

Two Comments on 'Two Conceptions of Liberalism'

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that, where ethnically differentiated ideologies form the basis of politics and are reflected in other arenas, and where even the most rudimentary of moderating factors are absent, top-down initiatives are less likely to impact significantly on existing cleavages.<sup>35</sup> Nevertheless, given that social change is likely to be a long, slow and unpredictable process which in any case may not result in a lessening of ethnic tensions,<sup>36</sup> it is important that all potential innovations are fully investigated. It may be that the conditions necessary for a resolution of the Northern Irish problem will arise from more sophisticated forms of institutional engineering such as consociational power-sharing which, if ongoing inter-party and inter-governmental negotiations are successful, may be the resulting political arrangement.<sup>37</sup> However, what is unlikely is that any quick-fire institutional manipulation will do the same.

## APPENDIX

The NISA surveys mirror the basic approach and structure of the British Social Attitudes surveys administered in Britain since 1983. This analysis uses the 1989, 1990 and 1991 surveys, which produce a combined *N* of 2,668. The surveys have two components: a questionnaire administered by an interviewer and a supplementary self-completion questionnaire. The questions address many of the core areas covered in the British instrument but in addition tap issues relating specifically to Northern Ireland. The surveys are available in the ESRC data archive at the University of Essex.

The NISA surveys are designed to yield representative samples of adults (18 years or over) living in private households in Northern Ireland. Because of the small geographical size and low population density, a simple random sample design is employed. The current rating list of private households is stratified into three geographical areas: Belfast, East Northern Ireland, West Northern Ireland. Within each of these a simple random sample of addresses is selected, with probability of selection proportionate to the number of addresses in the stratum. Interviewers use a Kish grid to select one individual from each household where initial co-operation is achieved. To adjust for the effect of household size on the probability of selection a weighting procedure is applied to the data prior to analysis. The overall response rates for the three years respectively were 66 per cent, 70 per cent and 70 per cent. These are slightly higher than those achieved in the British Social Attitudes surveys for the same years.

## ***Two Comments on 'Two Conceptions of Liberalism'***

HILLEL STEINER\*

No one who has read either Rawls's *Political Liberalism* or my *An Essay on Rights* can fail to profit from the penetrating analysis to which Peter Jones has subjected them.<sup>1</sup>

<sup>35</sup> Horowitz has recently argued, for example, that without the existence of various 'moderating' factors, some ethnic cleavages may be difficult to alter by any means. See Donald L. Horowitz, 'Democratic Transition and Ethnic Conflict' (Plenary address, Seventeenth Annual Conference of the International Society of Political Psychology, Santiago de Compostela, July 1994).

<sup>36</sup> Ian McAllister and Richard Rose, 'Can Political Conflict Be Resolved by Social Change? Northern Ireland as a Test Case', *Journal of Conflict Resolution*, 27 (1983), 533–57.

<sup>37</sup> Brendan O'Leary, 'The Limits to Coercive Consociationalism in Northern Ireland', *Political Studies*, 32 (1989), 562–88.

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<sup>1</sup> Peter Jones, 'Review Article: Two Conceptions of Liberalism, Two Conceptions of Justice', *British Journal of Political Science*, 25 (1995), 515–50.

Disposed to agree with most of what he says about the former, I am also inclined – but as yet unable – to disagree with much of what he says about the latter. However, alongside his many acute criticisms on which I'll need to reflect further, Jones's report of two key moves in my argument requires some revision and may, therefore, warrant this brief early response.

Pursuing a Lockean theme, *An Essay on Rights* argues that persons who are moral agents are vested with unencumbered natural rights to self-ownership and hence to their labour and hence to the products of their labour. Everything is either an owner or an ownable. But this familiar line of argument confronts an embarrassing paradox in the fact that all persons are themselves the products of other persons' labour. The book finds its resolution of this paradox in the fact that persons are not fully the products of labour since a key factor in their production, parental germ-line genetic information, is shown to be a natural resource.

This is sufficient not only to license the imposition of a temporal limitation on parental ownership of children – thereby underwriting the non-paradoxical self-ownership of all moral agents – but also to subject parents to the egalitarian distributive requirements of the Lockean 'enough and as good' proviso on natural resource appropriation. Since conceiving an offspring thus involves the appropriation of natural resources, parents, like all other natural resource owners, owe every other right-holder an equal share of the *value* of those resources.

It is therefore mistaken for Jones to claim (p. 543) that, on this view, 'justice requires that we redistribute from the fortunately endowed to the less fortunately endowed so that everyone shares equally in the value of our natural abilities (and in the disvalue of our natural disabilities)'. For what my argument suggests is that it is the *parents* of the fortunately endowed who must transfer to the *parents* of the less fortunately endowed. More strictly, what I say is that parents who appropriate superior germ-line genetic information must transfer to those who do not.

This difference is of some importance since, on the basis of *his version* of my redistributive requirement, Jones validly infers that my argument (self-contradictorily) implies a limitation on the right of self-ownership (p. 554), whereas no such implication follows from the redistribution actually mandated by what I say.

The second point also concerns the implications of each person's right to an equal share of natural resource values but is focused, in this case, on its *international* dimension. Jones suggests that, notwithstanding my argument for the global scope of that right, the scale of the redistribution it mandates may do little to upset existing international inequalities. Under such a redistributive requirement 'the residents of Dubai may find themselves worse off, but those of Japan may not' (p. 549). Where this objection errs, however, is in its implicit reliance on what might be described as an unduly 'geological' conception of natural resource values.

In *An Essay on Rights*, the inference advanced is that all (state or private) owners of geographical sites owe an equal share of the value of those sites to every right-holder, regardless of where on the globe he or she is located. Now it is certainly true that, as far as we currently know, what lies beneath the surface of the average Dubai site is considerably more valuable than anything to be found in subterranean Japan. But, of course, land *surfaces* are valuable too. And the value of an average surface space in downtown Tokyo probably compares quite favourably with that of any Dubai counterparts.

True, it is the labour of Japanese (and other) people that has made those sites as valuable as they are. But they have not made those sites. And what their self-ownership

entitles each of them to be the products of their labour, not the enhanced value of other things which have become more valuable because of their efforts. Otherwise, my repainting the peeling exterior of my house would give me a claim on the resulting enhanced value of my neighbour's house.