

## *Public and Private Benefits in Higher Education*<sup>1</sup>

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Discussions about funding for postsecondary education eventually turn to the question of who pays. Central questions concern the likely effects of various proposals: will higher tuition be a bar to accessibility, making education the privilege of those who can afford it, and deterring those who can't?<sup>2</sup> Or will it increase accessibility by creating more spaces and transferring money from those who can pay to those who cannot?<sup>3</sup> The facts are contested, and competing views claim that the truth is on their side. Both sides can't be right.

There's another, equally important debate about funding. In this debate, opposed views about tuition levels both claim to occupy the high ground of justice. Those who want tuition frozen or reduced argue that postsecondary education is a public good. It provides the reflective and skilled people that society needs, and both justice and efficiency require that everyone get an equal chance to participate in it. If tuition is prohibitively high, both public goals will be frustrated. The best students will not be the ones who are educated, and opportunities will be unfairly distributed. Those who favour increasing tuition argue that education confers a substantial private benefit on those who receive it, a benefit that other people do not receive. Justice requires those who receive a disproportionate benefit to pay for it.

Each side appeals to a principle that is beyond dispute. The first says, roughly, that fair equality of opportunity requires that as society reproduces itself across generations, it must offer the benefits of higher education to everyone who is capable of

acquiring them. The other one, put equally roughly, says that if some people receive a scarce benefit, but others don't, those who receive it should pay for it. People who expect to derive substantial benefits are free to do so, but they have no business asking for public subsidies.

In this debate, both sides are right. Post-secondary education falls squarely under each principle. It's a necessary part of society's moral task of reproducing itself across generations in a way consistent with the equality of all citizens. It's also a benefit that is conferred differentially, creating further opportunities and benefits for those who receive it. Even if its opportunities are open to all, not everyone either takes or receives the same advantage of the opportunities offered. Those who do benefit get advantages that other people don't.

Both sides are also wrong if they claim to offer a full account of higher education. Quite apart from questions about who pays, an exclusive focus on either aspect distorts its importance in our society. An exclusive focus on the private benefits of education distracts attention from the role of universities as custodians of cultural heritage, and also fails to acknowledge the important ways in which they contribute to the health and success of society as a whole, making life better even for those who don't participate directly.<sup>4</sup> It also overlooks the synergies between research and teaching, which have almost nothing to do with imparting marketable skills. An exclusive focus on the public benefits distracts attention from the fact that students get to choose what to study, what parts of the cultural heritage to explore, and what to do with what they have learned. Postsecondary education is nothing like military conscription, or even like a volunteer army, and no student should experience their first term as the equivalent of boot camp.

If both sides are right, there has to be some way of bringing the two intuitive ideas of justice together in a way that takes account of both of their claims. I want to argue that to take proper account of both principles in the case of post secondary education, we need a system in which the public pays for the public benefits provided by higher education, but each person pays for the private benefits that they, in particular, receive. I will make a proposal about how these components can be sorted out, as well as a proposal about when they can be sorted out.

### *The Division of Responsibility*

Modern democracies are sometimes described as "welfare states," making it sound as though their primary job is to see to it that their citizens are happy or at least content with their lot. That picture is more misleading than illuminating, either as a description of the basic activities of modern liberal states or as a prescription for what justice demands of them. It's better to think of modern democracies as resting on what the late John Rawls called a "division of responsibility" between society and the individual.<sup>5</sup> Rawls suggested that society as a whole has the responsibility to ensure that everyone has the basic abilities and protections they need to be able to choose their own path in life, and a public culture that enables them to do so. That responsibility requires public provision of a wide range of services and benefits to citizens, including both pure public goods, such as waste treatment facilities, the protection of the environment and the supply of police services, and national defence,<sup>6</sup> and goods such as healthcare and basic education that contribute to the ability of all citizens to decide what kind of lives they wish to lead. Most of these goods are provided more or less unconditionally.<sup>7</sup> Your claim to medical treatment does not depend on your ability to pay for it. It also doesn't depend on how

you came to need it. Maybe you should have gotten a flu shot, but if you get seriously ill with the flu because you didn't, you get treated anyway.

Public provision of healthcare shows the sense in which the state's main business isn't making people content, let alone happy. Other things may matter to you more than your health – maybe you would rather skip an expensive medical treatment that will extend your life and take a fraction of what it would have cost to spend as you see fit, perhaps on a spectacular vacation. Public provision doesn't work that way. You receive treatment, or some form of voucher you can use only for treatment, rather than receiving the cash to spend in whatever way would make you happiest. The focus on provision of particular goods and services doesn't reflect a paternalistic distrust of the poor judgment people might exercise in spending their money. Nor does it express contempt for the particular choices that people are likely to make. Instead, it is a reflection of the basic requirements of justice under a division of responsibility. Society's task is not to see to it that you are happy, or that you succeed in your ambitions. Instead, its obligation is to see to it that you will have the wherewithal to make what you will of your own life.<sup>8</sup> That requires both meeting your needs and securing conditions in which you can set your own purposes.

The other side the division of responsibility is that if public provision is in place, each individual has a special responsibility for his or her own life. Nobody is entitled to demand an extra share of social resources just because they happen to want something particularly badly. They also can't demand extra resources, or limitations on the fundamental freedoms of others, on the grounds that their chosen path in life is more valuable or important than those of others.<sup>9</sup> The problem with those demands isn't that

they are controversial, but that demanding more is inconsistent with the responsibility each person has for their own life.

The special responsibility that each person has for his or her own life also provides an important role for markets. Markets enable people to decide what to do with their lives and abilities, and to decide what to do in light of the choices of others. People offer each other incentives to do the things they want them to do. Freedom entitles each person to decide which incentives to offer others – what to buy – and how to respond to the incentives others offer – how hard to work, and whether to do something interesting or lucrative. One of the opportunities opened up by market society is the freedom to use liberties and abilities to acquire income and wealth, subject to the claim of society as a whole to tax income and wealth as needed to sustain its responsibility of providing adequate resources and opportunities to all.

The division of responsibility generates each of the two principles that animate debates about tuition, and specifies the appropriate domains for their application. In most cases, the domains are separate. The first principle governs things that everyone gets, whether directly or indirectly; the second those that people seek out and acquire differentially. The second principle governs most other things, which go to those who pay for them on the basis of their ability and willingness to pay.

It's difficult to imagine a tolerable social life organized around only one of these principles. Leaving everything to the market would make each person's life prospects depend too much on contingencies of birth and health; distributing everything centrally would prevent people from taking responsibility for their own lives.

The distinction between these two principles cuts across the question of whether government should be in the business of *producing* particular goods. Whether the private sector or the state is a more effective provider of certain goods doesn't speak directly to the question of who should pay for them. The two principles of just distribution are silent about who produces what, because they concern who receives and who pays for various things. Governments have at various times run airlines, coal mines and gas stations, each of which charged their customers for their products. At other times governments have contracted out the provision of essential services. There may be no general answer to the question of which arrangements work best, just a series of specific answers about specific services. These questions can only be answered under the cold gaze of efficiency: what is likely to produce the best result at the lowest cost? The answers to those questions don't tell us which things should be provided to all.

### *Higher Education and the Division of Responsibility*

Higher education straddles the division of responsibility between society and the individual. Educating a significant proportion of the public provides benefits to everyone, by enabling economic development and innovation, and by ensuring the articulate citizenry that democracy demands. For those who are educated, it provides the further benefits both of a broader array of options and, no less important, broadened horizons of understanding.

For all of its public benefits, post-secondary education is not something that is actually provided to everyone. When it is provided, it doesn't get delivered to everyone in the same way, in the way that primary and secondary education, health care, and clean

water are supposed to be. At most, higher education is supposed to be available to all those who are capable of participating in it. Participation rates in Ontario are in the neighbourhood of 40%. It may be a matter of some concern to lag so far behind some countries with very high participation rates – Finland's 56.1%, for example – but even Finland doesn't approach universal participation in post-secondary education. The model of education cannot be assimilated to the model of health care, where, everyone gets to participate, at least if they wait in line long enough. Not everyone who applies to college or university gets in, no matter how long they wait in line, and those who do get "in" to very different institutions, and within those institutions, face different offerings, and take advantage of different options available to them in different ways and to different degrees. Those differences in institutional structure, offerings, and even quality are not imperfections in the system. They are strengths. It is a good thing that students can choose the type of institution they wish to attend and also a good thing that institutions have some choice about the type of students they want and the programs they offer.<sup>10</sup>

This range of choices already marks a sharp contrast with things for which public provision is required. If sewage treatment systems vary in their reliability or quality, or are only available to some people, we have both a public health disaster on our hands and a pressing issue of justice. If vaccinations are only available to people living in urban areas, that raises a problem of justice too. If elementary schools in wealthy neighbourhoods get more resources than those in poor ones that is an issue of justice. In each of these cases, society's ability to sustain itself across generations on terms of justice is called into question. Those who are excluded from basic services are wronged by the system that fails to give them the basic things they need. They will also probably

experience high-minded talk about a "culture of responsibility" as a mask for injustice, because they are told to "take responsibility" for their lives but denied the means they need for taking it.

Post-secondary education is nothing like that. It may be that ideally we would have a participation rate of close to 100% in post-secondary education. But nobody would advocate a system in which there was 100% participation at any given institution or in any particular program at a particular institution, let alone at the graduate or second-entry level.

The variation in offerings and the unavoidable use of criteria for selecting students raise the first question about justice in higher education: how can something be a public good that is provided as a matter of justice if it isn't provided to everyone? Postsecondary education isn't a basic need in the way that primary and secondary education are. Instead, it is a public good because an educated public is a benefit to everyone, even if they are educated in different ways and to different degrees. Everyone benefits when society has skilled and educated people. The provision of that public benefit doesn't require either that everyone have a particular skill or level of education, or that any particular person have any particular level of skill and education. Part of society's mandate under the division of responsibility is to see to it that there are people who are well enough educated to carry out the various parts of the task.

Higher education is also a public good in another sense. Although receiving postsecondary education isn't a matter of entitlement in the way that primary education is, the opportunity to participate in it is one. Both justice and efficient provision of educated people requires that everyone has a fair opportunity to participate. It would be

unjust to exclude people from a chance to develop their power simply because they couldn't afford to pay. It would also be unwise to limit the pool of people to be educated on the basis of ability to pay, since it is so obviously not a reliable indicator of ability to learn.

Reproducing society across generations on terms of justice also requires that higher education be dedicated to the pursuit of excellence, in both research and teaching. The pursuit of excellence is a benefit to society as a whole, even in those cases when the aim is not achieved. Most of the public benefits of postsecondary education only accrue when the quality is high, and accrue in proportion to quality. Although the monetary costs of low quality education are lower, the real costs are high. Over the short term, students pay those costs, in the form of fewer spaces, larger classes, less intensive instruction, and loss of research faculty. In the longer term, the public also pays, by getting graduates with both less training and less of the things the education brings to a democracy.

It may be that some of the *private* benefits of post-secondary education could be acquired with low quality education. Some of those private benefits may be the result of differentiation – imagine a society where employers prefer people with a diploma even if the training they receive is of such indifferent quality that it doesn't enable them to do their jobs any better.<sup>11</sup> The purpose of publicly funded education isn't to lead to that sort of differentiation, but to provide people who are very good at the things that they do, and a society can only provide that by providing access to high-quality education.

The social benefits of higher education require that different people benefit to different degrees. Gifted students have a broader range of choices, and success opens up

further opportunities. These differences reflect the public benefits. As a society, we need people with a wide range of different types of education and training. We can't realize that benefit if everyone receives the same training, and we can't realize it justly if the decisions about who got into which programs are left to anything other than a combination of individual choices and promise in relation to the particular program. Nobody can be required to take a post-secondary program that doesn't interest them, and if more people want to take a program than it can accommodate, the choice is supposed to be made on the basis of suitability for the program.<sup>12</sup> It's easier to say what doesn't count as part of suitability than to say what does. In particular, wealth or, as some private universities politely call it, "legacy" status, is not part of what qualifies a person for admission to an institution or program. Wealth-based admissions aren't just unfair to those who are excluded on the basis of their financial status. In a society where markets allocate most goods, people are excluded from lots of things on just that basis: houses, cars, and dinners in restaurants are allocated primarily on the basis of wealth. However much some people might complain about this, objections to market provision overlook the specific problem with having access to post-secondary education depend on wealth, the way that it frustrates one of the purposes of public provision. In order to provide the educated workforce and the educated public necessary for economic growth and informed public debate, those who are selected must be selected on the basis of criteria relevant to those public purposes. Family wealth isn't a serious candidate for such a criterion.

*Assessing Private Benefits*

Because it is differentially distributed, post-secondary education also provides differential private benefits. Society as a whole may need engineers, people with good writing skills, doctors, lawyers, and so on. Society also requires excellence in those things. Those who are chosen to do each of these jobs both get the personal benefits of additional education and the longer-term financial benefits that follow education. Those benefits are well-documented, and it would be disingenuous to pretend that if they are benefits to society as a whole, they can't also be benefits to those receive them. They flow to those who receive them in a way that they don't flow to anybody else, so that public benefits are provided by giving particular people additional powers for making their own way in the world, powers that aren't provided to everyone.

How much private benefit does someone receive from a particular level of education? There are lots of statistical measures, most of which focus on such things as life expectancy and income earned, treating these as an implicit proxy for improved welfare. One fascinating artefact of these measures is the surprising (though on reflection not) result that on average, students who do an undergraduate degree in philosophy do better financially those who do undergraduate degrees in more 'practical' disciplines.<sup>13</sup> Does this mean that the benefits of a philosophy education are significantly private, so that philosophy students should be charged a higher tuition fee for their investment than students who major in such low-paying subjects as commerce?

We usually think of economic benefits in a way that makes no direct contact with ideas about welfare. Instead, we focus on realized value. Any sane tax system thinks about talents in this way, for example. If you have a beautiful singing voice, but use it only to sing songs to your children, you don't have to pay tax on the happiness that you

receive, or pay a gift or estate tax on the happiness that your children receive from it. If you take that same beautiful voice and sing at that Canadian Opera Company, you must pay tax on any income you earn. Why treat them so differently? After all, in the first case you make yourself or your children happy; in the second you make the paying patrons of the Opera happy. If we cared about welfare, it might be a better idea to encourage you to make other people happy, by making you pay the tax on what you could do for others, even if you don't. But neither your welfare nor other people's is at issue here. The difference is that in the first case you simply enjoy something, whereas in the second case you turn it into a resource that you use in order to acquire further resources. It's not that there's anything wrong with using it that way. It's just that you have turned your talent into an asset that the state can tax to support its legitimate activities. It can tax you, even though it can't force you to sing – it can't, for example, assess the likely market value of your voice and require you to pay the tax that you would owe if you marketed your talent, effectively requiring you to do just that on pain of bankruptcy. The problem is not just that this would be impractical or intrusive, or even that it would effectively enslave those with talents, forcing them to deploy them in the most efficient way.<sup>14</sup> These problems are just symptoms of the way a talent tax is at odds with the division of responsibility. Your abilities are yours to use as you see fit; your special responsibility for how your life goes entitles you to use them in ways that are unproductive. Others can offer you monetary inducements to use them in ways that make them happy – that's essentially what a market does – but the division of responsibility requires that you get to decide.<sup>15</sup> Only the realized value of your assets is taxable, or, to

put the same point more precisely, your voice is only an asset in the relevant sense if you realize its value.

The example of your beautiful voice shows the problems with some familiar ways of thinking about the talents that you develop with the help of others, notably the publicly funded post-secondary education system. The idea that students should be made to pay the probable market value of their education is like the idea that you should be forced to pay the tax on the income that you would have earned had you decided to become a successful opera singer.<sup>16</sup> Or, to take another example, making you pay for the welfare gain from your education would be like making the price you pay for a car depend on how happy it is likely to make you. Happiness taxes, like talent taxes, would be an administrative nightmare, but that isn't only thing that is wrong with them. Your obligation to pay for a private asset is part of your special responsibility for your own life. If you gain a valuable resource which you use to gain economic advantage, you can be asked to pay for it.

Post-secondary education provides other benefits. It will expand your horizons, introduce you to people you would not otherwise have met, enliven your imagination and sharpen your intellect.<sup>17</sup> Those benefits, like the benefits of singing in the shower or to your children, are not private benefits of the sort that anyone has any right to make you pay for, or make you deploy to guarantee that they bear fruit. You no more need to pay for them than for the benefits you get from clean water, the enforcement of the criminal law to protect you, and the various other publicly provided services that make your life better in various ways. They also increase your life expectancy and probably your income. You don't need to pay for them because they are provided to you in the process

of providing them to society, because the only way they can be provided is by providing them to particular people. The only way that you have to pay for them is the way in which you pay for the public provision of such – through the tax system, on the basis of the income you earn.

The private benefits that come from the realization of the education as an asset redound to you in particular in a different way. The income you generate through the exercise of your publicly acquired skills is a measure of the private benefit you receive. Income is a poor proxy for welfare, but the ability to earn income isn't a proxy for the private benefit of education: it just is that private benefit. That private benefit is something that you can be made to pay for.

You don't know how valuable a private asset you will receive you decide to enrol in a program, begin, or even complete your studies. You only know once you have actually brought your education to market. How much benefit you get is a function both of the opportunities that are available to you, and of the particular way in which you decide to bring it to market, whether, for example, you want to work in industry or for a non-profit organization; whether you want to use a legal education to do corporate work or to try to preserve wetlands. Or someone may want to use a humanities degree to write novels, something that can be either very lucrative, or very not-lucrative, with very little middle ground in between. Again, what you plan to do and what you end up doing may not turn out to be the same thing. It is the private benefit you realize that you should be made to pay for, not the ones you seek or that you could realize.

The issue here is not just that you don't know in advance what asset you will realize through your education. Calculating the expected value of an asset in conditions

of uncertainty is straightforward enough. Instead, the value of the asset depends upon what you decide to make of it. Any sensible way of calculating the asset value of your education in advance would be inconsistent with the idea that you are free to choose what to do with your abilities, including the ones you acquire through your education. If you choose to turn your education into an asset, and succeed, then you should pay for it. If you don't turn it into an asset, or if you turn it into a sort of half-asset, then you pay that proportion of its cost.

Pricing the benefit is complicated by the fact that things that are publicly provided don't have a market price. The supply of education isn't controlled by aggregate demand for it. Since provision is public, the level of provision is set either by the Legislature or a particular institution. How much does it cost? Whatever it cost to provide the skills that you turned into a private benefit. The cost of that provision turns out to include some of the costs of the way in which it is provided. To take a simple example, even if you have perfect grades and test scores, so that your application takes no time to process, you still need to pay your proportionate share of the cost of running the admissions process. More generally, you need to pay some proportion of their share of operating the University as a whole, even if you never set foot in any buildings that are used by some of the programs that it offers. There is no natural way to disaggregate the various costs of the provision of private benefits that the university engages in, no natural way to measure the exact amount of private benefit that students receive because their professors talk to colleagues in other disciplines, for example. There is also no natural way to disaggregate the costs of training a student who goes on to make a lot of money from the costs of training the student who doesn't. If half of the graduating class makes a lot of money, then the price

of the private benefit they have received includes covering part of the cost of educating their classmates, because they got the private benefit they did through the provision of the entire education system.<sup>18</sup>

It would be naïve to pretend that a properly functioning and funded system of post-secondary education will somehow dissuade all students from viewing their education as a commodity. Some students aspire to be wealthy, stylish, or successful, and will choose their education based upon the prospect of a large income. Nobody thinks that governments or universities should stop trying to attract promising students by drawing attention to the increased lifetime earnings an education can bring. A free society has to let people make their own choices in life, including engaging in self-seeking behaviour. If people want to view higher education in narrowly careerist terms, probably nothing will stop them, and it may be that nothing should stop them. But the point of making them pay for the assets they realize isn't that they thought of their education in that way all along, but that they realized the value of an asset. If they view it that way, then they should be required to pay for the career benefits that they receive – just as everybody else should. They should not be required to pay for the career benefits that they seek, just the ones they receive.

The division of responsibility is an abstract way of thinking about social life, but it has significant implications for institutional design. An ideal system would have full public provision of post-secondary education, with only retroactive payment for the private benefits received, on the basis of the private benefits received. Prohibitive up-front costs are objectionable if they deter academically qualified students from enrolling. That would undermine fair equality of opportunity and produce a less talented pool of

graduates.<sup>19</sup> Back end costs are another matter. They can be high for those who earn high incomes as a result of their education. On this model, the total debt a graduate owes is tied to the private benefit realized, on the grounds that people should be made to pay for private benefits that they receive through public education. Income earned is an appropriate measure of private benefit gained, because earning power is the private benefit.

Because it makes provision for debt relief, this model isn't subject to the familiar objections to those models of income contingent debt repayment that simply extend the amortization period to ensure that nobody's annual debt payment exceeds a fixed proportion of their income. The objections assume that those with smaller incomes pay more over the long term because the interest costs escalate as the amortization period grows.<sup>20</sup> If earnings set the total amount owed, as well as the repayment schedule, those objections have no purchase. Those who earn less, whether because of career choice or bad luck don't just get more time to repay: they have less to pay for.

No single institution is likely to be in a position to implement such a system, because of concerns about start-up costs, defaults, and so on. A province wide or national system is more manageable. One possible mechanism is to use a progressive income tax, which we already have, to collect taxes that go into the general revenue pool, and then have a portion of them flow back into the education system. In principle, progressive taxation is a good way of raising money for the public component of higher education, even if higher education has tended to lose out when it competes with primary and secondary education, let alone health care. Even if we assume away that problem, total income earned isn't a particularly good measure of the extent to which someone has

turned their education into an asset. Loans with back-end debt relief for those who earn less than the typical projected income from a particular degree or program are more promising. Any such program would need to be set up in such a way that students could realistically be expected to understand that they are taking on debt only conditionally, so that the amount that they have to pay for their education depends on how much they earn from it. Making financial aid programs understandable raises difficult issues of communication, but those are not issues of justice.<sup>21</sup>

Such a program is within reach, institutionally and politically. A substantial increase in government funding and student aid is needed to provide the public component of education at an acceptable level of quality. But there aren't any alternatives that don't require a significant infusion of public money. Setting up system of loans with debt relief is also manageable. With such a system in place, nominal tuition could be allowed to rise. Considered in the abstract, debt is neither good nor bad. Nothing is gained by focussing on the average amounts owed unless we know who owes what amount, and what assets were gained by acquiring it. Debt that covers the cost of a private benefit received is probably good on balance, even though debt where no private benefit is received is bad. The solution is to address debt where it is a problem, not to eliminate it where it isn't.

Implementing such a system could be done in a variety of ways. The simplest modification of the current system would require more public funding for the public aspects of education, and higher tuition, coupled with forgivable loans, to cover the private benefits. One consequence of implementing it this way would be that students who could afford to would get a discount by paying upfront, because they could avoid

paying interest on the debt they expected to accumulate. This isn't a serious objection on grounds of justice. Anyone who did so would be getting a discount on the probable private benefit, not the public benefit. In return they would effectively decline the right to debt relief if they earned less than they expected. That wouldn't relieve them of the need to cover the cost of the private benefit they expect to receive, including the cost of debt relief to other students. These are matters of detail, and minor details at that. The key issue about post-secondary education is not how students from wealthy families will pay for it, but making sure that students from poor ones can.

Student loans and student debt have gotten a bad reputation, especially among students. The prospect of an enormous debt is terrifying, and any debt looks enormous when you are living on a tight budget with uncertain prospects ahead, even if you know, statistically, that most Canadians carry mortgages far in excess of their student debt, and that your income will be greater than average. The answer to these concerns isn't to pretend that they aren't real, but to set up an institutional mechanism that assures students that they only need to pay for the income they earn.

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<sup>2</sup> See for example, the arguments offered by the Canadian Federation of Students at <http://www.cfs-fcee.ca/reviewrae/english/>.

<sup>3</sup> Aaron Edlin and Ian Ayres make this argument in "Why Legislating Low Tuitions for State Colleges Is a Mistake: They Just Subsidize the Rich," available at [http://writ.news.findlaw.com/commentary/20031030\\_ayres.html](http://writ.news.findlaw.com/commentary/20031030_ayres.html).

<sup>4</sup> Treating education as a commodity may also invite to students to view themselves as consumers rather than learners, in a way that may, paradoxically, deprive some of many of the benefits of post-secondary education, including depriving them of many of the private benefits that would accrue to them if they thought about it in less consumerist terms.

<sup>5</sup> John Rawls "Social Unity and Primary Goods." In Samuel Freeman ed. *John Rawls Collected Papers* (Cambridge Massachusetts, Harvard University Press, 1999) 359-387.

<sup>6</sup> Public health provisions are sometimes thought of in economic terms as "non-excludable" public goods, where market provision is simply not feasible because those who are unwilling to pay still reap the benefit. The division of responsibility casts public provision in a different light: even if it were possible to provide public health measures in a way that excludes those unable to pay for them, it would be unjust for a society to do so, because everybody needs them in order to have a chance at a decent life. The same point applies to police services. Everyone is entitled to them because they are a precondition of a decent life.

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<sup>7</sup> Any conditions that are attached to their provision are usually explicable as related to the prevention of readily foreseeable forms of abuse of unconditional provision.

<sup>8</sup> I assume here that public provision takes place through the state, and that the state's primary duties are to its citizens, rather than being owed in the first instance to every human being. The best discussion of these issues is Michael Blake, "Distributive Justice, State Coercion, and Autonomy," *Philosophy and Public Affairs* (2001).

<sup>9</sup> If the state supports valuable cultural activities that wouldn't survive the pressures of market society, the only rationale consistent with the division of responsibility is one of securing a qualitatively distinctive cultural context for individual choice. See Ronald Dworkin "Can a Liberal State Support Art?" in *A Matter of Principle* (Cambridge MA: Harvard University Press 1986) 221-233

<sup>10</sup> Part of the public mission of university education includes seeing to it that the best qualified students are admitted, and another part requires that institutions be able to assess the relevant dimensions of merit among their applicants based in part on their more general academic and scholarly priorities.

<sup>11</sup> There may be some public benefit derived directly from in the screening function of stiff admission requirements, which stream people who have met earlier requirement into more demanding positions. If so, that screening could be done by simply having admissions committees, and disbanding the research and teaching aspects of higher education.

<sup>12</sup> What counts as suitability may be controversial – people may debate the extent to which, for example, increasing the representation of historically underrepresented is part of the purpose of the program.

<sup>13</sup> Carol Marie Cropper "Philosophers Find their Degree Pays Off in Life and Work" *New York Times* Friday Dec. 26, 1997; Thomas Hurka "How to Get to the Top: Study Philosophy" the *Globe and Mail* January 2, 1990, available at <http://thereitis.org/displayarticle633.html>.

<sup>14</sup> Ronald Dworkin, *Sovereign Virtue* (Cambridge, Massachusetts, Harvard University Press, 1999) 99.

<sup>15</sup> It follows that the division of responsibility is inconsistent with any analysis that carries the idea of a market inward to conclude that your decision to sing to your children must be analyzed as spending some of your resources to "purchase" happiness for them.

<sup>16</sup> Or the same amount discounted by the small likelihood of success.

<sup>17</sup> It may also increase your of life expectancy in a way that doesn't correlate with any of the other benefits it brings you. I leave this out of my analysis, partly because I suspect some pre-selection goes on, and also because I suspect life expectancy correlates heavily enough with income that it is not really an independently measurable factor. Insofar as it correlates with income, we don't need to measure it. Insofar as pre-selection goes on, the solution is obviously to make post-secondary education more accessible to those with health difficulties.

<sup>18</sup> Those costs in turn include the overall costs of running a University. For example, professional education differs from apprenticeship and training in its dependence on strong research departments in Arts and Sciences. Within a given institution, the same factors may apply in the opposite direction. As a result, the costs can only be assessed relative to the institution as a whole, and by the institution itself.

<sup>19</sup> The role of tuition in blocking social mobility is less than certain. Comparisons across jurisdictions are notoriously unreliable, but evidence suggests that in countries in which tuition is free, students from wealthy families are much more likely to participate in higher education than students from poor ones. For depressing details, see David Duff and Benjamin Alarie's contribution to this volume. Obviously many other things need to be done to encourage participation, including various things at the primary and secondary school level.

<sup>20</sup> These complaints are articulated at <http://www.cfs-fcee.ca/html/english/campaigns/index.php>

<sup>21</sup> One issue that bridges justice and communication is the choice of words: debt is relieved, not forgiven: those who earn less than expected from their degrees haven't done anything wrong for which they require forgiveness. They have acquired less, so pay less for it.