

Income, Work and Justice¹

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Introduction

This chapter is concerned with justice and injustice in the economic sphere. Literature on this topic has been dominated by abstract, ideal theories of justice, most famously John Rawls' *A Theory of Justice* (Rawls, 1971). This situation allows moral and political philosophy to ignore actually-existing economic practices and the concrete forms of injustice they are associated with. Typically they assume an imagined world of rational, dependent-free, adult individuals entering into contractual relations with others. They adopt a minimalist or 'thin' account of human capacities and needs, that divorces individuals from their social situation and historical context, ignoring not only differences but important commonalities of human beings, especially their vulnerability and need of care. They also pay little attention to what political economy tells us about economies. Meanwhile those economists and political economists who do study actually-existing practices return the compliment by largely ignoring normative political theory. Even writers such as Thomas Piketty and Wolfgang Streeck leave judgements about economic justice and injustice largely implicit in

¹ Many of the arguments of this chapter are made at greater length, though in a more popular format, in my book *Why We Can't Afford the Rich* (Sayer, 2014).

their commentaries on contemporary capitalism (Piketty, 2014; Streeck, 2016). Such are the costs of the divorce of positive and normative theory, and the fragmentation of social science. In this chapter, I offer a way of bridging this gulf between political philosophy and political economy.

If justice is a state where everyone has their due, and meets their obligations to others, including the duty to respect their liberty, then modern economies offer considerable scope for injustice. Current economic relationships or transactions always take place amidst the effects of past interactions and their resulting inequalities, which shape what individuals and organizations are able to do. We all proceed on the basis of the lottery of birth in a highly unequal world.

Economic justice concerns not only what people are allowed to get (distributive justice), but what they are allowed or required to contribute (contributive justice (Gomberg, 2007))² - and what they are allowed to control. This is a huge subject, and so in this chapter I will deal with just a few sources of injustice, particularly relating to economic dependence, property relations, and the allocation of different amounts and kinds of work.

I shall adopt a 'moral economic' approach to these matters (Sayer, 2007; 2014). By this I mean an approach that critically examines the justifications of existing economic practices. It has much in common with the work of early 'moral philosophers', such as Adam Smith and John Stuart Mill, which preceded the splitting of studies of society into separate disciplines, and the unfortunate

² Although distributive justice is often said to include the distribution of opportunities and obligations to contribute work, the literature says very little about this. I therefore follow Gomberg in discussing contributive justice separately.

divorce of the normative assessment of economic matters from their explanation that characterises the academic division of labour today. In their work, description, explanation and evaluation of economy and society co-existed seamlessly.

Like feminist economics and economic anthropology, moral economy defines the point of economies as *provisioning* – providing the wherewithal for people to live adequately or well, though of course many economies do so only unevenly and selectively (Ferber and Nelson, 1993). Economic practices involve two kinds of relations: 1) our relation to or metabolism with the physical environment in the extraction, cultivation, deployment and disposal of resources, and 2) social relations between people, such as producer-user, carer-cared-for, buyer-seller, employer-employee, landlord-tenant, lender-borrower, state-citizen. Note that these economic relations include but go beyond market relations, for while production and consumption are universally necessary features of human life, markets are only contingent features.

Moral economy takes seriously the fact that people are social beings. We are social not merely in the sense that we happen to live in groups and have divisions of labour: more basically, our social nature derives from our extreme vulnerability and physical and psychological dependence on carers as infants, and from our subsequent more variable dependence on others, according to how we are affected by age, infirmity or disability. As the feminist literature on the ethic of care has made clear, dependence, both between and within generations, is a necessary feature of being human, and hence so is the provision of care: none

of us would be here without it (Tronto, 1994; Sevenhuijsen, 1998; Kittay, 1999). Hence, we cannot evaluate economic practices and outcomes on the assumption that everyone conforms to the model of the rational, self-reliant individual widely assumed by moral and political philosophy. But while some forms of dependence are necessary and desirable, others are exploitative and parasitic. Here, I shall be dealing primarily with indefensible forms of dependence involving unwarranted free-riding on work done by others.

I begin by relating income distribution to three possible sources of income and to the production of what income can buy. I then discuss contributive justice, that is, justice as regards what people are required or allowed to contribute in terms of economic production. While there are many other issues of economic justice, these two topics account for much of existing economic inequalities. I shall conclude with some remarks about possible policies that might counter these sources of economic injustice.

Three sources of income

Income is normally considered as simply a matter of distribution, but it presupposes production and hence contributions of work. This is obvious in the case of income in kind, but it is also true in the case of money income, for money has value only if there are goods and services that it can buy. Income is not a thing but a social transaction between providers and recipients. Bearing this in mind, we can identify three sources of income.

1. Earned Income

This is what employees and self-employed people get for producing goods and services. Although the size of their pay need not reflect what they deserve, however one might want to measure that, their pay is at least *conditional* on contributing to the provision of goods and services that others can use. Their income is earned in the sense that it's work-based, and the goods or services they help to produce and deliver have use-value, such as the nutritious and tasty quality of a meal, or the educational benefits of a maths lesson, or the warmth provided by a heating system. So there are two criteria here: earned income is dependent not just on working, but on work that contributes directly or indirectly to producing use-values. This is important because, as we'll see, it's possible to work without producing any useful goods or services, and indeed in a way that merely extracts money from others without creating anything in return. Many products and services are sold in exchange for money in markets, and so have not only use-value but exchange-value. But many are not produced for sale but funded by taxes, providing income for state sector workers, such as police officers, public librarians and school teachers. Public sector workers, no less than private sector workers, can produce wealth – useful goods and services. Unpaid labour can also produce vital goods and services too, like family meals, childcare and eldercare, though there are arguments for paying carers via the state. Investment income may also be earned insofar as it derives from enabling the creation of use-values, such as a new technology, or infrastructure, or training schemes, that would not otherwise exist. However, as we shall see, much of what is commonly called 'investment' does not enable wealth creation.

2. Transfers

Some sources of income are based on need rather than on contributions of work. They are given free to their recipients, usually on the grounds that they cannot be expected to work to earn it, because they are too young, old, ill or incapacitated to work. This is the case for transfers. They exist both in the private sphere, particularly within families, as in the case of provision for children, and in the public sphere in the form of state pensions, state education and health services, welfare payments, state housing, and in some cases benefits for the unemployed. In the private sphere transfers are approved directly by those who provide for the recipients, while in the public sphere they are approved indirectly via the democratic process. We all depend on the care and support of others for important parts of our lives and so transfers are a universal necessity for the reproduction of any society. We are not only rational beings but social, and hence dependent, beings. We can appreciate this as a matter of both concern for others, and enlightened self-interest. Adequate transfers are therefore a requirement of economic justice. Refusal of transfers to those who are unavoidably dependent on them is an injustice.

3. Unearned income.

This is based on power, not contribution to provisioning or need. It is extracted by those who control an already existing asset, such as land or a building or equipment, that others lack but need or want, and who can therefore be charged for its use. The recipients of this unearned income can get it regardless of whether they are capable of working and hence of earning an income, and

regardless of whether those who have to pay consider it fair. If the asset, say a house, already exists, then there are no costs of production apart from maintenance costs. Those who receive unearned income from existing assets do so not because they are in any sense 'deserving' – they have not contributed anything that did not previously exist – or because they are judged by others as needy and unable to provide for themselves, but because they can. It's power based on unequal ownership and control of key assets, and involves an unwarranted form of dependence. It is a major form of economic injustice.

Such assets function as what J.A. Hobson, writing nearly a century ago, called 'improperty', since they are held not for use by the owner but for extracting payments from those who lack but need or want to use them (Hobson, 1937). By contrast, property refers to possessions that are used by the individual or group owning them, such as a person's home, a self-employed worker's tools, or a cooperative's equipment. A similar distinction was made by R.H. Tawney who used the term 'property without function', for improperty (Tawney, 1920; see also Veblen, 1923). As Tawney said: "precisely in proportion as it is important to preserve the property which a man has in the results of his own labour, it is important to abolish that which he has in the results of someone else" (1920; p 68).

Unearned income can only be at someone else's expense. There is no such thing as a free lunch. If someone receives £1000 in unearned income, that sum of money can only have any value if there are goods and services produced by

others that it can buy. As John Stuart Mill argued with reference to the landlord's rent:

"Landlords grow rich in their sleep without working, risking or economising." . . . "If some of us grow rich in our sleep, where do we think this wealth is coming from? It doesn't materialize out of thin air. It doesn't come without costing someone, another human being. It comes from the fruits of others' labours, which they don't receive." (1848)

Principles of Political Economy, Bk.v, Ch. II

One of the strengths of this account of the source of unearned income is that it doesn't need a labour theory of value to defend it: all that needs to be accepted is that mere ownership creates nothing, yet where impropriety is concerned it can yield unearned income at the expense of others. It might be objected that the distinction between earned and unearned income is one of desert, and that there is no agreement on how desert should be measured (hours worked?; effort?; quality of work?; productivity?; usefulness of the product to the user?). But we don't need to take a stand on how desert should be measured in the case of earned income in order to argue that unearned income derived from impropriety is undeserved. Quite simply, it's something for nothing, based on power derived from control of scarce assets, and unrelated to need. Nevertheless, given that transfers and unearned income are not reciprocated by their recipients, it must be the case that in general, those who depend on earned income must produce more than they themselves can consume with that income. Insofar as this surplus supports transfers - based on need and approved by providers - it is

justifiable: insofar as it supports recipients of unearned income - rentiers, it is not.

While the term 'rentier' normally refers to an individual whose income is unearned, there are also *rentier organizations*, which employ people to extract unearned income. So although their employees receive an income from working, they are not contributing to the production of use-values but engaged in collecting unearned income and seeking new sources. In such cases, what appears to be earned income is in fact unearned. Many organizations in the financial and property sectors are predominantly involved in rentier activities, and significantly, they account for a large proportion of 'the working rich' in the upper reaches of the top 1% (Bell and van Reenen, 2014).

'Investment'

I noted earlier that where investments create new capacities for producing goods and services, any resulting income could be considered as earned, as it is dependent on a real contribution. However, much so-called investment does not fund the creation of any new use-values but merely gives the funder ownership of existing assets that provide them with sources of unearned income in the form of rent, interest, dividends, capital and other speculative gains. It is therefore vital to distinguish between two very different meanings of the word 'investment':

- (i) as wealth creation, i.e. where the funding enables the creation of new goods or services or skills, or replaces worn-out equipment, etc.;
- (ii) as wealth extraction, i.e. where the funding enables the purchase of assets, physical or financial, that provide the owner with unearned income.

In (i) the focus is on what is created – investment as object, in (ii) the focus is on what the ‘investor’ gets, regardless of whether any objective investment has taken place. In the case of (i) the investment may or may not yield the investor a return; for example it may fund something from which only others benefit.

Where such an investment does provide a return to the funder, then, insofar as it has enabled the creation of objective benefits, the return may be justified; it is ‘something for something’. In the case of (ii), the return is unrelated to any contribution to wealth creation and is parasitic. It is a function of power deriving from impropriety. It is a form of economic injustice.

Forms of unearned income

Rent for the use of land is a simple form of unearned income. As Adam Smith said, “landlords . . . love to reap where they have not sowed” (1776). Rent for the use of buildings, net of construction and maintenance costs is also unearned income. Wherever the supply of goods is restricted, as may happen in situations of monopoly, then owners can take advantage of this and extract rent. Insofar as internet-based platforms such as Google, Uber or Facebook, become ‘natural

monopolies', they too provide major sources of rent (Standing, 2016). Asset markets in general are an important source of rent because they behave differently from markets for everyday products like bread. When the price of shares rises, it tends not to prompt an increase in the supply of shares, for this goes against the interest of share owners, indeed share buy-backs have become a common source of unearned income as a way of pushing up the price of shares. 'Financialization' is heavily based on rent-seeking.

Capital gains, or asset inflation, whether of buildings or financial assets, are another source of unearned income. When realised, they give the owner a claim on wealth produced by others without having themselves made any contribution to wealth creation.

Interest is money's rent, a payment for the use of an existing resource.³ In standard accounts, credit relations are seen as contractual relations like any other between formally equal parties. While some credit relations – for example, between banks or other financial institutions – are between actors that are roughly equal in economic power, many are not; in many cases demand for credit depends on an inequality - between those with little money and those with more than they need for their own use. To be sure, any modern economy needs credit, not least to cover time differences between outlays and returns, as well as to fund real investment, but where there are marked inequalities in income and wealth, credit relations can become usurious, and increase that inequality.

³ In the case of digital money, now forming over 97% of money, its production costs are negligible but its supply is controlled by private banks that issue money in the form of credit, as well as central banks.

Standard justifications of interest – as a payment for waiting, or compensation for risk - invariably take the standpoint of the creditor and ignore this inequality, how it arose, and whether it did so fairly. In practice, the creditor’s calculation is not merely of risk but of power: how much can they make from the situation? Over the millennia, critiques of usury have taken many forms, both religious and secular, but their main objection has been that it allows the strong to take advantage of the weak (Graeber, 2011). It is significant that among friends, borrowing is generally avoided, but were a loan to be requested, demands by the lender that interest be paid on it, and for the right to seize the debtor’s property in the event of default, would be regarded as outrageous and would end the friendship. Yet this practice has become normalised and taken for granted in the formal economy.⁴ Such inconsistencies are common in economic matters.

To assess credit relations from the standpoint of justice we would have to consider not merely the individual transaction and the interests of the creditor but the fairness of the social relations and context in which the debt relations arose, in particular how the underlying economic inequalities came about. Discussing economic justice in terms of decontextualized contractual agreements among formally equal persons ignores all this.⁵ But of course, in a money economy, this abstraction exactly mirrors what happens in practice, as economic relations are disembedded, dehistoricized, and reduced to simple momentary transactions: creditors are not obliged to consider any interest other than their own, or any of these larger questions of economic justice. This is what Marx and

⁴ There is a biblical endorsement of this inconsistency: ‘Unto a stranger thou mayest lend upon usury; but unto thy brother thou shalt not lend upon usury’ Deuteronomy 23:20.

⁵ In effect, this is the key message of David Graeber’s important book, *Debt: the First 5000 Years*, (Graeber, 2011).

Engels memorably described as 'the icy water of egotistical calculation' (Marx and Engels, 1848).

As Adair Turner, the former head of the Financial Services Authority, has shown, over three-quarters of bank lending in the UK is not for new investment but against existing property, mostly housing (Turner, 2015). As long as house buyers can afford to borrow more for housing, landowners, developers and house owners can get significant gains without building much new housing, so the increased supply of credit inflates the value of the existing stock. In effect, such practices assist the asset-rich at the expense of the asset-poor, and increase the latter's dependence on the former. They also produce a shift from housing as a form of property to a form of improperty, indicated in the UK by the decline of home-ownership and rise of private renting. Again, these are structural sources of inequality and they are unjust because they are based merely on unequal power, not contribution or need.

In the case of *profit* from controlling the means of production, capitalist property rights allow the owner to determine what happens to the revenue gained from selling the goods or services produced by the workforce. This is a clear case of improperty. How much the owner pays the workforce depends on the balance of power between capital and labour, which in turn depends on their scarcity and organization. Simply by virtue of ownership of enterprises, and without contributing any work, capitalists may take whatever profit they can.

Extraordinarily, while anyone with sufficient money can buy up a company and do what they like with it, those who have worked to produce the goods that

provide the firm's revenue, possibly for decades, have no say whatsoever. However, though the direction and management of the firm may be delegated to others, owners often take on some of this work themselves, as 'working capitalists', so some of their income is earned. This side of their role is often used as a justification for their total income, but were the workers also to have the right to co-determine what happens to the firm's revenue, as in a co-operative, the boss would be unlikely to get as much as they could as a full owner. Once again, mere ownership creates nothing, but where impropriety is involved, owners can take advantage of others' lack of property.

As regards Chief Executive Officers, while they may lack ownership of their firms, the powers delegated to them by owners allow them to appropriate significant shares of profit. It is highly unlikely that the extraordinary growth of CEO's pay over recent decades reflects a remarkable growth in their effectiveness in improving their firms' performance. More plausibly it reflects the shift in power from labour to capital as labour's power has been eroded by globalization and labour market deregulation, allowing executives increased control over the disposal of their firms' assets.

Share-ownership is often seen as a form of investment, but in the vast majority of share transactions, there is no investment of the wealth creating kind, merely the purchase of assets that already exist that are hoped to provide unearned income from dividends and gains from trading. In any one period, only a miniscule proportion of purchases are of newly issued shares; the rest are of already existing shares in the second market, so the money paid for them goes to the

previous owner, not the firm. Despite the common, ideological description of shareholders as 'providers of capital', most have done no such thing. Over the last 30 years, with the development of major institutional investors such as pension funds, demand for shares has outgrown their supply, driving up their price to yield more unearned income (Engelen et al, 2011). Concurrently, the weakening of organized labour has allowed businesses to reduce the share of labour in increases in output associated with productivity gains, and increase the proportion going to shareholders (Sayer, 2014).

Finally, *inherited wealth* is a more obvious form of unearned income. The size of bequests reflects the wealth of the donor rather than any needs of the recipient, so they cannot be considered as transfers. If everyone received roughly equal inheritances, it would not be a source of arbitrary inequalities, but of course that is far from the case. And as Thomas Piketty has shown, the increase in the share of income and wealth going to the rich over the last three decades – itself a reflection of increases in unearned income – means that we are returning to a situation where inheritance or its absence is a prime determinant of individuals' life chances (Piketty, 2014).

Contributive Justice

Surveys of public opinion regarding economic equality and fairness show that it is common for people to be concerned not only about what people get in economic resources but what they contribute; many feel strongly that everyone

should contribute what they can, at least when they are capable of doing so (Horton and Bamfield, 2009; Miller, 1999; Orton and Rowlingson, 2007).⁶ These are matters of 'contributive justice', to use Paul Gomberg's term (Gomberg, 2007). Some individuals appear to make bigger and more valuable contributions than others: some do simple, unskilled work while others do complex, demanding and responsible work, this often being taken in popular thought as a justification for unequal economic rewards.

Imagine a work team or a household. In such situations it is common for their members to be concerned about whether they and others are 'pulling their weight', or free-riding on the work of others, this being seen as an injustice. There may be concern not only about the *amount* of work that each does (quantitative contributive justice) but also about the quality of the tasks that each chooses to take on, in terms of whether they are interesting or tedious, pleasant or unpleasant (qualitative contributive justice); hogging the nice jobs while leaving the unattractive ones to others is unjust. Both issues are familiar in arguments about the division of housework, for example, with the typical gender division of domestic work being unjust on both counts and in men's favour. Of course, a just resolution to these issues requires us to take into account different capacities for work and the different external constraints that individuals face, so that for example, the frail are not expected to do as much manual work as the young and strong, and the parents of young children are recognized as having demands on their time that the childfree don't.

⁶ In practice, this concern has increasingly taken a misdirected form in which those who are unable to work because of significant disabilities or job shortages are misrecognized and despised as 'scroungers' or 'skivers'.

As regards qualitative contributive justice, it is striking that we readily identify and object to unwarranted inequalities in the mix of tasks that people do in the home or in work teams, but in the wider economy we tend to take for granted the fact that some do tedious and sometimes unpleasant, stressful work, while others do work that is complex, pleasant, interesting and satisfying. This is another moral economic inconsistency. In the latter case, the inequalities are institutionalized in the unequal division of labour. Here I am not referring to the division of labour between different sectors like farming, retail, education or information technology, but to the division of work in any such sector into jobs of very unequal quality. It is common for the unequal division of labour to be regarded as a reflection of or response to differences in individuals' capacities. Yet, where such a division of labour has become institutionalized, the work contributions that individuals can make can only be unequal, regardless of their capacities or merit. As Adam Smith wrote:

“The difference in natural talents in different men is, in reality, much less than we are aware of; and the very different genius which appears to distinguish men of different professions, when grown up in maturity, is not upon many occasions so much the cause, as the effect of the division of labour. The difference between a philosopher and a common street porter, for example, seems to arise not so much from nature, as from habit, custom, and education.” (Smith,1976 [1776] Vol.1, bk I, ch ii, pp.19-20)

Here we need to take into account the intergenerational transmission of inequalities. Once an unequal division of labour is established, those workers who are parents will tend to pass on their advantages or disadvantages to their children. The processes by which those who inherit not only economic but cultural and social capital gain an advantage over those who lack these are well documented in sociology (Bourdieu, 1986; Lareau, 2006). The effects of the unequal division of labour on those entering the labour market are indirect, operating through the shaping of their expectations and capacities by the circumstances and behaviour of their parents. Even individuals' degree of motivation may be shaped by the lottery of birth into an unequal society: middle or upper-class young people have more and better opportunities than their working-class counterparts, and motivation and aspirations are likely to vary correspondingly, though there will always be exceptions. For example, it is much harder to see yourself going to university if no-one you know has done so, than if it's the norm in your family and social circle.

So the unequal division of labour is a *structural* source of unjust inequality: it derives from structures of interdependent but unequal positions that constrain and enable what each person can do. Every time organizations create mixes of jobs that segregate good and poor quality tasks into separate occupations they reproduce inequalities and qualitative contributive injustice. Equal opportunities policies do not render the unequal opportunities presented by an organization's range of jobs equal; they merely try to make access to these unequal opportunities discrimination-free. Further, those in the more interesting, typically better-paid jobs are likely to have the power to hoard the opportunities

they enjoy and to hive off boring tasks to other, lower-paid jobs (Tilly, 2002); this has been a characteristic of professions. From the point of view employers, the unequal division of labour saves them money, as they then need only pay a few highly skilled workers for doing highly skilled jobs. From the point of view of employees as a whole, it reduces the opportunities for doing skilled satisfying work as it is monopolised by a smaller number of workers than before. Two solutions to this structural contributive injustice are possible. One would be to redesign jobs so that within any organisation, each worker does a mix of good quality and poor (but unavoidable) quality work tasks in rotation, say over a year. There may be practical limits to this, for example, where highly skilled and specialized work that requires regular practice is involved, but some movement towards this would bring benefits in allowing everyone to do some good quality work and develop their skills. Alternatively, workers could be offered higher pay for doing poor quality task than for good quality ones, so they would be compensated for doing the former; this of course, would be an inversion of current practice on pay.⁷

In conclusion: possible policies

The distinction between earned and unearned income is at least two centuries old, but it has been quietly and conveniently forgotten with the rise of neoliberalism. This is understandable given that it exposes the fostering of

⁷ I am grateful to Erik Olin Wright for this idea (personal communication).

unearned income at the expense of earned income that lies at the heart of the neoliberal political project.

Unearned income can be stopped by changing property rights or by taxing it away, so that improproperty becomes insignificant. It can also be reduced more indirectly, by raising minimum income and transfers, so those with least are less dependent on those with most. Assets like land could be taken into public ownership, whether at national or more local levels. Public authorities in charge of them could still charge rent in order to ration the allocation of land, but the use of the income yielded could be democratically-determined. Similarly, with social housing. Another possibility might be to generalize private and/or cooperative ownership so that no one had to be dependent on owners of improproperty. Regulating the provision of credit by private banks and supporting alternative communal and state banks could reduce the transfer of income from debtors to the rich, and appropriate legal changes to the rights of debtors and lenders could prevent usury. Disallowing transferable shares and giving employees more control of their organizations would also help to secure “the euthanasia of the rentier”, the “functionless investor”, called for by Keynes (Keynes, 1936, p.376).

Politically, however, it may be more feasible to leave existing property rights largely intact and tax away most of the gains they yield by improproperty. From the standpoint of justice, unearned income should be more heavily taxed than earned income. Inherited money, wealth, capital gains, rent, and interest are key candidates. But even if introduced gradually, such taxes would provoke strong

reaction from extraordinarily powerful interests. Keynes expected rentiers to wither away as capitalism had developed, but the reverse has happened since the 1970s. Marx expected financial capital to be subordinated to industrial capital, but again the reverse has happened, so that the net flow of capital between them is in favour of finance (Marx, 1972). The massive concentration of wealth at the top in recent decades has given rentier interests enormous political power; neoliberal policies, from the World Bank downwards, promote rentier capitalism. Further, insofar as a significant proportion of the population have private or occupational pensions 'invested' mainly in existing assets that yield unearned income, it would of course be politically difficult to remove or tax away such gains. But then, in keeping with the argument regarding unavoidable dependence and the need for transfers, the needs of those who are too old to work should first be met by this means. I would therefore argue for expanded state pensions based on simple intergenerational transfers. People could still save for their retirement so as to add to their state pension, and if they invested such savings productively, then their gains could be said to be earned rather than unearned.

However, even if unearned income were rendered insignificant, the unequal division of labour would allow contributive injustice to continue, together with the unequal remuneration that goes with it. Given the importance of type of occupation as well as income in affecting individuals' ability to use and develop their potential in determining their quality of life, contributive justice needs to be taken more seriously than hitherto.

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