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Publication Date

2004-09-13

Peer reviewed

Choice, Circumstance, and the Value of Equality

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(for publication in Politics, Philosophy, and Economics, 2005)

I. Introduction

One of the most familiar conservative criticisms of the welfare state is that its policies rely on and enforce a diminished conception of individual responsibility and choice. Over the last quarter-century, this criticism has been pressed, to great advantage, by conservative politicians in the United States and elsewhere. Within political philosophy, similar criticisms have been directed against various forms of economic egalitarianism, including the kind of egalitarian liberalism developed most prominently by John Rawls. In response to such criticisms, many political philosophers have attempted, since the 1980s, to demonstrate that choice and responsibility can be incorporated into the framework of an egalitarian theory of distributive justice. Indeed, the attempt to develop a responsibility-based conception of egalitarian justice has become one of the central preoccupations of contemporary political philosophy.

The first proposal along these lines was the “equality of resources” scheme initially presented by Ronald Dworkin in 1981.¹ Dworkin’s scheme is complex, but it holds that economic inequalities deriving from differences in people’s tastes and ambitions are justifiable in a way that inequalities deriving from differences of talent or external circumstance are not. Dworkin views one’s tastes and ambitions as aspects of one’s personality for which one may reasonably be held responsible. By contrast, he

thinks that one cannot reasonably be held responsible for one's natural abilities or the circumstances of one's birth or for other matters of "brute luck." Dworkin therefore draws a basic "distinction between a person and his circumstances, and assigns his tastes and ambitions to his person, and his physical and mental powers to his circumstances."² Although Dworkin did not, in his early articles, highlight the notion of choice in particular, G.A. Cohen subsequently argued that Dworkin's differential treatment of ambitions and talents seems plausible only insofar as the former but not the latter are taken to be objects of choice. Accordingly, Cohen argued that choice was "in the background [of Dworkin's argument], doing a good deal of unacknowledged work."³ Indeed, Cohen went further, asserting in a famous passage that "Dworkin has, in effect, performed for egalitarianism the considerable service of incorporating within it the most powerful idea in the arsenal of the anti-egalitarian right: the idea of choice and responsibility."⁴

In the same spirit, however, Cohen insisted that the crucial distinction for egalitarians is the distinction between choice and circumstance rather than between the person and his circumstances. Once this is appreciated, he maintained, Dworkin's own position needs to be modified in important respects. In particular, egalitarians must acknowledge, as Dworkin does not, that people are entitled to compensation for expensive but unchosen tastes or preferences. It is not reasonable, Cohen argued, to hold people responsible for such tastes. In the ensuing debate, Dworkin has accepted the vocabulary of 'choice' and 'chance' as an appropriate way of characterizing the crucial distinction, but he has continued to deny that compensation for expensive

preferences is justified.⁵ Many others have developed alternative versions of responsibility-based egalitarianism.⁶ Some of these versions have been closer to Dworkin's position and some have been closer to Cohen's. What these various proposals share is the core "luck-egalitarian" idea that there is something unjust about inequalities deriving from unchosen aspects of people's circumstances, but nothing comparably unjust about inequalities deriving from people's voluntary choices.⁷ Like Dworkin and Cohen themselves, however, the authors of these proposals often disagree with one another about which factors should be counted among people's circumstances and which should be subsumed within the category of choice.

The reason why these debates are of more than scholastic interest is that they purport to anchor economic egalitarianism in a fundamental moral idea that is taken to have widespread appeal among people of otherwise diverse political orientations. The debates are animated by a conviction that there is broad support for what Brian Barry calls "the principle of responsibility," which he defines as "the principle that unequal outcomes are just if they arise from factors for which individuals can properly be held responsible, and are otherwise unjust."⁸ Barry says that rich and poor alike accept the principle of responsibility, and he adds: "this principle is widely shared not only in the USA but also in other affluent western societies. Its appeal is probably a great deal more broad than that."⁹ If this is correct, then a persuasive demonstration that the principle supports economic egalitarianism would appear to be a remarkable achievement.

In this article, I will distinguish between two different roles that the principle of responsibility may be asked to play in egalitarian arguments. The first role is more limited and defensive. The second is more ambitious and affirmative. I will argue that, although the principle can legitimately play the first role, it cannot play the second. Yet it is the second role that is central to the project of developing a responsibility-based conception of egalitarian justice. If my arguments are correct, that project is misconceived. The attempt to develop a responsibility-based conception of justice should not be the focus of egalitarian political philosophy.

II. Defensive Arguments and Affirmative Arguments

Let me begin, then, by distinguishing between the two different ways in which the principle of responsibility figures in egalitarian arguments. As I have said, the principle's role in arguments of the first sort is limited and defensive. Arguments of this kind are intended solely to rebut those criticisms of economic egalitarianism that themselves appeal to the principle of responsibility. They are meant to establish that the principle of responsibility does not support conservative conclusions, so that even if the principle is granted, at least for the sake of argument, it fails to undermine the egalitarian position.

For example, conservatives often claim that egalitarian policies violate the principle of responsibility by rewarding those who are lazy or unwilling to work and by penalizing those who are industrious and hard-working. In response, egalitarians

argue that characterological differences – differences in levels of personal industry or energy – cannot plausibly be seen as the primary cause of existing inequalities. Far more important are differences in social class, family background, inherited wealth, and natural ability, none of which individuals choose for themselves and for none of which can they plausibly be held responsible. Moreover, some egalitarians add, even if characterological features are among the factors that contribute to economic inequality, it is no more proper to hold individuals responsible for their own characters than it is to hold them responsible for their native talents or intelligence. Rawls takes a position like this when he says that we do not deserve “the superior character that enables us to make the effort to cultivate our abilities,” because “such character depends in good part upon fortunate family and social circumstances in early life for which we can claim no credit.”¹⁰ In a similar spirit, he adds that “[e]ven the willingness to make an effort, to try, and so to be deserving in the ordinary sense is itself dependent on happy family and social circumstances.”¹¹

In advancing these “defensive” arguments, egalitarians do not commit themselves to the principle of responsibility. They simply dispute the conservative’s assessment of the implications of that principle. They do this by challenging the conservative’s claims both about the causes of inequality and about the factors for which individuals may plausibly be held accountable. Neither of these challenges presupposes that the egalitarian actually endorses the principle of responsibility.

By contrast, those who advocate responsibility-based conceptions of egalitarian justice not only endorse the principle but argue that it provides the basis for an

egalitarian position. Like many conservatives, in other words, the “luck-egalitarian” philosophers who offer these “affirmative” arguments treat the principle of responsibility as a fundamental norm that should guide the design of society’s social, political, and economic institutions. Of course, these luck egalitarians differ sharply from conservatives in their interpretation of the principle and its implications. Rather than limiting themselves to purely defensive arguments, however, they join conservatives in asserting the principle of responsibility as a fundamental principle of political morality. On the assumption that the principle is as widely shared as Barry and others believe, this enables them to claim that the egalitarian position has its roots in a basic tenet of ordinary moral thought.

I will have little to say in this paper about the egalitarian arguments that I have characterized as “defensive.” Although I am sympathetic to such arguments, my primary focus will be on the affirmative arguments, which I believe to be ill-conceived. I believe that it is a mistake to try to ground an egalitarian position in the principle of responsibility, and the bulk of my discussion will be devoted to explaining why this is so. My explanation will encompass a number of different considerations, which I will group together under four headings: justification, metaphysics, moralism, and equality as a social value.

III. Justification

As I have said, the justificatory ambition of those who advance affirmative arguments is to demonstrate that egalitarianism can be anchored in a fundamental

moral principle that has broad appeal among people of different economic classes and diverse political orientations. But I believe that the principle of responsibility has this kind of appeal only if it is interpreted so abstractly as to be nearly devoid of content, a virtual tautology. Once it is given more content – the kind of content that it has to have if it is to support an egalitarian conception of distributive justice – then it no longer has the broad appeal that recommended it to egalitarians in the first place.

The principle of responsibility asserts that unequal outcomes are just if and only if they arise from factors for which individuals can properly be held responsible. What is it to hold an individual responsible for a factor? It is at least to say that nobody is required to mitigate the effects of that factor on the individual's situation. It is, in that sense, to treat the fact that some aspect of the individual's situation was caused by the designated factor as a justification for that aspect of the situation. On one interpretation, then, the principle of responsibility amounts to little more than the claim that unequal outcomes are just if and only if they arise from factors that serve to justify them or, more briefly, that inequalities are just if and only if there is some justification for them. Construed in this way, the principle surely does have widespread appeal, for it is very nearly a tautology. Just for that reason, however, it is incapable of providing support for any particular conception of justice. Since it leaves open the question of which inequalities are in fact justified, and since that is the issue about which different conceptions of justice disagree, the principle so understood provides no basis for choosing among those conceptions.

The principle can be given a more substantive interpretation, of course, by supplementing the abstract interpretation just considered with a specific account of the factors for which individuals are properly held responsible. In this spirit, as we have seen, luck egalitarians interpret the principle to mean that inequalities deriving from people's voluntary choices are acceptable, whereas inequalities deriving from unchosen features of their circumstances are unjust. Once the principle of responsibility is given this interpretation, it may indeed support a conception of justice that is redistributive enough to deserve the label 'egalitarian', provided that the extent to which economic outcomes are affected by unchosen circumstances is sufficiently great. Of course, as this suggests, the substantive principle itself needs to be supplemented with an account of how the line between choices and circumstances is to be drawn and, as I have said, this is one of the central points at issue among different versions of luck-egalitarianism. For present purposes, however, the question is whether any version of the substantive principle that is strong enough to support an egalitarian position can claim the kind of widespread support on which the force of the affirmative arguments depends.

The answer to this question, I believe, is no. Any version of the substantive principle that is strong enough to support an egalitarian conception of justice will, at a minimum, need to count individuals' native talents and abilities as being among their unchosen circumstances. Other putatively egalitarian versions go further and subsume additional features of the person – such as unchosen preferences and character traits – within the category of circumstance rather than choice. But even the weakest egalitarian versions will be controversial, as we can see if we think about the claim that

inequalities deriving from voluntary choices are acceptable whereas inequalities deriving from differences of natural talent are not. As I have argued elsewhere,¹² and as is any case obvious, both parts of this claim are contested. To be sure, most people agree that there are some contexts in which inequalities deriving from people's voluntary choices are acceptable and some contexts in which inequalities deriving from differences of natural ability are unacceptable. Yet few people hold the general view that inequalities resulting from choice are always legitimate but that it is always unfair if people are better or worse off as a result of their differing talents and abilities. On the contrary, many people believe that individuals should be compensated for certain kinds of disadvantages, even if their own choices are among the causes of those disadvantages. And many people regard material inequalities deriving from differences of talent and ability as acceptable within limits. This means that any version of the principle of responsibility that is strong enough to support a luck-egalitarian conception of distributive justice is bound to be controversial. In attempting to justify such a conception by reference to one of these versions, one cannot claim to be anchoring egalitarianism in a simple moral idea that represents common ground among people of otherwise diverse political orientations. This claim rests on an equivocation between two different versions of the principle of responsibility: the abstract version, which has broad appeal but does not support an egalitarian conception of justice, and certain specific substantive versions, which may support an egalitarian conception of justice but do not have comparably broad appeal. In addition to undermining the justificatory ambitions of those who advance affirmative arguments, this equivocation

reveals a parallel between the luck-egalitarian and conservative positions, for many conservative arguments equivocate in just the same way between abstract and substantive versions of the principle of responsibility.

There is one additional point that is worth noting. Any conception of distributive justice can be viewed as producing an interpretation of the principle of responsibility. For any such conception will specify which inequalities are acceptable and which are unacceptable, and from the fact that a given inequality is deemed acceptable it follows that the factors from which it arises are ones for which individuals may properly be “held responsible,” in the sense that nobody is required to mitigate the effects of those factors on individuals’ situations. Clearly, however, no interpretation of the principle of responsibility that is derived in this way from an independently specified conception of justice can serve as the basis for that very conception.

IV. Metaphysics

I have said that, at a minimum, to hold an individual responsible for a factor, in the sense that is relevant to the interpretation of the principle of responsibility, is to treat that factor as serving to justify those aspects of the individual’s situation that were caused by the factor. As we have seen, the abstract version of the principle of responsibility makes no claim about the specific factors for which people are properly held responsible in this sense. By contrast, the “luck-egalitarian” versions assert that individuals are properly held responsible for their voluntary choices but not for unchosen features of their circumstances. If, as I have argued, this is a substantive claim

with which many people will disagree, it requires some defense. What might lie behind it? Why might it be tempting to suppose that people are properly held responsible for their choices but not for their circumstances?

There is one possible answer that I will mention only to set aside. It might be suggested that people identify with their choices but not with their circumstances, and that this is why they are appropriately held responsible for the former but not the latter. Claims to the effect that there is a connection between identification and responsibility have some appeal, although they obviously need additional elaboration. Such claims play an important role in Dworkin's arguments, where they are used to help explain why people's values and preferences, even if unchosen, should not be treated as features of their circumstances that entitle them to egalitarian compensation.¹³

Whatever the merits of those arguments, however, and whatever general appeal there may be to the idea that there is a connection between identification and responsibility, it is clear that that idea cannot explain why people should be held responsible for their choices but not for their circumstances. That is because, however the line between choices and circumstances is drawn, some of the factors with which people identify will fall on the circumstance side of the line. After all, people often identify not only with their choices, and not only with their values and preferences, but also with their unchosen talents, abilities, and physical characteristics, which all luck egalitarians – including Dworkin – would include among their circumstances. People identify with these things in the sense that they regard them as constitutive elements of who they are.

So if the factors for which people are properly held responsible are the personal factors with which they identify, then they cannot be held responsible solely for their choices.¹⁴

What other reason might there be for treating the distinction between choices and circumstances as constituting the dividing line separating those factors for which people are properly held responsible from those for which they are not? It is important to remember that, according to the luck-egalitarian view, this dividing line has profound economic and political significance. The factors for which people are properly held responsible are those that justify inequality, and the factors for which they are not properly held responsible are those that do not justify inequality. So the question is why the distinction between choices and circumstances should be thought to have this kind of significance? Why should it be thought to mark the boundary between legitimate and illegitimate inequality?

Perhaps the most obvious answer that suggests itself is this. Voluntary choices are seen as inequality-justifying because they are thought to be under individuals' control in a way that makes individuals morally responsible for them. Unchosen circumstances, by contrast, are seen as not being inequality-justifying because they are not under individuals' control and so individuals are not morally responsible for them. On this interpretation, luck egalitarianism postulates a substantive, normative connection between two different notions of responsibility. People are properly held responsible for their voluntary choices, in the sense that they must bear the distributive consequences of those choices, because they are morally responsible for having made them. By contrast, people cannot properly be expected to bear the distributive

consequences of their unchosen circumstances because they are not morally responsible for finding themselves in those circumstances.

It is worth repeating that this is a substantive thesis. The claim that people should be expected to bear the distributive consequences of their choices but not their circumstances neither entails nor is entailed by the claim that they are morally responsible for the former but not the latter.¹⁵ The plausibility of the thesis will depend on how the relevant notions of choice, control, and moral responsibility are understood. The thesis will seem most plausible if those notions are given a “libertarian” or “incompatibilist” interpretation, according to which genuinely voluntary choices belong to a different metaphysical category than do other causal factors. If the distinction between choices and unchosen circumstances is viewed as a fundamental metaphysical distinction, then it may seem capable of bearing the enormous political and economic weight that luck egalitarianism places on it. Of course, any plausible moral or political view will treat choice as a significant notion. However, it is far from obvious that, in general, the justice of assisting those in need or of compensating those who have suffered special disadvantages depends primarily on the causal role of their choices in contributing to their plight. Nor is it obvious that any scheme of differential reward that is sensitive to unchosen differences in talent or natural ability is to that extent unjust. These views are likely press themselves upon us, to the extent that they do, insofar as we are in the grip of a simple but seductive metaphysical picture, according to which the ontological distinctiveness of genuine choice gives it a privileged capacity

to express our identity and worth as persons, and hence, perhaps, to ground any entitlement we may have to differential reward.

In saying this, I am not making a claim about what luck egalitarians actually believe. Few if any proponents of a luck-egalitarian position endorse the picture I have just described. Instead, some accept one version or another of a compatibilist understanding of choice.¹⁶ Others say that they are agnostic about the nature of genuine choice, and even about whether human beings are capable of genuine choice. They limit themselves to the claim that only genuine choice – whether or not we turn out to be capable of it and whatever it may turn out to consist in – can legitimate inequality. G.A. Cohen takes this view, and he is happy to accept the implication that, if genuine choice is not possible for us, then no inequalities are justified.¹⁷ My claim, however, is that, whatever luck-egalitarian philosophers may themselves believe, the plausibility of a luck-egalitarian position tacitly depends on a libertarian conception of what genuine choice would look like. In the absence of such a conception, it is simply not clear why choice should matter so much: why such fateful political and economic consequences should turn on the presence or absence of genuine choice.

Suppose, for example, that one accepts some version of a “compatibilist” conception of voluntary choice, according to which genuine choices enjoy no exemption from the normal causal order. They are neither metaphysically anomalous or categorially unique. Instead, the hallmark of such choices is, roughly, that they exhibit certain characteristic relations to the agent’s deliberations, or that they are sensitive in specifiable ways to the agent’s values and preferences, or that they are free of certain

specific forms of causal interference, or that they possess some combination of these features. If one accepts a view of this kind, then the relation of choice to the agent's values, deliberations, and preferences will make the presence or absence of choice an important factor in many contexts. Still, it will be only one factor among others, and its relative importance will vary depending on the context. In some contexts, other factors may loom larger. Moreover, it will seem pertinent, on such a view, to observe that a talent for choosing wisely is just one human skill among others. What we call practical wisdom is affected in complex ways by other traits of character and temperament, and is not itself distributed equally among people. In addition, any given person's skill as a chooser may vary depending on the nature of the choice and on features of the social or institutional context. The person who is good at choosing friends may not be good at choosing investments, and the person who is good at choosing fruitful research topics may not be good at choosing vacation destinations. Nor can luck egalitarians say that the choices made by those who are less skillful choosers are for that reason alone less genuine choices, for luck egalitarians hold that, if there are genuine choices, then people may reap the rewards of the good ones and must bear the costs of the foolish ones. The capacity for genuine choice must therefore be understood by luck egalitarians as a capacity that can be exercised with varying degrees of judgment and skill. But then unless genuine choices – both the wise and the unwise – are conceived of as metaphysically distinctive in a way that makes them privileged indicators of our true identities or ultimate worth, it is obscure why they should have the kind of across-the-board, make-or-break significance that luck egalitarianism assigns them.¹⁸

In short, my second reason for thinking that it is a mistake to ground egalitarianism in the principle of responsibility is this. Those substantive versions of the principle that might plausibly be thought to support a form of egalitarianism tacitly depend for their appeal on a metaphysical account of choice and moral responsibility that seems to me implausible, and which egalitarians who rely on the principle certainly make no attempt to defend.¹⁹ In this respect as in the matter of justification previously discussed, the “luck-egalitarian” position inherits the deficiencies of the conservative position whose advantages it explicitly seeks to incorporate. The appeal of the conservative position also tacitly depends on a metaphysically inflated conception of the significance of choice.

V. Moralism

To describe a person as “moralistic” is to say that the person is too prone to make moral judgments: that the person relies on moral categories to an excessive degree, invoking them prematurely or in contexts where they are out of place, or using them in a rigid and simplistic way which ignores the nuances and complexities of human predicaments. Doctrines and policies can also be described as moralistic, if they either support or are supported by misplaced moral judgments. Moralism is the enemy of insight and illumination, and one of its most common functions is to place obstacles in the way of genuine understanding. There are critics of morality who think, in effect, that all moral judgment is moralistic, but moralism is in fact a moral flaw: a

deformation or disfiguration of the moral. It is a moral failing to neglect the often complex reality of people's circumstances or to subject them to unjustified criticism.

Political moralism involves the use of moralistic judgments to justify political positions or policies. It is a particularly pernicious form of moralism. Like all forms of the phenomenon, it combines a claim to authoritativeness with a fatal insistence on the oversimplification of complex situations. In political contexts, the characteristic function of this combination is to provide a pretext for neglecting legitimate claims or interests, or for silencing dissident voices.

One familiar form of right-wing moralism appeals to ideas of desert and individual responsibility in order to delegitimize the claims of the poor to assistance. Of course, 'desert' and 'responsibility' are important normative concepts which play a significant role in moral thought, and policies for the alleviation of poverty are quite properly the subject of extensive debate and disagreement. Yet there is also a long-established tradition within conservative politics of using a simplifying and highly moralized discourse of individual responsibility as a way of placing the onus for the alleviation of poverty squarely on the poor themselves. Indeed, the concepts of 'desert' and 'responsibility' seem especially vulnerable to moralistic misappropriation, and what might be termed "the moralism of responsibility" is one of the most popular forms of political moralism. In part, this is because the defensive exaggeration of a sense of individual authorship and control provides a bulwark against the fear of contingency, luck, and powerlessness. In addition, the conservative version of the phenomenon

enables those who are well-off to feel that they can take credit for their own success and that they need not be troubled unduly by the plight of those who are less fortunate.

One of the aims of luck egalitarianism is to undermine conservative moralism by turning the principle of responsibility against conservatives. In this spirit, luck egalitarians employ what I have called “defensive” arguments in order to show that those who are well-off owe much of their success to their natural talents and favorable social circumstances, which they did not choose and for which they cannot plausibly be thought to be responsible. Similarly, the plight of the poor is said to derive largely from unchosen natural factors and from the social circumstances into which they were born. The aim of these arguments is to undermine conservative moralism by demonstrating its dependence on an unwarranted complacency about the actual sources of inequality in our society.

Yet, as we have seen, another aim of luck egalitarianism is to incorporate “the most powerful idea in the arsenal of the anti-egalitarian right,” namely, the idea of choice and responsibility. It is in order to achieve this aim that luck egalitarians go beyond defensive arguments and make the affirmative claim that inequalities deriving from people’s voluntary choices are justifiable whereas inequalities deriving from unchosen circumstances are not. In making this claim, however, luck egalitarians court their own form of moralism. As I have already suggested, the idea that, because individuals are responsible for their voluntary choices, they must bear the full costs of those choices, flies in the face of the more nuanced and context-dependent judgments about the significance of choice that are characteristic of ordinary moral thought. Most

people do not insist, as a general matter, that someone who makes a bad decision thereby forfeits all claims to assistance. They do not take such a sweeping view either in matters of personal morality or in political contexts.²⁰ In their personal lives, for example, they do not refuse to comfort a friend whose foolish but voluntarily undertaken romance has come to a painful end; or to give directions to a driver who has predictably gotten lost after failing to consult a map; or to help a family member who finds himself unemployed as a result of a poor career choice. In short, most people do not have a blanket policy of refusing assistance to anyone who has made a mistake or a poor decision. Such a policy would strike us as harsh, unforgiving, insensitive to context, and unduly moralistic.

A similar point applies to the judgments people make in wider social and political contexts. Most people do not believe that an indigent defendant should be denied legal representation, even if her inability to afford an attorney was the result of bad financial planning or imprudent credit-card use and, indeed, even if she freely and voluntarily committed the crime of which she is accused. Nor do they believe that people whose poverty has resulted from poor financial decision-making should be denied emergency medical care or assistance in obtaining food or shelter. Once again, a blanket policy of this kind would strike us as harsh, unforgiving, insensitive to context, and moralistic.

It is also worth noting that few people endorse a blanket policy of refusing to reward unchosen talents or traits of character. In their personal lives, for example, few people have a general policy of refusing to praise their friends and acquaintances for

anything other than effort or hard work. Such a policy would also be liable to strike us as strange and moralistic. Nor do most people believe that grades, or literary or scientific prizes, or friendships, or surgical residencies should be allocated solely on those bases. The case of income is more controversial, even in a society that is as market-oriented as ours, but clearly there are relatively few people who believe that effort and choice – as opposed to talent – are the sole legitimate bases for income differentials.

The libertarian conception of choice may seem to promise a defense against the charge of moralism. If choices and circumstances belong to different metaphysical categories, then the attitudes that strike us as moralistic may be said to have an independent philosophical justification. Perhaps that is why the conservative discourse of responsibility is so often accompanied, if only tacitly, by a maximalist conception of the metaphysical significance of choice. In any case, the upshot of the considerations I have been rehearsing is that the successful incorporation of “the most powerful idea in the arsenal of the anti-egalitarian right” may come at a price. Luck-egalitarians may find that, along with that powerful idea, they have also incorporated one of the least attractive features of the anti-egalitarian position: its tendency to a rigid and unsympathetic moralism.

Granted, the charge of moralism may not apply equally to all attempts to ground egalitarianism in the principle of responsibility. That is partly because different versions of luck egalitarianism draw the line between choices and circumstances in different ways. It is partly because few luck egalitarians present the luck-egalitarian

principle as an absolute requirement or as constituting the whole of political morality; most acknowledge that the principle needs to be supplemented or qualified in various respects. And it is also because some luck-egalitarians, such as Dworkin, interpret the notion of choice-sensitivity in such a way as to give certain kinds of hypothetical choice schemes a role in determining which disadvantages should be compensated. For all of these reasons, there may be versions of luck egalitarianism that can deflect some of the moralistic implications of the unadorned luck egalitarian principle that I have been considering.²¹ Even so, the fact that the unadorned principle has such implications, and that they can be avoided only by qualifying or moving away from it, should make us uneasy about the idea of grounding egalitarianism in a version of that principle.

VI. Luck Egalitarianism and Conservatism

The three considerations I have thus far cited as reasons for rejecting an egalitarianism that is based on the principle of responsibility all point to features that such an egalitarianism shares with the conservative, anti-egalitarian position it officially opposes. These two positions, I have argued, share an unsustainably ambitious justificatory aim, an unacknowledged reliance on a maximalist metaphysics of choice, and an unappealing tendency toward excessive moralism. But perhaps this is not really surprising. Perhaps it was never reasonable to hope that one could incorporate the most powerful features of the anti-egalitarian position while at the same time excluding

all of its unattractive features. My own view is that the project of developing a responsibility-based conception of egalitarian justice represents an overreaction to conservative criticism of the welfare state and of egalitarian liberalism more generally. To be sure, that conservative criticism requires a response, and part of its value lies in the way it challenges defenders of liberal egalitarianism to clarify their own conceptions of individual responsibility. Nevertheless, I believe it is a mistake to respond to the conservative criticism by trying to develop a responsibility-based conception of egalitarian justice. The project of developing such a conception is misguided both because, in attempting to duplicate some of the central virtues of the conservative position, it is likely to duplicate some of its central vices as well, and because it misrepresents the nature of our concern with equality as a value.

Admittedly, the criticisms of that project that I have developed to this point have not been conclusive. There are many different versions of luck egalitarianism, and they differ from one another in many significant respects. I have not discussed any of these versions in detail, but have instead focused on their shared aspiration to construct a fundamental principle of distributive justice using a distinction between choices and circumstances. I have conceded that, despite my arguments, there may be forms of luck egalitarianism that can deflect the charge of moralism, and perhaps some version of the position can be freed from the untenable justificatory ambitions and undefended metaphysical associations to which I have called attention. Since, however, I believe that the luck-egalitarian project rests in any case on a misunderstanding of the nature of our concern with equality, I shall not pursue these possibilities any further. Instead, my

aim in the remainder of this paper will be to suggest what I take to be a more satisfactory characterization of the way in which equality matters to us. Ultimately, the most serious reason for declining to ground egalitarianism in the principle of responsibility is that to do so is to lose touch with value of equality itself.

VII. Equality as a Social Value

Why is equality a value? Why does it matter to us? Concerns about equality arise in many different contexts, and there may be no single answer that is appropriate to all of these contexts. Insofar as equality is understood as a substantive social value, which is distinct, for example, from the formal principle that one should treat like cases alike and from the axiological judgment that all people are of equal worth, the basic reason it matters to us is because we believe that there is something valuable about human relationships that are – in certain crucial respects at least – unstructured by differences of rank, power, or status. So understood, equality is in some ways a puzzling value and a difficult one to interpret. After all, differences of rank, power, and status are endemic to human social life. Almost all human organizations and institutions recognize hierarchies of authority, for example, and most social roles confer distinctions of status which in turn structure human relationships -- like the relationships of doctors to patients, teachers to students, parents to children, attorneys to clients, employers to employees, and so on. If there is any value at all in such relationships, then at least one of the following two things must be true. Either some relationships can be valuable despite having a fundamentally inegalitarian character or else it is not necessary, in order for a relationship to qualify as having an egalitarian

character, that it should be altogether unmarked by distinctions of rank or status. The egalitarian need not deny the first point but, given the ubiquity of the distinctions mentioned, the second point is crucial if equality is to be understood as a value of reasonably broad scope. In fact, both points are almost certainly true. This means that, in order to understand the value of equality, one needs to investigate the specific respects in which egalitarian relationships must be free from regimentation by considerations of rank or status. One needs to characterize in greater detail the special value that egalitarian relationships are thought to have, and to consider which differences of authority or status have the capacity to compromise that value.

There are limits to how much progress one can make in addressing these issues if one treats them purely as subjects for abstract investigation. To some extent, the participants in putatively egalitarian relationships must work out the terms of those relationships for themselves. This is especially true of the participants in close interpersonal relationships. They must establish for themselves the divisions of authority and labor and the patterns of mutual dependence that will characterize their dealings with each other, and they must determine what kinds of role differentiation their relationship can sustain while remaining a relationship of equals. Even in such cases, however, the judgments of the participants are not infallible, and some generalizations are surely possible, both with respect to the value of conducting relationships on a footing of equality and with respect to the circumstances that make that impossible.

Here I will limit myself to some remarks about one special but crucial type of relationship. This is the relationship that the members of a political society bear to one another. I will begin by asking why exactly it is important to us – assuming that it is – to live in a society where citizens relate to one another as equals. Let me mention two different answers to this question. The first answer purports to be thinner and philosophically less committal while the second answer is morally and philosophically more ambitious. Rather than appealing to any particular “comprehensive moral doctrine” to explain the importance of equality, the less committal answer starts by pointing out that the idea of equal citizenship is part of the broader notion of society as a fair system of cooperation among free and equal people. This broader notion, in turn, is implicit in the public political culture of a modern democratic society. As such, it represents a point of normative convergence among people whose values and outlooks may differ sharply in other respects and who may, indeed, disagree about the philosophical underpinnings of this notion itself. In other words, the value of equal citizenship is more widely acknowledged than is any particular account of the source of this value. Precisely because it represents a settled conviction shared by people whose other evaluative commitments may differ profoundly, the idea of society as a fair system of cooperation among free and equal people has a special importance in modern constitutional democracies. The pluralistic character of these democracies calls into question their ability to identify any shared basis for a public conception of justice. Yet the idea of society as a fair system of cooperation is so firmly embedded in their political traditions and cultures that it may help to provide such a basis. A modern

democracy may be able to achieve a just and stable social order despite the prevalence of pluralism, provided that its major institutions establish a fair cooperative framework within which people who relate to one another as equals can pursue their divergent conceptions of the good.²²

Whereas the first answer avoids endorsing any particular philosophical account of the value of equal citizenship, and instead suggests that the diversity of outlooks affirming this value gives it a special importance within the public political culture of a modern democracy, the second, philosophically more venturesome answer does not hesitate to assert that living in a society of equals is good both intrinsically and instrumentally. When the relationships among a society's members are structured by rigid hierarchical distinctions, it claims, the resulting patterns of deference and privilege exert a stifling effect on human freedom and inhibit the possibilities of human exchange. Because of the profound and formative influence of basic political institutions, moreover, patterns of deference and privilege that are politically entrenched spill over into personal relationships of all kinds. They distort people's attitudes toward themselves, undermining the self-respect of some and encouraging an insidious sense of superiority in others. Furthermore, social hierarchies require stabilizing and sustaining myths, and the necessity of perpetuating and enforcing these myths discourages truthful relations among people and makes genuine self-understanding more difficult to achieve. In all of these ways, inegalitarian societies compromise human flourishing; they limit personal freedom, corrupt human relationships, undermine self-respect, and inhibit truthful living. By contrast, a society

of equals supports the mutual respect and the self-respect of its members, encourages the freedom of interpersonal exchange, and places no special obstacles in the way of self-understanding or truthful relations among people. It also makes it possible for people to develop a sense of solidarity and of participation in a shared fate without relying on unsustainable myths or forms of false consciousness. For all of these reasons, an egalitarian society helps to promote the flourishing of its citizens. Nor is the value of living in such a society purely instrumental. On the contrary, to live in society as an equal among equals is a good thing in its own right.

Obviously, these two different ways of characterizing the importance of equal citizenship differ from one another in significant ways. For our purposes, however, the pertinent point is that proponents of both characterizations need to address a common set of questions. They need to consider what forms of political authority are compatible with a society of equals, what regime of rights and freedoms such a society requires, and how, compatibly with a commitment to egalitarian membership, individuals' differing aims, values, identifications, and group affiliations can best be accommodated. They also need to decide what system for the allocation of economic resources is appropriate to a society of equals, and what bases for the assignment of benefits and burdens such a society would recognize. In my view, an egalitarian scheme of distributive justice is best understood as one that tries to provide answers to these questions.

Yet this is not the approach that has generally been taken by those who have tried to develop responsibility-based conceptions of egalitarian justice. Rather than

exploring the implications for distribution of the ideal of a society of equals, these philosophers have generally addressed themselves directly to questions of distribution. They have assumed that an egalitarian conception of justice is one that seeks to distribute something equally, and they have asked what the proper equalisandum might be. Thus, they have debated the “currency” of egalitarian distribution and, as we have seen, they have tried to fix the scope of egalitarian compensation by establishing an authoritative distinction between choices and circumstances,²³ but they have made little attempt to situate the distributive principles they favor within a broader conception of the nature of egalitarian social relationships.

Sometimes writers in this tradition simply present us with an array of possible distributions and invite us to make judgments about which of these distributions is best “from the point of view of equality,” as if the word *equality*, considered in the abstract and cut loose from any serious reflection about the nature of human societies or relationships, sufficed to define a perspective from which optimal principles of egalitarian justice could be discerned. Insofar as they draw connections between egalitarian distributive principles and more general ideas of equality, these writers tend to argue that distributive egalitarianism follows, not from an ideal of egalitarian social relationships, but rather from an abstract conception of the equal worth of persons or from the principle that a government should treat its citizens as equals. Sometimes they assert that there simply is no egalitarian idea more basic than the intuition, which is presented as a brute moral datum, that it is bad if some people are worse off than others through no fault of their own.²⁴ Richard Arneson captures the spirit of this tradition

when he describes egalitarianism as the view that “people should get the same, or be treated the same, or be treated as equals, in some respect.”²⁵ The idea that egalitarianism is concerned with nature of the relationships among the members of society fades into the background or disappears altogether.²⁶

One possible explanation for this neglect is suggested by Thomas Nagel, who writes:

There are two types of argument for the intrinsic value of equality, communitarian and individualistic. According to the communitarian argument, equality is good for a society taken as a whole. It is a condition of the right kind of relations among its members, and of the formation in them of healthy fraternal attitudes, desires, and sympathies. This view analyzes the value of equality in terms of a social and individual ideal. The individualistic view, on the other hand, defends equality as a correct *distributive* principle – the correct way to meet the conflicting needs and interests of distinct people, whatever those interests may be, more or less. It does not assume the desirability of any particular kinds of desires, or any particular kinds of interpersonal relations. Rather it favors equality in the distribution of human goods, whatever these may be – whether or not they necessarily include goods of community and fraternity.²⁷

Nagel says in this passage that those who defend equality as a distributive principle give it an individualistic interpretation, and that the only alternative is a communitarian defense according to which equality is good for society as a whole

because it is a condition of the right kind of relations among its members. Although he blurs the contrast a bit by saying that the communitarian interpretation analyzes the value of equality in terms of a social *and individual* ideal, Nagel's basic claim is that distributive egalitarianism is the only thoroughly individualistic form of egalitarianism.

I agree with Nagel that, insofar as defenders of distributive egalitarianism abstract from any consideration of equality as an ideal of human relationships, there is a clear sense in which their view may be described as individualistic. However, I think it is a mistake to suppose that the only alternative to this kind of individualism is a "communitarian" understanding of equality, if such an understanding is taken to require a departure from basic liberal principles. To say that it is important to us to live in a society of equals is not to deny, for example, that a just society must provide a fair framework of cooperation within which people can pursue their diverse schemes of value and conceptions of the good. On the contrary, we have already seen that, at least on one view, a shared commitment to living in a society of free and equal citizens is precisely what underwrites that conception of justice. Indeed, I doubt whether it is possible adequately to characterize the liberal vision of a just society without at some point invoking the idea of a society of equals.

Whether or not I am right about that, I am quite confident that there is no prospect of successfully defending a responsibility-based conception of egalitarian distribution without attempting to anchor it in the ideal of a society of equals. As I have already argued, the luck-egalitarian version of the principle of responsibility cannot plausibly be grounded in the metaphysics of choice. Nor, as I have argued elsewhere,

can it be grounded in a bare appeal either to the equal worth of persons or to the idea of equal treatment.²⁸ Responsibility-based conceptions address questions about the extent to which people should be required to bear the costs – and allowed to reap the rewards – of their own choices; questions about the extent to which people should be compensated for – and prevented from profiting from – unchosen personal characteristics; and questions about whether people’s values, preferences, talents, and character traits should, for distributive purposes, be treated as aspects of their choices or numbered among their unchosen circumstances. But all of these questions concern the terms on which we want to live with one another. They are questions about the kinds of burdens that we want to be able to share with others, and are willing to have them share with us; and they are questions about the kinds of advantages we want to be able to retain for ourselves, and are willing to have others retain for themselves. To answer such questions, we must determine the kinds of relations in which we want to stand to our fellow citizens. We must decide when and on what terms we want to share one another’s fate, and when and on what terms we want to face the future alone. If there are distinctively egalitarian answers to these questions, they do not lie in metaphysics or in axiology or in the idea of equal treatment. They must rest instead on some conception of the importance of living together as equals.

Once we recognize this, we are led away from the idea that economic distribution should be regulated by a luck-egalitarian version of the principle of responsibility. There is no reason to believe that the members of a society of equals would wish to be regulated by such a principle, especially if I have been correct in

arguing that the luck-egalitarian position tends toward moralism, exaggerates the significance of choice, and diverges in many ways from people's judgments in particular cases. To be sure, the idea of internalizing the costs of one's choices represents an important value, which people who were deliberating about the appropriate distributive regime for a society of equals would surely take into account. So too the idea that individuals should be protected from the ravages of bad fortune or bad "brute luck." But there are a number of other values that would also figure in the deliberations of people who were concerned to establish a society of equals, and which would undercut any temptation they might have to assign the choice-circumstance distinction a dominant role in fixing the scope of permissible economic inequality. For example, reflection on the significance for human relations of practices of forbearance and accommodation might temper their insistence that individuals must fully internalize the costs of all of their choices.²⁹ Similarly, reflection on the centrality for individual identity of unchosen personal characteristics might temper their refusal to allow any reward that is based on such characteristics. On the other hand, reflection on the factors that make some people better choosers than others might limit their willingness to privilege choice as an inequality-justifying consideration. And a recognition of the effects on their relations to one another of significant inequalities of income and wealth would almost certainly lead them to limit the extent of such inequalities from any source. In short, the regulative concern governing their deliberations would be, not the enforcement of the line between choice and

circumstance, but rather the effects on their relationships to one another of different regimes for the allocation of advantage.

Let me briefly summarize my argument in this section. Equality as a social and political value expresses an ideal of how human relationships should be conducted. That ideal has distributive implications, and the task for an egalitarian conception of distributive justice is to draw out those implications. In general, however, philosophers who have sought to develop responsibility-based conceptions of egalitarian justice have not conceived of their task in this way. They have not sought to ground their proposals about justice in the ideal of equality. To that extent, I believe, they have lost touch with the reasons why equality matters to us. In principle, it remains open to them to argue that a responsibility-based conception follows from a proper understanding of the ideal of equality. Indeed, I have maintained that they must attempt to show this if such a conception is to have any chance of being compelling. However, I have also expressed skepticism about the prospects that such an attempt can succeed, for in thinking about what a society of equals would be like, there is no evident reason to suppose that its fundamental principle of distribution would track a version of the distinction between choices and circumstances.

VIII. Conclusion

I hope I may be forgiven for concluding on a somewhat self-referential note. In 1992 I published an article in which I observed that some of the most prominent contemporary liberal theories – including, most notably, the egalitarian liberalism of

John Rawls – avoid using the notion of ‘desert’ at the level of fundamental principle.³⁰

In consequence, I said, such theories seem to rely on an attenuated conception of individual responsibility, and this exposes them to a kind of criticism that is similar to the criticisms directed by conservative politicians against familiar liberal programs and policies. I went on to argue that judgments of desert and responsibility serve to express reactive attitudes and emotions which play a vital role in our social practices and interpersonal relations. I concluded that the political prospects of egalitarian liberalism may depend on whether its proponents can successfully demonstrate that their position does not, in the end, require an unacceptably revisionist conception of individual responsibility.

At first glance, the project of developing a responsibility-based conception of egalitarian justice seems directly responsive to this line of thought. In assigning choice and responsibility a central place within their distributive scheme, many luck egalitarians explicitly aim to improve on the perceived deficiencies of the kind of egalitarian liberalism associated with Rawls. And in treating a version of the principle of responsibility as a fundamental distributive norm, their goal is to demonstrate that, far from being an unacceptably revisionist position, egalitarianism has its source in a widely shared and deeply entrenched conception of individual responsibility.

Nevertheless, I have argued in this paper that the project of developing a responsibility-based conception of egalitarian justice is ill-conceived. The participants in that project seek to defuse conservative criticism by demonstrating that the notions of choice and responsibility can be installed at the core of an egalitarian doctrine. In so

doing, however, they overcompensate for the perceived deficiencies of Rawlsian egalitarian liberalism, and incorporate the vices of the conservative position along with its virtues. By mimicking the conservative's emphasis on choice and responsibility, they unwittingly inherit the conservative's unattractive moralism and questionable metaphysical commitments, and they lose touch with some of the most important reasons why equality as a value matters to us in the first place.

If an egalitarian conception of justice is to be defended against conservative criticism, I believe that it will have to take a different form. The fundamental aim should be to identify the distributive regime that is best suited to a society of equals. In thinking through this issue, the role of individual choice and responsibility will of course be important, as will the desirability of protecting people against misfortune, but these will not be the only factors. Other kinds of considerations, like those I mentioned earlier, will also need to be taken into account. The conception of justice that results may, to one degree or another, be revisionist of people's ordinary beliefs about desert and responsibility. The lesson of the conservative criticism is not that such beliefs are immune to revision. It is rather that proposed revisions must be compatible with a realistic account of the role played in human psychology and social relationships by ideas of desert and responsibility. This is really just one aspect of a more general truth. Once we recognize that equality is a normative ideal of human relations, it should be clear that an adequate egalitarian conception of justice must be complemented by a serious psychology of egalitarianism. Such a psychology would include, for example, an account of the motivational structures and resources that egalitarian institutions

could be expected to engage, a demonstration of how egalitarian norms would support the reactive attitudes and emotions that are an important part of human relationships, and a description of the psychological processes by which egalitarian social forms would sustain individuals' self respect and their sense of themselves as free and effective agents.³¹

The basic point is this. A conception of distributive justice – whether egalitarian or non-egalitarian – cannot be just a self-standing distributive formula. It must be part of a larger normative vision of society. It must enter into individuals' motives and attitudes, regulate their practices and institutions, and help to structure their relationships with one another. If there is merit in the conservative claim that some versions of the liberal egalitarian vision are defective because they assign too small a role to individual choice and responsibility, then egalitarians will want to find ways of responding to that criticism. But they will want to respond in a way that avoids the punitive moralism of the conservative position itself, and preserves their own fundamental vision of a society in which citizens relate to one another as equals.³²

Notes

¹ See Ronald Dworkin, "What is Equality? Part I: Equality of Welfare," Philosophy & Public Affairs 10(1981): 185-246, and "What is Equality? Part II: Equality of Resources," Philosophy & Public Affairs 10(1981): 283-345. Both of these essays are reprinted in Dworkin's Sovereign Virtue (Cambridge, MA: Harvard University Press, 200), pp. 11-64 and 65-119 respectively. When citing these articles hereafter I will give the page references in Sovereign Virtue only.

² Dworkin, Sovereign Virtue, p. 81.

³ G.A. Cohen, "On the Currency of Egalitarian Justice," Ethics 99(1989): 906-44, at p. 928.

⁴ Ibid., p. 933.

⁵ See, for example, Dworkin, Sovereign Virtue, Chapters Seven and Nine.

⁶ There are also views that are closely related to responsibility-based egalitarianism, but which depart from it either by substituting priority for equality or by giving responsibility a more limited role. An example of the first is Richard Arneson's "responsibility-catering prioritarianism," as described in his "Luck Egalitarianism and

Prioritarianism," Ethics 110(2000): 339-49. An example of the second is the version of egalitarianism defended by Peter Vallentyne in his "Brute Luck, Option Luck, and Equality of Initial Opportunities," Ethics 112(2002): 529-57.

⁷ The term "luck egalitarianism" is taken from Elizabeth Anderson, "What is the Point of Equality?" Ethics 109(1999): 287-337. My discussion has been influenced in many ways by Anderson's criticisms of luck egalitarianism. Other important critical discussions include: Jonathan Wolff, "Fairness, Respect, and the Egalitarian Ethos," Philosophy & Public Affairs 27(1998): 97-122; Seana Valentine Shiffrin, "Paternalism, Unconscionability Doctrine, and Accommodation," Philosophy & Public Affairs 29(2000): 205-50, and "Egalitarianism, Choice-Sensitivity, and Accommodation," in R. J. Wallace, P. Pettit, S. Scheffler, and M. Smith eds., Reason and Value: Themes from the Moral Philosophy of Joseph Raz (Oxford: Oxford University Press, 2004); Timothy Hinton, "Must Egalitarians Choose Between Fairness and Respect?" Philosophy & Public Affairs 30(2001): 72-87, and "Choice and Luck in Recent Egalitarian Thought," Philosophical Papers 31(2002). See also the important series of papers by Marc Fleurbaey: "Equal Opportunity or Equal Social Outcome?," Economics and Philosophy 11(1995): 25-55; "Equality among Responsible Individuals," in J.F. Laslier et al. eds., Freedom in Economics (London: Routledge, 1998), pp. 206-34; "Egalitarian Opportunities," Law and Philosophy 20(2001): 499-530; "Equality of Resources Revisited," Ethics 113(2002): 82-105; "Freedom with Forgiveness," Politics, Philosophy, and Economics (200X): XXX-XXX.

⁸ Brian Barry, "Does Responsibility Undermine Equality?" unpublished typescript presented to the Workshop in Law, Philosophy, and Political Theory at the University of California, Berkeley, on March 20, 2003, p. 5.

⁹ Ibid.

¹⁰ John Rawls, A Theory of Justice [revised edition], (Cambridge, MA: Harvard University Press, 1999), p. 89.

¹¹ A Theory of Justice (Cambridge, MA: Harvard University Press, 1971), p. 74; revised edition p. 64.

¹² "What is Egalitarianism?" Philosophy & Public Affairs 31(2003): 5-39. See also "Equality as the Virtue of Sovereigns: A Reply to Ronald Dworkin," Philosophy & Public Affairs 31(2003): 199-206.

¹³ See, for example, Dworkin, Sovereign Virtue, pp. 287-91, and "Equality, Luck and Hierarchy," Philosophy & Public Affairs 31(2003): 190-98, at p. 194.

¹⁴ See Scheffler, "What is Egalitarianism?" pp. 19-21, and "Equality as the Virtue of Sovereigns," p. 201.

¹⁵ For a related discussion, see Kasper Lippert-Rasmussen, "Egalitarianism, Option Luck, and Responsibility," Ethics 111(2001): 548-79, at pp. 571-2.

¹⁶ See, for example, Eric Rakowski, Equal Justice (Oxford University Press, 1991), pp. 76-7 and 113-5.

¹⁷ Cohen writes: "Equality of access to advantage is motivated by the idea that differential advantage is unjust save where it reflects differences in genuine choice... but it is not genuine choice as such...which the view proposes to equalize. The idea motivating equality of access to advantage does not even imply that there is such a thing as genuine choice. Instead, it implies that if there is no such thing, because, for example, 'hard determinism' is true, then all differential advantage is unjust...[M]y view tolerates the possibility that genuine choice is a chimera..." (G.A. Cohen, "Equality of What? On Welfare, Goods and Capabilities," Recherches Economiques de Louvain 56(1990): 357-82, at p. 381.

¹⁸ This question suggests itself with special force in relation to the work of Arneson, for he has long insisted that "among an individual's talents and traits are talents at value forming, choice making, and choice executing," and that some people have "very poor choicemaking abilities." (The first quote is from Arneson's review of Sovereign Virtue, Ethics 112[2002]: 367-71, at p. 371. The second quote is from "Equality of Opportunity

for Welfare Defended and Recanted," Journal of Political Philosophy 7[1999]: 488-97, at p. 496.) Nor does his work display any evident sympathy for a libertarian conception of choice. (Although see his criticism of J.J.C. Smart's "premature dismissal of libertarianism" in "The Smart Theory of Moral Responsibility and Desert," in S. Olsaretti ed., Desert and Justice [Oxford University Press, 2003], pp. 233-58. The quoted phrase appears on p. 258.) It is therefore unclear why he gives the presence or absence of choice as much importance as he does, both in his original luck-egalitarian scheme and – it seems – in his subsequent prioritarian view. (For Arneson's original luck-egalitarian scheme, see "Equality and Equal Opportunity for Welfare," Philosophical Studies 56[1989]: 77-93, and "Liberalism, Distributive Subjectivism, and Equal Opportunity for Welfare," Philosophy & Public Affairs 19(1990): 158-94) For his prioritarian view, see "Luck Egalitarianism and Prioritarianism" and "Equality of Opportunity for Welfare Defended and Recanted.") In fact, however, it is possible to read some of Arneson's later writings as expressing second thoughts about the degree of weight that should be attached to considerations of choice and responsibility. See, in addition to his article in the Olsaretti volume and his review of Sovereign Virtue, R. Arneson, "Welfare Should be the Currency of Justice," Canadian Journal of Philosophy 30(2000):497-524.

¹⁹ Andrew Williams has suggested in correspondence that the appeal of luck egalitarianism may depend, not on a set of tacit metaphysical assumptions, but rather on an opposition to restricting choice and spreading responsibility. In other words, if

we reject the luck-egalitarian requirement that people should internalize the costs of their own choices, then our only options are either to prevent individuals from making certain choices or else to force others to share the costs of those choices. The first may seem like unwarranted interference and the second may seem unfair. But the impression that this is an alternative explanation of the appeal of luck egalitarianism is illusory. After all, the luck-egalitarian view itself restricts people's ability to profit from their unchosen natural abilities or from other favorable circumstances of their birth, and it insists on spreading the costs of unfavorable personal circumstances. So luck egalitarians need to explain why restrictions and cost spreading are acceptable as responses to differences in unchosen circumstances but not as responses to differences in people's voluntary choices. The metaphysical diagnosis continues to suggest itself.

²⁰ Hence I agree with Thomas Scanlon's criticism of what he calls the "Forfeiture View" of the significance of choice. (See Scanlon, What We Owe to Each Other [Harvard University Press, 1998], pp. 251-67.) Indeed, one way of putting the points I have been making would be to say that luck egalitarianism depends on a particularly strong and implausible version of the Forfeiture View, inasmuch as it relies to an extraordinary degree on what Scanlon calls "the special legitimating force of voluntary action" (p. 260). Andrew Williams has suggested in response that luck egalitarians can make do instead with what Scanlon refers to as a "Value of Choice" account, thereby avoiding the threat of moralism. However, my argument has been, in effect, that if one rejects the Forfeiture View in favor of a Value of Choice account, then the idea of constructing a

master principle of distributive justice on the basis of the choice-circumstance distinction loses its appeal. Of course, someone who accepts a Value of Choice account may say, plausibly enough, that there are contexts in which what justice demands is that people should be provided with equally valuable sets of choices or opportunities rather than with equal outcomes. On such an account, however, it will be appropriate in each of the relevant contexts to ask for a further explanation of why this is so. The distinction between choices and circumstances does not have the kind of general justificatory significance on a Value of Choice account that the Forfeiture View assigns it.

²¹ Not surprisingly, some of these implications could also be avoided by forms of egalitarianism that endorse part but not all of the luck-egalitarian position as I have characterized it. This is true, for example, of views that condemn inequalities deriving from unchosen circumstances as unjust but do not commit themselves to the acceptability of inequalities deriving from voluntary choices.

²² See John Rawls, Political Liberalism (New York: Columbia University Press, 1993).

²³ As John Roemer says, "If the first issue of contention in modern egalitarian theory is what the equalisandum should be, the second is the distinction between a person's actions that are caused by circumstances beyond his control and those for which he is

personally responsible." See Roemer, "A Pragmatic Theory of Responsibility for the Egalitarian Planner," Philosophy & Public Affairs 22(1993): 146-166, at p. 147.

²⁴ In Larry Temkin's representative formulation, "the ultimate intuition underlying egalitarianism is that it is bad (unfair or unjust) for some to be worse off than others through no fault of their own" (L. Temkin, Inequality [Oxford University Press, 1993], p. 200).

²⁵ R. Arneson, "Egalitarianism", *The Stanford Encyclopedia of Philosophy* (Fall 2002 Edition)
URL = <<http://plato.stanford.edu/archives/fall2002/entries/egalitarianism/>>.

²⁶ The tendency among philosophers discussing or defending egalitarianism to focus solely on questions of distribution, in isolation from any consideration of equality as an ideal of human relationships, is not limited to proponents of responsibility-based conceptions. In the article cited in note 6 above, for example, Peter Vallentyne exhibits the same tendency. So too do many others, including Dennis McKerlie, "Egalitarianism," Dialogue 23 (1984): 223-38, and Derek Parfit, "Equality or Priority?" The Lindley Lecture, University of Kansas, 1995. Of course, equality is an intrinsically relational notion; the fact that two people have equal amounts of some good constitutes a kind of relation between them. This is what McKerlie means when he writes: "Equality is a relationship between different people. There is equality when they are equally supplied with resources, or equally happy. Whether there is equality or

inequality, and how much there is, will depend on the overall distribution of whatever is valued. A moral view based on the value of equality will give us the goal of creating this relationship in outcomes. It will tell us to aim at outcomes with the overall pattern of distribution that maximizes equality or minimizes inequality" (D. McKerlie, "Equality," Ethics 106(1996): 274-96, at 274). It should be clear, however, that when I speak of equality as an ideal of human relationships, I am expressing a view that is very different from McKerlie's. Equality, as I understand it, is an ideal that governs the terms on which independently existing human relationships should be conducted; it is not the "relationship" that consists in two people's having the same amount of something. As McKerlie's comments reveal, his understanding of the relationship of equality makes equality an inherently distributive notion.

²⁷ Thomas Nagel, "Equality," in Mortal Questions (Cambridge: Cambridge University Press, 1979), pp. 106-127, at p. 108.

²⁸ See Scheffler, "What is Egalitarianism?" and "Equality as the Virtue of Sovereigns."

²⁹ See, in this connection, the papers by Shiffrin cited in note 7 above.

³⁰ "Responsibility, Reactive Attitudes, and Liberalism in Philosophy and Politics," Philosophy & Public Affairs 21(1992): 299-323. Reprinted in S. Scheffler, Boundaries and Allegiances (Oxford University Press, 2001), pp. 12-31.

³¹ Here I draw on and extend some remarks I made (on May 24, 1991) as part of my unpublished comments on G.A. Cohen's Tanner Lectures at Stanford University. For Cohen's response to those remarks, see his "Incentives, Inequality, and the Difference Principle," in G. Peterson ed., The Tanner Lectures on Human Values, Volume 13(1992): pp. 263-329, at 291-93.

³² Earlier versions of this paper were presented at a Yale Philosophy Department colloquium, at a conference on The Theory and Practice of Equality at the Kennedy School of Government at Harvard, and (in my absence) at a conference at Tulane University sponsored by this journal. I am grateful to all of these audiences for valuable discussion, and I am particularly indebted to Richard Arneson, Amélie Rorty, Peter Vallentyne, and Andrew Williams for insightful written comments.