

The Relation of Envy to Distributive Justice

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Abstract

An old conservative criticism of egalitarianism is that it is nothing but the expression of envy. Egalitarians respond by saying envy has nothing to do with it. I present an alternative way of thinking about the relation of envy to distributive justice, and Rawlsian justice in particular. I argue that, while ideals of justice rightly distance themselves from envy, envy plays a role in facing injustice. Under nonideal circumstances, less attractive features of human nature may play a role in motivating the action necessary to push an unjust society in a more just direction.

Introduction

What is the relationship between distributive justice and the negative emotions? To shed light on this general question, this paper provides a close study of one particular emotion in the context of a particular theory of distributive justice: envy and Rawlsian justice. I will detail this later, but by envy I mean rancor or hostility felt towards those who have more. There are two traditional approaches to the relation of envy to egalitarian justice. The first approach is a common one, present in both public discourse and philosophical writings: egalitarianism is an expression of envy. For example, F. A. Hayek suggests, “When we inquire into the justification of these demands [for equality], we find that they rest on the discontent that the success of some people often produces in those that are less successful, or to put it bluntly, on envy.”¹ I will call this the conservative approach. The second approach is in part a response to the first approach: envy has nothing to do with distributive justice. In Richard Norman’s words, “The question of the wrongness of inequality is logically prior to the question of moral psychology. If inequalities are indeed unjust, then no further psychological explanation is needed of why people might object to them.”² I will call this the egalitarian approach.

This paper presents a third approach to thinking about the relation of envy to distributive justice, and Rawlsian justice in particular. Rather than view the relationship in the dichotomous terms described above (either rooted in envy *or* no

¹ F. A. Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), p. 93. See also Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), p. 240.

² Richard Norman, “Equality, envy, and the sense of injustice,” *Journal of Applied Philosophy* 12 (2002), 43-54, p. 44. See also John Rawls, *Theory of Justice: Revised Edition* (Cambridge: Belknap Press of Harvard University Press, 1999), p. 472. Hereafter, I will refer to *Theory of Justice* parenthetically in-text as *TJ*.

connection), I will argue that envy relates to justice, though not as a foundation or source of justice. Rather, envy serves as a potential motivation for action against injustices related to inequality.³ To relate this to the more general question: negative emotions may play a role in motivating the action necessary to push an unjust society in a more just direction.

Where the two traditional approaches go wrong is that they miss two important conceptual distinctions, both found in Rawls's work. First, they miss the distinction between natural attitudes and moral sentiments. In a neglected discussion, Rawls uses this distinction to track the difference between envy and excusable envy, on the one hand, and resentment, on the other. Second, they leave unattended the more travelled distinction between ideal and nonideal theory. While ideal theory focuses on providing standards for evaluating the justness of a given society, nonideal theory in part provides guidance in transitioning towards the just society described at the level of ideal theory.⁴

The conservative approach goes wrong by missing both distinctions. Not only does the conservative approach fail to acknowledge the difference between resentment and envy, but it also fails to see how the development or construction of standards of justice is independent of whatever actual motivations individual actors may or may not have in the real world.⁵ The egalitarian approach goes awry by not thinking through the second distinction: it does not treat the relationship of motivations to ideal theory as distinct from the relationship of motivations to nonideal theory. Insofar as the egalitarian approach fails to see this distinction, supporters of the egalitarian approach may be tempted into thinking through ideal theory in ways that expose egalitarian views to the bite of the conservative approach. Namely, in the interest of addressing current world injustices, egalitarians may mistakenly think that egalitarian ideals of justice *should* reflect envy to some extent. The third approach presented by this paper seeks to remedy the shortcomings of both approaches. Once we see the distinctions between natural attitudes and moral sentiments, on the one hand, and ideal and nonideal theory, on the other hand, we are equipped to see how envy can serve as a motivation in facing injustice.

In the service of this broader claim, I advance two theses: a negative thesis and a positive thesis. Based on Rawls's explanation of envy and resentment and their relationships to his theory of justice, I advance the negative thesis that ideals of justice rightfully distance themselves from envy (and other negative emotions). I

³ It is important to emphasize I am working from the perspective of distributive justice rather than that of morality or justice more broadly. For an argument about the value of envy in relation to justice from a more broadly ethical or virtue theoretic perspective, see Marguerite La Caze, "Envy and resentment," *Philosophical Explorations* 4 (2001): 31-45.

⁴ Here I follow John Rawls, *The Law of Peoples* (Cambridge: Harvard University Press, 1999), pp. 89-90. See also A. John Simmons, "Ideal and nonideal theory," *Philosophy & Public Affairs* 38 (2010): 5-36; Zofia Stemplowska, "What's ideal about ideal theory?" *Social Theory and Practice* 34 (2008): 319-340; Laura Valentini, "On the apparent paradox of ideal theory," *The Journal of Political Philosophy* 17 (2009): 332-355.

⁵ To be clear, the claim that the conservative charge conflates envy with resentment is already present in the literature. In addition to Norman, "Equality, envy, and the sense of injustice," see also Robert Young, "Egalitarianism and envy," *Philosophical Studies* 52 (1987): 261-276, pp. 264-270; and more generally Section 3.1 of Justin D'Arms, "Envy," *The Stanford Encyclopedia of Philosophy* (Winter 2013 Edition), ed. Edward N. Zalta, URL=<<http://plato.stanford.edu/archives/win2013/entries/envy/>>.

support this thesis primarily by engaging a recent article by Jeffrey Green in which he argues that the interpretation or implementation of the ideal of justice requires a degree of envy.⁶ Here, I draw attention to a truth in the conservative approach. Namely, that, *if* envy is implicated in a conception of justice, this is a strike against that conception. Once I establish the negative thesis, this allows me to put forward my positive thesis. Though ideals of justice distance themselves from envy, envy may be useful in motivating action against injustice. I will canvass two ways that envy is valuable to this end: *as a second-best motivation* and *as a trigger for reflection*. Prior to advancing these claims, we need a better grasp of the conceptual territory and the Rawlsian apparatus within which these arguments work.

I. Rawls on Envy and Justice

Rawls understands envy as,

[T]he propensity to view with hostility the greater good of others even though their being more fortunate than we does not detract from our advantages. We envy persons whose situation is superior to ours... and we are willing to deprive them of their greater good even if it is necessary to give up something ourselves (*TJ*, 466).⁷

For Rawls, and for my purposes in this paper, envy describes a feature of our psychology.⁸ Envy includes an affective component (“hostility”), a cognitive component (“the greater good of others even though their being more fortunate than we does not detract from our advantages”), and a motivating component (“willing to deprive them of their greater good even if it is necessary to give up something ourselves”). It is important to note that envy is a natural attitude, not a moral sentiment. What distinguishes a natural attitude from a moral sentiment is that

⁶ Jeffrey Green, “Rawls and the forgotten figure of the most advantaged: In defense of a reasonable envy towards the superrich,” *American Political Science Review* 107 (2013): 123-138. I will refer to this work parenthetically in-text as *G* hereafter.

⁷ Rawls’s definition of envy is limited to “malicious” envy. Rawls also describes “emulative” or “benign” envy, or how another’s greater good moves us to “strive in socially beneficial ways for similar things for ourselves” (*TJ*, 467). It is a matter of dispute whether or not emulative envy is genuinely envy, as it lacks the affective component of rancor. See Maria Miceli and Cristiano Castelfranchi, “The envious mind,” *Cognition and Emotion* 21 (2007): 449-479, pp. 473-474; Richard H. Smith and Sung Hee Kim, “Comprehending envy,” *Psychological Bulletin* 133 (2007): 46-64, p 47; Niels van de Ven, Marcel Zeelenberg, and Rik Pieters, “Leveling up and down: The experiences of benign and malicious envy,” *Emotion* 9 (2009): 419-429. Regardless, I set emulative envy aside. The broader question of the paper is about the darker aspects of our psychology, of which malicious envy is an element. Emulative envy is often described as a good thing because it moves people to better themselves. See Patrick Tomlin, “Envy, facts and justice: A critique of the treatment of envy in justice as fairness” *Res Publica* 14 (2008): 101-116, pp. 111-112; de Ven et al, “Leveling up and down,” pp. 425-427; Niels van de Ven, Marcel Zeelenberg, and Rik Pieters, “Why envy outperforms admiration,” *Personality and Social Psychology Bulletin* 37 (2011): 784-795.

⁸ In this way, Rawls’s treatment of envy is different than economists’. Envy in that context describes when one prefers another’s bundle of goods to one’s own bundle. See Hal Varian, “Equity, envy, and efficiency,” *Journal of Economic Theory* 9 (1974), 63-91; and Ronald Dworkin, “What is equality? Part 2: Equality of resources,” *Philosophy & Public Affairs* 10 (1981), 283-345.

the latter *must* make reference to a moral concept in its explanation. In Rawls's words, "[I]t is a necessary feature of moral feelings, and part of what distinguishes them from the natural attitudes, that the person's explanation of his experience invokes a moral concept and its associated principle" (*TJ*, 421). Envy triggers in response to a perceived inequality independent of its justness or unjustness.⁹ In contrast, resentment triggers in response to an injustice, and is thus a moral sentiment (*TJ*, 467). The primary difference between envy and resentment in the face of inequality resides in the cognitive component: whereas the former makes no reference to a moral concept, the latter does.

A curious feature of Rawls's definition of envy is that it makes the willingness to give up something ourselves a necessary condition of envy.¹⁰ An implication is that where one is willing to deprive the greater good of another *if and only if* it comes at no cost to one's self do not count as incidences of envy.¹¹ Why place this strong condition on envy? The problem of envy pertains to the difference principle, which holds that social and economic inequalities are to be arranged so that they are to the greatest expected benefit of the least advantaged (*TJ*, 72). Included in Rawls's understanding of the difference principle is the assumption of close-knitness. When close-knitness holds, raising or lowering the economic expectation of any representative person will impact the economic expectations of other representative persons (*TJ*, 70).¹² Consequently, Rawls is concerned with cases where regulation economically harms *both* the least advantaged and the more advantaged.

Envy first appears in Rawls's theory during the description of the psychology and knowledge of parties in the original position. If envy motivates parties, or if they know that certain social circumstances give rise to envy, these features would impact the selection of principles of justice. However, Rawls denies both roles for envy in the original position. Parties in the original position are neither (i) capable of envy, nor (ii) consider facts about envy in normal social life (*TJ*, 124). A natural question to ask is: How can Rawls ignore such a powerful part of our psychology?

Envy is a *special psychology*, or a disposition that varies across individuals (*TJ*, 464). Taking special psychologies into account would make the selection of principles needlessly complicated. Nonetheless, we cannot ignore envy. To deal with envy (and other special psychologies), Rawls separates the argument for the principles of justice into two parts. In the first part, we derive principles of justice without reference to envy. Once we have these principles in hand, we then investigate whether these principles are "feasible in view of the circumstances of human life" (*TJ*, 124). Do these principles give rise to strong disruptive attitudes that endanger the stability of a just society? If yes, we have good reason to reject or amend the principles. To be clear, Rawls understands stability in a peculiar sense.¹³ It

⁹ This fairly narrow conception of envy is another way my argument is distinct from La Caze's. See "Envy and resentment," pp. 35-37.

¹⁰ Tomlin, "Envy, facts and justice," p. 104.

¹¹ Cf. Nozick, *Anarchy*, p. 239f; Jon Elster, *Alchemies of the Mind* (Cambridge: Cambridge University Press, 1999), p. 165.

¹² See also Philippe Van Parijs, "Difference principles," in *The Cambridge Companion to Rawls*, ed. Samuel Freedman (Cambridge: Cambridge University Press, 2003), 200-240, pp. 202-210.

¹³ Patrick Tomlin's provocative argument that Rawls's constructivism forbids exclusion of envy in the original position misses this peculiar understanding of stability. Tomlin suggests that "the stability test" is insufficient to address envy because it ignores the psychological harm of envy. "Envy,

is not that these attitudes risk revolution. Instead, these attitudes may lead persons growing up in a just society to abandon their sense of justice, or their “effective desire to apply and act from the principles of justice and so from the point of view of justice” (*TJ*, 497).¹⁴

The primary reason for this two-step procedure is not that it makes the selection of principles simpler, but rather that envy “tends to make everyone worse off” (*TJ*, 124). It is not immediately clear what Rawls means by this. But, in what follows, Rawls explains how “[p]resuming [envy’s] absence amounts to supposing that in the choice of principles men should think of themselves as having their own plan of life which is sufficient for itself” (*TJ*, 124-125). The implication is that the presence of envy signals that we think of our plan of life as insufficient to securing a sense of self-worth. For Rawls, envy is not only the flipside of self-respect, but also a threat to it. Consequently, envy tends to make us worse off not primarily in economic terms, but in *psychological* terms.¹⁵ To explain this, we must turn to the second juncture at which envy appears: the question of stability.

The worry with envy, as with all special psychologies, is that a well-ordered society “encourage[s] propensities and aspirations that it is bound to disappoint” (*TJ*, 474). In the case of envy, “the principles of justice, and especially the difference principle with fair equality of opportunity, is likely to engender in practice too much destructive general envy” (*TJ*, 466). Rawls is never explicit about why he thinks this is a possibility. The best hint we get is in his important discussion of what he calls “excusable envy”:

[S]ometimes the circumstances evoking envy are so compelling that given human beings as they are no one can reasonably be asked to overcome his rancorous feelings. A person’s lesser position as measured may be so great as to wound his self-respect; and given his situation, we may sympathize with his sense of loss. Indeed, we can resent being made envious, for society may permit such large disparities in these goods that under existing social conditions these differences cannot help but cause a loss of self-esteem. For those suffering this hurt, envious feelings are not irrational; the satisfaction of their rancor would make them better off. When envy is a reaction to the loss of self-respect in circumstances where it would be unreasonable to expect someone to feel differently, I shall say that it is excusable (*TJ*, 468).

I suggest the idea here is that the difference principle, even with the fair equality of opportunities, licenses “deep inequalities” (*TJ*, 7; see also *TJ*, 466).¹⁶ Deep inequalities arise from a system of fair competition – people find themselves in positions that

facts and justice,” p. 108. In what follows, I hope it becomes clear that Rawls’s concern with envy and stability *is* a concern with the psychological harms of envy.

¹⁴ Paul Weithman, *Why Political Liberalism? On John Rawls’s Political Turn* (Oxford: Oxford University Press, 2010), pp. 5-6.

¹⁵ Kiran Banerjee and Jeffrey Bercuson, “Rawls on the embedded self: Liberalism as an affective regime,” *European Journal of Political Theory*, 14 (2015): 209-228, pp. 220-221.

¹⁶ Cf. G. A. Cohen, *Rescuing Justice and Equality* (Cambridge: Harvard University Press, 2008), pp. 27-150.

grant larger bundles of goods due in part to their given natural talents. Given the presence of such deep inequalities, we could imagine that the least advantaged may find themselves in positions that supply an insufficient bundle of goods secure their sense of self-worth. For example, the least advantaged might find themselves with insufficient resources to execute their plan of life, or participate in certain activities or associations.¹⁷ Additionally, lacking certain goods might make inaccessible sufficient social standing to think of one's self as an equal productive member in society. I am thinking here of Adam Smith's discussion of the necessity of certain goods to avoid shame: "[A] creditable day-labourer would be ashamed to appear in publick without a linen shirt, the want of which would be supposed to denote that disgracefull degree of poverty, which, it is presumed, no body can well fall into without extreme bad conduct."¹⁸

Another ambiguity surrounding excusable envy is the question of what exactly makes it excusable. A natural reading is that it is the circumstances that excuse the envy – envy is excusable when unequal social conditions undermine self-respect, regardless of the justice or injustice of those inequalities. But Rawls's introduction of resentment into the discussion muddies the waters ("we can resent being made envious"). As noted, resentment is moral sentiment that triggers in response to injustices. But, if these inequalities are licensed by the principles of justice, it is not clear what role resentment has to play if we are focused solely on excessive inequalities. However, if we interpret the excusing condition as the *target* of the envy, namely that certain *unjust* inequalities excuse envy, then the reference to resentment makes sense. This raises a host of questions that I will return to later. We will have to set aside these complications for now and just acknowledge that Rawls is not clear on what makes excusable envy excusable.

Rawls claims that envy poses no danger the stability of his principles of justice. Envy is rooted in a lack of self-respect (*TJ*, 468). Given this, Rawls describes the various features of well-ordered society that bolster the self-respect of the least advantaged. I can only briefly survey these features here, but I will describe some of them in more detail in the next section. First, Rawls's contractualism about justice provides a relatively stable foundation for the self-respect of all persons in a well-ordered society (*TJ*, 469-470). Unlike utilitarianism, contractualism respects what Rawls famously describes as "the distinction between persons," (*TJ*, 24). Unlike perfectionism, contractualism respects the idea of "equal dignity" or "moral personality" (*TJ*, 289). Thus, a well-ordered society insulates one's social standing (and the self-respect that rests on such standing) from the contingencies of utilitarian calculation or perfectionist virtue. Second, Rawls believes that the difference principle in practice will not give rise to much inequality (*TJ*, 470).¹⁹ Moreover, what

¹⁷ On the link between self-confidence and material resources, see Richard Penny, "Incentives, inequality, and self-respect," *Res Publica*, 19 (2013): 335-351, p. 341-342. While Penny suggests that maximizing available resources grounds self-confidence, I argue elsewhere that a sufficient amount of resources is the more appropriate standard. Harrison P. Frye, "Putting Incentives in Context: A Reply to Penny," *Res Publica* 23 (2015): 93-98, pp. 95.

¹⁸ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (Indianapolis: Liberty Fund, Inc., 1976), p. 870.

¹⁹ For further support for this claim, see Martin O'Neill and Thad Williamson (eds.), *Property-Owning Democracy: Rawls and Beyond* (Oxford: Wiley-Blackwell, 2012). Though, statements like this make

inequality that *does* exist will be mitigated by how “the plurality of associations[...] tends to reduce the visibility, or at least the painful visibility, of variations in men’s prospects” (*TJ*, 470).²⁰ This discussion of what might be described unflatteringly as social segregation is presented in conjunction with the idea that “when citizens do meet one another, as they must in public affairs at least, the principles of justice are acknowledged” (*TJ*, 470). To put these two conjectures together in a more flattering light: Most of us root our self-respect in the associations we belong to within our society. We tend to care about our ability to participate in these associations, and not so much about the condition of other associations. The difference principle with fair equality of opportunity is designed to allow us to participate in at least one of the many private associations that make up society, each of which varies on a number of dimensions (not just material wealth, but differences in interests, purposes, talents, etc.). And when we do find ourselves with those outside of our associations, these people acknowledge and treat us as equals, even if they have more wealth than we do. I take it that this means that a well-ordered society isn’t a society where certain goods correlated with wealth mark standing as a productive member of society (think of Smith’s linen shirt). For example, one would not be ashamed to say to anyone else in that society that they take the bus to work rather than a car.²¹ Finally, while particular envy may arise from time to time in the competition for certain offices and positions, this is not a concern unique to justice as fairness and would not endanger the stability of a conception of justice (*TJ*, 471).

Prior to moving on, I want to directly tie Rawls’s treatment of envy to the conservative charge of envy. At a basic level, Rawls rejects envy as playing a role in the selection of principles of justice. More telling is his treatment of the problem of envy. The solution to the problem of envy is *not* leveling down to satisfy this envy. This would only raise another problem: the problem of jealousy or spite on the side of the more advantaged (*TJ*, 466). Rather, the solution rests in social relations that undergird the self-respect of everyone. Only then can all classes in society find themselves at home with a conception of justice. The focus on relations rather than resources can help explain what Rawls means when he describes the difference principle as a principle of fraternity rather than a principle of equality (*TJ*, 90). As will become clear in the next section, embracing envy reflects a failure to appreciate this aspect of Rawls’s theory.

II. Embracing Envy

In a provocative paper, Jeffrey Green turns to envy to interpret Rawls’s theory of justice in a more egalitarian fashion. Green is interested in what he calls a “striking lacuna” in liberal theory: a “general failure to treat the *most advantaged* members of society as a distinct class” (*G*, 123). As a correction to this perceived

one wonder what Rawls means by “deep inequalities” elsewhere. If not deep in regards to the distance between positions, then deep in regards to what?

²⁰ This is the passage that inspires G. A. Cohen’s quip that Rawls might be providing an argument for “secluded roads for liberal limousines.” *Rescuing Justice and Equality*, p. 384f.

²¹ The example is adapted from G. A. Cohen, *Why Not Socialism?* (Princeton: Princeton University Press, 2009), p. 36.

blind spot, Green claims “the implementation of liberal justice requires identifying and potentially regulating the economic expectations of the most advantaged, sometimes without any (or even negative) economic benefit to the rest of society” (G, 124). Nonetheless, because such regulation may generate economic costs for everyone, Green concedes that it is rooted in envy. However, Green contends that this envy is reasonable, and unobjectionable as such (G, 134). A core feature of his position is that Green takes himself to be operating at the level of ideal theory, specifically in describing the behavior of ideal legislators (G 125, 135).²²

Working at the level of ideal theory, Green uses envy, not in the service of responding to the injustice of our current world, but instead to describe a just society. In this way, Green approaches the conservative approach in the boldest fashion: he accepts it. The implementation of justice reflects envy as it involves the destruction of another’s greater good with no compensating economic benefit, and sometimes resulting in economic costs to us all (G, 126). Before evaluating Green on envy, we need a cursory understanding of the three grounds (heuristic, protective, and redressive) he presents in favor of his main claim.

Green’s heuristic argument pertains to implementing the difference principle. Given the difference principle’s open-textured nature, Green claims that explicit integration of the economic expectations of the most advantaged serves a heuristic value (or effective method) for guiding ideal legislators: “when in doubt, legislators seeking to implement the difference principle should prefer to impose too many rather than too few economic costs on the most advantaged class” (G, 126-129). Green’s protective argument is that too much inequality can damage the fair value of the political liberties. Based on this worry, Green argues that ideal legislators need to police the upper bounds of the distribution of income (G, 129). Green’s redressive argument is an extension of the idea that the difference principle mitigates the influence of social or natural contingencies on the distribution of social primary goods. Green is worried about what he calls “a shadow of unfairness” - residual unfairness arising from the opportunities inequality grants to the most advantaged class’s children. We can limit these inequalities in opportunities by regulating the most advantaged (G, 131-132).

Before responding to Green’s account of envy, I will point out a source of confusion. It is not immediately clear how the last two of these three arguments rely on envy. The protective argument is based on a commitment to the fair value of political liberties. The redressive argument responds to the impossibility of fully satisfying fair equality of opportunity by demanding compensation from the most advantaged in the form of financing public goods (G, 131f). Through such measures, the redressive argument furthers the goods available to the least advantaged, and limits the unfair advantages enjoyed by the most advantaged’s children.²³ Neither of

²² Green here is referring to Rawls’s four-stage sequence, a disaggregation of the original position (*TJ*, 171-176). The first stage is where the initial selection of the two principles of justice occurs. The proceeding three stages concern the implementation of justice - a constitutional convention, a legislative stage, and a judicial stage. Green explicitly locates the role of envy at the legislative stage, where ideal legislators seek the passage of laws and policies in light of the principles of justice. Note that Green’s claim is *not* about how to respond to our current unjust state of affairs, but operates at the level of ideal theory.

²³ Insofar as envious elements remain in the redressive argument’s concern with the impossibility of ever achieving full fair equality of opportunity under the “shadow of unfairness,” the

these cases reflects hostility towards the greater good of others “*even though their being more fortunate than we does not detract from our advantages*” (TJ, 466, emphasis added). Inequality as described by the protective and the redressive argument *does* detract from our advantages insofar as it threatens the fair value of political liberties and fair equality of opportunity. These are values we all share. It is not that we are willing to incur economic losses to reduce inequality; we exchange these economic costs for a different, higher value. There is nothing envious about that. For these reasons, I set aside the protective and redressive argument.

The heuristic argument, as a reminder, involves implementation of the difference principle, or provides a way of prioritizing the interests of the worst-off. The difference principle is responsible for regulating the distribution of economic expectations. In this case, leveling-down for the sake of equality takes on an envious character. After all, we are not trading a more equal distribution for some other value; the more equal distribution is what is being sought! Because of this, I focus my attention on Green’s heuristic argument. While what I have to say is primarily a criticism of Green, it is also in part a criticism of Rawls, or at least Rawls in certain moods. A puzzling feature of Rawls’s theory is the occasional tension between his description of “society as a cooperative venture for mutual advantage” (TJ, 4) with his discussion of distributive justice in the static terms of shares. The tension is that, if society is a cooperative venture for mutual advantage, then cooperation is positive-sum, and the index of primary goods available is *not* fixed as the language of shares may lead one to believe. If it were so fixed, society would be a zero-sum game. What leads Green astray is his focus on these more zero-sum elements of Rawls’s thought. My arguments bring to the fore the aspects of Rawls that focus on principles of justice as a way of living together, not a weapon to use by one class against another.²⁴ I hope these arguments show why we should leave the zero-sum elements behind in favor of the positive-sum ones.

My main concern with Green’s concession to envy is that it overlooks how envy damages social unity. A well-ordered society structures political life around the idea of free and equal citizenship. This is a *prima facie* reason to resist the identification of a class of persons for targeted, non-productive burdens. Rawls states, “[Justice as fairness] presents itself as a conception of justice that may be shared by citizens as a basis of a reasoned, informed, and willing political agreement”²⁵ If citizens share a conception of justice, then so-called reasonable envy is out of place. It should be no surprise that the accusation of envy is often paired with the charge of class warfare, given envy’s divisive and anti-social nature. These charges, however, are often leveled indiscriminately against all redistribution. Not all redistribution is envious, nor is it socially divisive. Redistribution guided by the difference principle bolsters social unity through the value of reciprocity. By reciprocity, I do not mean a sort of well-calibrated tit-for-tat logic. Rather, reciprocity

objections I raise against the heuristic argument apply to these elements within the redressive argument. In what follows, I emphasize the value of reciprocity, which takes priority to that of redress in Rawls’s scheme (TJ, 86-88).

²⁴ As David Schmidtz points out: “Rawls’s most central, most luminously undeniable point is that a free society is not a zero-sum game. It is a mutually advantageous cooperative venture.” *Elements of Justice* (Cambridge: Cambridge University Press, 2006), p. 196.

²⁵ John Rawls, *Political Liberalism: Expanded Edition* (New York: Columbia University Press, 2005), p. 9.

here describes the spirit of society. Following David Schmidtz, a society characterized by reciprocity is one in which “we promote a capacity to repay debts, and we nurture the kind of character that takes joy in putting that capacity to use.”²⁶ The difference principle supports this vision by emphasizing how all classes, from the least to the most advantaged, play a role in cooperation for mutual benefit. Therefore, it would be odd for ideal legislators to interpret the difference principle in a way that undercuts reciprocity. Green does not engage the importance of reciprocity to Rawls’s case for the difference principle.²⁷

Nonetheless, we could imagine Green responding that the most advantaged have reason to accept the idea of reasonable envy. After all, the difference principle already imposes burdens on those who could secure higher rewards otherwise. Yet, these individuals have good reason to affirm a society governed by the difference principle. We should explore the grounds on which the most advantaged abide by the difference principle, and see if these grounds are compatible with reasonable envy. If they are, this provides a reason to believe that reasonable envy does not threaten social unity.

Rawls provides three related reasons why the more advantaged should not attempt to renegotiate the terms of social cooperation, and instead affirm a society governed by the difference principle. The first reason comes from what Rawls calls the “educational role of a public political conception.” Rawls depends heavily on the role of institutions in shaping the beliefs and motivations of citizens of a well-ordered society.²⁸ Through engaging with just institutions, citizens come to conceive of themselves as free and equal citizens “engaged in mutually advantageous social cooperation.”²⁹ The second reason is that the most advantaged will “see themselves as already benefited by their fortunate place in the distribution of native endowments.”³⁰ The third reason, in Rawls’s words, is that

[O]nce it is publicly understood that the three main kinds of contingencies tend to be dealt with only in ways that advance the general good, and that the constant shifts in relative bargaining positions will not be exploited for self- or group-interested ends, mutual trust and the cooperative virtues are further encouraged.³¹

These three reasons share the idea that just institutions shape the perceptions of the more advantage to see themselves as playing a particular role in a well-ordered society: to benefit everyone through their productivity. Is the institutionalization of reasonable envy as Green prescribes compatible with the most advantaged coming to see themselves as occupying this role? I argue not.

²⁶ Schmidtz, *Elements of Justice*, p. 85.

²⁷ Green only mentions reciprocity once in passing to contrast it with redress in his discussion of the difference principle (*G*, 130).

²⁸ Joshua Cohen, “Taking people as they are?” *Philosophy & Public Affairs* 30 (2001): 363-386; Weithman, *Why Political Liberalism?*, p. 6.

²⁹ John Rawls, *Justice as Fairness: A Restatement*, ed. Erin Kelly (Cambridge: Harvard University Press, 2001), p. 125.

³⁰ *Ibid.*, p. 126.

³¹ *Ibid.*

Singling out the most advantaged for regulation with negative consequence is a public action. What such regulation says to this class is: we don't care if your greater wealth would benefit us all. We would rather have less in the long run than allow you to have more here and now. Confronted with reasoning of this sort, *why* (or even *how*) would the most advantaged see themselves as "engaged in mutually advantageous social cooperation"? Why wouldn't they just view this regulation as vicious? One might point out that there are limits to Green's reasonable envy, possibly mitigating these worries. For Green, such regulation should not be carried out when doing so clearly imposes costs on the rest of the society. Further, reasonable envy should take the form of a tax on income and wealth above a certain cap, thus not threatening the status of the most advantaged as the most advantaged (G, 131f, 133). Nonetheless, Green's qualifications are inadequate. While it may be true that any *particular* piece of regulation along these lines may not clearly have this divisive character, a *general* policy of reasonable envy does. After all, the whole point of reasonable envy as a program is to target the most advantaged for unproductive, and possibly counterproductive, burdens. It is little comfort to the most advantaged that they remain the most advantaged – this point only serves to reveal the concern with zero-sum competition that underlies reasonable envy. Accordingly, Green's argument abandons the crucial value of reciprocity. So-called reasonable envy undermines the most advantaged class's reasons to see themselves as fulfilling their social role.

One may ask: Why doesn't the uncertainty behind application of the difference principle *already* jeopardize social unity and reciprocity? This question takes particular salience when combined with the aforementioned "shadow of unfairness," for the risk of tending towards *more* inequality amplifies the residual impact of these inequalities on opportunities. To evaluate this suggestion we have to understand the conditions under which uncertainty would undermine social unity. Uncertainty undermines social unity when we cannot trust one another to engage in political life with an eye towards the common good. Under such circumstances, we worry that others will leverage uncertainty to tilt policy in their own favor. But, where we trust one another to abide by a sense of justice, we can face uncertainty through the democratic process. Doing so preserves social unity among all classes in the face of uncertainty, as we understand each participant as sincere in his or her attempt to apply principles of justice.

This discussion reveals a further reason to question reasonable envy's compatibility with social unity: It implicitly accuses the most advantaged of insincerity in their allegiance to principles of justice. In his concluding remarks, Green provides an interesting commentary on the etymology of envy. Envy literally means "hostile look," and that "envy most basically involves a suspicion toward a particular person or class and, so, an identification of them" (G, 137). This invocation of suspicion in relation to justice is puzzling, as suspicion suggests that the cooperation between groups is not sincerely sought. Suspicion suggests that each group does not perceive society as positive-sum, but rather in zero-sum terms. Green's language of "policing" the most advantaged gives off the feeling that the most advantaged are out to con us out of our fair share.³² But encouraging such

³² An anonymous reviewer asks why this is also not a strike against Rawls. After all, Rawls licenses action against excessive inequalities in the name of fair equality of opportunity – doesn't this

interclass mistrust creates a self-fulfilling prophecy, as it undermines the grounds upon which the more and most advantaged see themselves as a part of social cooperation. To clarify this last point, I will appeal to Rawls's concept of the strains of commitment.

Rawls invokes the strains of commitment to defend justice as fairness against the alternative of utilitarianism. Parties in the original position "must ask themselves whether those they represent can reasonably be expected to honor the principles in the manner required by the idea of an agreement."³³ People cannot agree in good faith to principles they cannot affirm over a complete life. When the strains of commitment are excessive, Rawls describes two sorts of reactions.³⁴ The first reaction is of a bitter, violent nature. But Rawls's description of a second, milder reaction is of relevance to the present discussion:

We feel left out; and, withdrawn and cynical, we cannot affirm the principles of justice in our thought and conduct over a complete life. Though we are not hostile or rebellious, those principles are not ours and fail to engage our moral sensibility.³⁵

While the strains of commitment often focus on the prospective position of the least advantaged, the difference principle asks those at the top to make sacrifices. Both Thomas Nagel and Robert Nozick criticize Rawls for underplaying the justification of the difference principle to the more advantaged.³⁶ What is common to these concerns, and what I suggest is the motivation behind the conservative approach, is that redistributive policies aimed solely at limiting the wealth of others encourage social divisiveness at the expense of the notion of justice *for all*. However, Rawls adequately responds to this worry when he provides reasons (outlined above) why the more (and thus most) advantaged would affirm a society governed by liberal principles of social justice. On the other hand, Green's proposal ignores how the perspective of the most advantaged matters to the proper implementation of liberal justice. Specifically, Green overlooks the relation of social unity to the principles of justice and their stability. Imposing mutually harmful regulation impacts the most advantaged in just the way described above: they feel left out, withdrawn, and cynical.

For these reasons, I find Green's extension of envy in Rawls unconvincing. In making these arguments, I do not want to be read as arguing that ideal legislators can never regulate the economic expectations of the most advantaged. The difference principle is notorious for its inability to give fine-grained guidance in its

involve monitoring and policing? In response: When the tax collector comes to our door (so to speak) in a well-ordered society, we comply with these directives out of a sense of justice. Compliance with such directives involves not only paying our taxes, but also supplying information on our wealth and income. Such interactions between citizens and agents of the state don't strike me as monitoring and policing. Monitoring and policing kick in only when we don't trust people to comply out of a sense of justice - they need other kinds of incentives to comply.

³³ Ibid., p. 103; see also *TJ*, 153.

³⁴ Rawls, *Restatement*, p. 128.

³⁵ Ibid.

³⁶ Thomas Nagel, "Rawls on justice," in *Reading Rawls*, ed. Norman Daniels (Stanford: Stanford University Press, 1975), 1-15, p. 13; Nozick, *Anarchy*, pp. 192-197.

own application.³⁷ Given this, we should allow interpretative latitude for ideal legislators implementing the difference principle. Furthermore, we cannot ignore the perspective of the most advantaged given the crucial value of reciprocity. As I discussed earlier – the democratic process is essential to applying the principles of justice in such a way as to preserve social unity.

To recap: the problem with envy is how it involves perceiving and treating others. When ideals of social justice incorporate envy into their outlook, these ideals lose their pretense of representing society's interests as a whole, and become a vehicle for inter-class rancor. An ideal of justice that is constituted by alienating segments of society is a defective ideal. That being said, both those on who take the conservative approach and those who take the egalitarian approach focus on envy at the level of ideal theory. This ignores how the task of constructing ideals is separate from the task of dealing with unjust circumstances. The discussion thus far presupposes that the only way motivations and justice connect is at the level of principle. However, there is another way of navigating the politics of envy, one that both avoids the perils of Green's approach and deflates the conservative criticism.

III. Envy and Injustice

While Green resists the realm of nonideal theory, or principles designed to transition from our current unjust state of affairs to a more just state of affairs, his allusions to current policy trends in taxation and inheritance suggest that contemporary injustices motivate his project (*G*, 137). In this section, I defend the suggestion that envy might yet have a role to play in facing injustice. While we do not want our ideals of justice influenced by it, envy may be productive under unjust circumstances insofar as it helps motivate action against injustice.

Under our own unjust circumstances, we regularly see policies favoring the most advantaged defended in terms of helping the least advantaged by incentivizing productivity – so-called trickle-down economics. Some may think that a Rawlsian should embrace this inequality. Similarly, Rawls's project is often taken as a justification of the modern welfare state.³⁸ This is a mistake. Rawls rejects welfare capitalism for it “permits a small class to have a near monopoly of the means of production.”³⁹ Such concentrations of wealth are incompatible with the principles of justice insofar as they undermine fair equality of opportunity as well as the fair value of political liberties, values that take priority to the difference principle. Consequently, appealing to the difference principle to justify unequalizing incentives without the prerequisite background institutions and accompanying motivations seems insincere, or at least not its intended use.⁴⁰

G.A. Cohen, writing partially in response to Nigel Lawson's 1988 proposed income tax cuts to the top rate in the UK, questions the moral credentials of offering

³⁷ See Van Parijs, “Difference principles,” for a survey of the ambiguities of the difference principle.

³⁸ E.g. Steven Smith, “The philosopher of our times,” *The New York Sun*, 11 May 2007.

³⁹ Rawls, *Restatement*, p. 138. A promising development in Rawlsian scholarship recently is expanding on Rawls's rejection of welfare capitalism and his suggestive comments surrounding “property-owning democracy.” See O'Neill and Williamson (eds.), *Property-Owning Democracy*.

⁴⁰ See also *TJ*, xv.

unequalizing incentives to the wealthy.⁴¹ Cohen points to a tension in the argument: if what we care about is the interests of the least advantaged, then why do we leave unquestioned the motives and behavior of the more advantaged that render unequalizing incentives necessary? If the more advantaged genuinely cared about the interests of the least advantaged, they wouldn't demand such incentives. Cohen suggests that granting grossly unequal incentives for the rich is akin in some ways to paying ransom to a kidnapper – while doing so may be right all things considered, the rich (or the kidnapper) cannot sincerely justify receiving this payment given their responsibility for the situation.⁴² This is not the place to wade into the debate surrounding the justification of personal prerogatives and incentives. Nonetheless, even a Rawlsian can accept that Cohen's observation seems particularly potent against the current background of gross inequality. Such inequality largely does seem the product of strategic political bargaining rather than genuine social cooperation. What should be done?

Whether reduced taxes increase productivity is a contentious empirical issue. For argument's sake, let's assume that it is true that the more advantaged will be consequentially less productive if tax rates are substantially raised. One response is to capitulate, and accept that reducing taxes is the best way to benefit the least advantaged. However, Cohen suggests that it would not be unreasonable to reject the incentives argument: “[R]ejection by the poor of the proposal made by the rich is not necessarily irrational: uncooperative anger is one rational response to what the rich say.”⁴³ Now, for Cohen, this anger is a moral emotion – it is a case of resentment. The rich commit an injustice in violating the strictures of an egalitarian ethos. The anger of the poor here is in response to this perceived injustice, rather than the inequality simpliciter. However, let us re-describe this situation as an instance of envy: rancor that includes a willingness to incur losses to deprive others of their superior goods. The distinction, again, is that in this case the poor aren't responding to an injustice they perceive, but the mere fact of inequality, independent of its unjustness. But this would not be *merely* envy.

An interesting change between the 1971 and 1999 version of *TJ* is that, in the former, Rawls suggests that rejecting productive inequalities is “short-sighted,” while in the latter Rawls drops this language.⁴⁴ While Rawls does not explain this omission, I suggest that rejecting such inequalities is not always short-sighted. Perhaps rejection of productive inequalities could be justified in terms of looking to the long-term justice of a society. In situations such as our own, excusable envy is constructive at the level of nonideal theory as it may help us get to a just society. Envy is a very powerful emotion, and triggers in response to inequalities independent of their moral status. Where envy aligns with the demands of justice, as it does here and now, we might tolerate it insofar as it promotes the cause of justice, if not the spirit.

Under current circumstances, we do not have fair equality of opportunity nor do we have the fair value of political liberties given the high concentrations of wealth in a small proportion of society. Appealing to the difference principle to justify unequalizing incentives is inappropriate, as it serves to only exacerbate such

⁴¹ Cohen, *Rescuing Justice and Equality*, pp. 34-35.

⁴² *Ibid.*, pp. 63-64.

⁴³ *Ibid.*, p. 65.

⁴⁴ John Rawls, *Theory of Justice* (Cambridge: Harvard University Press, 1971), p. 151.

inequalities. This undercuts the self-respect of the least advantaged in at least two ways. First, the least advantaged may not have the requisite resources to execute their life-plans. Where quality of education is largely a product of the social class one is born into, it is hard to say that everyone can live out his or her life-plan. Second, the ideal of fraternity is not embodied in what social and economic policy we do have to help the least advantaged. The welfare state treats the least advantaged as a charity case, rather than as equal participants in social cooperation. This isn't strictly independent from the lack of fair equality of opportunity, as "given the lack of background justice and inequalities in income and wealth, there may develop a discouraged and depressed underclass many of whose members are chronically dependent on welfare."⁴⁵ Against this background, we might think envy is constructive as, "for those suffering this hurt, envious feelings are not irrational; the satisfaction of their rancor would make them better off" (*TJ*, 468). Rawls isn't clear about in what respects "the satisfaction of their rancor would make them better off," but I suggest they would be better off insofar as we correct the background injustices that produce the inequality that triggers their envy. Just institutions improve their situation not only psychologically, but also in regards to their position in society.

An immediate objection to my discussion here is that I am discussing resentment, not envy.⁴⁶ Recall that envy is not a moral feeling because it does not refer to moral concepts such as justice. Resentment, on the other hand, is a moral feeling. We feel resentment towards those who benefit from and propagate injustice. Further, the discussion of excusable envy in Rawls occurs when he considers the inequalities that may arise in a *just* society, not an unjust one. Given this, hostility towards unjust inequality is resentment, not envy. My discussion of the value of excusable envy will allay these sorts of worries, but let me present two brief responses now. First, Rawls just doesn't have a lot to say about the transition to a just society. In this way, I am drawing on his discussion of excusable envy to make a novel point independent of its place in Rawls's text. Second, it is implausible to suggest that *all* anger in response to unjust inequality is resentment. Anger against unjust inequality potentially has two targets: the injustice or the inequality. Resentment takes its target as the *injustice* of the inequality, whereas envy takes its target as the inequality simpliciter. Reactions to unjust inequality in the real world are likely a mix of envy and resentment. Some react to the injustice, whereas some react to the inequality. Perhaps others react to both. There is room for envy to explain at least some anger against a background of injustice.

This raises a number of questions, two of which I will attempt to answer in the remaining space: (i) When is excusable envy useful? and (ii) How is excusable envy useful?

III.i When Is Excusable Envy Useful?

I suggest that excusable envy is most valuable where civility and dialogue break down. Consider the current situation, where talents are regularly leveraged in political debates over tax rates. It is difficult to suggest that the more advantaged act

⁴⁵ Rawls, *Restatement*, p. 140.

⁴⁶ La Caze's discussion of envy as a "moral" emotion blurs the line between resentment and envy, leaving her argument vulnerable to this objection. "Envy and resentment," pp. 35-37.

reasonably (in Rawls's sense of the term). Rather, individuals consider what is in their rational self-interest with half-hearted reference to a common standard of justice. At the very least, it seems that many are blind to realities of inequality today. This is certainly one way to read the conservative approach that partially animates this paper. Under circumstances such as our own, envy does not damage social unity, as there is limited social unity to damage.⁴⁷ Our situation is at best a *constitutional consensus*, where actors only agree upon the procedures through which disagreements are resolved and not so much on a shared ideal of justice.⁴⁸ Because of this, direct appeals to justice through public deliberation may be ineffective in enacting social change. Perhaps broader social movements that include public protest among other disruptive activities are called for in order to shift public perceptions of inequality. The difficulty with this is that many people may lack sufficient motivation to join these movements or even support the goals of moving towards a more egalitarian society. Here is where excusable envy is most useful, as I will explain in more detail in the next sub-section. In this way, my approach to excusable envy injects a bit of realism into liberal theory. A liberal theorist can acknowledge that appealing to a sense of justice does not always work. Where we lack the right institutions and motivations, we may have to employ less attractive aspects of human psychology to motivate action in the face of injustice.

III.ii How Is Excusable Envy Useful?

Building on the last sub-section, I will now describe two ways envy might be useful in facing injustice: as *a second-best motivation* and as *a trigger for reflection*.

As a second-best motivation: When I say envy may be useful under unjust circumstances, I am not suggesting that it is a replacement for, nor preferable to, resentment. Resentment is superior to envy insofar as it is more discerning in its targets (it focuses on injustice) and its motivational component focuses on the correction of injustice, rather than the elimination of inequality. If we are interested in combating injustice, our best bet is to cultivate resentment rather than envy. That being said, sometimes it isn't possible, or is momentarily difficult, to cultivate sufficient resentment to motivate social change. Apathy towards injustice is a very real feature of an unjust world. Here is where envy can play a role *as a second-best motivation*. Envy is a powerful emotion, one that is relatively easy to set into motion. There is no need for benevolence or consideration of the interests of others for envy to take hold. Because of this, I suspect envy is easier to cultivate than moral emotions that depend on third-personal concern such as indignation. I also suspect envy is easier to cultivate than resentment, even though it is second-personal in the same way envy is.⁴⁹ Envy does not depend on the proper sense and perception of

⁴⁷ For complimentary analyses of unjust circumstances, see also Tommie Shelby, "Justice, deviance, and the dark ghetto," *Philosophy & Public Affairs* 35 (2007): 126-160; David Jenkins, "An ethos for (in)justice," *Social Theory and Practice* 41 (2015): 185-206.

⁴⁸ Rawls, *Political Liberalism*, pp. 158-159.

⁴⁹ An anonymous reviewer points out that my claim that envy is easier to cultivate than resentment and indignity is a hypothesis in need of empirical verification. There are two things to say in response to this. First, I suspect empirical verification of these hypotheses is made extremely difficult by the tangled nature of these emotions. Empirically observing when envy is at work as opposed to resentment is made almost impossible by the fact that envy often masquerades as

injustice like resentment does, lightening the cognitive burdens on agents. Such envy can take as its target inequalities that happen to be unjust, and motivate action against them. Perhaps part of the rhetorical strategy of the Occupy movement involves playing on the ideas here. Many of the slogans focus almost exclusively on the sheer size of the gap between 1% and 99%, without reference to why that gap might be unjust. This does not mean that the inequality isn't unjust, but that drawing attention to inequality directly appears more likely to cultivate envy than resentment (at least initially).

One might ask, why doesn't my reply to Green also apply to the suggestion put forth here? Why doesn't excusable envy under unjust circumstances alienate the rich? Reciprocity in a thick sense does not hold under unjust circumstances. As noted, welfare capitalism treats the least advantaged as an object of our pity rather than as reciprocating participants in social cooperation. Given the lack of social reciprocity, I follow Rawls when he says, "We do not consider the strains of commitment that might result from some people having to move from a favored position in an unjust society to a less favored position (either absolutely or relatively, or both) in this just society."⁵⁰ Of course, there are limits on what is permissible in nonideal theory. Principles of nonideal theory must be morally permissible, politically possible, and effective.⁵¹ Political possibility and effectiveness should be measured in terms of contributions towards achieving a fully just society rather than addressing individual counts of injustice.⁵² A stronger version of this objection begins with the observation that envy is deeply divisive, and then moves to the position that rejecting cooperation with the more advantaged ultimately hinders our ability to achieve a just society. There is something to this claim. Vilification of the rich is inexcusable insofar as it inflicts deep wounds to social unity. Worse still, rancor may boil over into morally impermissible violence against the rich.⁵³ However, excusable envy does not require such persecution and vilification. Small steps towards a more egalitarian society seem appropriate, even if each of these have short-term costs to society overall. Some action against increasing inequality is surely required. To believe otherwise is to forgo the possibility of ever achieving a more just society.

A critic might push back, and point out that, while envy does not *require* violence, it does not rule out such violence. This is true, but for this reason resentment is still the key and primary sentiment in facing injustice. Resentment's focus on justice *does* rule out impermissible violence. Thus, excusable envy, as a second-best motivation, can at most supplement and never entirely replace resentment in motivating social change. This supplementary role can work in two ways. First, envy may motivate a subset of agents agitating for social change. In this

resentment (as I discuss below). See also Miceli and Castelfranchi, "The Envious Mind," p. 465. Second, even if my hypothesis is wrong, and envy is not easier to set into motion than indignity and resentment, this does not tell against my main argument. After all, my purpose is to show that envy *is* valuable to justice, not that envy is more valuable than other emotions.

⁵⁰ John Rawls, *Collected Papers*, ed. Samuel Freeman (Cambridge: Harvard University Press, 1999), p. 251.

⁵¹ Rawls, *The Law of Peoples*, p. 89.

⁵² Simmons, "Ideal and nonideal theory," pp. 21-25.

⁵³ On moral costs and nonideal theory, see Allen Buchanan, *Justice, Legitimacy, and Self-Determination* (Oxford: Oxford University Press, 2004), pp. 61-62; Juha Räikkä, "The feasibility condition in political theory," *The Journal of Political Philosophy* 6 (1998): 27-40.

way, envy-motivated agents would work in the service or under the direction of agents moved by resentment and other moral sentiments. Second, envy can supplement resentment within an agent. The co-occurrence of envy and resentment can generate additional motivational force for an agent than resentment on its own, furthering the motivation to act against injustice.⁵⁴ That being said, the criticism from violence doesn't apply to the next, perhaps more important, role for envy in facing injustice.

As a trigger for reflection: There are two ways in which envy serves as a trigger for reflection, in the direct sense and in the indirect sense.

When confronted with facts about inequality, people might find themselves experiencing strong feelings against those with more. Now, upon feeling such strong feelings, a person might be moved to reflect upon this feeling. Why is it that I feel such rancor towards those with more? Is this justified? Not satisfied with simply living with his feelings and labeling them as justified, this person tries to answer by searching for good reasons to think the offensive inequality is unjust. Following this information gathering and reflection, his initial hostility is vindicated, and his initial feelings of rancor transform into something more: resentment. This transformation of sentiment occurs because of the additional cognitive inputs acquired after being motivated initially by envy. Whereas he originally was hostile towards the more advantaged just because they had more, now he understand the injustice of his situation. In other words, he “resent[s] being made envious” (*I*), 468). The connection between envy and reflection on this account is direct: one's experience of envy leads to reflection on one's social situation. This reflection in turn reveals injustice to the agent, leading to resentment and the motivation to respond to this injustice. In this way, envy serves *as a trigger for reflection in the direct sense*.

Another way that envy may serve as a trigger for reflection is through the emotion's mutability. Jon Elster draws attention to how reason reframes situations in such a way as to transmute passions into other passions. Oftentimes, this transmutation is an effort to avoid psychic costs.⁵⁵ Envy is particularly prone to this sort of treatment, given its vicious qualities. We tend to be ashamed of envy, and suppress it in light of its threat to self-respect and its negative social perception.⁵⁶ Because of this, what is likely to happen upon feeling the hostility towards inequality is not the careful form of reflection canvassed in the previous paragraph, though I maintain this is an important possibility, but rather that the agent interprets his or her hard feelings as resentment rather than envy. At this point, the agent's “resentment” is in fact envy cloaked in the legitimacy of resentment – the interpretation of hostility as resentment did not come about as the result of additional cognitive inputs. Nonetheless, there are two points to note about these sorts of situations. The first point is that the transmutation process described here needn't stop with this faux resentment. The motivation to confront inequality may lead an agent to engage in further action and reflection, acquiring the necessary cognitive inputs to turn his or her masked envy into resentment proper. This also explains a way in which envy and resentment can co-occur as described above, providing extra-motivation. The

⁵⁴ I thank an anonymous reviewer for this suggestion.

⁵⁵ Elster, *Alchemies of the Mind*, pp. 350-355.

⁵⁶ Smith and Kim, “Comprehending envy,” pp. 56-57; Miceli and Castelfranchi, “The envious mind” pp. 464-465.

mutability of envy in this way serves as a trigger for reflection for the agent experiencing envy and masking it as resentment. The second point is that, even if envy masked as resentment does not lead the envy-experiencing agent to reflect further, this ignores the consequences of the emotion for other actors. The envious actor's outcries against inequality draw attention to that inequality. Others may be moved to place this inequality under scrutiny in their own reflections, revealing the injustice of this inequality. In this way, envy can help third parties come to experience resentment or indignation in the face of unjust inequality, moving others to respond to injustice. Thus, for both envious agents and third parties, the mutability of envy serves *as a trigger for reflection in the indirect sense*.

Conclusion: Justice and Negative Emotions

In this paper, I advanced two claims about the relation of envy to a Rawlsian conception of distributive justice. First, I argued that envy has no place in our ideals of justice. Allowing antisocial sentiments such as envy to influence our ideals of justice undercuts the role of justice in grounding social cooperation – this turns justice into a partisan tool of one group within society against others. Second, I argued that envy is useful at the level of nonideal theory insofar as it helps motivate action against injustice. In this argument, I described two ways in which excusable envy might be useful, distinguishing it from the moral sentiment of resentment.

In closing, I return to the question I opened with: what is the relation between justice and negative emotions? Historically, those who have asked this sort of question, such as Nietzsche and Freud, are interested in unmasking justice as a bad masquerading as a good. Justice is but the expression of *ressentiment*, or the repression of our basic desires. What I hope to have done in this paper is show how those of us who disagree with these sorts of assessments can still think through how negative aspects of human psychology relate to justice in a theoretically interesting way. Even if our ideals of justice are genuinely good, it doesn't mean we have to leave the bad off the table. Given people as they are, it may be that achieving justice demands we grapple with these negative features of our nature.

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