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'Merit, and only merit is what counts.' So Thomas Mulligan in his bracing polemic *Justice and the Meritocratic State*, Routledge, 2018, in their new 'Political Philosophy in the Real World series. How far Mulligan's book represents or could represent political philosophy in the real world will be a matter of judgement. This is significant because, as he mentions, few systematic or theoretical studies of meritocracy have followed Michael Young's famous *Rise of the Meritocracy* of 1958. What Mulligan does not emphasise is that Young's book was intentionally dystopian, showing the horrors that would arise from a society stratified by merit alone, where his own is intentionally utopian; 'unabashedly utopian' he says, but despite his virtuous intentions, others may find what he says somewhat nearer the dystopian pole.

Virtuous intentions are signalled early on, on pages 7 and 8: 'Donald Trump is the ultimate manifestation of our failure to maintain the meritocratic structure of society. This is a man who was born into extreme wealth, thus enjoying advantages over his peers. He has been a perennial professional failure, pauperizing his shareholders while enriching himself. He is unlettered and crude. He is devoid of moral fiber. He is a person of low merit. Yet our culture saw fit to elect him President: a job which he did not deserve, and which, I predict, he will fail to discharge effectively.' Good to have that clarified at the start: alongside all his other faults and failings, or what Mulligan and one imagines many other academics emphasise, President Trump is NOT a meritocrat! That at least is undeniable, given Mulligan's account of meritocracy, which relies on stringent equality of opportunity. In case we might not have grasped this point, developed over a couple of hundred pages or so, we are reminded on page 196 that we (in the US, presumably, and maybe by extension in Britain too) do not live in a meritocracy. 'We' live in a society when 'positions of wealth, prestige and influence are obtained not on the basis of merit, but on the basis of one's social circumstances. This is the message sent by Trump, whose successes – such as they are – were enabled by tens of millions of dollars in inheritance.'

Mulligan quotes Aristotle as saying that 'all agree that the just in distributions must accord with some sort of merit' and what he himself argues can also be seen to derive from the more general Aristotelian point that injustice arises when equals have and are

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awarded unequal shares, or unequals equal. In other words Mulligan is not an egalitarian; but nor is it true that *all* agree that the just in distributions must accord with merit. From different perspectives Rawls and Nozick would not agree, Rawls because no one deserves anything at all, Nozick because the justice of outcomes depends only on legitimacy of exchange; nor would Dworkin and Hayek agree. In Hayek's case this is because it is conceptually impossible to talk in terms of deserved compensation apart from what results from free market activity, a point not really answered by Mulligan.

Mulligan takes on philosophers from a number of different perspective who would disagree with his broadly Aristotelian stance, and, up to a point, fairly effectively. He develops an interesting, though perhaps not conclusive argument against Rawls as to why differential genetic endowments among individuals would not compromise desert in a regime of equal opportunities. As my genetic make-up is part of what is essential to my being me, it cannot be regarded as a matter of luck. He also produces some empirical evidence to the effect that members of the general public are less Rawlsian and more Aristotelian on distributive justice than Rawls and his followers might think (Rawls' followers, of course, including large numbers of contemporary political philosophers).

However, as Mulligan points out, anyone following Aristotle on justice will have to say more about what *merit* might mean. For Mulligan merit in this context seems to mean what an individual has worked for by his or her own effort, intelligence and ability, natural or otherwise. But rewarding people on this basis would be just only given equal opportunities for all, and also given that the rewards actually reflect merit as opposed to something else. Mulligan thinks that in contemporary American society many rewards, particularly of the super-rich, are due to unfair family influence and inheritance (as we have already seen), or to factitious factors such as rents and undeserved bonuses and payments in big business, and unmerited premiums given to superstars in popular culture and sport, who, in his view, are only marginally better than their much less well paid competitors. These excesses must be stripped away by punitive taxation, of the order of 83% or 75% or possibly more, with inheritance being dealt with by means of 'robust' taxation (though with some concessions over family homes, small businesses and prized heirlooms). Robust inheritance taxes are legitimate in Mulligan's view because the state already and quite rightly interferes with gifts to stop donations to terrorists, so... One wonders what parents who have devoted their lives to doing their best for their

children and want to donate to them some of what they have worked for would react to being compared to donors to terrorism.

Also involved in Mulligan's utopia are radical attacks on the family: thus parents are not to be allowed to bring children up as they *believe* to be the best, but only in terms of what will most likely promote children's ability to flourish, though beyond gestures in the direction of 'experts', quite who will decide this, or how it will be enforced is left unclear. All children are to be afforded equal (note) health care, education and other forms of support, and while Mulligan would no doubt see this in terms of levelling up, it is hard to see in practice how this will not involve levelling down of elite schools, especially if they are private, and heavy state intervention. As J.S. Mill pointed out long ago on theoretical grounds, universal state direction of education tends to uniformity and mediocrity, and experience since in many countries has not proved him wrong. (Finland, which is often cited as an example of a successful state system of education, does well for the average child, but far less well for those of high ability.)

That Mulligan is certainly optimistic comes out clearly in his treatment of what he calls depraved tastes and celebrity culture more generally (the over-paid pop star). Obviously, as things are, Justin Bieber (Mulligan's example of what he regards as an over-paid pop star) and his ilk are going to be paid a great deal and a great deal more than, let us say, Andras Schiff playing Beethoven. If we believe in merit, true merit, being objectively rewarded, this would be a bad thing. Mulligan does believe in true merit, though he is coy about the relative virtues of Beethoven (whether or not played by Schiff) and Bieber. However he believes that this sort of problem, and many analogous ones to do with true merit, will be sorted out by a pure meritocracy. Mulligan says 'we cannot say what the right preferences and the good products are. What we can say is what sort of economy is likely to form and produce these. This is a meritocratic economy. In a meritocracy, we are led to the correct preferences – whatever they may be – even as the government refrains from making particular judgments about the wisdom of market decisions.'

The idea seems to be that in a genuinely meritocratic society, people will be rewarded according to their merits, the truly meritorious having more money than the less (truly meritorious, because they will have deserved what they have through their efforts and responsibility). They will thus have most purchasing power, and so influence taste and other things in a meritorious direction. But, if we have got this point right, there seems to be a gap here – having deserved a reward for hard work does not itself mean or imply that one has

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good taste or judgement, so one's enhanced spending power will not necessarily go in the right direction. To use Mulligan's own examples, hard physical workers might favour homeopathic remedies for their aches and pains, and a gluten-free diet, which would be thoroughly sub-optimal, as, in his view, such things have no real value. In this context Mulligan might have considered de Tocqueville's analysis of standards of taste in a democracy run on a basis of equal opportunities. (Because of an enterprise-sapping consensus that individuals should not stand out, they will track downwards).

Even if what Mulligan says about the family, inheritance and taxation is not seen as impracticably utopian, and it is hard to see that it is not, he says little or nothing about the way in which very high levels of taxation depress the revenues that come into the state coffers, or indeed the way his strictures on upbringing would not hit at the most sensitive, precious and productive of human relationships. Nor does he take seriously the way in which a society stratified purely on merit, disregarding such factors as luck, birth, upbringing and the sheer contingency of so much in one's life might look to those who are unsuccessful, even assuming that there could be any consensus on what is to count as merit. 'Merit, and only merit, is what counts.' Utopia or dystopia?