**LECTURE 1**

Let me start by giving a very quick overview of what I'm going to do in these lectures. Today, I'm going to provide some background context - a tiny bit historical but mostly philosophical - for the material that features most prominently on your IIA Egalitarianism Reading List. Most of this is work by a group of political philosophers that have been variously called "luck egalitarians," "choice egalitarians," or "responsibility-sensitive egalitarians." In the next lecture, since I'm assuming that you all will have had the chance to read those texts in more detail on your own, I'm going to just outline the main fault lines of internal debate between these luck egalitarians, and I'm also going to introduce some criticisms of the luck egalitarian program on the whole. Those criticisms will lead to my discussion in Lecture 3 of a new wave of work by philosophers who reject the luck egalitarianism approach and develop instead what's been called "relational egalitarianism" or "social egalitarianism". Finally, in Lecture 4, I'll introduce some recent developments and challenges in contemporary analytic philosophical thinking about egalitarianism. But throughout all of that I'll try to do so in a way that helps illuminate the major works on the reading list.

A number of philosophers (e.g. Scheffler 2003: 14) have commented on the way in which the rise of luck egalitarianism coincided *historically* with a tremendous rise in wealth/income inequality. This trend, which began in the 1970s and 80s (think Margaret Thatcher and Ronald Reagan) and continues basically unabated today, is often explained by what many people refer to as "neoliberalism." Now, I take neoliberalism to consist of two mutually reinforcing parts: on the one hand, a set of largely *economic* policies reviving a sort of classical laissez-faire liberalism that includes things like increased privatization of public services, deregulation of markets and labor, free trade, austerity, organizational restructuring, etc., and on the other, a cultural and *moral* ethos of "personal responsibility," in which society is conceived of as a assortment of individuals who each bear the costs of their own actions and no one else's -- as opposed to there being some kind of collective "public good" that everyone is contributes and has access to. So one way to understand what luck egalitarians are trying to do, even if not explicitly, is develop a vision of egalitarianism that is compatible with an economic and political climate that is completely saturated with the language of markets and personal responsibility.

Now, *philosophically*, just around this time, contemporary analytic political philosophy was totally reborn, as it were, with Rawls' 1971 *A Theory of Justice*. So that's as good a starting point as any, I think (though it might be helpful to keep in mind here a difference between Lockean vs. Rousseauian traditions that might be usefully mapped on to the distinction between the different egalitarianisms I’ll be discussing) --especially since the luck egalitarians, most of whom take themselves to be the direct descendants of Rawls, represent the first and perhaps most prominent post-Rawlsian movement within analytic political philosophy. Now, Rawls is not obviously and doesn't style himself as an *egalitarian* per se, so it's worth digging in here a little bit. As you all will recall, he proposes that justice as fairness consists of two principles of justice:

The first is this: "Each person has the same indefeasible claim to a fully adequate scheme of *equal basic liberties*, which scheme is compatible with the same scheme of liberties for all."

And the second, which has two parts, is this: "Social and economic inequalities are to satisfy two conditions: a) They are to be attached to offices and positions open to all under conditions of *fair equality of opportunity*, and b) They are to be to the greatest benefit of the least-advantaged members of society." This last bit, about inequalities being to the benefit of the least well-off, is called the "difference principle."

We can already use this to get at one of the foundational questions of egalitarianism, which G.A. Cohen (1989) called the question of "the currency of egalitarian justice," and which, as Amartya Sen has put it, is this: Equality of *what*? Sen makes the striking observation that: "Every normative theory of social arrangement that has at all stood the test of time seems to demand equality *of something*--something that is regarded as particularly important in that theory" (2). Now, this is important because, as Sen argues, maintaining equality along one dimension might lead to or require *in*equality along some other dimension. To take Sen's own, most famous example, equality of income between a disabled and an able-bodied person will actually lead to inequality in, say, well-being, since the disabled person will have to use some of that income to addressing her disability while the able-bodied person can use it all toward increasing well-being.

So we can see what this looks like in Rawls' two principles of justice: he requires equality of basic liberties (things like freedom of speech and association, the right to vote, equal treatment under the law, etc.) but he does *not* require equality of other powers and privileges, income and wealth.

Notice, though, according to Sen, we can notice that *both* Rawls and his opponents - the utilitarians he explicitly argues against, and Nozick who immediately after *A Theory of Justice* argues forcefully against it in *Anarchy, State, and Utopia* - are all still defending equality of *some* sort, even though none of the three call themselves egalitarians (and Nozick is typically understood as an *anti*-egalitarian). Utilitarians, even though they aim for the greatest good of the greatest number without necessarily considering how that utility is distributed, still typically assign *equal consideration* to all - that is, one unit of your utility counts just as much as one unit of my utility, and this goes for everything which is capable of experiencing utility, regardless of gender, race, and even species. So early (and contemporary) utilitarians who fought for this kind of equal consideration against traditionally *inegalitarian* ways of ascribing moral standing might very well have be characterized as egalitarians in that sense. And Nozick, as the foremost libertarian and defender of, we might say, liberty over equality - still requires that there be equality *of* liberty: that is, equality of rights (e.g. to control private property).

The last thing I want to say here is that Sen has a hypothesis about how we might make sense of the inescapable importance of equality of *something* or other: he suggests it's somehow built into the nature of justice itself (and morality more generally). The idea is that insofar as just arrangements (and the principles of morality) are to apply universally, it's more difficult to defend theories of justice that *don't* give equal consideration to all because you need to have some way of defending that discrimination as non-arbitrary. And I would add that in the modern post-Enlightenment world we've mostly moved away from beliefs in robust, morally significant differences in *kind* between people (this is why Sen references "the test of time") - so you would need to go quite far back to the ancients or pretty far afield to really question the value of egalitarianism understood in this broad sense. So even though everyone is egalitarian in a wide sense, nowadays "egalitarianism" in the narrower sense is typically reserved for people who advocate equality along the dimensions of things like income and wealth rather than basic moral regard.

*Discussion: (Why) do you think that equality of something or other is nonnegotiable? How would you answer the "equality of what" question - ?*

So let's go back to Rawls' two principles of justice - in particular, the difference principle which concerns income and wealth. I'll discuss Rawls' overall view in more detail in the third lecture on relational or social equality, which is a better fit, but right now I want to go through how Rawls' view sets the stage for Nozick's libertarian objections to egalitarians, which in turn is the challenge that the luck egalitarians are fundamentally motivated to overcome.

Rawls's second principle explicitly admits social and economic inequalities, but it *constrains* them in important ways. Take the difference principle: inequalities of income and wealth are required to benefit the least well-off. Now, how can inequalities be beneficial to a person who has less? Well, a very basic way to think about this is to draw some pie charts. The idea is that an equal share of a smaller pie might be smaller than the smallest slice of a *bigger* pie. The first pie would be the total amount of goods that are produced without some system of mutual cooperation. If we allow there to be inequalities of income and wealth, that generates incentives and a division of labor that makes economic production more efficient and bountiful overall, so we could get a bigger pie overall than if there aren't such inequalities. And the pie might be so much bigger that even the person with the smallest share gets *more* than they would get with an equal share of a smaller pie (i.e.where there are no inequalities). For Rawls, it's this *comparison* that matters: is the person with the smallest slice of pie getting more than she would if she had an equal share under a system *without* inequalities in wealth and income? The smaller and smaller her slice gets, the closer and closer the answer will get to NO. And if the answer is no, then that system of income and wealth inequalities is unjust.

Similarly, if we look at the fair equality of opportunity, it’s likely that this condition generates some constraints on how big income and wealth inequalities can get, because what Rawls has in mind with “fair equality of opportunity” is a pretty strong requirement that persons who have 1) equal ability and talent, on the one hand, and 2) equal motivation, on the other, need to have *equal* chances of gaining those offices and positions of power and privilege. Imagine two people, the Prince and the Pauper. The Prince is born into a family that enjoys the highest levels of power, privilege, income, and wealth in society; while the Pauper's family has the least. (Now, it might still be the case that the Pauper's family is still getting more than they would in a society where these are all distributed equally, but the point of this example is to show that that isn't enough, and we need this further requirement about equal opportunity.) The Prince and the Pauper are born with equal natural talents and abilities, and they both are equally motivated to achieve high-status social positions, e.g. important roles in the government. Now, *if* inequalities get to the point where the Prince has a better chance than the Pauper at getting that role - which shouldn't be too hard to imagine, just look around at how things are today - then those inequalities are unjust. But if they're small enough so that the Prince and the Pauper both have equal chances, then they're not permissible. Again, the point is that on Rawls' view, we look at unequal distributions of power and privilege, wealth and income across a society and we ask: are the least well-off still doing better than they would in a society that distributed everything equally? do the least well-off have the same chances of making it to the top as the those already there? And if the answer's no, then we need a system that reduces some of that inequality.

So now Nozick comes along - just three years after Rawls - and publishes *Anarchy, State, and Utopia.* He has some serious problems with Rawls' view, three of which I'm going to discuss here.

The first criticism that Nozick makes is that Raws’ view is not *historical*. It is what Nozick calls a "current-time-slice" view according to which, as I just described, you look at some distribution of goods at a given moment and check whether it has certain features - if it does, it's ok; if not, it's unjust. But what Nozick says is that "*whether a distribution is just depends upon how it came about*" (153). His point here, as he puts it more colorfully at times, is that things don't just fall from the sky; things *get made and produced* by actual people - and those people, he says, are entitled to the things they make. He says, "Things come into the world already attached to people having entitlements over them" (160). And for Nozick, an "entitlement over something" is *total possession of and control over* that thing - the right to decide whether you want to keep it, sell it, give it away, whatever. What this means is that the *history* of how things get distributed matters.

Let's illustrate this by imagining two island societies, call them Crusoe and Columbus. The distribution of power and privilege, wealth and income is exactly the same on Crusoe and Columbus - the people on the top have this much power and this much wealth in Crusoe and in Columbus, the people on the bottom have this much. But Crusoe was formed when a group of explorers stumbled upon a previously uninhabited island and set up a society in such a way as to achieve this distribution, whereas Columbus was set up when a group of explorers stumbled upon a fully-inhabited island and took over - maybe by exterminating them, by cheating them out of their land, or whatever - in order to set up this distribution (we can imagine that the original inhabitants are the ones at the bottom, and again, we could even imagine that they are better off in this new society than they were before). The problem, Nozick says, Rawls is going to have to say that both of these societies is equally just or unjust - either they both satisfy his constraints or they both fail. Yet it's clear that Columbus is an unjust society (or at least that it's less just than Crusoe).

So according to Nozick, what really matters is who originally had property rights to something and whether they were allowed to do with it what they wanted. He says: "*Whatever arises from a just situation by just steps is itself just*" (151). On his view, then, justice primarily involves just two things: whether some holding was acquired legitimately, and whether all subsequent transfers of that holding were themselves legitimate. What he has in mind as illegitimate transfers are the things of the sort that happened in our imaginary Columbus - when things are taken "by force or fraud". But as long as people acquire things and transfer them between each other without force or fraud, then whatever distribution results counts as just because the historical process was just.

This brings me to Nozick’s second criticism: that liberty upsets patterns. This is where he gives his famous example of Wilt Chamberlain, who was a very famous basketball player back in the day. He says, imagine that there's some society that has at some time a morally perfect distribution of wealth and income - maybe it's perfectly equal, maybe it's perfectly meritorious so that everyone has money in exact proportion to how intelligent or creative or kind or morally good they are, or whatever you think is morally best. Now, Wilt Chamberlain comes to town and *everybody* is obsessed with him. They all go and they pay him 25p to see him play, and at the end of the day Wilt Chamberlain has £250,000, which is much much more than anyone else has. Now Nozick asks: is there anything wrong with that? Everyone who went to go see Wilt Chamberlain did it of their own free will, no one cheated them or forcibly took it from them; they could have spent it on something else, but it was *their* money that they had entitlements over and that's what they decided to do with it. So, intuitively, there isn't anything wrong at all with Wilt Chamberlain having tons more money than everyone else - but now we've spoilt that morally perfect distribution we had!

So this is just what Nozick means when he says that liberty upsets patterns. He says: "Any favored pattern would be transformed into one unfavored by the principle, by people choosing to act in various ways; for example, by people exchanging goods and services with other people, or giving things to other people…To maintain a pattern one must either continually interfere to stop people from transferring resources as they wish to, or continually (or periodically) interfere to take from some person resources that others for some reason chose to transfer to them" (163). So for Nozick, redistribution of resources is a violation of people's rights to do what they want with their own things. And he thinks that as long as there's liberty - as long we don't engage in this "continuous interference with people's lives" - then we won't be able to maintain any kind of pattern, and that means that you can't tell whether some distribution is just or not just by looking at it; you have to instead look at its history.

A final criticism of Rawls by Nozick that I want to talk about concerns desert and responsibility. One important feature of Rawls' view concerns what he calls "the natural lottery," that is, the natural talents and abilities that each of us are born with - some people are better endowed, others worse endowed. Rawls famously says the natural lottery is "arbitrary from a moral point of view" - you don't *deserve* to be smarter or stronger or more beautiful than me, you were just born that way. And Rawls says, further, "The assertion that a man (or woman) deserves the superior character that enables him to make the effort to cultivate his abilities is equally problematic; for his character depends in large part upon fortunate family and social circumstances for which he can claim no credit" (104).

There's some really classic and fascinating research by sociologist Annette Lareau, who studied the day-to-day lives of Black and White American middle-class and working-class children. One of the things she found (among other interesting things) is that, regardless of race, there were class differences in how the children's time was managed by their parents: middle-class parents were always scheduling and chunking their kids' time into ballet lessons and lacrosse and flute, while working-class kids were given lots of free time to spend on their own. She calls the first "concerted cultivation" and the other "natural growth". And even though the kids got some benefits from both methods – i.e. lots of discipline, on the one hand, and lots of autonomy on the other - the concerted cultivation method was much more helpful once the kids got to school and the workplace, because these are all institutions that are based on being on time, dividing time into classes or meetings or sessions, and so the discipline that the middle-class kids made them much more accustomed to working in these spaces. So could say that they had "superior character in cultivating their abilities," and that’s why they subsequently were much more successful in middle-class careers, but that very ability to cultivate their abilities was something that some got by birth and others didn’t.

Now, Nozick resists this kind of move, and this claim by Rawls about the natural lottery, because he says that that it's "attributing *everything* noteworthy about the person completely to certain sorts of ‘external’ factors," which amounts to "denigrating a person's autonomy and prime responsibility for his actions" (214). Instead, Nozick thinks that your natural endowments, whatever talents and abilities you get from the natural lottery, belong to you because they just are a part of what makes you *you*. And so you *deserve* whatever you produce with them. He says: "It is not true, for example, that a person earns *Y* (a right to keep a painting he's made, praise for writing *A Theory of Justice*, and so on) only if he's earned (or otherwise *deserves*) whatever he used (including natural assets) in the process of earning *Y*. Some of the things he uses he just may *have*, not illegitimately. It needn't be that the foundations underlying desert are themselves desert, *all the way down*" (225).

*Discussion: Do you think the natural lottery is arbitrary or unfair? Does a person deserve things that she gets on the basis of talents and abilities that she was simply born with?*

Finally, let me add some very last bits from Nozick that are emblematic of that ethos of "personal responsibility" I mentioned earlier. At one point, Nozick rejects the idea of a social safety net that everyone is required to contribute to, saying "Don't compel me to contribute to others and don't provide for me via this compulsory mechanism if I am in need" (173). In another very interesting example, he imagines ten people each on their own islands who live on their own for two years, at which point they then discover each other and start communicating and trading with one another. And he says that before they started trading and cooperating, it was "pellucidly clear who is entitled to what, so no theory of justice is needed" - everyone is entitled to whatever they produced on their own. But once they start interacting, he says, "social cooperation introduces a *muddying of the waters* [emphasis mine] that makes it unclear or indeterminate who is entitled to what" (185-186). So again, the starting point - the foundational idea - here is that everyone is responsible for themselves and no one else.

Now, the reason I went into all of this is that Nozick's arguments are what the luck egalitarians have to contend with - they're trying to defend an egalitarianism that can stand up to Nozick's challenge. And these egalitarians *accept* the Rawlsian point that the natural lottery is arbitrary and unfair, but they follow Nozick in valuing very highly individual choice and responsibility. As Jonathan Wolff puts it (127), they care about *how* somebody came to be the least well-off: that is, whether it was through their own choices or not. As Dworkin says, they want to be "endowment-insensitive" but "ambition-sensitive" (311), or as Seana Shiffrin puts it, "luck-insensitive" but "choice-sensitive" (272).

There are two key luck egalitarian moves here, which we find in Ronald Dworkin's "What is Equality?" Parts I and II. The first is a distinction between *option luck vs. brute luck* (which corresponds to a more general distinction between choice and circumstance), and the second is a method for converting one to the other.

According to Dworkin, option luck is a "matter of how deliberate and calculated gambles turn out - whether someone gains or loses through accepting an isolated risk he or she should have anticipated and might have declined". So option luck would be what's involved if you place a bet on something, make a gamble, or otherwise choose to take on risk that could turn out for better or worse. By contrast, brute luck is "a matter of how risks fall out that are not in that sense deliberate gambles". Getting hit out of nowhere by a falling meteorite is a matter of brute bad luck - it's very different from losing a bet. For a more realistic example: Dworkin says that a person who with healthy habits who develops cancer suffers from brute bad luck, while a person who develops cancer after a lifetime of heavy smoking suffers from bad option luck (she deliberately took a risk with smoking - after all, there was *a chance* that she wouldn't get cancer - but it turned out the worse for her).

So now we can see how Dworkin wants to work in the notions of choice and responsibility. He says: "People should pay the price of the life they have decided to lead…but the price of a safer life, measured in this way, is precisely forgoing any chance of the gains whose prospect induces others to gamble. So we have no reason to object, against the background of our earlier decisions, to a result in which those who decline to gamble have less than some of those who do not" (294). Moreover, he points out, people would never be incentivized to gamble at all if all the winners had to share their winnings with the losers. That would be a bad thing in this case, since the "gambles" we're talking about here are risks associated with producing potentially beneficial things: inventing new technologies, starting new businesses, and so on. He goes on: "But we must also compare the situation of those who gamble and win with that of those who gamble and lose. We cannot say that the latter have chosen a different life and must sacrifice gains accordingly; for they have chosen the same lives as those who won. But we can say that the possibility of loss was part of the life they chose- that it was the fair price of the possibility of gain" (294). In other words, *inequalities resulting from good or bad option luck are not unjust*. You choose whether or not to gamble, so you get to keep your winnings; but if you lose, tough luck!

On the other hand, Dworkin says, if we're talking about brute luck: "If two people lead roughly the same lives, but one goes suddenly blind, then we cannot explain the resulting differences in their incomes either by saying that one took risks that the other chose not to take, or that we could not redistribute without denying both the lives they prefer. For the accident has (we assume) nothing to do with choices in the pertinent sense…This is a fortiori so if one is born blind and the other sighted" (296). Dworkin is referring to the natural lottery here - which talents and abilities you have are the results of *brute* luck because it does not depend on any of your choices. (Remember, we can think of the option luck vs. brute luck distinction as mirroring the distinction between choice vs. circumstance - what was up to you as opposed to what you just found yourself with.) And here is where the egalitarianism comes in – Dworkin, and other luck egalitarians following him, assume that *inequalities resulting from good or bad brute luck are unjust.*

So this is how we get an egalitarianism that rejects the natural lottery but still tracks choice and responsibility; an egalitarianism that pays attention to the history of how some distribution came out, by asking whether it was through someone's own choices that they ended up worse off than others. People are entitled everything they have that they *deserve*, i.e. that resulted from their own choices, but everything they don't deserve - that came about from their getting lucky in the natural lottery and being more talented than others - can be used for other purposes. Most importantly, it can be redistributed to others who were less lucky in the natural lottery.

This brings us to the second key move that Dworkin makes: he devises a way of *converting* brute luck into option luck, using the concept of insurance. The idea is this. Being suddenly struck blind isn't something that you can choose. But, what you *can* choose is whether or not to buy insurance against being suddenly struck blind for whatever reason. If you buy the insurance against blindness, then in the event that a meteorite hits and blinds you, then the insurance company will compensate you with some sum of money (maybe even a lot of money - all the salary that you're now no longer able to earn, for example). And that means that the difference between you and someone who gets blinded in the same meteorite accident but *didn't* get insurance is now a matter of *option luck* - they *chose* not to buy the insurance against blindness, so they lost the "bet" and don't deserve any compensation.

This is Dworkin’s solution for dealing with the natural lottery: we imagine that a hypothetical insurance market that takes place before people are born. People are given basic general information about the frequency of different disabilities, talents, etc. across the population, but they don't know whether they themselves will be born with a particular disability or level of talent. Then we ask: how much insurance would the average person buy in order to protect against some disability, or low level of talent? So for example, perhaps the average person would have paid £100 in order to not to be blind. We collect £100 from, say, 500 people, and now we have a £50,000 fund from which, after everybody is born, we can pay compensation to the people who actually are born blind. And we can do this for all sorts of disabilities and talents. So this gives us a way of compensating for inequalities of actual brute luck in a way that is still at bottom *based on* (hypothetical) option luck.

Overall what we have, then, on Dworkin's picture, is a "certain view of the distinction between a person and his circumstances [which] assigns his tastes and ambitions to his person, and his physical and mental powers to his circumstances" (302). Dworkin's egalitarianism allows for inequalities based on choices, but not inequalities based on circumstances - circumstantial get corrected with a redistribution of resources that are collected on the basis of a hypothetical insurance market. This is an egalitarianism that tries to correct for the natural lottery while still giving a central role to a person's choices and responsibility (to the historical difference that makes).

Let me finish up with an illustrative description of the luck egalitarian proposal as Elizabeth Anderson describes it: "For the outcomes for which individuals are held responsible, luck egalitarians prescribe rugged individualism: let the distribution of goods be governed by capitalist markets and other voluntary agreements…[to appreciate] the virtues of markets as efficient allocative mechanisms and as spaces for the exercise of freedom. For the outcomes determined by brute luck, [let] all good fortune be equally shared and that all risks be pooled…Luck egalitarians thus view the welfare state as a giant insurance company that insures its citizens against all forms of brute bad luck. Taxes for redistributive purposes are the moral equivalent of insurance premiums against bad luck. Welfare payments compensate people against losses traceable to bad brute luck, just like insurance policies do" (292).

Next week we'll talk about the varieties of and criticisms against luck egalitarianism.