupations and work-leisure patterns, yet still producing enough to satisfy everyone's needs. This would be a society devoted to minimizing effort, a sort of high-technology Polynesia. Since it neither makes consumption dependent upon work nor regards work as other than a regrettable means to consumption, it fails to explain why sufficient work to supply basic needs should ever be done. The alienation of labor cannot be overcome by eliminating labor rather than alienation.

Breaking the link between work and reward, while leaving the distinction itself intact, may also lead to the loss of the productive powers of labor. For without reward, and when the object is to work as little as possible, why expend the effort to acquire highly complex skills? What is the motive to education, self-improvement,

self-development? A high-technology Polynesia contains an inner contradiction.

By contrast, the Socialist Principle of Justice not only does not make reward depend upon work but denies that there is a distinction between the two. Because man needs fulfilling activity—work that he chooses and wants—men who get it contribute according to their ability.

Yet there still may remain routine and menial, unfulfilling jobs. But who wills the end wills the means. The society must plan to have such jobs done. No doubt many will be mechanized or automated, but the remaining ones will form a burden that must be allocated.

The Socialist Principle of Justice cannot solve this problem of allocation. But everyone has some interest in getting uncoveted but essential work done. Hence it should not be difficult to find an acceptable supplementary principle of distribution for allocating these chores. For instance, the Principle of Comparative Advantage might be introduced to assign each the drudgery at which he is relatively best. There can be no quarrel with this so long as such alienating work is only a small fraction of a man's total activity, conferring no special status. It is only when alienating work takes up the bulk of one's waking hours, and determines status, that specialization inevitably entails some form of class structure.

The Socialist Principle of Justice cannot solve all allocation problems. But once one understands that it is based on a denial of a distinction between work, need, and reward, it is clear that it can solve an enormous range of such problems. In a highly productive society the only allocation problems the Socialist Principle of Justice cannot solve are the distribution of unmechanized and uncoveted chores and of the material by-products of creative endeavor.

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