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Source: *Philosophy & Public Affairs*, Vol. 8, No. 4 (Summer, 1979), pp. 361-376

Published by: [Wiley](#)

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GEORGE SHER

Effort, Ability, and Personal Desert

A familiar argument in recent social theorizing is that because no one deserves either his native talents or his ability to exert effort, no one can be said to deserve any advantages made possible by his talents or abilities. The premises of this argument are perhaps most clearly stated in the following well-known passage from *A Theory of Justice*:

It seems to be one of the fixed points of our considered judgments that no one deserves his place in the distribution of native endowments, any more than one deserves one's initial starting place in society. The assertion that a man deserves the superior character that enables him to make the effort to cultivate his abilities is equally problematic; for his character depends in large part upon fortunate family and social circumstances for which he can claim no credit. The notion of desert seems not to apply to these cases.¹

If these contentions are correct, and if Rawls is also correct in concluding from them that no one deserves "the greater advantages he could achieve with [his natural endowments],"² then personal desert will play no role at all in determining which system of distributing goods is just. At best, the connection will work the other way around: a social system which is just for other reasons may itself determine a (logically secondary) sense in which people deserve things. But, as

1. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), p. 104. See also pp. 15, 75-76, 310-315, and passim.

2. *Ibid.*, p. 104.

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Philosophy & Public Affairs 8, no. 4
0048-3915/79/040361-16\$0.80/1

Rawls insists, personal desert will not be among the *fundamental* facts of morality at all.³

In this essay, I want to argue against this way of showing that people never deserve things for reasons prior to or independent of social conventions. My attempt to rebut the anti-desert argument will proceed in three stages. In the first stage (sections I and II), I shall try to interpret Rawls' influential formulation of the argument as sympathetically as possible. In the second stage (sections III and IV), I shall contend that even when the argument is interpreted sympathetically, its normative premises do not support the conclusion that people rarely or never deserve things. In the third stage (section V), I shall raise some questions about the underpinning of one of the crucial normative premises itself. As this essay's thrust is primarily defensive, I shall not offer a detailed defense of any positive theory of personal desert, nor even try to decide whether such desert attaches primarily to effort or to achievement. My aim is merely to secure the moral import of personal desert against the Rawlsian attack, and so indirectly to cast doubt upon those theories of justice which are insensitive to it.

I

Before we can begin any evaluation of Rawls' argument against personal desert, we must get somewhat clearer about what that argument says. We have seen that Rawls wants to move from the premise that people do not deserve their character or abilities to the conclusion that people do not deserve the advantages which these "natural as-

3. Although Rawls has presented the most developed version of the anti-desert argument, an abbreviated version of it also appears in Richard Wasserstrom, "The University and the Case for Preferential Treatment," *American Philosophical Quarterly* 13, no. 2 (April 1976): 167. For related discussion, see also Thomas Nagel, "Equal Treatment and Compensatory Discrimination," *Philosophy & Public Affairs* 2, no. 4 (Summer 1973): 348-363; John Schaar, "Equal Opportunity and Beyond," in Anthony de Crespigny and Alan Wertheimer, eds., *Contemporary Political Theory* (Chicago: Atherton, 1970), pp. 135-53; and John Hospers, "What Means This Freedom?" in Sidney Hook, ed., *Determinism and Freedom in the Age of Modern Science* (New York: Collier, 1961), pp. 126-142.

sets” make possible. But why, exactly, does Rawls believe that people do not deserve their character and abilities in the first place?

Because Rawls mentions the social causes of our effort-making abilities, and because our other talents and abilities seem obviously to be caused as well, it may be tempting to interpret him as claiming that our natural assets are undeserved simply because they are caused. However, this claim is nowhere explicitly made by Rawls, and would in any event be no less controversial than the related claim that an agent is not responsible if his *act* is caused. For these reasons, I shall not attribute it to Rawls here. Instead, I shall take him to hold the more reasonable view that our natural assets are undeserved because they are brought into existence by events independent of anything we ourselves have done. A person may indeed take steps to develop his talents and increase his effort-making capacity; but his ability to take such steps must itself depend on some earlier complement of talents and effort-making abilities which are not the result of any such actions. Because of this, he may indeed be held unable to “claim credit” for any of these earlier talents or abilities.

If an agent’s possession of an ability is not the result of anything he does, I shall refer to that ability as a *basic* ability of the agent. When it is formulated in terms of basic abilities, the complete anti-desert argument looks something like this:

- (1) Each person *M* has some basic set of abilities, S_m , which includes an ability to exert effort, and which does not belong to him as a result of anything he does.
- (2) If *X* does not belong to *M* as a result of anything *M* does, then *M* does not deserve *X*.

Therefore,

- (3) *M* does not deserve S_m .

Moreover,

- (4) Each action performed by *M* is made possible, directly or indirectly, by some subset of S_m .
- (5) If *M* does not deserve *X*, and *X* makes *Y* possible, then *M* does not deserve *Y*.

Therefore,

- (6) *M* does not deserve to perform his actions, and neither does he deserve to enjoy any of the benefits which those actions make possible in their turn.

I do not know if Rawls would endorse this version of the argument as his own. However, whether or not he would, the version is the one which initially seems most likely to yield his conclusion and, in any event, is worthy of consideration in its own right. For these reasons, I shall confine my discussion to it in what follows. Is this argument, or some further refinement of it, sound?

II

Although each step of the argument sketched above has some intuitive appeal, the argument surely cannot be accepted as it stands; for premise (5), at least, is implausibly strong. If deserving the benefits of our actions did require that we deserve everything that makes our actions possible, then all such desert would immediately be canceled by the fact that no one has done anything to deserve to be alive or to live in a life-sustaining environment.⁴ If this were the case, then Rawls' insistence that people do not deserve their natural assets would be quite superfluous. Moreover, as Alan Zaitchik has pointed out, anyone who accepts both (5) and "the truism that all deserving is deserving in virtue of some ground or other" will immediately be led to a vicious regress: in order to deserve *Z*, *M* must deserve *Z*'s ground *Y*, in order to deserve *Y*, *M* must deserve *Y*'s ground *X*, and so on.⁵ This regress shows again that (5) rules out the possibility of personal desert for reasons quite independent of the (alleged) fact that we do not deserve our natural talents or abilities.

According to Zaitchik, the fact that (5) rules out the possibility of personal desert, and so contradicts many people's "pre-theoretical certainty that at least some people deserve something," is itself a *reductio* of (5). It seems to me, however, that this particular way of

4. I owe this point to Wendy Lotz.

5. Alan Zaitchik, "On Deserving to Deserve," *Philosophy & Public Affairs* 6, no. 4 (Summer 1977): 373.

dismissing (5) proceeds too quickly. If Zaitchik has correctly represented Rawls as intending to produce “a completely general argument which alleges that *no* desert theory could be true for the simple reason that no one ever deserves things,”⁶ then we cannot appeal to our intuitive conviction that people *do* deserve things without begging the question against Rawls. What we can ask, however, is that Rawls’ premises about personal desert should not be question-begging in their turn. Although they must of course be strong enough to yield the desired conclusion, Rawls’ premises should also be uncontroversial enough to be acceptable even to persons initially sympathetic to personal desert. As we have stated it, premise (5) fails to satisfy this requirement. Can any alternative premise do better?

Perhaps one can. The basic problem with (5) is that it promiscuously allows *M*’s desert of *Y* to be canceled by *all* undeserved necessary conditions for his having *Y*. Intuitively, this seems excessive because many such conditions are satisfied not only by *M*, but also by everyone else. *All* claimants to goods must satisfy such conditions as being alive and existing in life-sustaining environments; and so these conditions, though undeserved by *M*, do not give him an unfair advantage over anyone. In light of this, the obvious way to amend (5) is to construe it as requiring not that *M* deserve *all* the conditions necessary for his having *Y*, but rather only that he deserve those which are not shared by all rival claimants as well. This modification will in effect transform (5) from a statement of the conditions necessary for *M*’s deserving *Y simpliciter* into a statement of the conditions necessary for *M*’s deserving to have *Y* while someone else does not. When personal desert is consistently interpreted as involving a relation of this sort, (5) becomes

- (5a) If *M* does not deserve to have *X* while *N* does not, and *X* makes it possible for *M* to have *Y* while *N* does not, then *M* does not deserve to have *Y* while *N* does not.

By shifting from (5) to (5a), we can avoid both the charge that this premise is violated by universally satisfied necessary conditions

6. *Ibid.*, pp. 373, 371.

for having *Y* and the charge that it leads to a vicious regress. Nevertheless, despite these gains, the shift to (5a) is not without costs of its own. For one thing, since the antecedent of (5a) is now cast in comparative terms, the earlier premises of the anti-desert argument will also have to be recast in this way if they are to mesh with (5a). Moreover, and more seriously, the shift to a comparative conception of desert will also require us to make new distinctions among the elements of a person's basic abilities. As long as personal desert was not construed comparatively, it was quite permissible to speak of one's whole basic package of abilities as either deserved or undeserved. However, once we shift to a comparative conception of desert, we must go beyond this. If *M* has a set of basic abilities $a_1 \dots a_d, a_e$, and *N* has the smaller set $a_1 \dots a_i$, then only *M*'s special ability a_e will give him an advantage over *N*. Because this is so, the argument's earlier premises must be reformulated to factor out such shared basic abilities as $a_1 \dots a_d$.

When both of the required alterations are made, the anti-desert argument emerges looking like this.

- (1a) Each person *M* has some basic set of abilities, S_m , which includes an ability to exert effort, and which does not belong to him as a result of anything he does. Suppose S_m includes $a_1 \dots a_d, a_e$, and S_n includes only $a_1 \dots a_d$.
- (2a) If *X* does not belong to *M* as a result of anything *M* does, then *M* does not deserve to have *X* while *N* does not.

Therefore,

- (3a) *M* does not deserve to have a_e while *N* does not.
- (4a) Let *A* be an action which a_e makes it possible for *M*, but not *N*, to perform.
- (5a) If *M* does not deserve to have *X* while *N* does not, and *X* makes it possible for *M* to have *Y* while *N* does not, then *M* does not deserve to have *Y* while *N* does not.

Therefore,

- (6a) *M* does not deserve to perform *A* while *N* does not, and

neither does *M* deserve to enjoy the benefits of *A* while *N* does not.

There may be problems with the assumption that abilities are goods which people can deserve relative to others; for abilities, unlike other goods, are not transferrable among persons. But instead of pursuing these problems further, I want to raise a question of a rather different sort. Assuming that its treatment of abilities can be made intelligible, exactly what, if anything, will this version of the argument entail about personal desert in particular cases?

III

By demonstrating that the Rawlsian argument must be reformulated in comparative terms, we have already compelled a measure of retreat from its initial unqualified conclusion that nobody ever deserves anything. In its current form, the argument does indeed leave room for personal desert in cases where all the relevant parties have equivalent sets of basic abilities. However, if basic abilities are in fact generally *unequally* distributed, then this concession will leave essentially intact Rawls' central conclusion that personal desert counts for little or nothing. If we are to challenge this conclusion, we must examine more closely the claim that people's basic abilities vary systematically in significant ways. Since this claim is most controversial as it applies to the ability to exert effort, we may begin by considering this aspect of it. On what basis, exactly, can people be said to differ in effort-making ability?

Although Rawls is plainly committed to an environmental explanation of *how* people come to differ in effort-making ability, he offers no explicit defense of the prior claim that they *do* differ in this ability. Because of this, any discussion of the rationale for this claim must be quite speculative. As a first attempt at reconstructing that rationale, let us consider the argument that people are shown to differ in effort-making ability by the great differences in the efforts they actually make. If *M* applies himself assiduously to whatever task is at hand

while *N*'s efforts are interspersed with evasion and procrastination, the argument might run, then *M* *must* have some effort-making ability which *N* lacks. *N* must indeed have some effort-making ability, since he does try sporadically; but whatever such ability *N* has, *M* must have that much ability plus some additional ability as well. For how else are we going to account for *M*'s additional industry?

Although this argument may have some initial plausibility, a closer look reveals its weakness. If we are going to infer superior effort-making ability directly from *M*'s additional industry, then we will have to do so on the basis of the more general principle that no one is capable of making any more effort than he actually does make. However, this principle, when brought to light, seems simply to be false. Even persons who would be acknowledged to have superior effort-making abilities are often inclined not to make the efforts necessary to accomplish their goals. Many goals, though desirable, are not worth the effort it would take to attain them; and others, though worth the effort, are blocked by conflicting goals. In light of this, there is obviously room for a distinction between the *possession* of an ability to exert effort and the *exercise* of that ability; and given this distinction, it is easy to understand the difference in *M* and *N*'s efforts without supposing that they differ in effort-making ability. To do this, we need only view the difference in their efforts as stemming from the different degrees to which they have exercised their common effort-making ability.

Given these considerations, we clearly cannot infer the conclusion that people differ in their effort-making abilities directly from the fact that they differ in their efforts. However, it remains possible to defend the different-ability thesis in a somewhat different way. Although persons who exert different amounts of effort always *can* be viewed as drawing differently upon similar effort-making abilities, this suggestion may seem implausible when the difference in their efforts is pronounced, systematic, and to the obvious disadvantage of the less industrious. In such a case, there is simply no good reason for *N* to refrain from exercising his effort-making ability; and so it may seem most reasonable to suppose that he does not have a full measure of that ability to begin with. If we defend the unequal-ability thesis in

this way, we will in effect be deriving it, not as a logical consequence of the difference between *M* and *N*'s efforts, but rather via an inference to the best explanation of that difference.

This second way of defending the different-ability thesis is considerably more sophisticated than the first. However, it is not notably more successful. The different-ability thesis would indeed have more explanatory power than its rival if we could assume that *M* and *N* are always equally attentive to their own long-range interests, and are always equally concerned to advance these interests. However, in the current context, neither of these assumptions is legitimate. Anyone who accepts the equal-ability thesis will of course wish to maintain that when *N* fails to exert efforts that are plainly in his own long-range interest, he is either momentarily inattentive to those interests or else momentarily unconcerned to further them. And when the equal-ability thesis is supplemented by these premises, the resulting explanation of *N*'s lack of effort is every bit as plausible as its alternative.⁷

These considerations show that there are serious problems with the grounding of Rawls' contention that people commonly differ in effort-making abilities. However, there is also a further difficulty here. Even if we grant that this contention is both meaningful and well-grounded, its conjunction with the other Rawlsian premises will still not entail that *M* does not deserve the benefits of his superior efforts. According to (5a), a difference in *M* and *N*'s effort-making abilities will rule out *M*'s desert relative to *N* only if the difference in their abilities makes it *impossible* for *M* and *N* to exert equal amounts of effort. But not every difference in effort-making ability need have this effect. It is easy to see how *M* and *N* might differ in effort-making ability, but *N* might still take steps to match *M*'s superior efforts. For one thing, *N* can maintain a special vigilance against those distractions which he but not *M* finds attractive; for another, if *N* foresees difficulty in

7. Although I have argued against Rawls' uncritical assumption that people differ in effort-making abilities, I do not wish to suggest that Rawls has been the only philosopher to fall into this error. For another example of it, see my own earlier paper, "Justifying Reverse Discrimination in Employment," *Philosophy & Public Affairs* 4, no. 2 (Winter 1975): 165-167.

avoiding these temptations, he can always take action to avoid them, or to increase his ability to resist them. Of course, Rawls could always maintain that these steps, as well as *N*'s efforts themselves, are blocked by *N*'s lesser effort-making ability; but this contention becomes progressively more difficult to maintain as the range of *N*'s inability is said to increase. Whatever it is that *N* cannot do, there are surely many things that he *can* do; and since there is no theoretical limit to the steps one can take to increase one's effort-making ability, the number of cases in which differences in such ability render differences in effort inevitable seems minimal at best. In light of this, even genuine differences in effort-making ability, should they exist, would seem unlikely to have the moral significance attributed to them by Rawls.⁸

IV

So far, we have seen that Rawls' anti-desert argument is plausible only if desert is understood comparatively; that on this interpretation desert is threatened only by unequal basic abilities; and that it is doubtful whether people's abilities to exert effort are unequal in the relevant way. The Rawlsian argument has thus evidently failed to discredit the thesis that personal desert may be established by conscientious effort. However, people manifestly *do* differ in abilities such as physical strength and intelligence, and so a parallel defense does not seem available for the further thesis that personal desert is established by superior achievement. Because of this, it is tempting to view Rawls' argument as showing, in effect, that personal desert is properly associated with effort rather than achievement. Although Zaitchik's approach to the Rawlsian argument differs substantially from mine, he has drawn a qualified version of this conclusion from it. It seems to me, however, that the truth lies elsewhere.

To see why this is so, let us again consider the argument advanced at the end of the preceding section. It was contended there that even if people *did* differ in effort-making abilities, those differences would

8. For the argument of this paragraph, I owe an obvious debt to Stuart Hampshire, *Thought and Action* (New York: Viking, 1959), chap. 3.

not inevitably lead to differences in efforts actually expended. By suitably compensating for his lesser effort-making abilities, *N* might have put himself in a position to exert the same amount of effort that *M* made; and if *N* could have done this, then his lesser effort-making ability was not a violation of (5a) at all. But surely something similar can be said for other differences in initial ability as well. Even if *M* is initially stronger or more intelligent than *N*, this difference will only entail that *M* does not deserve what he has achieved relative to *N* if the difference between them has made it impossible for *N* to achieve as much as *M*. However, differences in strength, intelligence, and other native gifts are rarely so pronounced as to have this effect. The far more common effect of such differences is merely to make it more *difficult* for the less talented person to reach a given level of attainment. He must work harder, husband his resources more carefully, plan more shrewdly, and so on. Because the latter differences do *not* combine with (5a) to yield any conclusions about desert, the Rawlsian premises are evidently compatible with desert for achievement in at least a large number of cases.

This conclusion is reinforced, moreover, by a careful reconsideration of (5a) itself. We were initially led to accept (5a) because it intuitively seemed unfair for one person to enjoy benefits from which another has been barred through no act or omission of his own. However, on second glance, this unfairness may be largely mitigated if there is another, comparable benefit which the second person could have enjoyed instead. It is merely perverse for someone to remain deeply upset over his inability to become a professional athlete when he is perfectly capable of making a successful career in education or business. Because this is so, (5a) is actually *implausible* when it is applied to particular benefits without regard to alternatives available. To make (5a) generally plausible, we must insist that it range not over particular benefits, but rather over general levels of well-being. Properly understood, (5a) should assert only that if *M* does not deserve to have *X* while *N* does not, and *X* makes it possible for *M* to achieve a particular level of well-being which *N* does not share, then *M* does not deserve to exist at *that level of well-being* while *N* does not. Since this alteration will permit even persons with very superior tal-

ents to deserve the benefits of their achievements as long as others are capable of attaining equivalent levels of well-being in other areas, its result will be to relax still further the constraints which the Rawlsian premises place upon desert for achievement.

Nevertheless, despite this loosening, some constraints clearly do remain. Even after we have allowed both for the greater efforts of the less talented and for the possibility of equivalent achievement in alternative areas, there will remain many cases in which one person has achieved a level of well-being which another could not possibly have achieved. This may be either because the first person's talents were so great, because the second person's talents were so minimal, or because the first person was just lucky enough to be in the right place at the right time. Moreover, there will remain many other cases in which a person of meager attainments could indeed have achieved more, but only through efforts which it would have been unreasonable to expect of him. In the former cases, and perhaps even in the latter, premises like Rawls' will indeed suggest that the person who has achieved more does not deserve the full benefit of his achievement relative to the other, but rather deserves only the proportion of it which the other could reasonably have been expected to match. Since every high achiever can be paired with some low achiever in this way, it seems to follow that few people can lay absolutely full claim to all the benefits they have achieved.

These considerations suggest that if the Rawlsian premises are correct, we cannot allow people to enjoy the full benefits of their achievements without permitting many persons to be better off than they deserve to be with respect to at least some others. Assuming that undeserved inequalities which do not bring appropriate compensating benefits are unjust, this concession may seem to tell heavily against allowing people to enjoy whatever they have achieved. In fact, however, the situation is more complicated than this; for even if allowing people to enjoy the benefits of their achievements does permit some undeserved inequalities, it may still come closer to giving everyone what he deserves relative to everyone else than any alternative. To see why this is so, consider a simplified situation in which *M* has much talent but has achieved much, while *N* has much talent but

has achieved little, and *O* has little talent and has achieved little. In this situation, *N* and *O* may well deserve the same amount relative to each other; but *M* will deserve more relative to *N* than he does relative to *O*. Because this is so, *M*'s getting precisely what he deserves relative to *N* will require that he *not* get precisely what he deserves relative to *O*, and vice versa. In light of such cases, it will almost certainly be impossible to allow everyone to get exactly what he deserves relative to everyone else. At best, we can try to design a system in which as few people as possible get more or less than they deserve relative to others. There is nothing in Rawls' argument to suggest either that such a system will not allow most or all people to enjoy most or all of the benefits they have achieved, or that its remaining undeserved inequalities will be so weighty as to render it unjust. Because this is so, there remains at least one version of the claim that people deserve to enjoy what they have achieved which the Rawlsian argument leaves quite untouched.

V

Up to now, my criticisms of the Rawlsian argument have been mainly internal to it. I have tried to show that even if we grant that people deserve things relative to others only when their having them is their own doing [(2a)] and only when their having them is not the result of other undeserved differences [(5a)], we are still not forced to conclude that people do not commonly deserve things. In this last section, I want to abandon this internal perspective, and turn my attention to the grounding of premise (5a) itself. We saw earlier that the intuitive argument for (5a) is that it allows personal desert only when no claimant begins with any unfair advantage over another. However, this intuitive appeal to fairness, when scrutinized, is itself open to serious question.

The basic difficulty with the proposed defense of (5a) is that it presupposes a particular—and dubious—model of the way in which desert is acquired. More specifically, the claim that *M*'s desert relative to *N* requires that *M* has had no unfair advantage over *N* will make sense only if we view *M*'s desert as arising through his besting *N* in a fair

competition. Because this is so, the proposed defense of (5a) will tacitly presuppose a competitive model of desert-acquisition. But even if competition for goods is *one* of the contexts which give rise to personal desert, it is surely not plausible to view it as the *only* context which does this. Instead, anyone who is initially sympathetic to personal desert will wish to hold that people may also come to deserve things in a variety of other ways: by working especially hard, by possessing special moral characteristics, or simply by exercising their own creative capacities in building houses, painting pictures, or otherwise producing or improving objects of value. There is, of course, ample room for disagreement about what a person may come to deserve in these ways, and also about the conditions which must prevail before any such desert can arise. Nevertheless, whatever the answers to these questions may be, it remains clear that such activities as extending effort and creating things are not simply variant forms of winning. Because this is so, the notion of an unfair advantage over one's competitors seem completely out of place where they are concerned.

In light of these considerations, the most plausible defense of (5a) appears to collapse when it is applied in non-competitive desert-creating contexts. However, it might still be argued that there are many extremely important desert-claims, such as claims by the best qualified to deserve jobs and other opportunities, which do indeed arise through victory in quasi-competitive situations. If this is correct, and if the "fairness" defense of (5a) succeeds in competitive contexts, then (5a) will remain correct for at least one significant class of cases. However, despite the initial appeal of these suggestions, there may be good reason to reject the competitive model of desert-acquisition even here; for a simpler account of the way desert arises in these cases may be available. Put briefly, the suggestion is that the best qualified claimant's desert may arise, not through any victory over his rivals, but directly from the comparative closeness of the "fit" between his qualifications and the requirements of the job or opportunity to be awarded.⁹ Although a full defense of this suggestion would require

9. Cf. Feinberg's remark that desert, as opposed to rights, involves "that weaker kind of propriety . . . [which] is simply a kind of *fittingness* between

more discussion than can be provided here, the suggestion draws considerable support from the impressive variety of other contexts in which personal desert seems directly related to the "fit" between the relevant act or quality of the deserving party and the thing deserved. Such contexts include at least those in which persons who perform wicked acts are thereby said to deserve condemnation and punishment, those in which persons who act heroically are thereby said to deserve praise and reward, those in which persons with superior expertise are thereby said to deserve careful hearings, and those in which persons who suffer misfortune are thereby said to deserve our sympathy and understanding. In each of these contexts, personal desert appears to be grounded in nothing more than the especially appropriate nature of the deserved response; in none of them does such desert depend on the deserving party's competitive equality with others.¹⁰ If something similar can be said about the relation between qualifications and desert of opportunities, then such desert too will be grounded in considerations independent of the competitive model, and so (5a) will fail for it as well.

Although these considerations suggest that many desert-claims have little to do with the competitive model which alone renders (5a) plausible, there may still be some desert-claims which do arise primarily through competitive victory. Specifically, claims to deserve profits generated by the exchange of goods in competitive markets may con-

one party's character or action and another party's favorable response, much like that between humor and laughter, or good performance and applause." Joel Feinberg, "The Nature and Value of Rights," in Samuel Gorovitz et al., eds., *Moral Problems in Medicine* (Englewood Cliffs, NJ: Prentice-Hall, 1976), p. 456. For further discussion, see Feinberg's important paper, "Justice and Personal Desert," in his *Doing and Deserving: Essays in the Theory of Responsibility* (Princeton, NJ: Princeton University Press, 1970), pp. 55-94. Also relevant, though not restricted to personal desert, is Michael Walzer's discussion in "In Defense of Equality," *Dissent* (Fall 1973), pp. 399-408.

10. Of course, it is one thing to say that a person's desert may arise through his exercise of abilities not possessed by others, and quite another to say that his desert cannot be limited by concern for the future competitive position of others. For an account of desert which appears to allow for limitation on the latter grounds but not the former, see Lawrence Becker, *Property Rights* (London: Routledge and Kegan Paul, 1977), pp. 48-56.

ceivably be of this sort.¹¹ If they are, then such claims may indeed be constrained by something like (5a). However, even if this is so, (5a) will at best hold for a small subset of the claims to deserve goods which people advance, and so the crucial Rawlsian premise will still fail for the majority of such claims. There of course may be other routes to the conclusion that people rarely or never deserve things; and there may be independent reasons for systematically ignoring or overriding personal desert. However, pending the advancement of some further argument for these views, it seems clear that no satisfactory theory of justice can afford to ignore personal desert.

11. However, see Feinberg, "Justice and Personal Desert," pp. 88-94.

This essay has been much improved by the helpful criticism and suggestions of Alan Wertheimer.