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EQUALITY, PRIORITY OR WHAT?

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This paper aims to illuminate some issues in the equality, priority, or what debate. I characterize egalitarianism and prioritarianism, respond to the view that we should care about sufficiency or compassion rather than equality or priority, discuss the levelling down objection, and illustrate the significance of the distinction between prioritarianism and egalitarianism, establishing that the former is no substitute for the latter. In addition, I respond to Bertil Tungodden's views regarding the Slogan, the levelling down objection, the Pareto Principle, leximin, the principle of personal good, strict moderate egalitarianism, the Hammond Equity Condition, the intersection approach, and non-aggregative reasoning.

This paper is divided into two parts. In Part I, I present a particular version of egalitarianism. I show that the egalitarian's concerns cannot be adequately captured by considerations of sufficiency, compassion or priority. In addition, I raise doubts about the levelling down objection, and positions that might underlie it. In Part II, I respond to Bertil Tungodden's excellent essay, "The value of equality".

PART I

A. Egalitarianism

Egalitarians come in many stripes. Too many, I am afraid. Numerous, quite distinct, positions have been described as egalitarian. Correspondingly, in

Over the years many have influenced my thinking on this paper's topics. While my poor memory prevents me from properly acknowledging them all, I'd like to thank G. A. Cohen, Roger Crisp, James Griffin, Dan Hausman, Nils Holtug, Shelly Kagan, F. M. Kamm, Serge Kolm, Thomas Nagel, Ingmar Persson, John Roemer, Amartya Sen, Seana Shiffrin and Andrew Williams. A special thanks is owed to Bertil Tungodden, and for extensive comments on an earlier draft of this paper, to John Broome, Marc Fleurbaey and Derek Parfit.

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discussing equality it is important that one clarify the sense in which one is using the term.

In this paper, I shall be concerned with a version of egalitarianism that might be called *equality as comparative fairness*. On this view, equality is a subtopic of the more general – and even more complex – topic of fairness. Specifically, concern about equality is a portion of our concern about fairness that focuses on how people fare relative to others. So, our concern for equality is not separable from our concern for a certain aspect of fairness; they are part and parcel of a single concern.

Egalitarians in my sense 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. Typically, if one person is worse off than another through no fault or choice of her own the situation seems unfair, and hence the inequality between the two will be objectionable. But the applicability of the "no fault or choice" clause is neither necessary nor sufficient for comparative unfairness,[1] and it is the latter that ultimately matters in my version of egalitarianism.

On my view, egalitarians are not committed to thinking deserved inequalities are as bad as undeserved ones. In fact, I think deserved inequalities, if there are any, are not bad *at all*. The reason for this is simple. *Undeserved* inequality is unfair, but *deserved* inequality is not. Thus, the egalitarian is *not* committed to the view that it is bad, with respect to equality, for parents or citizens to freely and rationally make sacrifices for their descendants, so that their descendants will be better off than they. Nor is the egalitarian committed to the view that it is bad with respect to equality for imprisoned criminals to be worse off than regular citizens, *if* the egalitarian believes that the criminal could have been as well off as others, but freely chose a life of crime. In such cases, the worse off are so by their own free choice, and the way in which this is so makes it seem that the unequal outcomes are not unfair and, hence, not objectionable. These cases differ from those where the worse off are so because they were unlucky enough to be born into poverty, or with severe handicaps, or with the "wrong" color skin in a racist society.

Opponents sometimes try to saddle egalitarians with the view that *all* inequalities are bad. This is a ludicrous position no egalitarian accepts. Egalitarians need not object to the fact that there are more electrons than protons, or more roaches than whales. Nor need egalitarians object to

[1] Discussions with Ingmar Persson led me to recognize that the "no fault or choice" clause is not central to the egalitarian's fundamental concern for comparative fairness, but rather serves as a typically useful proxy for that concern. That the applicability of the clause is neither necessary nor sufficient for comparative fairness is argued for in Temkin (Forthcoming b).

inequalities of height or hair color, considered just by themselves. This may seem obvious, but it is connected to a significant point. Egalitarians *are not* simply concerned with *how much* inequality obtains in a situation; they are concerned with how *bad* a situation's inequality is. While there may be *more* inequality in one situation than another, that need not be *worse* if the greater inequality is morally irrelevant, deserved, or of less normative significance than the lesser inequality.[2]

My version of egalitarianism is an example of what Derek Parfit has called *telic* egalitarianism,[3] which is concerned with inequality's impact on the goodness, or desirability, of outcomes. This version may be contrasted with *deontic* egalitarianism, which is concerned with people's duties or obligations to promote equality or treat people equally. My version of egalitarianism is also an example of *non-instrumental* egalitarianism. On this view, equality, understood as comparative fairness, is intrinsically valuable, in the sense that it is sometimes valuable in itself, over and above the extent to which it promotes other ideals. On *instrumental* egalitarianism, by contrast, the value of equality is wholly derivative from the value of other ideals whose non-egalitarian goods it promotes. On instrumental egalitarianism the ideal of equality does not play a fundamental role in one's account of the moral realm. On non-instrumental egalitarianism equality is a distinct moral ideal with independent normative significance. Thus, a complete account of the moral realm must allow for equality's value.

It is, of course, extremely difficult to determine when inequalities *are* comparatively unfair, and a complete resolution of this question might require a solution to the problem of free will. In addition, even if we could determine which inequalities involve comparative unfairness, it is extremely difficult to determine how bad a situation's inequality is. Even so, I think significant progress can be made in our understanding of egalitarianism and its implications once we recognize the intimate connection between equality and comparative fairness.[4]

Finally, let me add that any reasonable egalitarian will be a pluralist. Equality is not the only thing that matters to the egalitarian. It may not even be the ideal that matters most. But it is one ideal, among others, that has independent normative significance.

[2] See Temkin (1993b, pp. 17–8 and 35) and Section F of this paper.

[3] Derek Parfit introduces the terminology of *telic* and *deontic egalitarianism* in Parfit (1995). Corresponding notions are also introduced in Temkin (1993b, p. 11).

[4] *Inequality* (1993b) is an attempt at making such progress. It reveals significant complexities in the notion of equality as comparative fairness. There is not a simple, single, easily articulated concern shared by those who believe that inequality is bad when, and because, it involves comparative unfairness.

B. Prioritarianism

For many years, non-egalitarians have argued that we should reject versions of non-instrumental egalitarianism like the one depicted above. Instead, some believe, we should be *prioritarians*, and in fact many who think of themselves as egalitarians do reject the preceding version of egalitarianism in favor of prioritarianism.[5] Roughly, prioritarians want everyone to fare as well as possible, but they give greater weight to the worse off in their moral deliberations. On this view, as it has been developed by Derek Parfit and myself, and as I shall understand it in this paper, there is a diminishing marginal value of well-being, such that the worse off someone is in *absolute* terms, the greater importance or value is attached to improving their well-being by a given amount. This view distinguishes between *subjective* value, the extent to which a given amount of well-being is good *for* the subject or possessor of that well-being, and *objective* value, the extent to which a given amount of well-being contributes to an outcome's goodness or desirability.[6] So this view does not deny that *from the standpoint of the agents affected*, improving a better-off person's well-being by n units will be just as valuable – subjectively – as improving a worse-off person's well-being by n units; but it contends that the latter would produce an objectively better, or more desirable, outcome.

Clearly, prioritarianism always favors improving a worse-off person rather than a better-off person to the same extent. In addition, prioritarianism tends to favor redistributions from better to worse off, even if a loss in total well-being accompanies such redistributions. Naturally, how much loss in well-being to the better off would be compensated by lesser gains to the worse off would depend upon how much greater priority was attached to the well-being of the worse off.

Some people invoke a broad notion of egalitarianism to include both comparative views, like the version of non-instrumental egalitarianism discussed above, and non-comparative views like prioritarianism.[7] On a comparative view, the extent to which improvements in a person's

[5] I base this claim not merely on the literature, but after more than 20 years of lecturing to audiences, and hearing their responses, regarding equality.

[6] Marc Fleurbaey suggests that some people might find my use of the word "objective" misleading and, hence, that I might want to put my point in terms of "personal" and "social" rather than "subjective" and "objective" value. I appreciate the constructive spirit of his suggestion, since I recognize that some people reserve the word "objective" for the "scientifically" or "empirically" verifiable, and hence will balk at my use of it to describe the moral realm. Still, like Thomas Nagel (1970, 1979 and 1986) and others, I think it is a mistake to cede the word "objective" to those who would restrict its usage to non-moral realms.

[7] Nagel often refers to prioritarian positions as egalitarian. See, for example, Nagel (1991, and 1979, Chapter 8). In *Inequality*, I argued that prioritarian views are not "genuinely" egalitarian. Derek Parfit offered the distinction between broad and narrow egalitarian

well-being affect an outcome's goodness depends partly on how that person fares *relative to others*. On a non-comparative view, the extent to which improvements in a person's well-being affects an outcome's goodness depends solely on their absolute level, and the degree to which their well-being would be improved. Since I think of *equality* as an essentially comparative relation – people are more or less equal *relative to others* – in this paper I use a narrow, restrictive, notion of egalitarianism, such that only comparative views count as egalitarian. Correspondingly, I think of prioritarianism as an alternative to, rather than a version of, non-instrumental egalitarianism.

C. Is Sufficiency and Compassion What Matters?

Harry Frankfurt (1987) has argued that "It is ... reasonable to assign a higher priority to improving the condition of those ... in need than to improving the condition of those ... not in need" (p. 267), but he asserts that this is only because we have reason to give priority to the *needy*, not because there is any general obligation to give priority to those who are worse off. Thus, he contends that "We tend to be quite unmoved, after all, by inequalities between the well-to-do and the rich.... The fact that some people have much less than others is morally undisturbing when it is clear that they have plenty" (p. 268). Roger Crisp (forthcoming) echoes Frankfurt's position. He believes that when circumstances warrant our compassion we have reason to give priority to one person over another, but when people are "sufficiently" well off, compassion is no longer warranted and there is no reason to give priority to one person over another *merely* because the one is worse off.[8]

I agree with Frankfurt and Crisp that we have special concern for the suffering or needy, and that the urgency of great suffering or need may play a greater role in explaining the priority we typically give to those suffering or in great need than appeals to prioritarianism or egalitarianism. Still, I reject their claim that once people are "sufficiently" well off there is no reason to give priority to a worse-off person over a better-off person. As important as considerations of sufficiency and compassion may be, fairness matters too. And considerations of fairness do not lose their force simply because someone is sufficiently well off that he does not elicit our compassion.

Suppose, for example, that two people with "plenty" both applied for a job. Would it not matter if we discriminated against one of them

notions partly as a way of reconciling our positions, and his distinction has been largely followed by philosophers.

[8] Crisp puts his position in terms of what a rational impartial spectator would choose, and claims that such a being would be motivated by the virtue of compassion to give priority only to those in need. But the details of Crisp's view need not concern us here.

on the basis of his race or religion? Surely it matters. Even if the person discriminated against is not suffering or needy, and would have a perfectly fulfilling life whatever we do, discriminating against him on the basis of race or religion would be unjust and unfair, and we ought not to do it. To be sure, we might grant that there would be *additional* reasons of compassion to condemn harmful discrimination against people who were suffering or needy, but the injustice of discrimination does not disappear just because someone is "sufficiently" well off.

Egalitarians would make a similar claim about comparative unfairness. Imagine a case where two people are equally deserving, but one person is luckier than the other in *every* respect. So, as a result of pure blind luck, one person will be healthier, richer, handsomer, live longer, fulfill more of his hopes, have a more satisfying job, and so on. Egalitarians will think the situation unfair and, in particular, they will think that if an undeserved stroke of good fortune were to suddenly befall one of the two people, it would be better for it to befall the worse-off person than the person who was *already* better off by pure luck. Moreover, importantly, egalitarians will believe that such comparative unfairness is bad *even if* they suppose that both people are "sufficiently" well off so as not to be objects of our compassion. Egalitarians are moved by the fact that the two people have done nothing to deserve their respective fortunes. They believe this crucial fact about the relation between the better and worse off provides them with reason to give priority to the worse-off person. It is not the reason provided by compassion, but the reason of equality, or comparative *fairness*. As noted above, compassion is one ideal, fairness another, and considerations of fairness have force even where compassion gives out.[9]

Note, if someone were to claim, on behalf of the worse-off person, that it was not *fair* that she was worse off than the other person as a result of pure luck, it would be no *answer* to that charge to retort, as people often do, that "life isn't fair". To the contrary, such a cynical retort vindicates the egalitarian's view of the situation, even when it is offered in support of the view that we need not *do* anything about the worse off's situation. The egalitarian is acutely aware that "life isn't fair". That is the starting point of her view. What separates the egalitarian from the non-egalitarian is the way she reacts to life's unfairness. The essence of the egalitarian's view is that comparative unfairness is bad, and that if we *could* do something about life's unfairness, we have some reason to do it. Such reasons may be outweighed by other reasons, but they are not, as non-egalitarians suppose, entirely without force.

[9] More extended responses to Frankfurt and Crisp are contained in Temkin (2002) and Temkin (forthcoming).

D. The Levelling Down Objection

Many reject egalitarianism because of the levelling down objection, which claims that there is *no* respect in which a situation is normatively improved *merely* by levelling down a better-off person to the level of someone worse off. Since levelling down may undeniably decrease inequality, the levelling down objection supposedly shows that there is *nothing* valuable about equality *itself* and, hence, that non-instrumental egalitarianism must be rejected. I have argued against the levelling down objection at length elsewhere,[10] and shall not repeat those arguments here. Still, let me observe the following.

Many attracted to the levelling down objection are so because they share a worry about, as Roger Crisp puts it, "the idea that what matters morally could be something that was independent of the well-being of individuals".[11] This "worry" expresses a *welfarist assumption* that has great intuitive appeal, but is difficult to define precisely. The view seems to be that *nothing* is relevant to the goodness of an outcome except insofar as it has a bearing on the well-being of individuals, and this, in turn, seems to involve the following two claims: for the purposes of evaluating outcomes (1) only sentient individuals are the proper objects of moral concern; and (2) our concern about sentient individuals should be for their well-being, and *nothing else*. For the sake of argument, I am willing to accept claim (1), but it must be interpreted carefully if it is not to be deeply misleading. For example, claim (1) is most plausible – though still questionable – insofar as it asserts the moral primacy of sentient individuals, as opposed to groups or societies. But, importantly, sentient individuals are not merely the *objects* of moral concern, they are also the *source* of moral concerns, and of both moral and non-moral values. Thus, for example, rational agents can give rise to moral concerns and values that non-rational beings cannot.

If one has a *wide* enough conception of well-being – of what counts as being good or bad *for* individuals – then the welfarist assumption may seem plausible, but it will not rule out ideals like justice or equality, and the levelling down objection will fail as an objection to egalitarianism.[12] But if one has a narrow conception of well-being, as I think Crisp and many other proponents of the welfarist assumption do, then claim (2) loses its appeal. On a narrow conception of well-being, such as that implied by a mental

[10] Early versions of my argument appear in Temkin (1993a and 1993b, Chapter 9.) Further developments of the argument are contained in Temkin (2000b and forthcoming c).

[11] Crisp (forthcoming, p. 3 of the manuscript version).

[12] For example, John Broome's conception of individual well-being counts inequality and injustice as bad for people; hence, he believes that the ideal of equality is fully compatible with his *principle of personal good* (which I believe is similar, if not equivalent, to the welfarist assumption). For a host of rich insights on this, and related topics, see Broome (1991). For a response to Broome's broad conception of well-being see Temkin (2000b, Section XI).

state theory of well-being or a preference satisfaction theory, why should we *only* care about the *well-being* of individuals for purposes of evaluating outcomes? Once one recognizes that sentient individuals are not merely the *objects* of moral concern, but also the *source* of moral concerns and values, why should we not *also* care about whether moral agents get what they deserve (justice), or how individuals fare relative to others (equality), or whether rational agents have acted freely, autonomously, or morally?

Most humans have extraordinary capacities beyond their capacity for *well-being*. These capacities serve as a source of value in the world; for example, the value that can be found in friendship, love, altruism, knowledge, perfection, beauty, morality and truth. None of these values arises in a world devoid of sentient beings, and that truth may underlie claim (1)'s appeal. But, importantly, such values *do* arise when rational or moral agents stand in certain relations to each other or the world. Moreover, I submit that the value of such relations is *not* best understood instrumentally; and, in particular, that it does *not* lie *solely* in the extent to which such relations promote individual well-being. Individual well-being *is* valuable; but I believe it is a grotesque distortion of the conception of value to think that it is the *only* thing that matters for the goodness of outcomes.

Egalitarians believe that it is unfair for some to be born blind, while others are not. And they believe that unfairness is bad. So they believe there is *one* respect in which an all-blind world would be better than one where some are blind and others sighted; it would be better regarding comparative fairness. But egalitarians do not believe that we should blind everyone; first, because there may be deontological reasons prohibiting such action and, second and more importantly, because egalitarians are pluralists, and the all-blind world is surely worse than the partially-blind one, all things considered. Equality is not *all* that matters. Still, it matters some, and I see little reason for the egalitarian to forsake that conviction in the face of the levelling down objection.

E. Equality or Priority

Egalitarians and prioritarians will often agree on the same course of action. This is especially so given that egalitarians are pluralists. Correspondingly, some may wonder whether we need to bother debating the merits of the two positions. I think we do. As a philosopher, I am not merely concerned with the conclusions people hold, but with their *reasons* for those conclusions. Appeals to comparative fairness involve one set of commitments; appeals to the diminishing marginal value of well-being, with its attendant distinction between subjective and objective value, involve another. Both views may be plausible, or neither. But however similar the practical consequences may be of egalitarianism and

prioritarianism, it is important to recognize that they are distinct positions, with different implications, and that each must be assessed in its own terms.

To illuminate what is at stake between egalitarianism and prioritarianism, consider the following far-fetched example. Imagine that you are traveling in a spaceship and have learned that there is a mineral-rich asteroid heading your way. If you delay your travels, you will be able to safely divert the asteroid to a planet below which will then benefit from the asteroid's rich minerals. If you do not linger, the asteroid will carry its minerals into deep space, where they will be of use to no one. Here, most agree that you would have *some* reason to linger and divert the asteroid, though the force of that reason would depend, among other things, on how much you would be giving up by doing so, and how much the planet's members would actually benefit from your action.

Next, consider two scenarios. On the first, it turns out that the planet below is *loaded* with valuable resources. In addition, it is smack in the middle of a mineral-rich asteroid path, and has already benefited from *many* mineral-rich asteroids. Meanwhile, *no* other planets have benefited from such good fortune. To the contrary, those on other planets have only been able to eke out a decent living by dint of incredibly hard work. Thus, on the first scenario, those on the planet below are, though no more deserving, *much better* off than everyone else in the universe.

On the second scenario, those below are, in absolute terms, as well off as they were in the first scenario. But their planet has few natural resources, and they have worked incredibly hard to achieve their well-being. Moreover, they have been terribly *unlucky*. While they are in the middle of a mineral-rich asteroid path, not a *single* asteroid has landed on their planet. There have been lots of near misses, but nothing more. Meanwhile, every other populated planet is *loaded* with natural resources, and has benefited from *countless* mineral-rich asteroids. Thus, on the second scenario, those on the planet below are, though no less deserving, *much worse* off than everyone else in the universe.

Now the simple question is this. Does it make *any* difference at all, to the strength of one's reasons to divert the asteroid, whether scenario one or two obtains? On a prioritarian view the answer is "no". All that matters is the *absolute* level of the people I might aid. Since, by hypothesis, the people are at the same absolute level in scenarios one and two, the sacrifice I should be willing to make to aid the people should be the same in both cases. On an egalitarian view things are different. What matters is not merely the absolute level people are at, but comparative fairness. In scenario one, those below are already better off than *everyone* else in the universe, due to pure good luck. In scenario two, those below are already worse off than *everyone* else, due to pure bad luck. In the second scenario, the people are the victims of natural unfairness. In the first, they are the

beneficiaries of it. To my mind, however much I should sacrifice for those below in the first scenario, I should sacrifice more, if necessary, in the second scenario, where the situation exerts a greater claim on me. To my mind, the greater force of reasons in the second scenario has an egalitarian explanation. It is the difference in comparative unfairness that accounts for my reaction to the two scenarios.[13]

This kind of example is not an independent *argument* for egalitarianism, but it clearly illuminates the difference between egalitarianism and prioritarianism. And I am pleased to report that many share my judgement that the reasons for helping are more compelling in the second scenario than the first.

Still, some people are unmoved by such examples. They insist that *all* that matters are people's absolute levels, so that the effort they should make to divert the asteroid would be the same in both scenarios.[14] I can not *prove* that such a position is mistaken, but I have a hard time believing that most people who espouse such a view are really governed by it in their thinking. To see why, let me consider one final example.

This example concerns a fairly "typical" poor person in the United States, whom I shall call "Ruth". Ruth is not wretched, but she is a single parent of four, works at two jobs, drives an old car, worries how she will meet the payments on her two bedroom apartment, and has no idea how her children will afford college on her $20,000 income. Many are deeply moved by the plight of people like Ruth in a land where *so* many others live in half million dollar homes, own fancy new cars, send their children to private schools, take expensive vacations, and have household incomes well over $100,000.

Is it not clear that the extent to which many are moved by Ruth's situation is heavily influenced not merely by how she fares in *absolute* terms, but by how she fares *relative to the other members of her extraordinarily well-off society*? After all, we may suppose, at least Ruth has a roof over her head, indoor plumbing, a telephone, a TV and a car. Moreover, she is not living in a war-torn country, or ruled by a dictator, and she need not fear smallpox, tuberculosis, malaria or diphtheria. She drinks safe water, eats three meals daily, and has a reasonably long life-expectancy. In short, without romanticizing the plight of America's poor, it seems that for most of human history, someone as well off as Ruth would be amongst the very best off. Moreover, importantly, I think Ruth must probably be counted amongst the world's fortunate, even taking full account of the genuinely

[13] Some people balk at making cross-world moral assessments. I think this is a mistake and so I use such examples on purpose. Still, I trust it is clear that an analogous argument could be made in terms of ships, floating resources, and different islands on our world.

[14] Dan Brock claimed to hold such a view in a seminar I gave on "The meaning of equality" at the National Institutes of Health, (Bethesda, Maryland, Spring 2002). His contention prompted the response I offer next.

bad effects of being poor in a rich society. To put the point bluntly, as bad as it may typically be to be relatively poor in a rich society, it is much worse to watch one's child suffer from starvation or disease!

I suspect, then, that if the world did not include others who were even better off, so that Ruth was actually better off than *everyone* else, we would not be *nearly* as concerned to improve her situation as we now are, and that this would be so even on the assumption that the net changes in Ruth's life balanced out, so that her absolute level in that situation would be *exactly* the same as it is now. Surely, our attitude towards America's poor is deeply shaped by the presence of so many others who are *so* much better off. Assuming this is right, is this just a mistake on our part? Prioritarians must contend that it is. I, respectfully, disagree. Although there are powerful reasons to care greatly about absolute levels, relative levels *also* matter. It seems unfair, and hence bad, for someone like Ruth to be much worse off than others no more deserving than she. This view is captured by egalitarianism, but not by prioritarianism.

PART II

Bertil Tungodden's essay, "The value of equality", is extremely rich. Tungodden offers an economist's perspective on the equality or priority debate, and a principled justification for his perspective that both draws on and illuminates the philosophical literature. Unfortunately, I can only comment on a few of the many topics Tungodden impressively addresses. For clarity, my remarks follow Tungodden's organizational structure.

F. Section 3: The Levelling Down Objection and the Slogan[15]

Tungodden disputes my claim that

> *The Slogan*: One situation *cannot* be worse than another *in any respect*, if there is *no one* for whom it *is* worse *in any respect*.

underlies many arguments in economics and philosophy. He begins by doubting my claims regarding economics, writing that he has "not seen any economist explicitly supporting the slogan" (pp. 13–14). But he proceeds to wonder whether the slogan really is invoked by philosophers either. He notes four of the philosophical arguments where I claim the Slogan is

[15] This section responds to Tungodden (2001), and all page references in this section are to the 6 March 2001 typescript version circulated prior to the 2002 European Conference on Analytic Philosophy held in Lund, Sweden. There are two reasons for this. First, I did not receive the revised version of Tungodden's manuscript in sufficient time to appropriately amend my remarks before this article had to go to press. Second, and more importantly, I believe that many people will share the views Tungodden originally expressed in his 2001 typescript, and that there are important philosophical points to be made in response to those views, even if Tungodden, himself, is no longer fully committed to his original claims.

implicitly invoked – including arguments by Rawls, Nozick, Locke and Scanlon – and suggests that underlying each of these arguments "are all appeals to the Pareto principle and nothing else" (p. 14). More generally, he challenges my suggestion that "often the Slogan is wielded to carve out, shape or whittle down the domain of moral value",[16] suggesting instead that "some version of the Pareto principle is the modern-day, Ockham's razor of moral reasoning" (p. 15). Basically, his argument is that in cases where I claim the slogan is being appealed to in order to whittle down the moral domain, in fact, the Pareto principle is doing the work, "Hence, only if there is a close link between the Pareto principle and the slogan is it reasonable to claim that the slogan (and not the Pareto principle) is a powerful, modern-day, Ockham's razor that carves out the domain of moral value" (p. 14). But Tungodden denies that there is a close link between the two, observing that the Pareto principle might be true even if the slogan is false, and moreover that the Pareto principle might be false "even if the slogan is true!" (p. 15). In sum, Tungodden seems to imply that the Pareto principle rather than the slogan underlies the many arguments in economics and philosophy I discuss, and he denies that "the Pareto principle derives its appeal from the Slogan" (p. 15). Moreover, importantly, he denies Parfit and McKerlie's claim that "many people are moved by ... [the levelling down] objection" (p. 16) to reject egalitarianism, "as long as we define egalitarianism as saying that more equality makes society better *in one respect*" (pp. 15–16). Thus, he writes, "I think that most people acknowledge the fact that an equal distribution is better in at least one dimension, even though it is worse for everyone. What they find hard to accept is that the badness of an unequal distribution should ever make us reject an alternative where everyone is better off" (p. 16).

Let me start with Tungodden's last point. I think Tungodden is right that *most* people "acknowledge that an equal situation is better in at least one dimension, even though it is worse for everyone". But I *also* think Parfit and McKerlie are right that *many* people are moved by the levelling down objection to reject egalitarianism. These two claims are compatible. Moreover, I suspect economists and philosophers approach this issue from different starting points and would offer different accounts of Tungodden's claim. Let me explain.

In his book, *On Economic Inequality*, Amartya Sen starts off by observing that the notion of inequality has both an *objective* element and a *normative* element, so that "In one way or another, usable measures of inequality must combine factual features with normative ones".[17] I suspect most people

[16] Temkin (2000b, p. 133).

[17] Sen (1973, pp. 2–3). In *Inequality*, I put Sen's distinction in terms of *descriptive* versus normative elements (p. 17), since I believe there can be normative facts and that normative

share Sen's starting point regarding inequality and, moreover, believe that inequality's objective and normative elements are deeply intertwined. Correspondingly, I suspect that most people start off assuming that *more* inequality – an objective notion – is correlated with *worse* inequality – a normative notion. Thus, as Tungodden suggests, most will initially maintain that if levelling down transforms an unequal situation into an equal one, the latter will obviously have *less* inequality, an objective fact, and, hence, must be *better* regarding inequality, a purported corresponding normative fact.

Now I have argued at length for Tungodden's conclusion, that among equally deserving people an equal situation is better in one respect than an unequal one, even if it is worse for some and better for no one. But in my book, *Inequality*, I begin with a different starting point than Sen's. I acknowledge that our notion of inequality has both objective and normative elements, but I argue that these come apart, and that, as normative philosophers, our concern is with the *normative* question of when one situation is *worse* than another regarding inequality, not with the *objective* question of when one situation has *more* inequality than another. Hence, we want a measure of inequality's *badness*, not of inequality's *amount*.[18]

Now I think most philosophers accept my starting point, not Sen's, and that this clearly holds for non-egalitarians. Non-egalitarians accept that there is *less* inequality if people in an unequal situation are levelled down to produce equality, but they deny that there is *any* respect in which this *objective* fact makes the outcome *normatively better*. They contend that while there are many instrumental reasons to care about inequality, inequality is not *itself bad*. Moreover, in my experience, spanning more than two decades of lecturing about equality, the main argument non-egalitarians offer *is* the levelling down objection. And as this argument has been put to me on countless occasions, its conclusion is *not* simply that levelled-down situations are worse than unlevelled-down ones *all things considered*, rather it is that there is *no* respect in which a levelled down situation is normatively better than its unlevelled counterpart. Hence, equality is only good insofar as it is good for people, and non-instrumental egalitarianism should be rejected.

It does not surprise me, then, that Tungodden believes that "most people acknowledge the fact that an equal distribution is better in at least one dimension, even though it is worse for everyone". And he may be

elements can be objective. But, for our purposes here, Sen's meaning is plain enough. I might add, however, that Sen also puts his point in terms of descriptive versus normative elements or descriptive versus prescriptive elements in later work; see, for example, Sen and Foster (1997, p. 117).

[18] See page 17 of *Inequality*.

right. But many philosophers have challenged whether the purported fact really is a fact, if by "better" is meant "*normatively* better", and they have rejected non-instrumental egalitarianism on the basis of the levelling down objection.

The preceding has a bearing on Tungodden's other claims. Insofar as Tungodden and others assume that a levelled down situation *is* normatively better than an unlevelled down situation in one respect, even if we assume there is no one for whom it is better in any respect, they will clearly *not* be appealing to the slogan. And if they are convinced that the unlevelled-down situation *must* be better all things considered, as long as it is better for some and worse for no one, they may indeed be appealing to the Pareto principle "and nothing else". Clearly, however, the many non-egalitarians who believe that the levelling down objection undermines non-instrumental egalitarianism *cannot* be appealing to the Pareto principle. After all, the Pareto principle simply requires that for any two outcomes involving the same people, if there is someone for whom the first outcome is better, all things considered, and no one for whom the first outcome is worse, all things considered, then the first outcome is better than the second, all things considered; it does not rule out the possibility that the first outcome might be worse than the other in any important respects. Thus, as Tungodden recognizes, the Pareto principle merely supports the conclusion that the unlevelled situation is better, *all things considered*; it *does not* undermine the claim that the levelled situation is normatively better *regarding inequality*.

In presenting the levelling down objection, non-egalitarians often emphasize that their cases of levelling down are clearly worse for some, and not better for *anyone* in *any* respect. Surely, they contend, there cannot be *anything* good about such cases. Now I have long maintained that this argument derives much of its rhetorical force from implicit appeal to the Slogan. And I still believe that to be true. But as implied in Section D, I now recognize that some people may implicitly be relying on the welfarist assumption in making such an argument.[19] Correspondingly, I have revised my earlier view, and would now claim that the Slogan or the welfarist assumption have been employed as a modern day Ockham's razor to whittle down the domain of moral value. But in any event, it should be clear that the Pareto principle is *not* what is being appealed to by those who invoke the levelling down objection to undermine non-instrumental egalitarianism.

Similar claims might be made regarding some of the other arguments I discussed. I do not deny that such arguments might be interpreted as

[19] Several people convinced me that something like the welfarist assumption could be underlying the levelling down objection rather than the slogan, including Nils Holtug (forthcoming), Roger Crisp (forthcoming), Brett Doran (2001) and Campbell Brown (2001).

yielding conclusions supportable by the Pareto principle. But philosophers presenting such arguments often have stronger conclusions in mind. So, for example, to cite just one set of related cases, consequentialists often argue against deontologists that there is *nothing* intrinsically valuable about keeping one's promise, telling the truth, or respecting rights. Such actions, they argue, merely have instrumental value, insofar as they tend to promote individual well-being. In defense of their view, they try to craft examples where some are benefited greatly, and no one is harmed in any respect by the breaking of a promise, the telling of a lie, or the violation of a right. In such cases, they contend, surely there is *nothing* bad, or wrong, with the actions in question, and this purportedly "proves" that deontologists are mistaken. Now deontologists have many possible responses, but, for our purposes, what is clear is that such arguments do *not* rest on the Pareto principle. After all, the Pareto principle would "merely" support the weaker conclusion that the outcome in which the promise is broken, the lie told, or the right violated is a *better* outcome *all things considered*, not the stronger conclusion that there is *nothing* bad or even wrong about such actions. To support the strong conclusion one needs to appeal to a view like the slogan or the welfarist assumption.

Tungodden has suggested "that some version of the Pareto principle is the modern-day, Ockham's razor of moral reasoning" (p. 15). However, as Tungodden recognizes, the Pareto principle "merely" makes a claim about how situations compare, *all things considered*. Correspondingly, it will not support many strong conclusions people have sought to establish, conclusions to the effect that equality, justice, virtue, freedom, beauty, truth, rights or duties have *no* intrinsic value beyond the extent to which they are good *for* people. For such bold conclusions one needs a sharper (or larger?) Ockham's razor than the Pareto principle. Correspondingly, I stand by my revised view that the slogan, or the welfarist assumption, is wielded – often implicitly – to carve out, shape or whittle down the domain of moral value.

Despite the foregoing, Tungodden is right that *some* of the positions I claimed appealed to the slogan *could* be defended by appeal to the Pareto principle. Moreover, the Pareto principle certainly has significant implications regarding the strength and scope of moral ideals. This brings us to the question of whether the Pareto principle itself appeals to the slogan. Let me consider that next.

I accept Tungodden's point that there is no logical connection between the slogan and the Pareto principle. As he claims, the Pareto principle might be true even if the slogan is false, and the Pareto principle might be false even if the slogan is true. Still, I believe that many people, though certainly not all, accept a version of the Pareto principle according to which if one could transform A into B, and B would be better for some and worse for no one, then B *must* be better than A, all things considered. Moreover,

while Tungodden himself recognizes that the Pareto principle requires an argument, and has offered an ingenious argument on its behalf, I believe that many people have assumed that the Pareto principle, so understood, needs no "argument", as such a view is "obvious" and "uncontroversial".

Now I have always believed that many economists share such a conception of the Pareto principle. If I am mistaken about this, then I stand corrected, and readily withdraw my claims about the Pareto principle *as it is interpreted by economists*. But I still believe that many philosophers, and others, have thought about the Pareto principle in this way, and that an implicit appeal to the slogan, or at least the welfarist assumption, underlies many people's confident, rhetorical appeals to the Pareto principle.

To see this, it will help if we make a distinction between *personal* and *impersonal* non-instrumental ideals. Recall that earlier I relied on a notion of a *non-instrumental* ideal, as an ideal that was intrinsically valuable, in the sense that the realization of such an ideal was sometimes valuable in itself, over and above the extent to which it promoted other ideals. I implied that non-instrumental ideals were distinct moral ideals with independent normative significance, and that a complete account of the moral realm must allow for their value. Let us define *personal* non-instrumental ideals as ideals whose non-instrumental value lies in the contribution they make, when realized, to individual well-being. We might say that such ideals are non-instrumentally valuable because of the extent to which their realization is good *for* people. In contrast, let us define *impersonal* non-instrumental ideals as ideals whose non-instrumental value lies partly or wholly beyond any contributions they make, when realized, to individual well-being. We might say that such ideals are non-instrumentally valuable because of the extent to which their realization makes an outcome good, independently of, or beyond, the extent to which they are good *for* people.

Utility might be an example of a personal non-instrumental ideal. (Henceforth, I omit the qualifier "non-instrumental". Our discussion is only concerned with non-instrumental ideals, since the value of any instrumental ideal is always derived from the value of the non-instrumental ideal(s) it promotes.) Freedom might also be an example of a personal ideal, *if* one thought the value of freedom lay solely in the extent to which freedom was good *for* people (i.e., promoted individual well-being). On the other hand, freedom might be an example of an impersonal ideal if one thought freedom contributed to the goodness of outcomes beyond the extent to which it was good *for* people. As developed in Part I, equality exemplifies an impersonal ideal, as equality is supposed to make an outcome better independently of, or beyond the extent to which it promotes individual well-being.[20]

[20] But see note 12, for an alternative conception of equality. On Broome's view, equality is always good for people and, hence, would be a personal non-instrumental ideal as I understand that notion.

Now, in essence, the slogan and the welfarist assumption express the view that there are *no impersonal* ideals. On these views, a factor is relevant to an outcome's being good, only insofar as it is good *for* people, that is, only insofar as it promotes individual well-being. Naturally, on such views the Pareto principle will seem "obvious" and compelling; since if we can improve an outcome for some, without worsening it for anyone else, the outcome *will* be better in terms of personal ideals, and there *will not* be any countervailing impersonal ideals in virtue of which the outcome might be worse.[21]

The Pareto principle is "weaker" than the slogan or the welfarist assumption *in the sense* that it does not *rule out* the possibility of impersonal ideals. It "merely" insists that, *all things considered*, an outcome that is better for some, but worse for no one, is better. But why should we believe this? It seems that one would believe this only if one believed one of three views. First, one might believe that there were both personal and impersonal ideals, but that the former had lexical priority over the latter such that any improvement in an outcome regarding any one personal ideal – no matter how slight – would outweigh *any* loss or combination of losses in any number of impersonal ideals – no matter how great. Practically, this would amount to the claim that impersonal ideals were relevant to, but basically insignificant for, assessing outcomes.[22] Second, one might believe that personal and impersonal ideals could both be of genuine significance, but that they were intimately bound together in such a way that any decreases in terms of impersonal value, whether large or small, would *always* be accompanied by even greater increases in terms of personal value.[23] Third, one might believe that there are no impersonal ideals.

I can see that if one were caught in the intuitive grip of the slogan or the welfarist assumption, one might implicitly accept the third view noted above, and so regard the Pareto principle as "obvious" and "uncontroversial". But if one rejects the slogan and the welfarist

[21] Note, we need not worry about the value of any instrumental ideals in such cases, since their value will always be derived from the value of the non-instrumental ideals they promote, and, on the view in question, these will always be personal ideals.

[22] Impersonal ideals could play the role of tie-breakers, but nothing else. Some people believe there may be an impersonal ideal concerning the preservation of the environment that has this feature. They think there is *some* reason to preserve ecological systems "for their own sake", so that even if there were *no* sentient beings ever affected, it would be best if the Rockies, or the oceans, were preserved. However, they believe that the principal concern for such environments should be for their effects on sentient beings; hence, if the all things considered long-term interests of individuals conflicted with the preservation of an ecosystem, concern for the former must carry the day.

[23] Moderate egalitarians believe this about the connection between equality and utility. They claim that equality is a significant ideal, but that, as a matter of fact, any gains in equality brought about by levelling down will *always* be outweighed by the attendant losses in utility to the better-off person, so that levelling down will always be worse all things considered, even if it involves significant normative gains regarding equality.

assumption, and accepts that there *are* impersonal ideals, it seems clear that the first and second views noted above are highly controversial, and almost certainly false. Indeed, when one considers the large and weighty list of impersonal ideals that people have advocated – including beauty, truth, knowledge, virtue, freedom, rights, duty, equality and justice – it seems clear that the first two views would require a serious defense that few have recognized as necessary, or attempted to offer, on behalf of the Pareto principle. This suggests, I submit, that implicit reliance on the Slogan or the welfarist assumption is the best explanation of so many people's unquestioning confidence that the Pareto principle "must" be true. Reject the former and there is no basis for the latter.

G. Section 4: Moderate Egalitarianism

This is a wonderful section where Tungodden illuminates, among other things, the relation between "The Principle of Personal Good: For all alternatives x and y, if everyone is at least as well off in x as in y and someone is strictly better off, then x is better than y"(p. 8), "Strict Priority to Equality Promotion: For all alternatives x and y, if (1) there are persons with higher well-being in x than y and persons with higher well-being in y than x, and (2) x is more equal than y, then x is better than y" (p. 12), "Strict moderate egalitarianism ... the position that imposes a minimal condition of anonymity..., the principle of personal good and strict priority to equality promotion on the betterness relation" (p. 12), "The Hammond Equity Condition: For all alternatives x and y, if there exist j and k such that (1) the well-being level of j is strictly lower in x than y, (2) the well-being level of k is strictly higher in x than y, (3) j has strictly higher well-being level than k in x, and (4) the utility of everyone else is the same in x and y, then x is better than y" (p. 17), unanimity, maximin, leximin, continuity, separability, transitivity, the Pigou–Dalton condition, and the intersection approach. Tungodden's treatment of these issues is extremely rich and there is much to be learned from it. But I confess that I have worries about many of his substantive claims in this section.

For example, Tungodden offers an impossibility result showing that "if we think ... that maximin sometimes violates equality promotion, then ... it is not possible to combine strict priority to equality promotion in cases of conflict and the principle of personal good within a reasonable framework satisfying transitivity" (p. 13). Tungodden further suggests that if we accept Peter Vallentyne's suggestion[24] "that equality is increased if there is a decrease in the well-being of a person above the mean who stays above the mean, an increase in the well-being of a person below the mean who stays below the mean, and no changes occur elsewhere in

[24] Vallentyne (2000, p. 6).

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the distribution ... and impose strict priority to equality promotion and the principle of personal good, then we have a characterization of the leximin principle within any framework satisfying transitivity and anonymity (p. 14)" and he takes this to show "that there is a very close link between equality promotion and Rawlsian reasoning" (p. 14). Unfortunately, however, while I think Tungodden is right about the logical connections between the positions in question, I do not find the premises of his arguments compelling. Indeed, not only do I reject transitivity, as Tungodden notes, I also reject the principle of personal good and strict priority to equality promotion, and while I think there are some plausible aspects of inequality that would support Vallentyne's suggestion, I also think there are other important aspects of inequality that oppose such a view, and that, as an all things considered egalitarian position, such a view must be rejected.

I have offered numerous arguments in support of my views elsewhere,[25] and I cannot repeat those arguments here. However, I shall offer comments relevant to Vallentyne's suggestion when I address the Hammond equity condition later, and, as for the principle of personal good and strict priority to equality promotion, let me note the following. Tungodden is right when he notes "that strict moderate egalitarianism implies a discontinuous betterness relation ... [and hence that] in a discussion of egalitarianism, it is not at all trivial to assume that the betterness relation is continuous)" (p. 12). But I believe that the betterness relation probably *is* continuous, and that in any event it should be continuous in some cases where strict moderate egalitarianism implies it should be discontinuous. Moreover, in some such cases I believe continuity is rightly preserved by rejecting strict priority to equality promotion, and in others, more controversially perhaps, it is preserved by rejecting the principle of personal good. For example, if I imagine a world where some are sighted and others blind, I find it impossible to believe that it would be better, *all things considered*, if we brought about perfect equality by blinding the sighted, if we assume that this would not be better for the blind in *any* way. But, by the same token, I find it impossible to believe, as strict moderate egalitarianism implies, that I should regard the blinding of the sighted as bringing about a better outcome, all things considered, if only we assume that this would be a *tiny* bit better for those who were originally blind. In such a case, it seems clear I should reject strict priority to equality promotion as Tungodden defines it and the discontinuity it implies. Thus, as implied in Part I, even if one believes that equality promotion matters

[25] Regarding transitivity, see Temkin (1987, 1994, 1996, 1997, 1999, 2000a, 2000c, and 2001), regarding the principle of personal good see Temkin (1993a, 1993b Chapter 9, 1994, 2000b, 2002, and forthcoming c), regarding strict priority to equality promotion and Vallentyne's suggestion, see Temkin (1993b).

a great deal, it is ludicrous to believe that it could matter *so* much that in cases of conflict it should be given strict priority over *all* other moral considerations combined!

Next, consider a highly inegalitarian hereditary aristocracy, where most people are treated with respect, but a few are given special treatment as members of a superior class. I think it might be better, all things considered, if the society were transformed into a wholly egalitarian society where everyone was treated with equal respect, even if this meant that the members of the hereditary aristocracy were worse off as a result of losing all of their special privileges, and even if this only resulted in a tiny increase in the well-being of everyone else. But then, not surprisingly perhaps, I would make the same, continuous, judgement that it might be better, all things considered, if the society were transformed into a wholly egalitarian society where everyone was treated with equal respect, even if this meant that the members of the hereditary aristocracy were worse off as a result of losing all of their special privileges, and even if everyone else's well-being were unaffected.[26] In such a case, I reject the principle of personal good, and with it, strict moderate egalitarianism.

Consider next Tungodden's endorsement of the Hammond equity condition, which he notes "is all we need to characterize the leximin principle within our framework" (p. 17). Tungodden suggests that "the fact that we aim at promoting equality within the group of people involved in a conflict does not imply that we do not value overall equality. Within such a framework, we only have to argue that overall equality is of secondary importance. The essential part of this perspective is to aim at acceptability within the group of people involved in the conflict, and we do that better by focusing on equality promotion within this group than on promoting overall equality (if these two aims should ever be in conflict!)" (p. 17).

But, of course, the two aims may easily conflict, and I do not see that Tungodden has offered much of an argument for thinking that "overall equality is of secondary importance". In Chapter 3 of *Inequality*, I distinguished between *even* transfers from better to worse off, where the worse off gain one unit for each unit the better off lose, *efficient* transfers, where the worse off gain more than one unit for each unit the

[26] This remark follows an observation of Scanlon's (1976, pp. 9–10); he writes "If the evil of being relatively disadvantaged justifies eliminating inequalities by redistribution, it may be asked whether it does not provide an equally strong reason for simply worsening the position of the better off when redistribution is not possible. This may sound irrational, but in the case of many social inequalities, for example, distinctions of rank or social caste, egalitarian demands for the elimination of non-redistributable advantages are not implausible. In other cases, where we think that non-redistributable advantages should not be eliminated, this is not because these advantages are consistent with pure egalitarianism, but because we temper the demands of equality with other considerations. Equality is not our only concern."

better off lose, and *inefficient* transfers, where the worse off gain less than one unit for each unit the better off lose. I argued that although even transfers might always promote equality (as long as those initially better off did not end up worse off than those initially worse off), the same was not true of efficient and inefficient transfers. So, for example, in some cases, efficient transfers among the better off would worsen inequality, as would inefficient transfers among the worse off. Although my arguments were originally offered against a mistaken interpretation of the Pigou–Dalton condition (see below), in fact, I believe they are telling against the Hammond equity condition and Tungodden's favored conception of equality.

Here is an example of the kind of argument I offer that challenges the Hammond equity condition. Imagine a world with four groups of equally deserving people, where one group is very well off and the other three groups are poorly off. For simplicity, assume there are a million people at level 100,000, a thousand people at level 1000, ten people at level 10, and ten people at level 1. Imagine an inefficient transfer between the second and third groups, such that the second group is lowered to level 50 and the third group is raised to level 11. According to the Hammond equity condition, such an inefficient transfer would make the outcome *better*. I find this deeply implausible. Moreover, to my mind this is not simply a case where I reject strict priority to equality promotion in the betterness relation – believing that the loss of utility outweighs the gains in equality; rather, in this case I believe the outcome is worse regarding both utility *and* equality.

Let me be clear. On my view, equality is a very complex notion, and I grant that there are some plausible aspects of inequality that would support the judgement that the situation has improved regarding inequality. But I believe there are other plausible aspects of inequality that would support the judgement that the situation has worsened regarding inequality, and, all things considered, I believe that, in this case, the latter aspects would outweigh the former. Let me not try to offer a full defense of this claim here.[27] Instead, let me simply emphasize that while I recognize the importance of the increased equality between people whose welfare is directly affected, as is the case regarding the members of the second and third groups, I do not believe that that is any more important, or relevant, from an egalitarian perspective than increases or decreases in inequality between people some of whose welfare is not directly affected. On my view, where inequality is bad when, and because, it is unfair for some to be worse off than others, there is no reason to give primacy to inequalities between people whose welfare levels are directly affected by some change. After all, while it is no doubt a good thing that the ten people in group

[27] Readers interested in such a defense should read Chapter 3 of *Inequality*.

three are now 951 units closer to the *thousand* equally deserving people in group two, surely it is a bad thing that the *thousand* people in group two are now 950 additional units worse off than the *million* equally deserving people in group one.

Tungodden suggests that our concern about the situation's overall inequality, which would take account of the vastly *increased* inequality between the thousand people initially at level 1000 and the million people at level 100,000, should be of secondary importance to our concern about the reduced inequality between the ten people initially at level 10 and the thousand people initially at level 1000. But why should that be? Why should we "aim at acceptability with the group of people involved in the conflict" (p. 17), and why should we believe that we do "that better by focusing on equality promotion within this group than on promoting overall equality" (p. 17)? Consider a different example. Imagine a situation where there was one multi-billionaire, 100 people each with two million dollars, and a million people with virtually nothing. Suppose the billionaire gave each of the millionaires $100,000,000, and that this made them significantly better off. Suppose also that the billionaire was *so* rich, that after his transfer he was only slightly worse off. This might be regarded as an example of an extremely efficient transfer of welfare between some of the world's better-off people. According to Tungodden, our concern about the situation's overall inequality, which would take account of the vastly *increased* inequality between the million people with virtually nothing and the 100 millionaires, should be of secondary importance to our concern about the reduced inequality between the millionaires and the multi-billionaire. This is because according to Tungodden we should give primacy to the inequality between people whose welfare levels are directly affected, rather than to the inequality between people some of whose welfare levels are not directly affected. I find this view deeply implausible. After all, insofar as we care about *equality*, there is no reason to give primacy to reducing inequality between some of the best off at the cost of increasing inequality between some of the best off and the very worst off.

Tungodden advocates a leximin version of egalitarianism that has strong separability and affinities to Rawls and, in defense of his view, he appeals to Thomas Nagel's remarks that "Oddly enough, egalitarianism is based on a more obscure conception of moral equality than either of the less egalitarian theories. . . . Something close to unanimity is being invoked. . . . The essence of such a criterion is to try in a moral assessment to include each person's point of view separately, so as to achieve a result which is in a significant sense acceptable to each person involved or affected" (Nagel, 1979, pp. 116–23). In *Inequality*, I suggested that Rawls's view has affinities with prioritarianism, and showed that his view is *not* plausible as a version of non-instrumental egalitarianism, or what I am

now calling equality as comparative fairness (pp. 31–3).[28] I also suggested that Nagel had failed to distinguish between prioritarianism and equality as comparative fairness, and that his view supported the former but not the latter (Temkin, 1993b, pp. 245–48). Parfit (1995) similarly recognized that Nagel's view provides the philosophical underpinnings of prioritarianism rather than equality as comparative fairness. Moreover, prioritarianism is strongly separable, while equality as comparative fairness is not. Together, these considerations suggest that while Tungodden's view is compatible with a broad notion of egalitarianism as described in Part I, it is not compatible with the narrow notion I favor. More specifically, the philosophical underpinnings Tungodden appeals to in support of his position are at odds with my conception of equality as comparative fairness. It follows that insofar as one finds the arguments of Part I plausible in support of a conception of equality as comparative fairness, one should find Tungodden's conception incomplete and unsatisfying.

A word about the Pigou–Dalton condition. In my book, I claimed that the Pigou–Dalton condition needed to be revised, and rashly claimed that "economists seem to have been unaware of PD's serious limitations" (*Inequality*, p. 84). Tungodden charges that my criticisms seem "to be based on a misunderstanding of the work of economists" (p. 20) though he acknowledges that economists sometimes present the Pigou–Dalton condition "in a rather sloppy manner" (p. 20). I would like to emphasize that I have no objection to the Pigou–Dalton condition as Tungodden characterizes it (on p. 19). However, having not seen any explicit distinction between "even", "efficient" and "inefficient" transfers in my (admittedly limited) reading of the literature, I mistakenly surmised that for several reasons associated with their focus on economic inequality, economists had overlooked the importance of distinguishing between them. Since even transfers will rarely obtain regarding most kinds of inequalities which matter, I thought it useful to point out that the Pigou–Dalton condition only holds for the "special" case of even transfers and, more importantly, to discuss the effects on inequality of efficient and inefficient transfers. I am pleased to learn that I misinterpreted the economists regarding the scope of the Pigou–Dalton condition; however, as Tungodden recognizes, that I did so is irrelevant to my substantive claims regarding the effects of uneven transfers on a situation's inequality.

Next, let me comment on the intersection approach. Tungodden suggests that one of my criticisms of the intersection approach, that it does not allow trade-offs, misses the mark, as "to defend trade-offs is not in conflict with the idea of the intersections approach" (p. 23). Specifically, Tungodden suggests that "the framework advocated by Temkin ... is

[28] The position I now refer to as "prioritarianism" I then referred to as "extended humanitarianism".

already part of the intersection approach applied by economists and, hence, the intersection approach does not face a general and deep problem" (p. 23). I disagree, but I do not think there is much reason to belabor the point. In my book, I present a wide array of worries about the intersection approach. I claimed that if we want to capture a complex multifaceted notion, the best way of doing so will not be to simply take an intersection of different measures that have been offered for capturing that notion, nor will it be to simply take an intersection of measures of the different aspects of that notion. Rather, we must do the hard work of identifying and clarifying the different aspects, and determining how much they matter in different contexts *vis-à-vis* each other, so as to come up with a measure that will give each aspect its due weight in whatever circumstance we are considering. My framework avoids many of the worries raised about the intersection approach. It generates a more complete ranking of alternatives, allows trade-offs between different aspects as appropriate, and, ideally, even permits greater confidence in the likely truth of the judgements yielded by such an approach than we get merely from the fact that a judgement would be yielded by an intersection of different measures. In sum, while there may be some purposes for which an intersection approach is well-suited, I contended that it is not the best approach for capturing a multi-faceted notion like equality.

Tungodden might be claiming that my framework just *is* the intersection approach "properly" understood. This would surprise me, but here as elsewhere I welcome agreement between economists and myself. Moreover, I take some comfort in thinking that though my discussion would then be misleading, insofar as it purports to challenge the intersection approach, it may nevertheless help non-economists appreciate the insights economists portray differently. Alternatively, Tungodden may be suggesting that the framework I advocate is already implicit in the underlying rationale of the intersection approach. This would be an interesting and important point. Still, my arguments then imply that the underlying rationale of the intersection approach itself tells us to move beyond the intersection approach when it is possible to do so.

H. Section 6: Non-Aggregative Reasoning

This section is both interesting and important, but as it is less central to the equality or priority debate, I shall restrict myself to one observation. Tungodden notes that "if we accept transitivity, then the leximin principle is the only non-aggregative betterness relation that can express a concern for the worse off" (p. 35), and he later suggests that this "provides a very interesting defence of the leximin principle, namely, that leximin is the only reasonable non-aggregative betterness relation which assigns minimal priority to the worse off" (p. 35). This reminds me of the dictum that one

person's argument is another person's *reductio*! I think Tungodden may be right in his claim about leximin, but having worried about problems of aggregation and transitivity for more than 15 years now, I am tempted by a conclusion other than his. Section G's examples of the "inefficient" transfers between people who are poorly off and the "efficient" transfers between people who are well off give good reasons for believing that leximin is neither the most plausible principle of equality, nor the best way to capture our concern for those who are worse off, and to these examples can be added many other compelling considerations.[29] Accordingly, I believe one must either accept an aggregative approach for assessing outcomes or reject transitivity. Admittedly, both alternatives are fraught with complications. But as I have shown elsewhere,[30] there are a host of other considerations leading us in this direction, so, unfortunately, hanging on to leximin is not likely to protect us from the morass of problems Tungodden rightly worries about regarding aggregation and intransitivity. Unfortunately, I cannot pursue these issues here.

I. Section 8: Concluding Remarks

Tungodden once claimed that "The most important issue in distributive justice is how much priority to assign to the worse off (Tungodden, 2001, p. 57)". To my mind, however, the most important issue concerning distributive justice is not merely how *much* priority to assign to the worse off, but what the *basis* of that priority is. Indeed, I believe that an intelligent response to the first issue *requires* a careful and sophisticated response to the second.

As implied earlier, I am a pluralist. I believe that part of the basis for giving priority to the worse off lies in considerations of sufficiency. People below certain absolute levels should have their basic needs met. I also believe that part of that basis may lie in considerations captured by prioritarianism. We may want to improve everyone's lot, but believe that the worse off someone is in absolute terms, the greater weight they should receive in our moral deliberations. Still, I also believe that part of the basis for giving priority to a worse-off person lies in considerations supporting equality, understood as *comparative fairness*. As we have seen, my version of egalitarianism is distinct from Tungodden's.

Unlike Tungodden's version of egalitarianism, equality as comparative fairness does not give absolute priority to the worse off. Nor,

[29] My book, *Inequality*, is filled with considerations that tell against leximin as a plausible principle of equality. See, for example, Chapter 2, especially pp. 31–2; also, Chapter 9.

[30] Temkin (1987, 1994, 1996, 1997, 1999, 2000a, 2000c, and 2001).

on my conception of it,[31] does it allow for the separability condition, or decomposability. This makes equality as comparative fairness problematic in some respects. But, as philosophers have long recognized, there are few, if any, substantive ideals that do not face deep complications or have unwelcome implications. Tungodden sees unanimity as the ultimate basis of his egalitarian position, and there is no doubt that unanimity expresses an important moral conception. But unanimity is not the same as comparative fairness. And comparative fairness matters.

In my book, *Inequality*, I emphasized the importance of distinguishing between prioritarianism, which I then called extended humanitarianism, and "genuine" egalitarianism. Roger Crisp accepted my distinction; alas, with a bit too much enthusiasm. According to Crisp (1994, p. 13), "The clarity of Temkin's distinction between genuine [non-instrumental] egalitarianism and extended humanitarianism [prioritarianism] marks the end of egalitarianism as a coherent political doctrine". Unsurprisingly, I think Crisp is mistaken, and that there remains an important place for equality in our pantheon of moral ideals. However, even if I am right about this, equality is not all that matters, and it is extremely important for people to accurately recognize its nature, scope and implications. Detractors of equality are no doubt frustrated by the common tendency to argue about virtually every major social and political issue largely in egalitarian terms. I share that frustration, since I think it does a great disservice to both many pressing issues *and* the ideal of equality. But simply dismissing the value of equality is not, I think, an option. The difficult work of understanding equality, and determining how much it really matters relative to other ideals, remains before us.

REFERENCES

Broome, John. 1991. *Weighing Goods.* Basil Blackwell
Brown, Campbell. 2001. How to have the levelling down intuition and reject the Slogan too. Typescript, Australian National University
Crisp, Roger. 1994. First among unequals. *The Times Literary Supplement*, June 24:12–13
Crisp, Roger. Forthcoming. Equality, priority, and compassion. *Ethics*
Doran, Brett. 2001. Reconsidering the levelling-down objection against egalitarianism. *Utilitas*, 13:65–85
Frankfurt, Harry. 1987. Equality as a moral ideal. *Ethics*, 98: 21–43
Holtug, Nils. Forthcoming. Good for whom? *Theoria*
Nagel, Thomas. 1970. *The Possibility of Altruism.* Princeton University Press
Nagel, Thomas. 1979. *Mortal Questions.* Cambridge University Press
Nagel, Thomas. 1986. *The View from Nowhere.* Oxford University Press
Nagel, Thomas. 1991. *Equality and Partiality.* Oxford University Press

[31] Importantly, John Broome's version of egalitarianism does allow for the separability condition and decomposability, and his view can also claim to reflect a concern for comparative fairness. See notes 12 and 20.

Parfit, Derek. 1995. Equality or priority? Lindley Lecture, University of Kansas Press. Reprinted in *The Ideal of Equality*, pp. 81–125. Matthew Clayton and Andrew Williams (eds.). Macmillan Press Ltd. and St Martin's Press Inc.

Persson, Ingmar. Forthcoming. The badness of unjust inequality, *Theoria*

Rawls, John. 1971. *A Theory of Justice.* Harvard University Press

Scanlon, Thomas. 1976. Nozick on rights, liberty, and property. *Philosophy and Public Affairs*, 6:3–25

Sen, Amartya. 1973. *On Economic Inequality.* Clarendon Press

Sen, Amartya and James Foster. 1997. *On Economic Inequality.* Expanded Edition. Clarendon Press

Temkin, Larry. 1987. Intransitivity and the mere addition paradox. *Philosophy and Public Affairs*, 16:138–87

Temkin, Larry. 1993a. Harmful goods, harmless bads. In *Value, Welfare and Morality*, pp. 290–324. R. G. Frey and Christopher Morris (eds.). Cambridge University Press

Temkin, Larry. 1993b. *Inequality*, Oxford University Press

Temkin, Larry. 1994. Weighing Goods: some questions and comments, *Philosophy and Public Affairs*, 23:350–80

Temkin, Larry. 1996. A continuum argument for intransitivity. *Philosophy and Public Affairs*, 25:175–210

Temkin, Larry. 1997. Rethinking the good, moral ideals and the nature of practical reasoning. In *Reading Parfit*, pp. 290–344. Jonathan Dancy (ed.). Basil Blackwell

Temkin, Larry. 1999. Intransitivity and the person-affecting principle: a response. *Philosophy and Phenomenological Research*, 59:777–84.

Temkin, Larry. 2000a. An abortion argument and the threat of intransitivity. In *Well-being and Morality: Essays in Honour of James Griffin*, pp. 336–56. Roger Crisp and Brad Hooker (eds.). Oxford University Press

Temkin, Larry. 2000b. Equality, priority, and the levelling down objection. In *The Ideal of Equality*, pp. 126–61. Matthew Clayton and Andrew Williams (eds.). MacMillan Press Ltd. and St. Martin's Press Inc.

Temkin, Larry. 2000c. Health care distribution and the problem of trade-offs. Typescript, Rutgers University

Temkin, Larry. 2001. Worries about continuity, transitivity, expected utility theory, and practical reasoning. In *Exploring Practical Philosophy*, pp. 95–108. Dan Egonsson, Jonas Josefsson, Björn Petersson, and Toni Rønnow-Rasmussen (eds.). Ashgate Publishing Limited

Temkin, Larry. 2002. Equality or compassion. Typescript, Rutgers University

Temkin, Larry. Forthcoming a. Egalitarianism defended. *Ethics*

Temkin, Larry. Forthcoming b. Exploring the roots of egalitarian concern. *Theoria*

Temkin, Larry. Forthcoming c. Personal versus impersonal principles: reconsidering the Slogan. *Theoria*

Tungodden, Bertil. 2001. The value of equality. 6 March 2001, typescript, Norwegian School of Economics and Business Administration

Tungodden, Bertil. 2003. The value of equality, *Economics and Philosophy*, 19:1–44

Vallentyne, Peter. 2000. Equality, efficiency, and the priority of the worse off. *Economics and Philosophy*, 16:1–19