**LECTURE 2**

Last time we began talking about the basic idea behind luck egalitarianism, which as I said is also called "choice egalitarianism" or "responsibility-sensitive egalitarianism," and hopefully it's clear now why that is - these are egalitarians who are responding to Nozick's challenges that we need to consider the *history* of how some inequality came about, and that we need to respect a person's responsibility for their choices. The way to do that, you'll recall, is through distinguishing between choice and circumstance, or option and brute luck: inequalities based on *choice* - on option luck that you chose to take a gamble with - are ok, but inequalities based on circumstance - on brute luck, like the natural lottery (which you don't have a choice about) - are not ok.

Here’s agenda for today: I want to take a closer look at just a couple of these luck egalitarian theories and how they differ from another, and I want to go over a number of criticisms.

There are two main camps of luck egalitarians who disagree about what we call *currency* of egalitarian justice: that is, the "equality of what?" question. For each camp, I'm going to give just the main arguments, with an illustration of one important version of the view. But what I also want you to notice is that both sides of the debate are grappling with the same fundamental tension, in a way that makes them almost mirror images of one another. The reason for this is that, as luck egalitarians, they are always struggling to balance equality - the thing that makes them egalitarians - with responsibility, which requires letting people deal with the consequences of their choices.

One way to see this fundamental tension is through a distinction that Sen calls "achievement" and "freedom to achieve." He explains it like this: "A person's position in a social arrangement can be judged in two different perspectives, viz. (1) the actual achievement, and (2) the freedom to achieve. Achievement is concerned with what we *manage* to accomplish, and freedom with the *real opportunity* that we have to accomplish what we value." A slightly simpler way to put this might be the difference between *outcome* and *opportunity*. To take a silly example, imagine that, over the holidays, you and I are taking a cooking class together, and the way these classes work is that everyone gets the same ingredients in the same amounts, and the same instructor is giving the same directions to everyone at the front of class - so we're all getting the same opportunity to make these holiday treats. But then let's say at the end of class, your Santa Claus strawberries look like this - and mine look like this. Well, we had the same opportunities, but clearly very different outcomes! Now of course, we know from talking about the natural lottery that the luck egalitarians are going to say - wait a minute, was that *really* equal opportunity? If you were just born with culinary genius and I wasn't, then it's as if you were given better ingredients or better instructions than I was, so they're going to want to do something about that. But the fundamental problem here remains - if you're going to let people make choices and make their holiday treats themselves (rather than just handing them a bunch of storebought) - well, if you let people do it themselves, it’s just a fact of life they're going to make choices that are going to turn out better or less well.

Egalitarians who believe in *equality of welfare* vs. those who believe in *equality of resources* start out from opposite ends of this problem. Welfare egalitarians believe that we should hand out resources in whatever way is required to get equal *actual* welfare, i.e. outcomes, even if that means distributing them unequally. By contrast, resource egalitarians believe that we should hand out equal *resources*, i.e. opportunities, and not worry about whether people end up differing in welfare. Dworkin illustrates this with the example of a father who has multiple children and is trying to draw up a will: "Suppose, for example, that a man of some wealth has several children, one of whom is blind, another a playboy with expensive tastes, a third a prospective politician with expensive ambitions, another a poet with humble needs, another a sculptor who works in expensive material, and so forth. How shall he draw his will? If he takes equality of welfare as his goal, then he will take these differences among them his children into account, so that he will not leave them equal shares…But if, on the contrary, he takes equality of resource as his goal then…he may well decide that his goal requires an equal division of his wealth."

The argument from equality of welfare is: look, at the end of the day, welfare is what really matters! If you love your children equally, you want them all to be equally happy, right? Well, same thing with a theory of justice: if people have equal moral status, and the differences between them from the natural lottery are just arbitrary from a moral point of view, then don't we all deserve to have equal welfare?

Let me just say a very quick word here about what we mean by “welfare” – “welfare” is whatever is good *for you,* or whatever it takes for your life to be *going well for you*. And this is a topic for another day, but here are the main theories of it means for your life to go well. According to *hedonist* views, welfare is pleasure, or happiness, or some other kind of positive subjective experience, so your life goes more or less well according to how much happiness you experience. According to *desire* or *preference satisfaction* views, your life goes well according to how many of your desires or preferences are satisfied - because, the standard example goes, we wouldn't think your life was going well for you if you were just in a virtual reality machine experiencing lots of pleasure from what you *thought* was (but were mistaken about) a wonderful and perfect life being a famous philosopher and writing a brilliant book. People don't want just the *pleasure* from writing a brilliant book, they want to have actually written a brilliant book. And finally, there are some *objective list* theories of welfare. The idea is that people might have some really silly desires that could be fulfilled - like if you had the desire to spend your whole life counting blades of grass - you could satisfy that desire, but we wouldn't think that your life was going really well. So according to this theory there are objectively good things that make your life go well. (NB: positive psychology has suggested that this includes things like having personal relationships, having meaning in your life, feeling a part of something valuable that's bigger than just yourself). And your life goes well if you have those things. So, we don't have to necessarily decide between those things, but they all sound pretty good, don’t they? If people are morally equal, then they all deserve to have good lives that contain happiness, where their desires are satisfied, where they have valuable relationships and meaning in their life. These are the things that resources are *for*, so they're what really matters.

In terms of that opportunity-outcome distinction, then, equality of welfare starts out from valuing *outcome* - the actual results that we morally care about. To go back to the silly example: if you're really happy about those beautiful Santa strawberries you made, and I'm really sad because mine were just a disaster, then equality of welfare would advocate that I get some extra resources to bring me up to the same level of happiness. So if you were an equality of welfare egalitarian, maybe you would buy me a cookie on the way home to cheer me up. Because the *whole point* of taking this cooking class was to have fun and be happy, so if giving me some extra sweets will help both of us to have a good time, then that’s what we should do.

But now it looks like we're going to get into some problems for equality of welfare. For one thing, welfare might be really difficult to measure - how are we going to measure and compare people's happiness or the number of desires they've satisfied? Yet even if we got that figured out, the real problem is that in order to get equal outcomes (equal welfare), we would have to do some pretty weird things.

For example, Dworkin talks about two characters from Charles Dickens' "A Christmas Carol." Tiny Tim is very poor, and he was born with a limp so he uses a crutch, but he's very optimistic and can see the best in the life and has a lot of happiness. Scrooge, on the other hand, is a very wealthy miser but he's congenitally grumpy and never happy. But it seems like equality of welfare would have us give more money to Scrooge over Tiny Tim to make up for his unhappiness - but that doesn't seem right!

The most famous problem is what's called the "expensive tastes" problem. The idea here is that some people might have tastes which take a lot of resources to satisfy. A person who loves fish and chips, for example, needs only 6 quid to be happy. But there might be a person who can only get that same amount of happiness if they're drinking pre-phylloxera claret and eating plover's eggs, to use Dworkin's example, so they're going to need much more money. But according to equality of welfare, if we want them to be equally happy, then we'd need to give that person many more resources so they can get what they need to reach the same level of happiness. This seems like a pretty big problem.

One solution is this: let's go back to the central idea of choice vs. circumstances. If we do that, then we can find a way to avoid this conclusion. The idea is that people can choose to *cultivate* an expensive taste or not - since who on earth is just *born* with a craving for pre-phylloxera claret and plover's eggs? No, that's a thing that you get only if you go to fancy dinner parties or sommelier school and do intentional things to develop a taste such that you can't get pleasure from simple things. So if it falls on the side of choice, then we hold you responsible for it and it doesn't need to be compensated. That's Richard Arneson’s view, and what he ends up doing is falling back on the *opportunity* side of things: he says we're not trying to equalize *welfare*, we're just trying to equalize *opportunity* for welfare.

Here’s what he envisions: "When an age cohort reaches the onset of responsible adulthood, they enjoy equal opportunity for welfare when, for each of them, the best sequence of choices that it would be reasonable to expect the person to follow would yield the same expected welfare for all, the second-best sequence of choices would also yield the same expected welfare for all, and so on through the array of lifetime choice sequences each faces." The idea is that each of these nodes represents some choice that you make, which leads to future choices, and so on and so on. And some of those choices you make will lead you to more welfare and some less - these numbers are measures of welfare. So if you embark on a path which involves fancy dinner parties and you develop a taste for plover's eggs, then you might only get a little bit of welfare because it's so expensive to buy them. I might make good choices - like if I did everything just right, I would end up with this wonderful life, or I might make bad choices and end up with a bad life too.

But the important point is no matter what *actually* happens in terms of outcomes, we had equal *opportunity* for welfare if our decision trees had the same expected possible welfares, dependent on our actual choices. Now, in order to get everyone's trees to look the same, we most likely are going to have to do some redistribution. So let's return to the Prince and the Pauper. Maybe this is what the Pauper's expected life of welfare would be in an inegalitarian society (like ours, Arneson thinks) - no matter what he does, he'll end up with a worse life than the Prince. In that case what we would have to do is - at the onset of responsible adulthood, say, age 18 - we would give the Pauper a lump sum of startup money, until his tree has the same possibilities as the Prince's. This is Arneson's way of getting an egalitarianism that promotes equality but also respects individuals' choices.

The interesting thing is that we'll get a sort of mirror image if we start with equality of resources. Equality of resources *starts out* on the opportunity side of the opportunity-outcome distinction. Resource egalitarians are motivated by that basic problem: the difficulty of trying to equalize welfare. How would you measure it? How could you make sure that people are equally happy, or have their desires satisfied, or have the same amounts of relationships and meaning in their lives? Especially if you're trying to let people live their own lives, make their strawberry Santa's on their own - it's just not our business to make sure they all turn out the same because then we'd be doing it all for them (and that's impossible anyway.) So the idea is: give everyone the equal ingredients, and then let them do whatever they want with it.

Dworkin is the most famous advocate of this equality of resources view. The idea is that everyone will get a bundle of resources (i.e. starting ingredients). Because we live in a world of scarce resources of different types, the bundles are going to have to look different - one might have a lot of eggs and no kale, another might have lots of kale and no fish, etc. Given that people have different tastes and preferences - one person's a vegetarian, one hates fish, and so on - how can we decide when those bundles are equal?

Dworkin has this idea that a distribution of resources is an equal distribution if it passes *the envy test* - if everyone is happy with their own bundle of initial resources compared to everyone else's and would not want to trade. On his view, the only way we'll be able to give everyone equal resources is if we hold an *auction* for all the goods: we put all the eggs, vegetables, and everything we have up for auction, and everyone starts out with the same amount of chips to bid with. The virtue of this way of setting up equality of resources, for Dworkin, is this: "Under equality of resources, people decide what sorts of lives to pursue against a background of information about the actual cost their choices impose on other people and hence on the total stock of resources that may fairly be used by them." This takes care of the problem of expensive tastes because, as Dworkin says: "The auction proposes what the envy test in fact assumes, that the true measure of the social resources devoted to the life of one person is fixed by asking how important, in fact, that resources is for others." So this is a way of taking into account limited resources and people's differences in taste in a fair way.

However, the basic problem with equality of resources is this. It seems that if we just give people equal resources, *we won't get what we want as egalitarians*. So, let’s go back to Sen's example that we discussed last time about disability. You might have a disability which will require you to spend lots of money on wheelchairs, cochlear implants, etc. and I might not. But if the same resources are given to both of us, you're going to have to spend a lot more of your resources on dealing with your disability than I am, and you'll end up with less happiness - so that just seems unfair, and it seems to totally defeat the purpose of egalitarianism. So what Dworkin ends up having to do is propose some way of adjusting *outcome* - of falling back on the outcome side of things. He says: "We should turn, therefore, a familiar idea: the periodic redistribution of resources through some form of income tax. We want to develop a scheme of redistribution, so far as we are able, that will neutralize the effects of differential talents, yet preserve the consequences of one person choosing an occupation, in response to his sense of what he wants to do with his life…" Again, we're doing all this to try to get rid of inequalities from circumstance/brute luck but allow inequalities from choice/option luck.

You might be wondering, but how does this deal with Nozick's charge that redistribution violates rights? Well, as you'll recall from last time, the way that Dworkin dealt with this was with the idea of hypothetical insurance that converts brute luck to option luck. So what we can do is compensate everyone with a disability or low talent with the amount of money that everyone *hypothetically* would have paid for insurance against it. That conversion to option luck is what keeps it from being a violation of rights - it *is* something that you (hypothetically, rationally) chose to do.

So what I really want to point out here, as I said at the beginning, is that luck egalitarians on both sides - whether they're for welfare or resources - are going to be pulled in both directions by this tension between opportunity and outcome. If you start out caring about welfare and outcomes, you have to fall back on opportunity the way Arneson did in order to respect people's choices. If you start out caring about resources and opportunity, you have to make adjustments to outcome the way Dworkin does, in order to equalize the effects of the natural lottery. And so the objections we saw - expensive tastes for welfare, and disability/low talent for resources - are really mirror images of one another.

This is going to transition us into those criticisms of the whole luck egalitarian approach as a whole. Dworkin himself noticed that there are some uncanny resemblances between expensive tastes and disabilities. Earlier we said that expensive tastes count as a choice, because you intentionally chose to cultivate them. But what if you didn't? What if you just *find* yourself with this preference for plover's eggs, just like someone finds themselves with a disability, that requires you to spend a lot of resources in order to get the same amount of enjoyment as a person with cheaper tastes or without a disability? What if you actually *wish* that you could just be satisfied with fish and chips because you would live a much happier life? I mean, lots of us might end up having something like expensive tastes - [Helen McCabe](https://philosophynow.org/issues/94/Equality) gives an example of having a "taste" for education, which might not seem so far-fetched as plover’s eggs. If I just have this passion for studying philosophy or art history, and I have to go into lots of debt to get my degree, I might wish that I could be happy without an expensive degree. But in this case we wouldn't want to just wag our fingers and blame someone for having a passion for philosophy, right? (Well, you might if you're Marc Rubio.) In response, what Dworkin proposes is this: if you *really* really hate your expensive taste, and you don't *identify* with it, then it's like a disability that you're suffering from - it's now part of your circumstances, and we could also set up a hypothetical insurance market to insure ourselves against having these expensive tastes. In reality, though, he thinks, normally people do identify with their expensive tastes - we think it's important to who we are that we value education, or that we're wine connoisseurs and have fancy tastes, and so on.

But, you might start to feel like there's something weird about running expensive tastes, disabilities, and talents all together like this. Indeed, Samuel Scheffler has questioned this whole idea of “choices vs. circumstances”. This is a really important distinction for luck egalitarians, but it's questionable whether everything is going to fall on the right side of the line. Dworkin wants expensive tastes on the side of chosen things (because you chose to cultivate or to identify with it), and disabilities and low talent on the other (they’re things you didn't choose). Now, we’ve seen, there's pressure to add expensive tastes that one doesn't identify with, to the unchosen side. But then Scheffler points out - people *do* identify with some unchosen things - for example, people do identify with things they have talent for, even though that wasn't something they chose. And people identify with their disabilities as part of who they are - they wouldn't be the same person if they didn't have that disability. So it's starting to look like this whole choice v. circumstance distinction isn't nearly as bright and clean as it looked, and that's a problem because so much of luck egalitarianism depends on it.

Now, another problem with choice v. circumstance - which G.A. Cohen actually recognizes - is that "choice" is itself a deeply philosophically problematic notion. He says: "Someone might say that to make choice central to distributive justice lands political philosophy in the morass of the free will problem…[It is] awesomely difficult to identify what represents *genuine* choice…We may indeed be up to our necks in the free will problem, but that is just tough luck" (934). I won’t go into the whole free will problem here, but you might think it is really serious. Scheffler goes on: "in any ordinary sense of ‘voluntary,’ people's voluntary choices are routinely influenced by unchosen features of their personalities, temperaments, and the social contexts in which they find themselves" (18). So if all of our actual choices are all influenced beforehand or in the background by things that we didn't choose - i.e. if we don't truly have free will - why should our actual choices be so important in determining whether we deserve compensation or help or not?

Elizabeth Anderson has another objection which brings this out - she says it's just morally implausible to think that a person's choices makes such a difference. For example, there's what she calls the problem of "abandonment of negligent victims". Imagine that someone goes paragliding, for example, and they’re in a hurry and don’t properly set up their reserve parachute, and then they end up in a life-threatening accident. According to luck egalitarians, that's a choice they made, so they don't deserve any emergency assistance and they can just be left to die. But that sounds like a terrible thing for a theory of justice to say! There's another problem right in the vicinity - the problem of "abandonment of the prudent" - where Anderson imagines a person struggling to pay all her bills, and who might not be able to afford some expensive health insurance. Anderson says in this case it's "perfectly rational, and indeed, morally obligatory, to serve the family's urgent needs over its speculative needs -- for example, to drop some insurance in order to pay for food" (298). But then if something bad does happen, according to luck egalitarians, they don't deserve any help because it was their choice not to get that insurance.

Finally, Anderson gives the example of women who choose to leave the market in order to care for children. Well, prevailing gender norms dictate that it's the woman and not the man who does that; and the prevailing economic system means that you don't get paid to take care of children. Finally, Anderson points out: "Since women are not on average less talented than men, but choose to develop and exercise talents that command little or no market wage, it is not clear whether luck egalitarians have any basis for remedying the injustices that attend their dependence on male wage earners." She calls this the problem of vulnerability of dependent caretakers. A woman who's dependent on her husband is going to have much less power than him, whether he intentionally wants to control her not. Again, this doesn't seem like justice.

So there are problems with being excluded from aid - but there are problems with *getting* aid too. Anderson asks us to imagine what it would look like if the luck egalitarian policy was actually implemented in reality: "Suppose their compensation checks arrived in the mail along with a letter signed by the State Equality Board explaining the reasons for their compensation." And she actually writes a few of these imaginary letters:

*To the disabled: Your defective native endowments or current disabilities, alas, make your life less worth living than the lives of normal people. To compensate for this misfortune, we, the able ones, will give you extra resources, enough to make the worth of living your life good enough that at least one person out there thinks it is comparable to someone else’s life.*

*To the stupid and untalented: Unfortunately, other people don’t value what little you have to offer in the system of production. Your talents are too meager to command much market value. Because of the misfortune that you were born so poorly endowed with talents, we productive ones will make it up to you: we’ll let you share in the bounty of what we have produced with our vastly superior and highly valued abilities.*

*To the ugly and socially awkward: How sad that you are so repulsive to people around you that no one wants to be your friend or lifetime companion. We won’t make it up to you by being your friend or your marriage partner—we have our own freedom of association to exercise—but you can console yourself in your miserable loneliness by consuming these material goods that we, the beautiful and charming ones, will provide. And who knows? Maybe you won’t be such a loser in love once potential dates see how rich you are.*

Can you even imagine? Think how *highly disrespectful* these letters would be. That’s because, Anderson says, they are grounded in *pity*, a position of inferiority - not a position of equal status. How can this count as egalitarian?

Anderson’s diagnosis is that what’s gone wrong here is the entire emphasis on *equal distribution* of some good. Instead, she thinks, what matters are the *equal relationships* between people. And she thinks that rather than being concerned with some kind of *cosmic* justice - is everyone getting exactly what they deserve? which only God could ensure - egalitarians should be instead concerned with a distinctively *political* justice, which is about the very *human* hierarchies that we ourselves set up, i.e.the social institutions and beliefs that mark some people out as superior or inferior.

Thus, the relational egalitarian solution to the problem of disability (ugliness etc.) is change *society,* that is, to change *social norms* rather than leaving the norms the way they are and compensating the losers. In other words, she says:

"The way to escape this dilemma is to take seriously what the disabled are actually complaining about. They do not ask that they be compensated for the disability itself. Rather, they ask that the social disadvantages others impose on them for having the disability be removed."

And:

"Some luck egalitarians would view this bad luck [of ugliness] as calling for a remedy, perhaps in the form of publicly subsidized plastic surgery. Democratic equality refuses to publicly endorse the demeaning private judgments of appearance which are the basis of such claims to compensation. Instead, it asks whether the norms based on such judgments are oppressive."