

EQUALITY AND BUREAUCRACY
ELIZABETH ANDERSON AND JOHN SKORUPSKI

I — ELIZABETH ANDERSON

EXPANDING THE EGALITARIAN TOOLBOX:
EQUALITY AND BUREAUCRACY

Many problems of inequality in developing countries resist treatment by formal egalitarian policies. To deal with these problems, we must shift from a distributive to a relational conception of equality, founded on opposition to social hierarchy. Yet the production of many goods requires the coordination of wills by means of commands. In these cases, egalitarians must seek to tame rather than abolish hierarchy. I argue that bureaucracy offers important constraints on command hierarchies that help promote the equality of workers in bureaucratic organizations. Bureaucracy thus constitutes a vital if limited egalitarian tool applicable to developing and developed countries alike.

I

Rethinking the Goal of Egalitarianism. A survey of global egalitarian strategies reveals three principal tools: (i) getting states to constitutionalize fundamental human rights, including anti-discrimination principles; (ii) installing the formal apparatus of democracy, including periodic elections and a free press; and (iii) redistributing resources, often through public provision or funding of goods such as education and health care. The selection of these tools is theoretically motivated by a distributive conception of equality. On this view, the egalitarian goal is to equalize the resources or primary goods—rights, political liberties, opportunities, income—at individuals' disposal. This conception of equality as a pattern of distribution is not fundamentally challenged by prominent recent debates concerning the metric of equality—whether just distributions should be measured in terms of primary goods or other resources, or in terms of capabilities or opportunities for welfare.

Rohinton Mistry's *A Fine Balance* (2001), a novel about India from Independence to the Emergency, illustrates some of the practi-

cal limitations of these egalitarian strategies. On election day, lower caste villagers are rounded up to cast empty ballots, to be filled in later by the local headman. When one dares to insist on his right to fill in his ballot as he pleases, he is killed. As members of the untouchable Chamaar (tanner) caste, his family is banned from the local school. His son and brother leave the village to make their way as tailors in a big city. The only available housing is a foul squatter settlement lacking sewers and running water for most of the day. When the government bulldozes the settlement, they lose all their possessions and must pay a night-watchman for the privilege of sleeping on the sidewalk next to an all-night pharmacy. Police round them up as vagrants, deaf to their protests that they have regular employment, and sell them to a business that puts them to a regime of forced labour that nearly kills them. Desperate to escape, they resort to the help of 'Beggarmaster', who buys them out of slavery in return for a huge share of their future wages. Beggarmaster controls the beggars in the city, offering them protection from abuse at the hands of police and private parties in return for the lion's share of their takings. The hapless tailors then get arrested by police during the Emergency's forced sterilization campaign. Civil servants bid to have the captives credited to their sterilization quota. One tailor loses his legs to post-surgical infection; the other is castrated at the orders of the village headman, in revenge for his defiance of the headman's rule and of the caste order, which dictated that he remain a lowly, untouchable tanner rather than aspire to the higher state of a (still impoverished) tailor. Their disabilities reduce them to begging, now wholly under the control of Beggarmaster.

Consider the standard egalitarian strategies in light of these events. The formal apparatus of democracy cannot deliver on its promises to the poor majority if they are effectively subject to the rule of upper-caste headmen who can determine their votes and inflict violence with impunity on those who defy them. The constitutionalization of human rights has little effect in a state riddled with corruption, where civil servants treat the discretionary powers of their office as private property, violating the rights of the poor for pay by private parties who themselves operate in collusion with a state determined to establish 'order' by destroying the homes of squatters, putting them to forced labour, and forcibly constraining their reproduction. Redistributive policies formally designed to open up opportunities to the poor have little effect when actual de-

livery is stymied by a caste system that keeps lower-caste children from attending school.

My point is not the trivial one, that bad actors often prevent justice from being achieved. It is a naïve mistake to blame the failure of these egalitarian policies on individual bad actors. The failures here are *systematic*. ‘Booth capturing’ and intimidation of lower-caste voters are long-standing problems (Narula 1991, p. 7). On any given day, only half of employed teachers in India are actually teaching, and one quarter do not bother to show up, with absentee rates concentrated in schools for the poor (Kremer et al. 2005). Public sector corruption is taken for granted.¹ Until the economic liberalization of 1991, the notorious ‘Licence Raj’ terrorized the lives of poor micro-entrepreneurs, as civil servants used their discretionary power to shut down unlicensed enterprises as a tool for extorting a steady stream of bribes from the meagre incomes of the self-employed. Even today, the poor cannot count on the police or courts enforcing their rights in disputes with the rich or higher caste individuals. All this goes on notwithstanding the formal abolition of caste in India’s constitution.

These failures are systematic because they conform to reigning norms rather than deviating from them. The situation in India, as in many other countries in the developing world, consists in a formal apparatus of democracy and human rights overlain on feudal, caste, and other hierarchical social relations, the constitutive norms of which deeply contradict the official legal norms. In this light, the intimidation of lower-caste voters amounts to an exercise of the traditional ‘rights’ of landlords and local leaders to exercise political authority over their tenants and subordinates; denial of education to lower-caste children, a legitimate enforcement of the cosmic order that would be threatened by people aspiring to rise above their rank; corruption, a fulfilment of what are viewed as overriding obligations to family members, patrons, and clients.²

This diagnosis of the practical limitations of standard egalitarian strategies traces their difficulties to underlying inequalities in social relations. Recognizing this point should, in turn, lead us to recon-

¹ In 2007, Transparency International rated India 3.5 on their Corruption Perception Index. The CPI ranges from 0 to 10, with lower scores indicating higher corruption.

² See Rose-Ackerman (1998), discussing how some cultures interpret bribery as an expression of legitimate obligations of gift exchange based on personal connections between bribe givers and takers.

ceptualize the theoretical foundations of egalitarianism. For my point is not simply that unequal social relations pose instrumental obstacles to achieving equal distributions. A normative assessment of these relations should lead us to the view that they are objectionable over and above whatever bad consequences they have for patterns of distribution. Compare the following states of affairs: in *A*, the poor are poor because the land they work is naturally poor in nutrients, their tools are too primitive to significantly raise productivity, and their geographic isolation poses costly barriers to trade. In *B*, the poor are poor because their social superiors use violence to keep them in inferior positions, extract the lion's share of their production through exploitative credit and employment contracts, and exploit their vulnerability to abuse by forcing them into a condition of servile dependency. I claim that, even if the levels of poverty in *A* and *B* are equal, *B* is far worse than *A*. While natural poverty is unfortunate, poverty induced by oppressive social relations is inherently degrading, humiliating, and assaultive of individuals' status as beings entitled to moral standing before others. To get what they need to survive, the individuals in *B* are reduced to grovelling, begging for mercy before their social superiors, and bound by obligations of deference and loyalty to whoever grants them the favour of subsistence. They must live at others' beck and call, humble themselves in their presence, and live in fear of their arbitrary wrath.

Such social relations are objectionable from an egalitarian point of view, *even if the social inferiors in question are materially well-off*. Consider state *C*, which includes the members of an absolute monarch's court. He feeds them generously at his table, grants them lavish gifts, and offers them well-paid sinecures. Nevertheless, they live at his mercy. Since they owe their station and material well-being to the monarch's gratuitous acts, they could lose their standing at his whim. Hence, they are reduced to mere sycophants, bootlickers. The monarch may spare them self-abasement through his own gracious condescension. But mutual recognition of the gratuitousness of the monarch's conduct still extracts humbling deference from his dependents—at least in a society not yet challenged by an egalitarian ethos.

Reflection on cases like these should reorient egalitarian thinking. The dominant trend in post-Rawlsian egalitarian thought defines the goal of egalitarianism as eradicating distributive inequalities due to factors, such as geographical location and acci-

dents of birth, that are mere matters of luck, and hence arbitrary from a moral point of view.³ This formula obscures the vast moral difference between states *A* and *B*. It has a hard time explaining why a class of people who are materially well off, as in *C*, should be objects of egalitarian concern. It presumes, rather than arguing for, the moral privilege of patterns of equal distribution (Hurley 2003, pp. 150–1). In other work (Anderson 2007*a*), I have argued that not only does justice not require the eradication of distributive inequalities due to arbitrary factors such as luck, it actually requires institutions that guarantee that luck will affect distributions, and condemns institutions that would attempt to compensate for this. Hence the bare fact that one person has less than another due to undeserved bad luck generates no claim to compensation. Egalitarians therefore need to seek some other aim. The cases I have just discussed suggest such an aim: the eradication of unjust social hierarchy. On this view, egalitarians should aim at ending oppressive social relations (which are inherently relations of inequality) and at realizing society conceived as a system of cooperation and affiliation among equals (Anderson 1999).

When we reconceive equality as fundamentally a kind of social relationship rather than a pattern of distribution, we do not abandon distributive concerns. Rather, we give such concerns a rationale. Some goods, such as basic liberties and rights to vote, bring legal suits and testify in court, need to be distributed equally because equal distributions are constitutive of equal social relations. People need adequate levels of other goods, such as income and wealth, so as to be able to avoid or escape oppressive social relations, and to participate in all domains of social life as an equal—which means (in part) without shame or stigma, and with the human, social and cultural capital needed to perform adequately in those domains. Ceilings on distributive inequality may be necessary to avoid the conversion of wealth into social inequality. For example, progressive income and inheritance taxes may be needed to prevent the rich from capturing formally democratic institutions and turning the state into a plutocracy. Such considerations give us instrumental reasons to promote more equal distributive patterns. Distributions may also be objectionable if they are caused by oppressive social relations. For example, compensation may be due to people exploited

³ Cohen (1989, pp. 906, 908, 932) offers a classic statement of this view.

by subjection to slavery or debt peonage.⁴

Instead of further discussing the connections between relational equality and distribution, however, the rest of this paper will consider non-distributive egalitarian tools. We have already seen that the standard distributive tools do not have their desired effects in the context of pervasive relational inequalities. An account of these types of unequal relationship and what sorts of relations can replace them must play a central role in an egalitarian programme.

II

Types of Unequal Social Relations. My plea to reorient egalitarians toward equality in social relations is a plea to return to egalitarians' traditional aims. Unjust social hierarchy has traditionally been the prime enemy of egalitarians. Rousseau opposed plutocracy, or rule by the rich over the working classes. Feminists from John Stuart Mill to Catharine MacKinnon oppose patriarchy, or domination of men over women. Marx opposed capitalist productive relations, whereby the owners of capital lord over workers within the firm. B. R. Ambedkar, the author of India's democratic constitution, campaigned against hierarchical caste relations. W. E. B. DuBois campaigned against America's similar system of racial caste. Each of these egalitarians took the eradication of oppressive social relations as their central concern.

Egalitarians are hostile to or suspicious of at least three types of social hierarchy. There are hierarchies of *standing*, whereby those at the top are entitled to make claims on others in their own right, and to enjoy rights and privileges, while those below are denied rights or granted an inferior set of rights and privileges, and denied voice to make claims on their own, or given an inferior forum in which to make their claims. There are hierarchies of *esteem*, whereby those on the top command honour and admiration, while those below are stigmatized and held in contempt, as objects of ridicule, loathing, or

⁴ Egalitarianism, understood as aiming at ending unjust social inequality and promoting equality in social relations, does not offer a comprehensive theory of distributive justice. Other non-egalitarian concerns make independent distributive claims. For example, humanitarianism tells us to end suffering, whether this is caused by natural or social factors. This requires distributing food, income-generating opportunities, and other goods to the victims of floods, droughts, and other natural disasters.

disgust. And there are hierarchies of *command*, of domination and subordination, whereby those at the top issue orders to those below, who must defer and obey. Egalitarians aim, to the extent possible, to abolish such hierarchies and replace them with relations of equality. This is fully possible with respect to hierarchies of standing, which are incompatible with the dignity and rights of human beings. Hence, egalitarians oppose such hierarchies absolutely.

In the case of the other two types of hierarchy, matters are not so simple. Where wholesale replacement is not possible, egalitarians aim to sharply limit the grounds on which social hierarchy can be based, and the scope of its authority. For instance, egalitarians reject hierarchies of esteem based on property and the circumstances of one's birth—race, ethnicity, caste, tribe, family line, gender, and so forth. They also oppose *official*, state-sponsored hierarchies of esteem, such as orders of nobility, that are based on purported normative assessments asserted to be authoritative for all. Esteem and contempt are an inescapable part of human life. But *liberal* egalitarians, at least, can take advantage of the fact of pluralism: the fact that, under conditions of liberty, there will be always be a plurality of conceptions of the good and hence of rival standards of merit and esteem (Rawls 1993, p. 36). Liberal egalitarians prefer that individuals be free to judge who merits esteem and contempt for themselves, without being held to a single official standard of worth. The expected and preferred outcome of such liberty is a plurality of conceptions of the good, which generate rival and cross-cutting orders of esteem, such that no social group comes out on the top or on the bottom of everyone's rankings, all are free to establish or seek a social circle in which they enjoy the esteem of their peers, and no esteem ranking counts as official, as one to which everyone is expected to defer. Against tendencies for people to erect oppressive esteem hierarchies in civil society, based on birth, property, or forms of cultural capital over which the snobbish self-appointed arbiters of manners and taste have assumed monopoly control, egalitarians deploy various tools. Among the most powerful such tools is 'upward contempt' directed by lower classes against upper classes, joined with the democratic norm that legitimizes such contempt and deligitimizes the traditional downward contempt that is directed by upper classes upon the lower (Miller 1997, pp. 206–34).

Henceforth I shall be exclusively concerned with command hierarchies. These are always suspect from an egalitarian point of view. To

be subject to another's command threatens one's interests, as those in command are liable to serve themselves at the expense of their subordinates. It threatens subordinates' autonomy, their standing as self-governing individuals. Without substantial controls on the content of legitimate commands, subjection can also be degrading and humiliating.⁵ Even when superiors permit subordinates wide scope for acting, the latter may still live at the mercy of the former. Such a condition of subjection to the arbitrary wills of others is objectionable in itself, and has further objectionable consequences: timidity and self-censorship in the presence of superiors—or worse, groveling and self-abasement.

The proper egalitarian response to command hierarchies depends on the function of the command. Where commands regarding a particular action are not needed to coordinate conduct among different persons, egalitarians hold that adults should be free to make decisions for themselves, without having to ask anyone else's permission. In such cases, the remedy for subjection to another is social arrangements that secure each adult's personal independence. Egalitarians are concerned here with inequality, understood as a personal, face-to-face relation to superiors, that reduces subordinates to a condition of servile dependency on particular others. The egalitarian remedy for this relation helpfully reminds us of the close connection between ideals of freedom and equality. In the classic republican formula, to be unfree is to be subject to the arbitrary will of another (Pettit 1997, p. 5). This is the state of subordination, of inequality. To cast off relations of domination is to live as a free person. Thus, the quest for freedom is the quest for a mode of relating to others in which no one is dominated, in which each adult meets every other adult member of society eye to eye, as an equal.

The solution of letting each choose for himself, however, cannot be generalized to the case where commands are needed to coordinate conduct among different persons. Anarchists hoped that it could be generalized. They hoped that effective coordination would arise from the spontaneous mutual aid of independent persons (Kropotkin 1906). Anarchy, however, has not proven to be a reliable arrangement for securing stable, peaceful cooperation on terms of equality among large numbers of people.

⁵ 9-to-5, The National Association of Working Women, publicized a case some years ago in which a boss ordered his secretaries to hold out their hands while he tipped his cigar ashes into them.

Suppose then, that some command relations are needed to secure cooperation. How can these be reconciled with egalitarian aspirations? Participatory democracy offers one model for doing so that has long been appealing to egalitarians. Where commands cannot be eliminated, the idea is to ensure that command relations are reciprocal, with everyone participating in making the rules that govern them all. All shall meet face to face in a legislative assembly that determines what laws should prevail and that selects the executive officers who administer the laws.

This strategy also has serious limits. Once the scale of cooperation extends beyond a face-to-face community, where everyone knows everyone else, effective rules of coordination can no longer be chosen in a fully participatory fashion. Only a subset of the people will directly enact the rules that apply to others. In addition, a hierarchically organized administrative staff will be needed to promulgate and enforce the rules. Most of the members of this staff will not be directly accountable to the people subject to the rules, even though the rules grant discretionary power to members of the executive. The infeasibility of large-scale participatory democracy led Rousseau (1762, Book III, ch. 15) to insist that republics remain very small. This restriction comes at grave costs, however, among which are the difficulties of sustaining peaceful cooperation among numerous small city-states.

These challenges do not mean that egalitarians must give up. Where command relations are necessary, they can be subject to searching egalitarian constraints. To see what these involve, it helps to step down from the grand scale of states to smaller units of government, and to shift from units that exercise formal sovereignty to units that exercise lesser, but still considerable powers. I speak of the little governments that constitute our hierarchically organized private firms. It is no anomaly to regard the internal relations of the firm as little governments: although they operate within the constraints of laws passed by sovereign governments, they still consist in hierarchical command relations whereby employers boss workers around. I shall suppose that in the sphere of economic production, no less than in the sphere of sovereign government, the anarcho-sindicalist hope that command relations could be abolished is not generally feasible. Here too, once the scale of required cooperation rises above a modest scale, the demands of coordination become too complex for matters of internal governance to be settled by New

England town meeting-style decision-making.

We can approach our problem by considering what egalitarian complaints remain after certain basic constraints on command relations within the firm are established. Call these, in order from less to more demanding, (1) libertarian, (2) capitalist, and (3) liberal constraints. These common types of egalitarian constraint on command relations concern (i) the conditions of entry to and exit from such relations, and (ii) the rules for assigning individuals to superior and subordinate positions.

Libertarians place only one constraint on command relations within the firm: that they be freely entered in a voluntary contract. This constraint excludes slavery, serfdom and caste as inherited conditions consigning one to a particular occupation and enterprise. However, it neglects the importance of freedom of exit. Hence it permits contracts into slavery, debt peonage, and other forms of bonded labour, conditions that affect tens of millions of workers across the world (Nozick 1974, p. 331). These relationships are incompatible with a conception of society as a community of equals. They are also incompatible with a conception of society as a community of free individuals.

Capitalism as it was originally understood—a competitive market system based on private property and *free* labour—goes beyond the libertarian model in also insisting on the right of workers to freely *exit* any employment relationship. Capitalism, on this view, is incompatible with any form of slavery, debt peonage or bonded labour. However, it too places insufficient constraints on command relations internal to the firm. Even if workers are formally free to exit some particular abusive relation with their bosses, they may have no reasonable alternative to signing an employment contract that permits some boss to abuse and humiliate them. Laissez-faire capitalism is indifferent to the background condition of reasonable alternatives needed for individuals' consent to legitimize the content of any particular contract. In addition, exit and entry constraints alone are insufficient to guard against the construction of *de facto* caste systems, whereby one group monopolizes positions of command and denies one or more outgroups access to such positions, and to the means to qualify themselves for such positions. This of course was long the position of blacks in the United States, who were effectively constituted as a lower caste of menial labourers through the joint operation of systematic employment discrimina-

tion and state deprivation of adequate schooling.

Liberalism, understood narrowly in terms of the classical liberal ideas that legitimizing consent requires reasonable alternatives (Hume 1948) and that careers should be open to talents, provides remedies for the two capitalist defects just mentioned. Suppose workers are guaranteed a decent minimum wage, unemployed workers are guaranteed unemployment insurance, and the state runs fiscal and monetary policies with the aim of promoting full employment. This *might* be enough to make all jobs reasonable alternatives, at least as judged by their external benefits. Suppose further that capitalist enterprises operate under the constraint of effective anti-discrimination laws, and that the state itself provides decent schooling to all groups. These constraints would jointly undermine the conditions that relegate some groups to a lower caste status, destined always to submit to commands issued by others.

Should egalitarians be satisfied with these types of constraints—on entry, exit and the allocation of individuals to superior and inferior positions—alone? I think not. Nothing has yet been said about the *content, scope and grounds* of employers' authority over employees. To be sure, the joint realization of freedom of entry and exit and reasonable alternatives is likely to limit the commands employers can get away with. Nevertheless, egalitarians are directly interested in the content of such commands, and not just in the procedures whereby employers come to have the power to issue them. We are interested in whether the content of the commands themselves humiliate or degrade subordinates, or reduce them to servile dependents.

An extreme case of such subjection may be found in company towns, and their contemporary sweatshop equivalents. The town of Pullman, Illinois was one such town in the US, devoted to the production of Pullman sleeper cars. The sole employer in town also owned all the real estate, retail stores and the sole church permitted in town. Workers had to rent houses from their employer, who not only set the rent but regulated workers' private lives in their homes in detail, right down to their housekeeping standards. They were paid in scrip, redeemable only in company stores with prices fixed by the employer. Pullman, the factory owner, set himself up as mayor of the town without free elections, and limited townspeople's religious options to his own church (Walzer 1983, pp. 295–7). Conditions are not much different in some contemporary sweatshops in places such as Anshan, China (Kahn 2003). Factories there recruit teenage girls

from the countryside, promising them high wages. Once the workers arrive, however, they learn that their employer has limited their housing options. They must pay the employer room and board charges (set by the employer at high rates), and are not permitted to leave the factory grounds where their dormitories are located. This empowers the employer to exercise detailed control over their lives, including subjection to sexual harassment.

It might be argued that defects in the conditions of entry and exit account for all of the defects of the command relations in such cases. The Pullman workers, it might be argued, had no reasonable alternatives to signing a contract with Pullman. The teenage workers of Anshan, while promised high wages, are never told upon recruitment that these will be whittled away by exploitative room and board charges, and that they will have to live locked behind gates. They must pay a draconian training fee in order to free themselves of the labour contract. Yet I would argue that the command relations just described would be objectionable even if the workers were fully informed of them, could quit without paying a fee to their employer, and had reasonable employment alternatives that did not tie their consumption options to their employers' whims. What is objectionable here is the content of the employers' commands themselves—especially their regulation of workers' private lives. Such regulation reduces the workers to servile dependents. There is no time of the day when they are free to make significant choices for themselves, without asking their employers' permission. Even when they are off-duty, they remain under their employers' thumbs. This would be objectionable from an egalitarian point of view even if the workers in question were highly paid.

Can egalitarians offer a systematic analysis of the proper *content* and *scope* of command relations in the domain of work (including the administrative branches of government), granting that, given the scale and complexity of modern production, some kind of command hierarchy is necessary? I shall offer here only *part* of the egalitarian answer to this question. I shall argue that *bureaucracy* offers a vital tool for egalitarians that helps us address the objections to command relations that I have just discussed.

III

Bureaucracy vs. Patrimonial Domination. Recall the inegalitarian social relations illustrated in Mistry's novel, which are widely instantiated in the developing world. Most of these relations embody a form of domination that Max Weber called 'patrimonial'. This term refers in the first instance to the origin and supposed ground of legitimation of the command relation in question—namely, its basis in tradition. Yet when Weber spelled out the principles by which patrimonial domination operates he went far beyond merely locating authoritative rules in a long-remembered (or perhaps long-forgotten) past. He focused rather on the particular nature of the command relations subjectively legitimated by tradition (Weber 1968, pp. 226–35). One such type of relation is of special interest here, due to its continuing power in developing countries, even when they have adopted much of the formal apparatus of democracy and human rights. This is the patron–client relation. This relation underlies many of the inegalitarian practices mentioned above, including corruption and the chronic resort of the vulnerable to wealthy rescuers, which forces them to subordinate themselves to the wealthy.

The patron–client relation consists in a relation of personal dependence of the client on the patron, secured by the patron's gratuitous gifts or favours to the client. In return for credit or material goods (often paid in kind, as in the form of meals from the patron's table) or in liberation from abuse at the hands of some other powerful person, clients pledge their personal loyalty and submission to their patron. They become the patron's retainers. Like other forms of patrimonial domination, the patron–client relation grants superiors wide scope for arbitrary discretion over their subordinates. Few rules constraint the patron's power. Subordinates' roles are *ad hoc*. They are selected for positions of greater or lesser responsibility on the basis of personal favouritism and judgements of loyalty. Cronyism, not competence, determines subordinates' access to such positions.

Patrimonial domination connects private property to political power in two ways. First, wealthy patrons use their private property to ensnare their clients in subordinating patron–client relationships with domains of authority that we now ascribe uniquely to sovereign states. In the classic case of feudal estates, landowners exercised judicial and military authority over their retainers, servants, and

tenants, setting up their own courts to adjudicate disputes among them, and setting themselves up as militia commanders over them in wartime. Even in the colonial United States, creditors commonly assumed command of militias mustered from the ranks of their debtors (Wood 1993, p. 74). Employment contracts that bind employees to arbitration panels controlled by employers, without opportunities to resort to state-run courts, similarly amount to the conversion of private property into sovereign power over employees.

Second, regimes based on patrimonial domination tend to treat political offices of sovereign states as a kind of private property. This is explicit in the cases of tax farming, private customs houses, and other public offices that were literally put up for sale by states that lack, or allow the decay of, a substantial administrative apparatus under the direct management of state officials. (The privatization of prisons and armed military services raises similar questions today.) It is implicit in the corrupt use of the discretionary powers of state office for private ends, as when public officials operating under the ‘Licence Raj’ extorted bribes from microentrepreneurs, and state officeholders treat civil servants as personal retainers, commanding them to work for their political campaigns, repair their homes and perform other personal services unrelated to discharging the duties of office.

There are many things that can be said against relations of patrimonial domination. When they underlie state offices, the public is likely to be ill-served, since the powers of office are appropriated to private ends. They tend to be inefficient, because they appoint administrators to positions of power on the basis of loyalty rather than merit. They tend to lead to fragmented and conflicting authorities, liable to war against one another, because subordination is based on bonds of loyalty to particular persons who tend to be rivals, rather than to offices unified under a single hierarchy.⁶

From an egalitarian point of view, however, the main objection to such systems of patrimonial domination is that they subject subordinates to the arbitrary wills of their social superiors. Clients bear all the marks of servile dependency on their patrons that are abhorrent to egalitarians: cringing deference, grovelling, subjection to humili-

⁶ In an important confirmation of these claims, Rashid Khalidi (2006) ascribes the incompetence, fragmentation and near anarchy that has beset the Palestinian authority in part to the reliance of Palestinian leadership on command through patron–client relationships rather than bureaucratic authority.

ating commands, perpetual anxiety over what their superiors might do to them, or make them do, self-censorship, the degrading need to resort to begging, lack of freedom to form relationships independent of their patrons' scrutiny and control, living at the mercy of others. What egalitarians need is a sociologically informed understanding of what social arrangements could effectively underwrite the personal independence of individuals.

What could those arrangements be? Weber (1968, pp. 212–23, 983–6) famously counterposed patrimonial domination with bureaucratic domination. Can egalitarians find any satisfaction in command relations run on bureaucratic principles? Images of the dreary *de facto* egalitarianism of the queues we form to get our drivers' licences at Secretary of State offices immediately come to mind. Yet the constitutive rules of such queues should not be disparaged. There persons of all social classes must take their turns in the same line, with no one entitled to assert privileges over others or jump the queue, and with all entitled to their licence upon demonstrating their impersonal qualifications, without having to bribe or cajole the civil servant on the other side of the desk. My interest, however, lies more in the command relations structuring the powers and responsibilities of offices *within* a bureaucratic system, here understood to include not just state offices but the fully formalized large corporations characteristic of advanced capitalist societies. Weber insightfully argued that common principles of bureaucratic legitimation underwrote these systems of internal command. Here, too, we find egalitarian goals advanced by bureaucratic principles. Consider the egalitarian aims advanced by the ideal typical features of bureaucratic authority, as Weber characterized it.

Separation of offices (as places of work) from the home of superiors. This separation enables subordinates to function as employees rather than personal servants to their superiors. It also implies that employees live in homes distinct from that of their bosses. Hence, when they leave work for home, they enter a space under their own authority, not subject to their bosses' rules of the house.

Employee wages paid in cash, not in kind. Employees do not receive subsistence by dining at their superior's table or living on his personal estate, as personal servants do. This entails that subordinates are free from the entanglements of the gift relation, which, as anthropologists have long noted, involves the trade of personal favours for subjection to the magnanimous man's authority (Mauss

1967), and which forms the foundation of the patron–client relation. The cash nexus thus frees subordinates of slavish dependence on their superiors. It also equips them with resources needed to exercise autonomy in personal consumption decisions. In the marketplace, consumers meet as equals in the sense that none need ask anyone else’s permission or favour to consume whatever commodities lie within their budget constraint. The cash wage principle also excludes payment in scrip and employer provision of room and board on his own property—modes of payment that systematically invite both exploitation and off-duty subordination to employers.

Employee rights of exit. In light of the contrasting mode of patrimonial domination, the right to quit one’s job represents not merely a right not to be subject to slavery, debt peonage, or bonded labour. It amounts to liberation from patron–client relationships. It means that employees owe no personal loyalty to their bosses as individuals. Their obligations of obedience arise merely in virtue of their job, not in virtue of any personal relationship they may have to their bosses.

The person–office distinction. All of the above bureaucratic principles serve to underwrite the fundamental distinction between persons and the offices they occupy. Subordinates owe obedience to their superiors in virtue of relations of office (as documented, say, in an organization chart) rather than in virtue of obligations of personal loyalty to named superiors. Individuals thus enjoy powers of command only in virtue of their office. When a particular person resigns his office, he gives up entirely any authority he may have had over subordinate officeholders. When he acts outside the colour of his office, he also has no authority over subordinates. Bureaucrats, unlike feudal lords, are not entitled to *droit de seigneur*, or indeed any kind of personal service. Off-duty in civil society, supervisors and employees meet as formal equals, even if rarely as friends.

Meritocracy. Individuals gain access to positions of responsibility and command—of supervision, administration and decision-making power—in virtue of merit, rather than demonstrations of personal fealty to those occupying the highest levels of command. Bureaucracy is thereby opposed to nepotism and cronyism. From an egalitarian point of view, this means that (when the system is working as designed) people do not have to fawn over, flatter and toady to their superiors in order to advance their careers.

Offices not a form of private property; entailing an anti-corruption principle. Positions of command are not for sale to the highest

bidder, nor are their discretionary powers to be used for the private ends of the officeholder. Rather, the ends and powers of office are defined by institutional objectives. From an egalitarian point of view, these constraints function to prevent superiors from using their discretionary power to turn subordinates into personal servants, to convert citizens into clients, or to extort bribes by threatening those whom they are supposed to be serving.

The rule of law, tied to a principle of efficiency. The powers of office are not arbitrary, but limited by rules rationalized by institutional rather than personal objectives. Closely tied to the rule of law is the principle of efficiency. Long before Weber, Locke offered this crucial insight into the connection between bureaucratic command relations and equality:

[T]he Preservation of the Army, and in it of the whole Commonwealth, requires an absolute Obedience to the Command of every Superiour Officer, and it is justly Death to disobey or dispute the most dangerous or unreasonable of them: but yet we see, that neither the Serjeant, that could command a Souldier to march up to the mouth of a Cannon, or stand in a Breach, where he is almost sure to perish, can command that Soldier to give him one penny of his Money; nor the General, that can condemn him to Death for deserting his Post, or for not obeying the most desperate Orders, can yet with all his absolute Power of Life and Death, dispose of one Farthing of that Soldiers Estate, or seize one jot of his Goods; whom yet he can command any thing, and hang for the least Disobedience. Because such a blind Obedience is necessary to that end for which the Commander has his Power, viz. the preservation of the rest; but the disposing of his Goods has nothing to do with it. ... [E]ven absolute power, where it is necessary, is not arbitrary by being absolute, but is still limited by that reason and confined to those ends which required it. (Locke 1980, ch. 11, par. 139)

Locke is pointing to a fundamental bureaucratic constraint on powers of command: it is not arbitrary, but limited to the ends of office. Officers may only exercise powers over others that are instrumentally necessary to (efficiently) achieving the objectives of office, which in turn can only be justified in terms of their service to the public interest.

A corollary of this constraint on legitimate command is that individuals are free to decide for themselves how to lead their lives in domains outside the scope of their superior's authority. They are

personally independent of their superiors in their private, off-duty lives. And even when they are on the job, their duties of obedience are limited by an explicit or implicit job description. This entails substantial constraints on the powers of command. For example, it entails a strict prohibition on sexual harassment of employees.

IV

Two Egalitarian Cheers for Bureaucracy. Weber (1968, pp. 973–5) argued that bureaucratic authority was our main alternative to patrimonial authority. Once installed, it supplies a comprehensive replacement for patron–client relations and other relations of patrimonial domination. This, I have argued, constitutes a major advance toward the fulfillment of egalitarian aims in domains where commands are needed to coordinate the conduct of different people, and the scale and complexity of cooperative relations is such as to overwhelm the coordinating capacities of spontaneous solidarity (impulses of mutual aid) and face-to-face participatory democracy, in which commands are directly authorized by the whole class of those commanded. In these domains, there is necessarily a distinction between those who issue commands and those who must obey, and hence a threat to the egalitarian aim of abolishing unjust social hierarchy. Bureaucratic principles show how hierarchy can be tamed, by instituting a sharp person–office distinction, limiting discretionary commands by the rule of law and the principle of efficiency (tied to institutional rather than personal objectives), prohibiting the conversion of offices to private property, regulating access to office according to merit, and securing the personal independence of subordinates through measures such as the separation of office from home, payment in cash, and exit rights.

If bureaucratic principles were comprehensively instituted, the abuses of inferiors by superiors that are illustrated in *A Fine Balance* and widely instantiated in developing countries would not occur. Local headmen would not be able to corral the votes of their tenants, servants, clients, and lower-caste residents of villages under their control. Police would not be able to extort bribes from poor microentrepreneurs. Teachers would have to show up for work, and teach allcomers, regardless of their caste or class status. The poor would not have to beg for favours from the rich, and thereby lose

their personal independence, in order to escape arbitrary abuse at the hands of authorities.

Weber (1968, pp. 973–5) thought that bureaucracy was a juggernaut, crushing all rival forms of authority in its path in virtue of its overwhelmingly superior ability to coordinate individuals' powers toward common ends. If Weber were right, then egalitarians could just sit back and let history take them for a ride at least part way toward their goal. But Weber, like Marx, appears to have been overconfident about the ultimate direction of history. Creating bureaucracies requires not just huge investments in formal institutions and human capital, but overturning deeply entrenched social norms that tie up individuals in parochial relations of personal domination. Bureaucracy offers a way out of many inegalitarian ills, but it is expensive medicine to obtain, and hard to administer to recalcitrant patients.

Egalitarians must also recognize the limitations of bureaucratic principles. Three are of particular interest. First, Weber (1968, p. 989) observed that bureaucracy, despite its deep connection with 'the levelling of economic and social differences', runs the risk of capture by 'crypto-plutocracy'. The dominance of the rich in party-based mass democracies permits them to seize control of the bureaucratic apparatus of the state. He could have added that bureaucratic meritocracy also leads to crypto-plutocracy to the extent that the rich monopolize access to merit-creating training, which in most cases is higher education. Egalitarians need to counter this tendency by providing decent educational opportunities to disadvantaged groups of all kinds.⁷

Second, the efficiency principle itself can threaten egalitarian objectives. Inegalitarian relations are characteristically expressed by treating adults as something other than autonomous persons: they are treated as children, as beasts of burden, as vermin, as spiritual pollution, as sex objects. The efficiency principle, taken to its extremes, threatens a similar degradation of persons to a lower grade of being—in this instance, to cogs in a machine. 'Efficient' production mechanizes human movements, reducing it to its simplest, de-skilled, indefinitely repeated components, ignoring the body's biological rhythms, its tendencies to tire, workers' needs for stimu-

⁷ I have further argued (Anderson 2007b) that training a managerial and professional elite to be responsive to the interests of all social classes requires comprehensive integration of all groups at all levels of schooling.

lation and social affiliation at work, and relief from tedious, mind-numbing, time-pressured, high-speed labour. When a cog wears out, it is simply thrown away, replaced by an identical cog. While such conditions have mostly been superseded for middle-class workers in rich countries, they prevail in sweatshop and manual agricultural labour today, as they did in the satanic mills of the original Industrial Revolution. Egalitarians must insist on dignitary and humanistic constraints on efficiency, narrowly construed. These include, for example, rights of workers to urinate during working hours—rights shockingly denied to many workers today, even in rich countries (Linder and Nygaard 1998).

Third, egalitarian constraints must be placed on the ends of institutions themselves. This paper has focused on the internal operations of institutions, and the importance of avoiding face-to-face relations of *personal* domination and subordination. But objectionable forms of domination also have an impersonal face, as when the ends of public office are set undemocratically, and the laws governing people's interactions in civil society are rigged to favour privileged groups. To address these difficulties we must engage the branch of egalitarian thought known as democratic theory, and consider its application not just to sovereign states, but to the little governments of our workplaces. Such an examination, however, lies beyond the scope of this paper.

Today's egalitarian toolbox is dominated by policies largely generated from a conception of equality conceived as a pattern of distribution. These policies tend to be stymied when they are overlain on pervasive background relations of personal domination and subjection. Such inequalitarian social relations are not only instrumentally objectionable, as obstacles to equal distribution. Egalitarians should regard them as inherently objectionable, and take their eradication as a fundamental end, to which redistributive policies are largely instrumental. We should thus reconceive the ultimate egalitarian aim in relational rather than distributive terms: it is to constructing a society in which persons relate to one another as social equals. This aim faces a challenge in light of the fact that large-scale cooperation requires a distinction between those who issue commands and those who obey them. Egalitarians can reconcile themselves to this condition in part by recovering the egalitarian potential of bureaucratic modes of authority. Bureaucracy offers an alternative mode of structuring command relations that, when it operates properly, liberates

people from personal subjection to others. It adds a vital tool to the egalitarian toolbox. The remedy it offers is only partial, however. Hence egalitarians should give bureaucracy only two cheers, not three.

Department of Philosophy
University of Michigan
 2239 Angell Hall 1003
 435 S. State Street
 Ann Arbor, MI 48109-1003
 USA
 eandrsn@umich.edu

REFERENCES

- Anderson, Elizabeth 1999: 'What is the Point of Equality?' *Ethics*, 109, pp. 287–337.
- 2007a: 'How Should Egalitarians Cope with Market Risks?' *Theoretical Inquiries in Law*, 9, pp. 61–92.
- 2007b: 'Fair Opportunity in Education: A Democratic Equality Perspective'. *Ethics*, 117, pp. 595–622.
- Cohen, G. A. 1989: 'On the Currency of Egalitarian Justice'. *Ethics*, 99, pp. 906–44.
- Hume, David 1948: 'Of the Original Contract'. In Henry Aiken (ed.), *Hume's Moral and Political Philosophy*. New York: Hafner.
- Hurley, Susan 2003: *Justice, Luck, and Knowledge*. Cambridge, MA: Harvard University Press.
- Kahn, Joseph 2003: 'Chinese Girls' Toil Brings Pain, Not Riches'. *New York Times*, 2 October 2003, A1.
- Khalidi, Rashid 2006: *The Iron Cage: The Story of the Palestinian Struggle for Statehood*. Boston, MA: Beacon Press.
- Kremer, Michael, Nazmul Chaudhury, F. Halsey Rogers, Karthik Muralidharan, and Jeffrey Hammer 2005: 'Teacher Absence in India: A Snapshot'. *Journal of the European Economic Association*, 3, no. 2–3, pp. 658–67.
- Kropotkin, Peter 1906: *The Conquest of Bread*. New York and London: G. P. Putnam's & Sons.
- Linder, Mark and Ingrid Nygaard 1998: *Void Where Prohibited: Rest Breaks and the Right to Urinate on Company Time*. Ithaca, NY: ILR Press.
- Locke, John 1980: *Second Treatise of Government*. Indianapolis: Hackett.

- Mauss, Marcel 1967: *The Gift*, trans. I. Cunnison. New York: Norton.
- Miller, William 1997: *The Anatomy of Disgust*. Cambridge, MA: Harvard University Press.
- Mistry, Rohinton 2001: *A Fine Balance*. New York: Vintage.
- Narula, Smita 1999: *Broken People: Caste Violence Against India's 'Untouchables'*. New York: Human Rights Watch.
- Pettit, Philip 1997: *Republicanism*. New York: Oxford University Press.
- Rawls, John 1993: *Political Liberalism*. New York: Columbia University Press.
- Rose-Ackerman, Susan 1998: 'Bribes and Gifts'. In Avner Ben-Ner and Louis Putterman (eds.), *Economics, Values, and Organization*, pp. 296–328. Cambridge: Harwood Academic Publishers.
- Rousseau, Jean-Jacques 1762/1913: *The Social Contract*, ed. G. D. H. Cole. London: J. M. Dent.
- Transparency International 2007: *Corruption Perceptions Index, Regional Highlights: Asia Pacific Region*, <<http://www.transparency.org/content/download/23975/358245>>.
- Walzer, Michael 1983: *Spheres of Justice*. New York: Basic Books.
- Weber, Max 1968: *Economy and Society*, ed. Guenther Roth and Claus Wittich. Berkeley and Los Angeles: University of California Press.
- Wood, Gordon 1993: *The Radicalism of the American Revolution*. New York: Vintage.