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LUCK EGALITARIANISM

T HE TERM *luck egalitarianism* was originally coined by Elizabeth Anderson in her "What Is the Point of Equality?" (1999). Luck egalitarianism, she writes, is "the view that the fundamental aim of equality is to compensate people for undeserved bad luck – being born with poor native endowments, bad parents, and disagreeable personalities, suffering from accidents and illness, and so forth." As a result, luck egalitarianism is focused on eliminating "the impact of brute luck from human affairs" (Anderson 1999, 288). More generally, the focus on *involuntary* inequalities is the commitment of authors Anderson described as luck egalitarian: principally G. A. Cohen and Ronald Dworkin, but also Richard Arneson, Eric Rakowski, as well as John Roemer (a list to which we might add Larry Temkin). *Involuntary* inequalities are those that do not appropriately reflect the choices of those who suffer them. A distinction is thus established between inequalities which are a result of choices agents are responsible for and inequalities which are the result of bad brute luck. Justice demands that the impact on people of the latter form of inequalities be eliminated, or at least lessened. Luck egalitarians believe that equality is one of our essential political values; and a proper understanding of this value states that it is bad that some, through no fault or choice of theirs, are worse off than others. (Contrast the Rawlsian claim that inequalities are unjust if they do not benefit the least well off.)

Initially used by Anderson to bundle together a number of egalitarian authors whose views she wished to criticize for their emphasis "on correcting a supposed cosmic injustice," the term *luck egalitarianism* is not embraced by all of the authors she grouped under this label. G. A. Cohen is happy to borrow the term luck egalitarianism to describe his view, namely that "accidental inequality is unjust" (Cohen 2008, 8). However, the same is not true of Ronald

Dworkin, even though the critics of luck egalitarianism consider that Dworkin's, no less than Cohen's views, are definitional of luck egalitarianism. See, in particular Anderson, but also Samuel Scheffler's "What is Egalitarianism?" (2003b); Dworkin denies that he is a luck egalitarian in his "Equality, Luck and Hierarchy," (Dworkin 2003).

In addition to their relation to the label, authors characterized as luck egalitarians have many other fundamental disagreements. Which inequalities are to be considered involuntary is an object of dispute among them. Moreover, there isn't even concordance on the claim that "the purpose of egalitarianism is to *eliminate* involuntary inequalities" (Cohen 1989, 916). Again, Ronald Dworkin, for one, would deny that this is the goal of his egalitarianism. This is illustrated by Cohen's and Dworkin's respective attitudes to expensive tastes. Welfare deficits which result from *unchosen* expensive tastes are treated on a par with handicaps by Cohen and other luck egalitarians; whereas Dworkin refuses to subsidize expensive tastes, whether chosen or not. It seems intuitively unfair, he presses, to impose the cost of one's preferences on others. Arguably, this attitude to expensive tastes aligns Dworkin more with Rawls's refusal to accommodate expensive tastes in the distribution of primary goods than with pure luck egalitarians. Be that as it may, the crucial point is that for the form of luck egalitarianism represented by Dworkin, justice does not require the removal or reduction of *all* types of involuntary inequalities. Alternatively, if Cohen provides the canonical definition of luck egalitarianism with the cited formula that "accidental inequality is unjust," then authors such as Dworkin are not strictly speaking luck egalitarians.

Is there still a recognizable family of views here? If there is, it is to be identified by the focus on brute luck, and not by what is taken to follow in terms of compensation, nor by the definition of injustice. Dworkin stands as one of the main proponents of an egalitarianism focused on choice and luck in virtue of his now canonical distinction between inequalities that are traceable to "brute luck" and those which are the result of "option luck," where the latter are risks we choose to undertake and are responsible for. Equality, for Dworkin, consists in equal opportunity to insure against bad luck, rather than in an ideal state of affairs in which brute inequality has been eliminated. What justice requires, in his view, is not that brute luck (inequalities deriving from unchosen circumstances) be eliminated or compensated for, but rather that people be given the equal opportunity to insure, and so provide in advance, against them. Through equal opportunities for insurance against bad luck, we transform many inequalities into *option* luck, that is: differentials that are the upshot of a *chosen* gamble (Dworkin 1981, 293; and 2000, 76). This distinction between option luck and brute luck, between how

deliberate gambles turn out and how risks which are not deliberate gambles fall out, might be considered the essential definitional element of luck egalitarianism. Thus Cohen famously claims that Dworkin "has, in effect, performed for egalitarianism the considerable service of incorporating within it the most powerful idea in the arsenal of the antiegalitarian right: the idea of choice and responsibility" (Cohen 1989, 933). And this focus on the distinction between brute and option luck, in turn, explains why Dworkin should be classified by many as a core luck egalitarian, despite his explicit rejections of the label.

Luck egalitarianism might thus be considered to be no more than a loosely bundled family of views. Its common core, nonetheless, can be defined as the ambition to delineate a responsibility- and choice-based form of egalitarianism. Luck egalitarians hold that it is objectionable, at least to some extent, for some to be worse off than others through no fault, or choice, of their own. If one person is worse off than another through no fault or choice of her own, luck egalitarians consider that the situation is unfair, and hence that the inequality between the two people is objectionable. This focus on the value of fairness seems well summarized by Larry Temkin's claim that egalitarians "generally believe that it is bad for some to be worse off than others through no fault or choice of their own. The connection between equality and comparative fairness explains both the importance, and limits, of the 'no fault or choice' clause" (Temkin 2003, 62). The emphasis on equality, fairness, and the fate of the least well off all seems to echo core Rawlsian concerns. At the same time, luck egalitarians are all critical of Rawlsian egalitarianism.

There are two ways in which luck egalitarianism relates critically to Rawls. (a) On the one hand, it is seen by its proponents as a superior form of egalitarianism, free of what is considered problematic in Rawls's theory, namely the insensitivity of the difference principle to the distinction between inequalities which are created by voluntary choices and those which are the result of bad brute luck. (b) On the other hand, Rawls's focus on fairness and on "inequalities which are arbitrary from a moral point of view" is often presented as a commitment to eliminating arbitrary inequalities. According to this second reading, Rawls endorses one of the core elements of luck egalitarianism: justice demands that we even out the effects of brute luck. Is luck egalitarianism a rival theory, or a more coherent Rawlsian doctrine? As we shall see, luck egalitarians make both claims.

In *Anarchy, State, and Utopia*, Nozick accuses Rawls of arguing for economic egalitarianism by overemphasizing social contingencies and natural chance, and underestimating the centrality and importance of individual responsibility and autonomy. Luck egalitarians may seem to echo and endorse this criticism. Recall

that Rawls's difference principle stipulates that social and economic inequalities are just if they are to the greatest benefit of the least-advantaged members of society. In so stipulating the difference principle, Rawls does not introduce a distinction between inequalities deriving from choices people have voluntarily made, and social and economic inequalities which derive from *unchosen* features of those who are disadvantaged relative to others.

Picking up and expanding on Nozick's criticism, luck egalitarians complain:

(i) that the difference principle inappropriately rewards those who are responsible for their deficit in primary goods, e.g. those able-bodied who choose not to work, or to work less hard than others, and

(ii) that the index of primary goods used in the difference principle is insensitive to, and fails to compensate for, disadvantages some suffer relative to others through no fault of their own. That is, Rawls accepts as just a distribution in which some are disadvantaged through brute luck, e.g. because they are handicapped or severely ill.

If the focus is on these two complaints, then luck egalitarianism aims at defining an *alternative*, more robust, form of egalitarianism by accommodating such concerns with responsibility for the outcome of one's choices, and with deficits which are the effects of bad brute luck.

The second manner in which luck egalitarianism could be related to Rawls's work contrasts with this first line of criticism. From this second viewpoint, the core concern of luck egalitarianism with involuntary inequalities is continuous with Rawls's insistence on fairness and his focus on inequalities which are "morally arbitrary." The question luck egalitarians raise is how to reconcile the Rawlsian emphasis on arbitrary inequalities with the exact formulation of Rawlsian egalitarian principles of justice. Luck egalitarianism seeks to offer such a reconciliation. By demanding that no one be disadvantaged, or advantaged, by arbitrary factors they aim to define an egalitarianism truer to the focus on fairness, and so more Rawlsian than Rawls, so to speak. More precisely, there are two supposed inconsistencies, internal to Rawlsian theory, that luck egalitarianism aims at resolving:

(i) On the one hand, the difference principle is, as mentioned, insensitive to the choice/luck distinction. However, Rawls seems to make use precisely of this distinction when he argues that the system of natural liberty unjustly allows "natural and social contingencies" to have a strong impact on distribution:

"[I]ntuitively, the most obvious injustice [of that system] is that it permits distributive shares to be improperly influenced by these factors so *arbitrary from a moral point of view*" (*TJ* 62–63).

(ii)   On the other hand, Rawls stresses the "capacity to take responsibility for our ends" and considers it unjust to give a greater share of primary goods to those with expensive taste: "[I]t is regarded as *unfair* that [those with less expensive taste] should have less in order to spare others from the consequences of their lack of foresight and self-discipline" ("Social Unity and Primary Goods", *CP* 369–370). This treatment of expensive tastes is famously read by G. A. Cohen through luck egalitarian lenses thus: "People with expensive tastes could have chosen otherwise, and if and when they press compensation, others are entitled to insist that they themselves bear the cost 'of their lack of foresight or self-discipline'" (Cohen 1989, 913).

One can respond to both the internal and external criticisms of Rawls here. A proper understanding of the exegetical points does not lead beyond Rawls to the luck egalitarian position. And luck egalitarianism is neither a convincing alternative to Rawls, nor a plausible elaboration of the intuitions which ground political egalitarian movements.

First, luck egalitarians are mistaken to think that they can best Rawls at his own game. How can Rawls's principles, and in particular the difference principle, be made consistent with what Rawls himself says about moral arbitrariness, and about natural talents, expensive tastes, and self-discipline? Does Rawls rely on premises regarding choice and luck, which the formulation of his principles then contradicts? To these questions, Rawlsians briskly retort that Rawls's arguments support his own principles rather than luck egalitarianism. "[T]he best explanation of the fact that Rawls's theory of justice does not respect the distinction between choice and circumstances," Scheffler writes, "is that Rawls is not attempting to respect it. He simply does not regard the distinction as having the kind of fundamental importance that it has for luck egalitarians" (Scheffler 2003b, 7; see also Scanlon 2006).

Let us note that Rawls clearly denies that inequalities which are the result of genetic and social luck are unjust, or that they ought to be eliminated: "The natural distribution is neither just nor unjust; nor is it unjust that persons are born into society at some particular position. These are simply natural facts. What is just or unjust is the way that institutions deal with these facts" (*TJ* 87). He thus distinguishes between his theory and what he calls "a principle of redress", that is "the [luck egalitarian] principle that undeserved inequalities call for redress"

(*TJ* 100). Rawls further explains that "the difference principle is not of course the principle of redress. It does not require society to try to even out handicaps as if all were expected to compete on a fair basis in the same race" (*TJ* 101).

Why, then, does Rawls emphasize the "moral arbitrariness" of facts such as natural endowments and social factors? Justice, for Rawls, may not demand the elimination of all effects of bad brute luck; nevertheless, he stresses that a society which systematically disadvantages some of its members on the basis of morally arbitrary factors, such as their natural endowments or the social environment in which they are born, *is* unjust. This type of morally arbitrary discrimination can happen through overt exclusion, but also simply because contingent social factors happen to favour an ethnic, gender, or social group in the distribution of resources. A just society, according to Rawls, addresses these injustices at the outset, by redistributing to ensure for all fair and favourable background conditions.

The priority of fair background conditions and the role of our institutions in insuring that they are in place is thus what lies behind the Rawlsian emphasis on the moral arbitrariness of certain factors. It constitutes an explanation and defence of the difference principle. To those who claim that they did nothing but work hard without violating anybody's rights, or that they competed in conditions of formal equality of opportunity for positions which required certain talents, and so ought to reap the rewards of their efforts, Rawls responds that "the kind of limits and provisos that in Locke's view apply to separate transactions of individuals and associations in the state of nature are not stringent enough to ensure that fair background conditions are maintained" (*JF* 53).

A just society for Rawls is not one that meets luck egalitarian requirements, but rather one in which each person is given the opportunities to develop their abilities, and can do so with the guarantee of fair equality of opportunities with others similarly talented and inclined. (See Freeman 2007b, 98, 449.) What matters is not that the consequences of bad brute luck be as far as possible eliminated, nor that life chances be evened out (which, among other things, would require the abolition of the family: see *TJ* 448), nor a fortiori that our expensive tastes, however acquired, be satisfied in the same measure as those of others. What matters is that all have enough resources to satisfy their interest in pursuing a good life.

In sum, then, there is no internal tension of the sort identified by luck egalitarians in the Rawlsian account. Nor, *pace* luck egalitarians, is there any need to reincorporate individual responsibility into that story. In brief, all individuals have two types of responsibilities: first to contribute to maintaining favorable

background social circumstances; second, to make a sensible use of their share of primary goods, without imposing unreasonable demands on others.

Leaving their connection to Rawlsian principles aside, are luck egalitarians truer to our intuitive ideals of equality than Rawls? There is no compelling case for this. By comparison with a view focused on compensating people for undeserved bad luck, Rawlsian egalitarianism is more theoretically ambitious. Instead of the main emphasis on choice and luck, it aims at finding room for the multiple values which a well-ordered society must attend to: respect for persons, needs, opportunities, fairness, solidarity, and so on. Politically, its perspective on individual responsibility aims at providing a feasible utopia. It does not ask society to aim at the compensation of all disadvantages that derive from unchosen features, all accidental inequalities (something that cannot be fully delivered anyway). Nor does it have the sometimes implausibly harsh consequence that people should bear the full price of their choices, and be denied compensation for disadvantages that result from these choices. The Rawlsian account constitutes a multifaceted theoretical take on the political ideal of equality. In line with that ideal, it explains and motivates the need to eliminate many types of unjust inequalities. Moreover, a Rawlsian society is prepared to repair inequalities which are not purely the result of brute luck. Contrary to the contentions by luck egalitarians, a Rawlsian society measures up entirely to the standards of political egalitarianism in its distributional and social policies. Indeed, once one reflects on the concerns of political egalitarianism, a Rawlsian society arguably gets closer to their ends than any society guided by luck egalitarian policies would.

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SEE ALSO:

Arneson, Richard
Cohen, G. A.
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Difference principle
Dworkin, Ronald
Fair equality of opportunity
Primary goods, social
Redress, principle of