FAIR SHARES:
BEYOND CAPITALISM AND SOCIALISM

THE BIOLOGICAL BASIS OF SOCIAL JUSTICE

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"Life is unfair."
John F. Kennedy

"Funny, I always believed that the world was what me make of it."
Ellie Arroway
"Contact" (the movie)

"The color of truth is grey."
Attributed to André Gide

Charles Darwin changed the ground rules for the ideological debate, and the time has come to replace our one-sided, often self-serving and sometimes destructive grab-bag of political ideologies with an empirically-grounded vision that better reflects the way human beings, and human societies, actually work. An unbiased reading of Darwin's path-breaking book on the evolution of humankind, *The Descent of Man* (1871), is a starting point. But even more compelling is the steadily accumulating body of scientific evidence on human evolution, as well as our growing understanding of the biological (and psychological) underpinnings of human nature and, not least, the evidence directly in front of us in our day-to-day experience. Here I will make the case for a new, middle-ground ideology that I call "Fair Shares."

DARWIN'S SCENARIO

Let us begin with Darwin. Twelve years after the publication of his masterwork, *On The Origin of Species* (1859), Darwin published a second landmark treatise, one-half of which was devoted to the evolution of humankind. Darwin conceded that much of what he had surmised about our origins was guesswork, but it was anchored by his core evolutionary principle — natural selection — plus his extensive knowledge of animal behavior, the many reports from around the world on "primitive" (mostly hunter-gatherer) societies and his keen observation of his own and other contemporary societies. The Social Darwinists, who used Darwin's name in vain to advance an ideologically-tainted, even racist political agenda, evidently did not read *The Descent of Man*, for their conclusions were "orthogonal" (to use the academic jargon) to Darwin's own more balanced views; his vision of human societies was quite different from the "nature, red in tooth and claw" paradigm that is so often associated with his name.

Among other things, Darwin stressed the central role of social cooperation, reciprocity and "mutual aid" in human evolution, especially in food-getting but also in conflicts with other groups and other species. Here are his words:

> In the first place, as the reasoning powers and foresight of the members became improved, each man would soon learn that if he aided his fellow-men, he would commonly receive aid in return. From this low motive he might acquire the habit of aiding his fellows. And the habit of performing benevolent actions certainly strengthens the feelings of sympathy which gives first impulse to benevolent actions....But another and much more powerful stimulus to the development of the social virtues is afforded by the praise and blame of our fellow-men...and this instinct no doubt was originally acquired, like all other social instincts, through natural selection.[1]

In modern terminology, what Darwin proposed was that natural selection operated at three different "levels" — between individuals, between "families" of close kin and between social groups. Indeed, Darwin believed that competition between various "tribes" played a major role in shaping the course of human evolution. "Natural selection, arising from the competition of tribe with tribe...would, under favourable conditions, have sufficed to raise man to his high position." The tribes that were the most highly endowed with intelligence, courage, discipline, sympathy and "fidelity" would have had a competitive advantage, he argued. Alluding directly to the inherent tension in human societies between competition and cooperation, Darwin observed that:

> Selfish and contentious people will not cohere, and without coherence nothing can be effected. A tribe rich in the above qualities would spread and be victorious over other tribes; but in the course of time it would, judging from all past history, be in its turn overcome by some other tribe still more highly endowed. Thus the social and moral qualities would slowly tend to advance and be diffused throughout the world.[2]

In sum, Darwin assigned a primary role in human evolution to the development of well-integrated, closely cooperating, morally grounded social groups – what biologists these days often refer to as "superorganisms".[3]

WHAT THE EVIDENCE SHOWS

Much of the evidence that has been assembled on this subject in recent decades is generally concordant with Darwin's scenario.[4] It now seems clear that the five million-year (plus) span of human evolution involved at least three distinct "transitions". And, in each of these transitions, sociality and social organization were the keys to our competitive success; human nature and evolving human cultures were indelibly shaped by this collective survival strategy. For instance, in an organized, interdependent group (superorganism), the defense of other members was most often not a matter of altruism, or "reciprocal altruism" (mutual sacrifices), but of teamwork in a win-win (or lose-lose) situation. Group selection may well have been involved in human evolution, as Darwin supposed, but it was based on "collective goods" that everyone shared, not altruism. Nor did it require a "cooperative gene." It required a degree of sociality (a common characteristic among the primates) and some degree of intelligence about means and ends, and costs and benefits. Furthermore, these superorganisms were (most likely) formed around a nucleus of closely-related males. So individual selection, kin selection and group selection would likely have been aligned and mutually reinforcing — just as

Darwin had suggested.

We may never know for certain about many of the specific details relating to human evolution, but there is much circumstantial evidence indicating that a strategy of group living, group foraging and a cooperative division of labor allowing for our ancestors to exploit a more dangerous but abundant terrestrial environment was a primordial development in the hominid line. Thus, the so-called "social contract" was, in fact, a biological/survival contract based on mutualism and close cooperation, not an arms-length exchange of goods and services, much less a competitive war of each against all. The actual "state of nature," as opposed to the gratuitous assumptions of the social contract theorists, involved an interdependent "collective survival enterprise."

This is not to say that individual competition, status rivalries, internal social conflicts, etc., somehow magically disappeared. Then as now it is likely that there was a sometimes precarious interplay between competition and cooperation, and between various individual self-interests and the interests of the group. Indeed, a dynamic tension between individual and group interests is a common phenomenon in social mammals generally. The key to the evolution of sociality in our hominid ancestors lay in the "bioeconomic" costs and benefits to each individual for cooperation or non-cooperation. Reciprocity and reciprocal altruism may have played a role. But the benefits associated with being included in the group — and the high cost of ostracism and isolation — may also have been a major factor. The superorganism was a vitally important survival unit (it produced collective goods that were measured in terms of life and death), and each individual had a stake in preserving and enhancing it. In other words, the "public interest" was rooted in the group's potential for generating collective survival advantages. For instance, a larger group was more likely — all other things being equal — to benefit from synergies of scale in confrontations with predators or competitors and, later on, potential prey. Likewise, more effective leadership and group decision-making could have been selectively important, as anthropologist Christopher Boehm has pointed out.[5] These collective benefits provided an overarching incentive for containing conflict and enhancing cooperation — and punishing cheaters and "free-riders."

The theoretical implications of this rendering of the "state of nature" are, briefly, as follows. The individualistic, Neo-Darwinian (and Hobbesian) model is fundamentally flawed. We did not evolve as isolated individuals pitted in relentless competition with one another. Nor was it a Lockean world of autonomous individuals. The state of nature, literally for millions of years, was characterized by an overriding need (and commensurate rewards) for mutualism and reciprocity (and even some altruism), which also served to constrain, limit and mitigate reproductive competition. In accordance with this "model" of human evolution, claims for individual "rights" –

for reproductive opportunities, for freedom, or for private property – are not inconsequential but are ultimately subordinate to the needs of the rest of the community as an interdependent survival enterprise – in other words, the public interest. Moreover, this is not simply a normative statement. As we shall see, it also represents an empirical reality that can be ignored only at great peril.

THE SCIENCE OF HUMAN NATURE

In light of this account of human evolution, what can we infer about "human nature" and the nature of the biological/survival contract that holds human societies together? The answer is that we don't have to "infer" anything; there is an increasingly compelling body of evidence on the subject that is consistent with the scenario described above. Political theorist Andrew Heywood, in an otherwise commendable and insightful survey of the literature, asserts early on in his text that:

> It is important to remember that in no sense is human nature a descriptive or scientific concept. Even though theories of human nature may claim an empirical or scientific basis, no experiment or surgical investigation is able to uncover the human 'essence'. All models of human nature are therefore normative: they are constructed out of philosophical and moral assumptions, and are therefore in principle untestable.[6]

On the contrary, an evolutionary/biological paradigm provides a well-validated "empirical or scientific basis" for defining the essential characteristics of human nature, and our normative priorities. Moreover, the nascent science of human nature, which includes a growing body of research across many scientific disciplines, is gradually fleshing out more of the specific details. As the distinguished biopsychologist Melvin Konner put it in a recent issue of *Nature*, "In the era of genomics and brain imaging, hypotheses about human nature are more testable than ever."[7]

Very briefly, the ground-zero premise (so to speak) of the biological sciences is that survival and reproduction is the basic, continuing, inescapable problem for all living organisms; life is at bottom a "survival enterprise." (Darwin characterized it as the "struggle for existence.") Furthermore, the survival/reproduction problem is multi-faceted and relentless; it can never be permanently solved. Whatever may be our perceptions, illusions or aspirations, (or, for that matter, whatever our station in life), biological survival and reproduction remains the paradigmatic problem of our species.

This tap-root assumption about the human condition is not exactly news, but we very often deny it, or downgrade it, or simply lose touch with it. The conceit that

society is merely a facultative arrangement, or a marketplace, or a vehicle for material or moral improvement, diminishes or even denies its true purpose. An organized, interdependent society is quintessentially a "collective survival enterprise" — a superorganism. Its fundamental purpose is to provide for the basic survival and reproductive needs of the population, past, present and future. It can rightly be called a "biological contract." Although the great 18th century English conservative theorist, Edmund Burke, had in mind a somewhat different point (and a different cosmology), he captured the essence of this idea in a famous, much-quoted passage:

> Society is indeed a contract...[But] the state ought not to be considered as nothing better than a partnership in trade of pepper and coffee, calico or tobacco, or some other such low concern, to be taken up for a little temporary interest, and to be dissolved by the fancy of the parties...As the ends of such a partnership cannot be obtained by many generations, it becomes a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born. Each contract of each particular state is but a clause in the great primeval contract of eternal society.[8]

This biological contract, and the imperatives associated with pursuing it, encompasses the bulk of human activity, and human choices, world wide (not all by any means — of course). To be sure, survival per se may be the farthest thing from our (conscious) minds as we go about our daily lives. Nevertheless, our mundane daily routines are mostly instrumental to the underlying survival challenge. They reflect the particular survival strategy — the package of economic, political and cultural tools — by which each society organizes and pursues the ongoing survival enterprise.

Although most modern theorists, following the philosopher David Hume, admonish us not to breach the "is-ought dichotomy," the fact is that numerous survival-related "oughts" have been programmed into our genes over the long history of our species — and the much longer history of life on Earth. We are endowed with an array of existential, biologically-based human values that are virtually universal, and we mostly choose to follow their dictates. To use a hypothetical example, if you were menaced by a tiger the odds are very good that you would take action to flee or try to kill it, if you could. Or consider this situation: If you are peacefully eating dinner in a restaurant and somebody nearby fires a gun at you, the chances are very good that you will stop eating. In other words, all preferences are not created equal. This allows us to seek regularities, and make predictions, and link human nature to human behavior in comprehensible ways.

BASIC NEEDS AND HUMAN NATURE

The first and most important generalization about human nature is that each of us is defined, in considerable measure, by an array of "basic needs" that are essential to our survival and reproductive success, and we come into the world being oriented to the satisfaction of these needs. The concept of basic needs is not new, needless to say. Its roots go back at least to Plato and Aristotle, and it has been used in various ways over the years, ranging from a narrowly focused preoccupation with food, clothing and shelter to psychologist Abraham Maslow's expansive claims for "self-actualization." More recently, Len Doyal and Ian Gough have advanced the argument, in *A Theory of Human Need* (1991),[9] that participation in the life of the community is our universal objective, and that personal health and "autonomy" are the necessary means. On the other hand, the very concept of basic needs has also come under severe attack in recent years. Andrew Heywood summarized the argument as follows:

> Needs are notoriously difficult to define. Conservative and sometimes liberal thinkers have tended to criticise the concept of 'needs' on the ground that it is an abstract and almost metaphysical category, divorced from the desires and behavior of actual people...It is also pointed out that if needs exist they are in fact conditioned by the historical, social and cultural context within which they arise. If this is true, the notion of universal 'human' needs, as with the idea of universal 'human' rights, is simply nonsense.[10]

Not only is this relativist view totally wrong, but it ignores the large and growing body of empirical research, most notably under the sponsorship of the United Nations, the National Academy of Sciences, the World Bank and other agencies, that gives scientific credence and considerable precision to the concept of basic needs. For instance, the so-called "Survival Indicators Program" involves an effort to validate and develop measuring rods for the full range of requisites for individual and population-level survival and reproduction. [11] The Survival Indicators Program remains a work in progress, but the current iteration includes no less than 14 "primary needs" domains that are universal imperatives in any given culture and personal situation, in conjunction with an indeterminate number of "instrumental needs." (Primary needs are irreducible and vary within well-defined parameters, but instrumental needs can be highly context-specific.)

Contrary to the dogma of classical economics that all "preferences" are relative, these 14 basic needs have in fact been empirically validated to a first approximation,

though some are also self-evident. (An in-depth discussion of this framework can be found in a recent article by this author in the *Journal of Bioeconomics* entitled "Biological Adaptation in Human Societies: A Basic Needs Approach.")[12]

Implicit in this framework is a fundamental shift in the way economic, social and political phenomena are viewed. The performance of an organized society can be evaluated in terms of how it relates to, or impacts upon, the "package" of basic needs that define the parameters of the ongoing survival and reproduction problem. As documented in detail elsewhere, the overwhelming majority of economic activity world wide is devoted to the satisfaction of these basic needs. In fact, a small-scale survey of time-allocations by Americans some years ago suggested that, contrary to the conventional wisdom, the vast majority of our time and energy is also devoted to activities (and to the use of goods and services) that, either directly or indirectly, serve our basic survival and reproductive needs. This may even be true for many so-called luxury items. Moreover, and this point is crucial, vast numbers of people the world over, even in the advanced industrial societies where basic needs deprivations are supposedly no longer a problem, come up short and are at serious risk.

On the other hand, it is also true that some economic and social activity, certainly in developed societies, is tangential, or not at all related to survival and reproduction. In fact, some activities and cultural practices are positively dangerous or harmful to our basic needs. A detailed cross-cultural study of this subject can be found in anthropologist Robert Edgerton's book *Sick Societies: Challenging the Myth of Primitive Harmony* (1992).[13] Obvious examples are smoking, hard drugs and binge drinking, but there are many others. Indeed, almost any activity that is carried to extremes may become harmful. Physiologist Frances Ashcroft's *Life at the Extremes* (2000) provides a good overview of this subject.[14] One reason why excesses of any kind are dangerous is that they may jeopardize one or more of our other basic needs, or even life itself.

THE "POLITICAL ANIMAL"

The satisfaction of our basic survival and reproductive needs ("earning a living," in a very broad sense) is the fundamental vocation of the human species, and the psychological substrate of human nature — the perceptual, mental and emotional tools that we deploy to pursue the survival enterprise — is also a product of our long evolutionary heritage as social animals. However, we are not simply social; we are purposefully social. We pursue our survival and reproductive needs for the most part within a nested set of goal-oriented social units, from families to work-groups and tribes, clubs and churches, small villages and towns, elaborate trade and exchange

networks, large scale business enterprises, densely populated cities and, not least, "governments". As economist Paul Rubin notes in his new book on *Darwinian Politics* (2002), the dominance hierarchies that characterize other primate societies have evolved in humankind into functional hierarchies marked by a more or less complex division of labor with mutual benefits.[15]

This is not news, of course, but the point is that it also reflects a deep-rooted part of human nature. "Nurture"— the culture that envelops us — certainly molds, shapes and differentially rewards and punishes the precise patterns of social cooperation in any given society, but our "nature" also potentiates it and participates in making this happen. Indeed, effective social cooperation is critically dependent upon evolved, exquisitely engineered psychological "facilitators" — including our superlative communications skills, our capacity for forming emotional attachments (ranging from parent-infant bonding to pair-bonding, group identifications and patriotism), as well as our susceptibility to social approbation and social pressures (the "praise and blame"of our fellows, as Darwin put it), and our receptiveness to participating in cooperative social hierarchies and to following the leadership of others. In fact, recent work in paleoanthropology by Robin Dunbar and others strongly suggests that the evolution of our outsized brain was related to the increased mental demands imposed by living in larger, more complex social groups (superorganisms).[16] Thus, when Aristotle characterized *Homo sapiens* as the distinctively "political animal" (meaning that we are "designed" for life in a "*polis*", an organized, goal-directed community), he identified one of the most fundamental characteristics of our species. And its roots may go back several million years. But the point is that the *polis* is not an end in itself; it is quintessentially a collective survival enterprise.

How do we know? The evidence is all around us: in the complex social organization and behavior of our closest primate relatives, the chimpanzees and bonobos; in the accumulating evidence (alluded to above) relating to human evolution; in the many cross-cultural studies by anthropologists; and, most compellingly, in the exponentially growing research literature on human nature across a broad spectrum of scientific disciplines. These disciplines include, among others, molecular biology, human behavior genetics, neurobiology, evolutionary psychology, sociobiology, human ethology, anthropology, developmental and social psychology, sociology, even behavioral economics – where the hypothetical "economic man" is being challenged by research on how we actually behave in the market place.[17] Finally, there is much evidence of purposeful sociality in our everyday experience, needless to say.

But if we are highly social — even to the point of being altruistic on many occasions (witness the outpouring of nameless contributions for the victims of the 9/11 terrorist attack) — we are also, quite obviously, self-interested, acquisitive and highly competitive. More than that, we are often (not always) motivated to strive for personal

achievement and personal influence and power. We invented capitalism, but not the motivations that energize it. Likewise, we invented political democracy, but not the political competition that invigorates and sometimes corrupts it. Indeed, competition and the aggressive pursuit of self-interest is a ubiquitous feature of the natural world and human societies alike.

Many theorists have claimed that competition is the primary driver of evolution — the very heart and soul of natural selection. And Darwin himself stressed its importance. But Darwin had a broader, more balanced view. He also understood the role of cooperation and symbiosis, and he was also well aware of the fact that natural selection is a metaphor and not a "mechanism", much less the "judge" in some kind of Olympic competition. Natural selection refers to the differential success (or failure) among differing individuals (or groups) in the multi-faceted business of earning a living and reproducing in the "the economy of nature." Furthermore, many different factors may be responsible for differential survival. Sometimes survival/reproduction is a cakewalk, especially when a new niche is being exploited and rapid population growth is possible. At other times, differential survival is a result simply of being in the right place (or wrong place) at the right time. Sometimes differential survival is the result of direct competition between predators and their potential prey, or of a head-to-head ecological "scramble" for scarce resources within or between species. At still other times, though, differential survival and reproduction may be the result of cooperation. Call it competition via cooperation.

SYNERGY AND THE "COLLECTIVE SURVIVAL ENTERPRISE"

As discussed at length in other recent writings by this author, the key to the emergence and continuity of cooperation in nature (and in human societies as well) is the functional synergy that cooperation produces — the economic payoffs, broadly defined — with respect to one or more aspects of the business of earning a living.[18] In accordance with the "Synergism Hypothesis," the synergies produced by cooperation can take many different forms and serve various survival needs. Among other things, there may be synergies of scale, functional complementarities, joint environmental conditioning, cost- and risk-sharing, resource sharing, information sharing, a "division of labor" (or, better said, a "combination of labor"), and more.

Human societies are based on synergy — cooperative effects that are not otherwise attainable. To reiterate, an organized society is a collective survival enterprise, and the biological imperatives — our basic needs — define in very concrete terms the underlying purpose, as well as the implicit agenda of the economic and

political order (though it is all too often corrupted). The "public interest" or "common good" is not about the pursuit of happiness, or the "greatest happiness for the greatest number." It is first and foremost concerned with meeting the basic survival and reproductive needs of the population as a whole. This is the "common denominator" — the universally-shared interest (or at least a shared prerequisite) in every organized society, whether we are conscious of it or not, and it is the very foundation of political "legitimacy" – the willing consent of the citizenry.

Competition to secure our basic needs — and much more when we can — is endemic in human societies, just as it is in other socially organized animal societies. But so is cooperation, and interdependency. And the more complex the society, the more deeply dependent we are upon the skills and efforts and support of others, not to mention the accumulated stock of cultural "tools" and resources that have been passed down to us over many generations. Indeed, most of us are far more completely dependent on the services of others than we recognize (until we get into trouble). A vivid appreciation of this deep interdependency was articulated by, of all people, Adam Smith in *The Wealth of Nations* (1776):

> In civilized society [man] stands at all times in need of the cooperation of and assistance great multitudes....man has almost constant occasion for the help of his brethren.... Observe the accommodation of the most common artificer or day-labourer in a civilized and thriving country, and you will perceive that the number of people whose industry a part, though but a small part, has been employed in procuring him this accommodation, exceeds all computation. [There follows a detailed description of the many steps involved in producing a day-laborour's "coarse and rough"woolen coat.].... If we examine, I say, all of these things, and consider what a variety of labour is employed about each of them, we shall be sensible that without the assistance and cooperation of many thousands, the very meanest person in a civilized country could not be provided, even according to, what we very falsely imagine, the easy and simple manner in which he is commonly accommodated.[19]

As every economist from Adam Smith to the present day will attest, exchange, and trade, and organized markets play a vital role in facilitating the collective survival enterprise in almost every society, and they may well have done so for hundreds of thousands of years (or much longer). However, it is also well to remember that these instrumentalities in turn depend upon various social underpinnings, like honest dealing and "trust" (what economist Arthur Okun called the "invisible handshake") and, equally important, explicit rules and "policing". Adam Smith himself emphasized the moral underpinnings of the market place in his lesser-known but important predecessor to *The Wealth of Nations* called *The Theory of Moral Sentiments*, which was published in

1759 when he occupied the Chair of Moral Philosophy at the University of Glasgow. Indeed, Smith's famous characterization of the marketplace as "an invisible hand" (which actually first appeared in his earlier volume) was predicated on the assumption that the "rapacious" pursuit of self-interest, though reprehensible in light of his Stoic and Christian values, nevertheless may produce beneficial results for the whole of society.[20] (We'll come back to this claim shortly.) Indeed, Smith (following Plato in the *Republic*) also stressed the vital importance to a civilized society of a division of labor, which after all depends upon close, sustained, dependable cooperation.

The key point is that cooperation produces synergies, but it also creates interdependence and, bottom line, a personal stake in preserving those synergies. I refer to it the "paradox of dependency." The more valuable the synergies produced by cooperation, the more likely we are to become dependent upon them. Thus, all of us (or almost all) have a vital stake in the viability of the collective survival enterprise, just like our remote Australopithecine ancestors did. Moreover, we humans are hardly unique; the problem of harmonizing individual self-interest with group/collective interests is a central conundrum for superorganisms throughout the natural world, from leaf cutter ants to naked mole rats and savanna baboons.

RECLAIMING THE IDEOLOGICAL MIDDLE GROUND

I submit that this vision provides a new perspective on the ancient, vexed debate in political theory regarding the relationship between the individual and society (and the role of the state). Within the evolutionary/biological paradigm, both libertarian/individualist and communitarian/collectivist theories are partly right, and equally deficient (see boxes). The middle ground between them might be called the "liberal community." (I am also partial to Robert Sprinkle's felicitous term "life sciences liberalism.")[21]

On one side of the equation, personal self-interest is a major human motivator — a basic "module"of human nature, in the current jargon — and it is essential for the survival and reproduction of each individual. Accordingly, Adam Smith's enduring insight is time-tested. The genius of capitalism is that it harnesses self-interest and private wealth to promote innovative ideas and entrepreneurship (including sometimes gut-wrenching risks) that can generate new wealth and material progress. It is a proven system, and it is currently transforming the global economy – though recent events have shown that it is always vulnerable to abuse and requires policing.

On the other side of the equation, the genius of cooperation is that it produces otherwise unattainable synergies. It harnesses individual resources, skills and collective

efforts to serve various aspects of the collective survival enterprise. This also includes many non-market forms of cooperation, as well as not-for-profit organizations and the division/combination of labor known as "government". At its best, government can play a vital role in the community. In the U.S., for example, the Federal government has historically subsidized (and protected) most of its major new industries (from a merchant marine in colonial days to the Internet today); it has built and maintained critically important infrastructure (from colonial-era canals and harbors to highways, reservoirs, power grids and airways); it has regulated and policed the all-too-human ethical flaws in an imperfect marketplace; it has plugged major gaps in the ability of the markets to provide for the basic needs of the population; and it has been responsible for defending the country against major threats to its survival. Our legendary national mobilization during World War Two and the current war on terrorism are two striking examples.

However, the collective need for government in any given context is constantly changing, and the enduring political challenge is to recalibrate as necessary the precise relationship between individual rights and freedoms and the needs of society. (One example among many is the intrusive and time-consuming security screening process now in place at U.S. airports, an unthinkable invasion of privacy in an earlier era.) In other words, a moving "balance" must be maintained between the two competing claims to power (individual versus collective), and there is no all-purpose formula for how to do this, or we would long ago have deployed it.

Beyond this generality, there are several guiding principles that are important for the management of the collective survival enterprise as a "liberal community." These include the following:

- <u>The much-maligned "public interest" is nothing less than our shared stake in the continued viability (and improvement) of the superorganism</u>. Needless to say, "viability" refers most importantly to the basic needs of our posterity — our childrens' childrens' children. Unfortunately, the marketplace is very often blind (or even hostile) to the needs of future generations. Sometimes it is only through collective action that we can provide for these future needs. In modern societies, both the private sector and the public sector may serve the public interest. But sometimes, regrettably, neither one does so very effectively.

- <u>Social control in the name of the public interest is a two-way street</u>. In small, face-to-face tribal societies, the "social instincts" (as Darwin called them), along with various informal social customs and practices, served well enough (and still do) to contain most anti-social behaviors, while reciprocity and sharing are ubiquitous. Christopher Boehm and Bruce Knauft have convincingly shown that "simple" societies are as a rule egalitarian and that effective social restraints

serve to keep a tight rein on aggressive individuals.[22] However, large-scale societies are at best "crude superorganisms," in the terminology of Peter Richerson and Robert Boyd.[23] As Richerson and Boyd point out, an array of artificial "workarounds" are essential for containing potentially destructive individual behaviors. But if markets cannot always be trusted to serve our needs, the same is equally true for governments; they can all too easily be corrupted. Institutional safeguards are important — checks and balances, free elections, secret ballots, a free press, etc. But so are legal constraints and reliable punishment for transgressions. We owe to the ancient Greeks the legal principle, which we now take for granted, that the golden cord of law applies also to the "rulers", and it is one of our most important safeguards.

- The liberal community must recognize and accommodate to our diversity. Although there are universals that we all share, there are also highly significant variations among us in terms of personality, cognitive skills, values, age, sex, life experience, etc.[24] Basic personality differences have been well-documented by researchers in behavior genetics and psychology,[25] and there is a vast research base on personal interests and work objectives that is nowadays routinely utilized with various assessment tools to help in selecting and training personnel in different occupations. Some of the statistics accumulated by one of the leaders in this field, Target Training International, are highly instructive.[26] Only about 30% of the people who have taken TTI's assessments over the past 20 years have shown a dominant preference for economic and utilitarian objectives and even fewer, 13% are strongly motivated for political influence and power. On the other hand, 14% are strongly motivated for social and humanitarian work, 15% for learning (and teaching) and 17% for aesthetic/artistic ends. In short, human nature comes in many different colors. More than that, as Plato first pointed out, our very differences can be a source of strength if society provides a diversity of niches that are able to utilize these gifts productively.

- Human nature is also labile and is susceptible to various forms of social and cultural influences. Plato, Aristotle, Rousseau, Durkheim and Marx (not to mention a host of modern-day social scientists) have a valid point about the importance of "nurture" in human behavior. Humans are, as a rule, greatly influenced by others, and by the "rules of the game" in their culture. To a significant degree, cultural influences can create self-fulfilling prophesies. If honesty, trust, mutual respect, courtesy and the spirit of compromise are the prevailing norms while deviants are ostracized and penalized, a society and its institutions will likely reflect these values. We call it "civilization". Conversely,

if the cultural climate encourages deception, demonization, vicious partisanship and an uncompromising no-holds-barred attitude toward opponents, the social and political environment will more closely fit the paradigms of Machiavelli and Hobbes. (Welcome to American politics in the 21st century.) By the same token, the well-known "contagion effects" to which we are so susceptible — from rock concerts to battlefields — can have positive effects or be destructive. In other words, our cultures shape the ultimate expression of human nature, for better or worse. This also has important implications for the issue of fairness and social justice (see below).

- Though modern capitalist societies give priority to the private sector in meeting our basic needs (serving the public interest), its record has been decidedly mixed. The private sector's claim to being assigned priority in serving our needs is based on the assertion that it can do the job better, cheaper, more efficiently and with better outcomes. Unfortunately, this is not always true, and there are major gaps in meeting the basic needs of our citizens – from health care to housing and adequate income. Accordingly, if the private sector fails to deliver on its promises to meet our basic needs, the community has the collective "right" to undertake remedial "class action" (so to speak) through the legislative process, or the judicial system, or the shareholders, or other forms of cooperative effort.

- Different modalities for satisfying our basic needs may lead to very different outcomes. Health insurance, for instance, represents a vitally important instrumental need in our society. Yet some 41.5 million Americans currently do not have any health insurance coverage at all, and an estimated 40 million more have inadequate coverage. The reason, in a nutshell, is that we have entrusted the provision of this basic need to the private sector for persons who are under retirement age (with some exceptions like the military). In the private sector, the criteria for coverage boil down to profitability, regardless of the need. Only those who can be profitably insured will get coverage, which means high premiums and barriers to coverage for those who are at high risk. In insurance circles this is called "experience rating," and the effect is that the private sector screens out many of the most needy. The alternative approach is called "community rating," and it proceeds from the premise that everyone will be covered and that the risks and costs will be spread as widely as possible. The need will be fully satisfied, but the more affluent and lower-risk participants will pay relatively more, and the system may not be profitable. In other countries, this approach is called "national health insurance," and the United States is the only industrialized nation that does not have it. Medicare covers all Social

Security retirees, and the administrative costs for Medicare run about 3% annually. The administrative costs alone for private health plans (including profits but not some other ancillary costs) run from 15-25%.[27] If the criterion is meeting a basic need, this is a case where government manifestly can do the job more efficiently.

A RETURN ENGAGEMENT FOR SOCIAL JUSTICE

In an era marked by unapologetic increases in the gap between the rich and the poor (abetted by heavily-weighted tax cuts) coupled with aggressive political attacks on the welfare state, the ancient, much debated concept of "justice" has been deeply challenged. Epicurean think-alikes dismiss justice as a meaningless term.[28] Others paraphrase Thrasymachus in Plato's *Republic*: justice amounts to nothing more than "the interest of the stronger" (read the rich and the powerful). The so-called "realists" invoke simplistic Social Darwinist stereotypes. Still others follow in the Lockean tradition and equate it with the protection of property rights. Robert Nozick's famous libertarian tract, *Anarchy State and Utopia* (1974), is a classic statement of this position.[29]

To be sure, the concept of justice still has a secure place within our legal system. Indeed, the very concept of an independent judiciary represents, at heart, an institutionalized instrument of justice. Thus, "procedural justice" refers to such things as equality before the law, due process and impartiality in the making of judicial decisions. For instance, most of us recoil from the idea of a litigant who physically threatens or bribes a jury on his own behalf. Jury "tampering" is illegal, and almost nobody thinks that a prohibition against this practice is unfair. On the other hand, "substantive justice" (letting the punishment fit the crime) and other legal principles, which can be traced all the way back to the classical Greeks and the Roman lawyers, is concerned with fairness and "equity" in the outcomes that are produced by a legal system.

However, "social justice" involves something more. Social justice is a term that has invited many different definitions, but it commonly refers to the distribution of substantive rewards among the members of a society. Its origin traces back at least to Periclean Athens. To Plato, "justice" is not primarily concerned with some higher metaphysics, or a tug-of-war over our "rights" as individuals. It is concerned with equitable rewards for the proper exercise of our abilities and our calling, and our conduct, in a network of interdependent economic relationships. Moreover, and this point is crucial, Plato recognized that equity also has a floor – a "minimum wage" so to speak. Here are Plato's words in the *Republic*:

> If we begin our inquiry by examining the beginning of a city, would that not aid us also in identifying the origins of justice and injustice?...A city — or a state — is a response to human needs. No human being is self-sufficient, and all of us have many wants...Since each person has many wants, many partners and purveyors will be required to furnish them.... Owing to this interchange of services, a multitude of persons will gather and dwell together in what we have come to call the city or the state...We can conclude, then, that production in our city will be more abundant and the products more easily produced and of better quality if each does the work nature [and society] has equipped him to do, at the appropriate time, and is not required to spend time on other occupations....Where, then, do we find justice and injustice?...Perhaps they have their origins in the mutual needs of the city's inhabitants.[30]

Aristotle, Plato's most famous student, supplemented his mentor's views in some very important ways in the *Politics*. First, Aristotle emphasized that physical security — both external and internal — is also a fundamental function of the state. The *polis* is not exclusively an economic association. Aristotle also stressed that human nature is not an autonomous agency; it entails a set of innate aptitudes that are uniquely fitted for society and that can only be developed in close social relationships. Thus, social life involves more than being simply a marketplace for economic transactions. It also involves a life in common; we are enriched by our membership in families and communities. A hermit is not only economically deprived; he/she is not fully human and, equally important, represents an evolutionary dead-end.

But most important for our purpose, Aristotle also provided a classic definition of social justice: "giving every man his due." There have been countless debates through the centuries over what Aristotle meant by the word "due". But a common sense interpretation is that the rewards provided by society should be proportionate to a person's contributions to society. It does not mean "equality", otherwise Aristotle would have used that word. Rather, it means an equitable portion — a "fair share."

THREE ARGUMENTS FOR SOCIAL JUSTICE

Plato and Aristotle were both acutely aware of the potential for destructive social conflict. Indeed, Aristotle and his students conducted a study of the political history of 158 different Greek cities (thus establishing his credentials as the first political scientist), and he knew full well what havoc could result when a state loses its "legitimacy" (the

willing consent of the citizenry). Preserving the sometimes fragile stability of the community was a major concern for Plato and Aristotle.

Aristotle also devoted attention to the fundamental political problem, also well appreciated by Plato, of the seemingly inescapable cleavage between the few who are rich and the many who are poor. Aristotle understood that this is potentially the most dangerous social division of all and the underlying cause of much civil unrest. The key to preserving the community, therefore, is to strike a balance between these conflicting interests. To this end, the law must be "sovereign" and must serve as an impartial arbiter — "reason unaffected by desire." Moreover, there must be moral equality before the law. The law cannot be used as a tool to favor the rich and powerful but must be an instrument for achieving social justice. Otherwise it becomes a part of the problem. Aristotle was also mindful of the Greek playwright Euripedes's admonition that the inherent conflict between the rich and the poor, if pushed to an extreme, can destroy a state. According to Euripedes, it is the middle class that "saves states."

I submit that this insight remains valid down to the present day. There is a well-validated empirical relationship between what contemporary political scientists call "relative deprivations" and the incidence of political turmoil.[31] Therefore, the first major argument for using an "objective" concept of social justice (beyond the workings of the hidden hand) is purely prudential — a matter of enlightened self-interest on the part of the "haves" in society. All of us depend upon the vast, interdependent (and always vulnerable) collective survival enterprise, along with the willing cooperation of many others, as Adam Smith (and Plato) so eloquently expressed it. Darwin, as noted earlier, spoke of social "coherence"; sociologist Emile Durkheim (following Herbert Spencer) stressed the importance of "solidarity"; and many others refer to it as "unity" or "patriotism" — the intangible spirit of cooperation, reciprocity and fairness that undergirds a reasonably harmonious society.

A second argument for social justice is that it is rooted in a biological imperative that we all have in common — our basic survival and reproductive needs. Almost all of us are dependent upon the collective survival enterprise, and we are the beneficiaries of what our forebears collectively created for us over millions of years of evolution. But more to the point, there is no evolutionary future for any of us, or our posterity (whether it be our children or our accomplishments), apart from the collective survival enterprise. Moreover, our basic needs are not narrow, vague, or capriciously variable. They are concrete, and measurable, and cut a very broad swath through our economy and society. Nor are they "optional". Denying any of the basic needs to any person, whether witting or not, unavoidably causes them harm.

Accordingly, the basic needs of the members of a society have a moral claim that is prior to, and ultimately limits, the claims for property rights. (As many theorists have argued, property is at bottom a means to our biological ends, though other motives

obviously come into play as well.) To borrow an expression from the Pro-Life advocates, the "right to life" is prior to property rights, and does not end at birth; it represents a life-long claim on the resources of society. Indeed, both John Locke and the American founding fathers concurred with this rank-ordering. Among our "inalienable rights," "life" comes before "liberty", while "property" (or "the pursuit of happiness") comes last. And the proof of it is that most of us follow the same rank-ordering of priorities when forced to choose.

A third argument for social justice, and the concept of fair shares, derives from the accumulating evidence that a sense of fairness is a deeply-rooted aspect of human nature, as Darwin himself suggested. In political scientist James Q. Wilson's characterization, most humans do have a "moral sense" (there are individual variations in this respect as elsewhere), and especially a sense of fairness toward others, along side of a concern for our own self-interests and "rights".[32] Our sense of fairness appears to be a joint product of both nature and nurture.

The "norm of fairness," as it has been called, first appears at a very early age. It involves, in essence, a recognition of "entitlements" that apply to others as well as to oneself. Simple decision-rules like equal shares or drawing straws work well enough at this age. But, as the child develops, the content of the sense of fairness changes and deepens as a rule (again, there are variations), and more complex criteria are utilized — age, merit, need, even social relationships ("we versus they," or friends versus enemies). Also, needless to say, the content is influenced by the values, customs, rules and practices of a given society — what others believe is fair. Of course, we also have a propensity for rationalizing unfairness away when it suits our interests. Nevertheless, fairness has a strong, if imperfect, pull on our conduct, as a rule.

The scientific evidence that a norm of fairness and reciprocity is a universal aspect of human nature can fairly be called robust and continues to grow.[33] (It is found in virtually every society, and the few pathological exceptions seem to prove the rule.) Indeed, fairness is a day-in, day-out issue in any society. There is also a vast experimental literature on this phenomenon in psychology, game theory and experimental economics. Most noteworthy, perhaps, are the so-called "ultimatum games," an experimental paradigm which has been used (repeatedly) to demonstrate that people are willing to share with others in ways that do not reflect their own "rational" self-interest but reflect instead a sense of fairness.[34]

Equally important, it appears that people are far more willing to invest in policing fairness and punishing deviants than classical economic theory predicts.[35] There are even some rudimentary examples of a sense of fairness in other species — the most conspicuous examples being sharing behaviors and reciprocity.[36] Finally, the accumulating psychological evidence has been given an evolutionary imprimatur by the resurgence of "group selection theory" in evolutionary biology, most notably the work

by biologist David Sloan Wilson and his colleague, Elliott Sober. As Wilson puts it in a recent article: "The idea that moral systems are designed to promote the common welfare of [humnan] groups can be accepted at face value."[37] Charles Darwin would agree.

To summarize the argument, then, the ideology of "fair shares" has three empirically-grounded sources of justification: (1) it is an essential prerequisite for the stability and ultimate viability of the political order; in game theory terms, people are very likely to "defect" from the existing political order if their survival is threatened while others enjoy a huge "surplus" of resources; (2) a norm of fairness strikes a balance between the inescapable *equalities* in society (our basic needs) and the inevitable *inequalities* in inherited wealth, talent, risk-taking and hard work; and (3) it meshes with a deep psychological sense of fairness, rooted in our evolved human nature, which goes to the very heart of the enduring problem of how to secure political "legitimacy".

In fact, fairness is our chief weapon in the age-old war with the centrifugal force of political alienation and social conflict. Life may be unfair, as John F. Kennedy famously proclaimed, but the point is that we can do a lot collectively to ameliorate this condition. Nobody can deny that power (and greed) often trump fairness. "Might" may prevail, to borrow a term, but that doesn't make it "right" – and we can tell the difference. And we can do something about it.

The philosopher John Rawls, in his celebrated (and much-debated) theory of "justice as fairness," arrived at a somewhat similar place, albeit by a very different route.[38] He too tried to wrestle with the undeniable fact of inequalities coupled with the existential needs of the least advantaged. Rawls did not succeed in convincing the utopians, who insist on radical equality by one means or another. Nor did he convince some libertarians, who are in denial about our inextricable interdependency and do not recognize any social obligation to the disadvantaged. But Rawls did strike a chord, whatever the flaws in his fingering, with a broad spectrum of the "fair-minded" — those who seek a "middle-way" between the revolutionary agenda of radical egalitarian socialists and the failed promise of "natural justice" purveyed by the *laissez faire* capitalists (or worse, the sanguinary "survival of the fittest"ethics of the Social Darwinists).[39] Rawls's instincts were correct. There is a middle-way, and it has a biological foundation.

FAIR SHARES: A SYNOPSIS

Two distinct and frequently competing moral claims arise out of the imperatives of human nature and the nature of human society as a collective survival enterprise: (1)

basic needs (or distributive equity) and (2) "merit" (giving every man his/her due). In the fair shares paradigm, our basic survival needs take precedence, but they do not nullify the claim to merit; they impose a constraint. The middle-ground position recognizes the validity of both capitalist and socialist/liberal moral claims. Accordingly, the fair shares framework rests on two major principles:

1. **Goods and services should be distributed to each according to his/her basic needs.** This may sound like an echo of Karl Marx, but it is at once more specific and more limited. Here the term "basic needs" refers to the 14 primary needs domains that were mentioned above and elucidated in more detail elsewhere. Our basic needs are not a vague, open-ended abstraction, or a matter of personal preference. They constitute a concrete agenda, albeit subject to further refinement, with measurable indicators for assessing the outcomes. Also, this paradigm fully recognizes the fact that there are individual and contextual differences and vitally important instrumental needs (which are also subject to change throughout the life-cycle) and that reproduction and the needs of dependent offspring must be included as well. It should go without saying that both the market place and a variety of other forms of collective action (inclusive of government action) have a vital role to play in meeting our basic needs.

2. **"Surpluses" beyond the provision for our basic needs should be distributed according to "merit".** Merit has many facets, of course, but the ultimate criterion is rewards that are proportionate to the contributions that are made to the collective survival enterprise, and to our collective needs (the public interest). This would obviously exclude the profits of drug lords, for example, as well as excessive profits due to various market distortions, like monopoly and cartel pricing, insider information, fraud, and so forth. However, there is no formulaic way of determining merit. Both the market place and a representative, mixed, democratic government, not to mention an independent judiciary and many other social mechanisms, can (and do) play a vital role in the imperfect art of determining what is fair compensation. The "merit" principle merely stakes a moral claim and poses the right question.

   Does this paradigm imply a return to "welfare queens," or a culture of "free-loading" and an indolent class of economic "defectors" (in game theory terminology)? The answer is emphatically no. Where's the equity in that? In fact, a crucial corollary of these two principles is that the collective survival enterprise has always been based on "mutualism" and "reciprocity", with "altruism" being limited to special circumstances under a distinct moral claim

(primarily aid for what could be called "no-fault needs"). So a third principle must be added to the fair shares paradigm, namely:

3. **<u>In return, each of us is obliged to contribute to the collective survival enterprise in accordance with his/her ability</u>**. Needless to say, this principle applies equally to the rich and the poor, to welfare mothers and wealthy matrons. However, it also begs the question. How are "abilities" and "contributions" to be determined? Again, there are no formulaic answers, but societies have developed various ways for permitting such collective judgments to be made, from markets to legislatures, election processes, "random" military drafts, examinations, licenses, performance evaluations and many more.
One of the anonymous reviewers for this article characterized this paradigm as "fuzzy Marxism." In fact, the opposite is true. Marxism is grounded in a fuzzy biology, along with a simplistic and one-sided model of human nature. Marxism actually violates the fair shares principles. For one thing, Marx was quite vague about specifying what our basic needs are. He allowed the inference to be made that equality and equity are equivalent. Second, Marx made no provision at all for "merit", and he was quite hostile toward capitalists. Remember? Capitalists were viewed as the villains and were destined, in accordance with the dynamic of Marx's dialectical materialism, to end up in "the dustbin of history" (to borrow Bolshevik Leon Trotsky's epitaph for the Mensheviks). But most important, Marx's directive that everyone should contribute in accordance with their ability, absent the other two fair shares principles articulated above (especially the claim for merit), could be viewed as potentially exploitative and unjust. Despite the similarities in phrasing, the Marxian "contribution principle" does not accord with the fair shares paradigm.

Many other issues and questions are begged by this paradigm, of course, and some very important qualifiers must also be added. I will very briefly outline a few of them.

- ***First, there is the problem of the naturalistic fallacy and the so-called "is-ought dichotomy." A critic might ask: Why ought we to care about our survival and reproduction, much less that of anyone else in our society?*** More to the point, why should anyone – especially the "haves" – accept the fair shares ethic as a standard for guiding the policies and practices of a society? Even if we have been "programmed" by our evolutionary heritage to be concerned about fairness, how can anyone claim that this creates a normative imperative? In fact, these are the

wrong questions; it's a sophist sand-trap. The issue here is not whether we can derive some categorical imperative for morality. Rather, given the cardinal facts that (1) we do care – intensely – about satisfying our basic needs, (2) these needs must by and large be satisfied through the "collective survival enterprise," and (3) we do, after all, have a shared sense of fairness, then the fair shares ideology provides a compass for steering the ship of state through the political shoals. These principles direct us to navigate a middle-course between free market capitalism and egalitarian socialism. Moreover these principles represent "existential imperatives" in the sense that serious consequences – both individually and collectively – will result from ignoring them and pursuing an alternative course.

- ***How do we implement this ideology? How do we go about ensuring that our basic needs are met? Does this imply an economic and social revolution of some sort?*** The answer is most certainly not. It implies a need to improve an evolved and well-tested economic system that has many virtues but also some serious deficiencies. There are currently many quite effective instrumentalities for meeting our basic needs. These must be augmented and improved; a better balance is required.

- ***What about "freedom" or "liberty" — a core value of Western democracies?*** The response is that we need to move beyond the naive assumptions and self-serving rhetoric about freedom. As Charles Morgan put it: "Liberty is the room created by the surrounding walls." In other words, freedom always has boundaries, and we are talking here about an adjustment in the location of the walls. For some, the room will be expanded (more income for the poor would liberate them from some severe, even life-threatening or life-shortening constraints); for others there will be some shrinkage of freedom, but it would most likely be at the margin. In any case, it is a tradeoff we must make for the viability of the collective survival enterprise – and our own long-term self- interests.

- ***How does the fair shares ideology affect our "sacred" property rights?*** The fact is that property has no unqualified natural right beyond what the rest of us are willing to recognize — and defend. This observation goes back to Plato and was seconded by Bentham, Rousseau, Marx and many others, including the Supreme Court of the United States. The limits on property rights are reflected in such things as restrictive zoning and building codes, fire codes, condominium covenants, property taxes, and all the other real-world regulations over real property. Within the fair shares paradigm, moreover, property rights are also

limited by what is compatible with meeting the basic needs of the rest of us.

- ***What about those who can't contribute their fair share of productive capital and labor? Won't this turn society into a charity ward, imposing a vast economic burden on the rest of us?*** The fact is that we already willingly carry a burden for our dependent children, our elderly, and the disabled, among others. We are more grudging as a society about aiding the poor (and their children), and we know that many of them *can* contribute in various ways. Nevertheless, there is also a hard-core of people in our society who, for one reason or another, will always be unable to contribute. "Workfare", or "welfare-to-work" programs will never work for them. That's a reality we seem reluctant to face. But if our evolved moral sensibilities can encompass the victims of highly visible disasters like floods, earthquakes and terrorist attacks, there is no moral ground for excluding the less visible tragedies all around us, including many that are (sadly) biologically based. Here the golden rule (and Rawls's "veil of ignorance") applies, especially knowing that we, or someone we love, could also end up in that place. Indeed, one of every five families in the U.S., has a member who suffers from some form of mental illness. Call it a form of social insurance (or maybe biosocial insurance), a principle that goes back to the Greek funeral societies.

- ***What if the existing economic and political order fails to provide for our basic needs?*** Both the historical record and the implicit "terms" of our biological contract warn us that all regimes are ultimately contingent. Indeed, the American Declaration of Independence contains an enduring justification for breaking the "political bands" of the existing order. The founding fatheers' justification can also be viewed from a Darwinian (fair shares) perspective. Governments are "instituted among men" to secure our "inalienable rights," and derive their "just powers" from "the consent of the governed." Moreover, whenever any form of government "becomes destructive of those ends," the people have the right to "alter or abolish it." Plato and Aristotle warned that no political order is immutable. And the modern game theorists, whose extensive exploration of the constraints and preconditions for cooperative relationships have illuminated the foundations of social cooperation in nature, are unequivocal about the necessity for mutualism and reciprocity. "Defection" is the likely response to an exploitative, asymmetrical interaction. In the real world, of course, coercive force is often used to prevent defections, but the costs (and risks)

are always high and the long-term outcome is always problematical.

- ***Finally, there is the politically explosive issue of where do we draw the line, or lines? Is it realistic to have an open-ended commitment — an "entitlement"— to provide for the basic needs of all potential claimants?*** Should we accommodate an unrestricted number of babies born to welfare mothers or "deadbeat fathers?" And would this include the continuation in perpetuity of an open-door immigration policy and/or an unending flood of illegal immigrants? Finally, how do we draw a line in a global economy where more and more of our needs (and wants) are satisfied by workers in other countries? Global poverty is a vast ocean of unmet needs. (In Mexico alone, 40% of its population of 97.5 million live in deep poverty.) There are no easy answers to these questions, but I would reiterate a key point about the nature of the superorganism — the collective survival enterprise. It is based on mutualism and reciprocity, not altruism. So the general answer to my question above is that, in order to be consistent with the imperatives of the biological contract, lines would eventually have to be drawn. That is an inescapable tradeoff. As the economist Kenneth Boulding put it: "Anyone who believes exponential growth can go on forever in a finite world is either a madman or an economist."

CONCLUSION

Fairness is the golden thread that binds a viable society together. And when that thread breaks, the social fabric unravels. The response to the former British Prime Minister Margaret Thatcher's contemptuous claim that "there is no such thing as society" is that a society exists when people believe it does and act accordingly (or vice versa)! But fairness is not an all-purpose formula or recipe. It is a general principle that recognizes the merit of competing interests and directs us to find "equitable" compromises. In this paradigm, "compromise" is not (automatically) a "sell-out" to political expediency but may well be (and often is) the recognition of a superordinate principle with a higher moral claim; it acknowledges and seeks to reconcile "legitimate" competing claims. However, the evidence is all around us that fairness is often a matter of perspective; it can be a very difficult call. That is why we have a formal "justice" system, and mediators, and family counselors, and contract negotiators, and markets. Indeed, every society has a panoply of informal customs and practices for

approximating fairness — from "equal shares" to "first come, first served," "drawing straws," and "handicapping" (like senior citizen discounts and allowing children to go free).

However, "social justice" can be specified, to a first approximation, within the framework of the Fair Shares principles. It is grounded in the bedrock imperatives of our basic needs, using measuring rods such as those provided by the Survival Indicators program. The Fair Shares ideology provides both a biological justification and, ultimately, a political imperative for striking a better balance between the provision for our basic needs and rewards for merit. More important, it provides some specific measuring rods for where this balance can be found.

We conclude, then, by returning to where we began. Charles Darwin recognized that a human society is, quintessentially, an interdependent collective survival enterprise; the superorganism is the key to our survival and reproduction. However, this vision of our collective purpose does not negate or ignore our individual self-interests. Rather, it represents an aggregation of those interests into an immensely complex system of synergies based primarily on mutualism and reciprocity. The poet John Donne's famous line, "no man is an island," is also true in a very practical, "bioeconomic" sense.

Accordingly, the modern, democratic "state" has evolved as an instrumentality for "self-government" and the pursuit of our common needs — the public interest — though its purpose is all too often subverted. Plato and Aristotle apprehended this basic purpose in their conception of the *polis*, and Aristotle prescribed a "mixed" government under law as our best hope for ensuring that the public interest would be served. Plato and Aristotle also recognized that a fair-minded form of justice is an essential part of the public interest; this is the only way to ensure the long-term political stability and social harmony. And the primary content of social justice consists of the basic needs of the population, along with "merit" (which provides a key incentive, and an instrumentality, for ensuring that those needs are met).

Over the past 2000 years we have added very little to this vision that is fundamentally new, though we have made many important improvements in the "machinery" of self-government. The "Fair Shares" framework contributes to this effort by spelling out the principles for social justice in more detail. It enlists the growing power of modern evolutionary biology and the human sciences to shed light on this matter, and it articulates an explicit set of criteria for reconciling (if not harmonizing) the competing claims to social justice advocated by theorists of the political Left and the Right. I believe that the Fair Shares ethic offers our best hope for achieving and maintaining that elusive state of willing consent, and cooperation, that is the key to a harmonious society. It is an ideal worth striving for, because our own survival, and

more certainly that of our descendants, may depend upon it. Nothing less than our evolutionary future is at stake. To paraphrase Benjamin Franklin, in the long run either we will survive together or go extinct separately.

Capitalism: A thumbnail primer

Though there have been many variations, the main theme in conservative/capitalist theory derives from Adam Smith's "paradigm". Most fundamental, perhaps, is Smith's assumption that acquisitive self-interest is a primary human motivator and that a capitalist market economy harnesses private greed to serve the social good, thanks to the magic of the "invisible hand." The very essence of capitalism is that it gives full rein to individual entrepreneurship and provides commensurate rewards. Indeed, private wealth and free enterprise are touted as the "engines" of economic progress.

Modern conservatives have also assured us, ad nauseam, that a rising tide lifts all boats; if the rich get richer, so will everyone else in due course. To quote the conservative economist Paul Rubin: "In today's world...people mostly become wealthy by being productive and creating benefits for others, and, therefore, desires to punish or penalize the wealthy are misguided."[40] Moreover, it is claimed that an unfettered free market is vastly more efficient at satisfying human wants and "preferences" than is any centralized "command economy" (the former Soviet Union is usually cited as the poster-child, not the radically contradictory example of the United States in World War Two). Accordingly, the "welfare state" that was created by liberals in the New Deal era and then expanded further after the war is often viewed as an impediment to free markets – or worse. Government services are often charged with preempting the supposedly more efficient private sector alternatives, and intrusive government regulations are resented as being a hindrance to the supposedly self-policing, self-correcting mechanisms of the marketplace.

Like many overstated (self-serving) half truths, this model has much to recommend it but also some appalling, even dangerous, gaps and "terminological inexactitudes" (lies) – to borrow a term from Winston Churchill. To be specific: (1) Human nature is complex and diverse, and we are not all consumed either by the profit motive or by latent brotherly love; (2) private enterprise has been only one of the engines of our progress as a civilization; (3) sometimes (not always) government *can* do the job better; (4) the wealthy do not always owe their wealth to their productivity, nor do they always use their wealth to enhance the productivity of society as a whole; (5) the private sector is obviously not reliably self-policing (indeed, as Adam Smith himself

appreciated, sometimes the hidden hand morphs into a sleight of hand);[20] (6) finally, markets manifestly cannot be relied upon to meet the basic needs of the population as a whole; they respond mainly to "supply" and "demand", which of course depends upon the ability to pay.[41]

Socialism/liberalism: A primer

It is often said that socialism traces its roots to Jean Jacques Rousseau's concept of the "noble savage." Be that as it may, the core assumption that has animated much of the socialist/liberal school over the years was recently restated by the former Senator, George McGovern (who relied on a quotation from Webster's Dictionary): "One cannot conceive of a nation dedicated to democracy that does not rest on faith in 'the essential goodness of man.'"[42] One corollary of this assumption is a commitment to egalitarianism – a major theme in socialist and liberal theory.

However, modern socialism/liberalism can best be characterized as collective altruism toward the "least advantaged" in society (to use philosopher John Rawls's characterization), with government serving as the primary instrumentality. As President Franklin D. Roosevelt expressed it in one of his famous radio "Fireside Chats": "One of the duties of the State is that of caring for those of its citizens who find themselves the victims of such adverse circumstances as makes them unable to obtain even the necessities for mere existence without the aid of others. That responsibility is recognized by every civilized nation....To these unfortunate citizens aid must be extended by Government – not as a matter of charity but as a matter of social duty."[43] For moral support, Roosevelt invoked the words of Abraham Lincoln. Government, Lincoln had said, should "do for the people what they cannot do for themselves or cannot do so well for themselves." Equally important, modern, mainstream socialism and liberalism adhere to the view that the private sector and market mechanisms, while important, cannot be trusted to be self-policing or always to serve the public interest. President Ronald Reagan's mantra was that government is the problem, not the solution, but many socialists/liberals believe that, as the old saying goes, the truth often runs well in reverse; government action is sometimes the only effective way to defend the larger public interest against free market malfeasance, and the inherent tendency to put profits above people, to use the old cliché.

Socialism/liberalism, like capitalist ideology, has its share of "overclaims" and warts, including a tendency to oppressive over-regulation, bureaucratic stagnation, gross inefficiencies, a stifling of innovation, and, not least, an all too common tendency to use governmental power for personal or narrowly partisan ends. But perhaps most serious is the charge that, despite good intentions, socialism/liberalism is sometimes

itself the instigator of inequities and unwitting unfairness. This perception accounts for much of the recent animus against affirmative action and the federal Welfare program in the U.S. But the main battleground over fairness and equity has to do with taxes, with liberals and conservatives holding sharply differing views.

A Critique of John Rawls's "Theory"

Rawls called his formulation a "theory of justice," but it is not a causal theory in any sense of the word. It is an effort to justify a normative stance — namely, that justice should be defined in terms of fairness (which aligned him with Plato and Aristotle, though his definition differed). Rawls did not try to do away with economic inequalities. Instead, he posited two broad principles: (1) equality in the enjoyment of personal freedom and (2) a set of economic arrangements that allow for equal opportunity coupled with ways to allow the poor (the "least advantaged") to benefit proportionately more when the rich get richer (to paraphrase his argument). Rawls's method for undergirding and supporting these principles was at once ingenious and frustrating. Like the social contract theorists, Rawls asked us to assume that we are in a hypothetical state of nature (an "original position") in which we are behind a "veil of ignorance" about what our own station in life might end up being. In what amounts to an appeal to enlightened self-interest, he argues that his principles are what we would rationally choose for organizing our society in a situation of uncertainty about our own circumstances. It is really the golden rule in deep disguise: Do unto others as you would have them do unto you, if you were the most disadvantaged.

Some critics have pointed out that it makes more sense (logically) to opt for economic equality. Others have charged that a hypothetical situation with no relationship to the real world (like unrealistic thought experiments in science) cannot legitimately be used to derive principles for real world application. Still others object that Rawls's two principles seem potentially to produce internal contradictions. On the one hand, allowing economic inequalities to persist would constrain the purchasing power (the freedom) of the have-nots. On the other hand, setting limits for the rich on being able to benefit from the fruits of their economic accomplishments represents a limit on their "freedom" to hold property.

My own criticisms are more substantive and pragmatic. Rawls recognized what he calls "primary goods" (the wherewithal to satisfy basic needs), but he did not give these primacy in his theory. Basic needs per se do not carry a moral imperative. Instead, Rawls would assure only that the poor get a piece of the action when the rich get richer. It amounts to a pledge that a rising tide will lift all boats, but what if the tide goes out? Another criticism is that Rawls tolerated inequalities but did not include any

explicit provision for “merit” — rewards for talent, effort and achievement. Nor did he address the free-rider problem.[44] The Fair Shares principles address these deficiencies.

References

1. Charles Darwin, *The Descent of Man, and Selection in Relation to Sex* (New York: A. L. Burt, (1871/1874) pp. 146-147.

2. Ibid., p. 148.

3. See especially Wilson and Sober, 1989; Hölldobler and Wilson, 1994; Richerson and Boyd, 1999; Corning, 2002a).

4. (see especially Klein 1999; Wolpoff 1999; Ehrlich 2000, Corning 2003).

5. Christopher Boehm,(1996, 1997, 1999).

6. (Heywood, 1999, pp. 17-18)

7. (Konner 2002, p. 121).

8. Burke (1847/1999) p.

9. Doyal and Gough 1991

10. (Heywood, 1999, p. 298)

11. (Corning, 1983, 2000).

12. Corning (2000)

13. Edgerton

14. Ashcroft

15. Rubin 2000

16. For a recent summary of this work, see Dunbar 2001.)

17. (Among the many references on this point, see especially Corning, 1983; Masters and Gruter eds., 1992; de Waal, 1996; de Waal ed., 2001; Ridley, 1997; Weingart, Mitchell, Richerson and Maasen eds., 1997; Sober and Wilson, 1998; Dugatkin, 1999; Ehrlich 2000.

18. Corning synergy cites

19. Adam Smith (pp.10-11,12).

20. Smith (like Darwin) often gets a bum rap for the misuses that are made of his ideas. However, Smith's moral foundation was the Stoic philosophy of world citizenship, the good of the community as a whole, and the Christian teaching of the Golden Rule. We should "love our neighbour as we love ourselves" (Smith 1759/1976, Vol. I.i.5.5). Moreover, according to Smith, virtue consists of exercising "self-command" over our baser impulses and having sympathy toward others (Vol. II.3.34). Indeed, self-command is essential to a civilized society (Vol. VI.iii.II). Moreover, Smith's justification for the invisible hand was that it would actually benefit society because the rich could not actually consume a much greater proportion of the necessities of life; their share would only be of better quality (Vol. IV.I.10). In other words, Smith was not endorsing a zero-sum game in which the rich get richer at the expense of the poor.

21. Sprinkle 1994.

22. Boehm 1996, 1997, 1999. Also Knauft, 1991.

23. Richerson and Boyd 1999

24. See especially Brown 1991

25. See especially Plomin, Defries and McClearn, 1990; also Lippa, 1988

26. TTI 1990

27. Brendan and Hamer, 1998

28. There is a vast literature on the concept of justice, needless to say. Two broad overviews are Miller (1976) and Pettit, (1980). See also Masters and Gruter eds., (1992). The broader issue of evolutionary ethics is discussed in a two-part review by this author: Corning (1996). Three other relevant volumes on the topic are Ridley (1997), Wright (1994), and E.O.Wilson (1998).

29. Nozick 1974. A word is in order regarding the libertarian position. A desire for personal freedom, and the pursuit of self-interest are perfectly consistent with a Darwinian, evolutionary perspective, and there is good evidence in the literature of experimental psychology that a need for personal "autonomy" is an important (if variable) facet of human nature. And so are competitiveness and the striving for influence and power. However, we are also deeply social beings, and, most important, we are compelled to satisfy our needs within a complex economic system. Freedom and social responsibility are the two sides of the social contract. However, some extreme libertarians take a one-sided view; their claims for individual freedom have no regard for social obligations. Indeed, in the lexicon of modern-day <u>laissez faire</u> capitalists, "freedom" is the highest social good. In the words of the eccentric conservative novelist Ayn Rand (1943), who remains the soul-mate of many libertarians and free-market romantics, "civilization is the process of setting man free from men"(p. 685). Rand's protagonists are always defiant individualists. "Just as life is an end in itself, so every living human being is an end in himself, not the means to the ends or welfare of others — and, therefore, man must live for his

own sake, neither sacrificing himself to others nor sacrificing others to himself" (1962, p. 35) The problem is that this position is ultimately exploitative. In game theory, it's called "defection" or "cheating", and it is unsustainable. Why should the rest of us accede to this. As the old saying goes, he who takes from society without giving back is a thief.

30. Plato Book II, 369a-d, 370b,c, 372a

31. See especially Gurr, 1970; Gurr and Bishop, 1976

32. Wilson 1993. Wilson's important book discusses the subject at length. But see also Masters and Gruter eds., 1992)

33. Among the many references on this topic, see especially Westermarck (1906/1971), Gouldner (1960), Axelrod (1986), Alexander (1987), Mansbridge (1990), Masters and Gruter eds., (1992); Krebs (1998), Sober and Wilson (1998); Katz (2000), Leigh (2000), and D.S. Wilson (2002).

34. See especially Greenberg and Shapiro, 1971; Gergen, 1969; Gintis, 2000a,b; Nowak et al., 2000; Henrich, et al., 2001; Fehr and Fischbacher, 2002; Sigmund et al., 2002

35. Sigmund et al., 2001; Bowles and Gintis, 2002; Fehr and Gächter, 2002; Gowdy,2002; Price et al., 2002.

36. See de Waal, 1996, 1997; de Waal ed., 2001; Wrangham and Peterson, 1996; Dugatkin, 1999.

37. See also Sober and Wilson, 1998; E.O. Wilson, 1998.

38. Rawls 1972.

39. Social Darwinists like William Graham Sumner, E. B. Tylor, Albert Keller, Gustav Ratzenhoffer and others took their inspiration from Herbert Spencer's writings. Social progress, they argued, was fueled by competition and the "survival of the fittest," in Spencer's provocative term. Fairly typical was this pronunciamento by Tylor (1871/1889) : "The institutions which can best hold their own in the world gradually supersede the less fit ones, and...this incessant conflict determines the general resultant course of culture"(p.) Business magnate John D. Rockefeller, in a Sunday school address, assured his audience that "The growth of large business is merely a survival of the fittest....This is not an evil tendency in business. It is merely the working out of a law of nature and a law of God"(Lux, 1990, p. 148). However, it was the steel baron and philanthropist, Andrew Carnegie -- never a man to mince words -- who penned the most inflammatory expression of the Social Darwinist credo, in an 1889 essay. "While the law [of competition] may be sometimes hard for the individual, it is best for the race, because it ensures the survival of the fittest in every department. We accept and welcome, therefore...great inequality of environment, the concentration of business, industrial and commercial, in the hands of the few, and the law of competition between these, as being not only beneficial, but essential for the future progress of the race" (p.).

40. Rubin 2002

41. Corning 2000, Holistic Darwinism

42. McGovern 2002

43. FDR quote in Corning 1969

44. For a more detailed analysis of Rawls, see Wolff (1996).