

Chapter 4

On Recent Arguments for Egalitarianism

Preliminary Definitions

Everybody agrees that morality in general, and justice in particular, has *some* connection with *some* sort of equality—that we ought to treat people somehow equally. But what connection, and what sort? This paper concerns *Egalitarianism*: the view that justice requires that we attempt to bring it about that everyone has an equal (or, more nearly equal) and positive (non-zero) amount of some good that is not just formal. Familiar examples are welfare, income, wealth, resources, and opportunity. The egalitarian doesn't settle for the mere right to pursue one's welfare, income, or opportunities—he's insistent that we must all do what we can to provide these things, in equal measure, to all.¹ In short, egalitarian theories are programs of general positive rights. The good to which the positive right in question is a right has to be variable in degree, so that it makes sense to say that people have equal or unequal amounts of it. And the equality in question is not to be Aristotelian, in the sense of being variable though equally proportionated to, say, desert. (However, I will count distribution in proportion to need or desire, as opposed to desert, as falling within the range of the theories I'm concerned with here.)

What I mean by an *argument*, for present purposes, is the assembling of premises accepted by, or acceptable, on their own showing, to all parties to the argument about the matters under dispute, and the drawing of an inference from such premises to the effect that some normative view about those matters is the right one. Many arguments of this type utilize premises of a factual, empirical nature, and many of those are verifiable or refutable by known, familiar, and public procedures. Insofar as premises are of that kind, truth or well-confirmed stature are needed. *Moral* arguments are practical. Such arguments aim to induce one's dialectical discussant to adopt a certain (or confirm a preexisting) normative stance on the matters in question. Our premises incorporate propensities to act and to criticize the actions of others; a good argument induces those propensities on behalf of the indicated conclusions.

Admittedly, arguments for egalitarianism are rare; for the most part, egalitarians seem content simply to assert their views—they don't seem to think it *needs* any argument. But there have occasionally been what appears to have been intended as arguments, and it is of interest to examine those. That is the project of this essay.

It's about Justice

I also take it that a requirement of *justice* is a moral duty in the strongest sense, in that it is enforceable: what is just may be secured by making laws, backed if need be by force, thus compelling everyone into line on the matter. Whether we ought to do the things in question, in short, is not to be a voluntary matter, such that some may do this, others do that, as they like or as their individual consciences dictate. We may compel people to refrain from murder, and threaten with serious punishment those who propose to do so; we may not compel people to wear sideburns, or to play Parcheesi. If egalitarianism is indeed a requirement of justice, then the law may impose taxes on us, or other costs, for the purpose of promoting equality of the type in question. If it is not, then, *prima facie*, it may not. The stakes, then, are high in this matter.

The Default Position

I shall take it to be common ground among us all that whatever else it may do, justice will prohibit the use of violence—force, fraud, coercion—against otherwise-innocent persons to attain our ends. The reason, in my view and, I think, most people's view, is Hobbesian: the use of force creates a negative-sum game that can be played by almost everyone.² It is clearly in everyone's interests to subscribe to a principle generally forbidding the use of force to attain one's miscellaneous objectives, at least if such a principle can be effective.

Some degree of violence used on behalf of the enforcement of rules whose antecedent rationality is established is, of course, another matter. The question is whether there are any other such rules, of universal-society scope, besides the prohibition on violence itself. That's what the rest of this paper is concerned with.

While there is an excellent case for prohibiting violence, it is not obvious that everyone has reason to subscribe to a society-wide, involuntary welfare-promoting scheme. My gain from refraining from hitting you is that you won't hit me. But what is A's gain from agreeing to respond to B's needs just because they *are* needs? Presumably it would be B's agreement, in turn, to respond to A's in similar fashion. But any number of things might make this a bad agreement from A's point of view. What if B's needs are much greater? Or what if A's power to cater to A's own needs is such that A sees little marginal benefit in B's being disposed to cater to them, and plenty of marginal loss, in view of the cost to A of catering to B's?

A good argument for egalitarianism is required to overcome this *prima facie* case against it. The arguments considered in this essay are intended to do just that; or at any rate, I shall construe them as so intended.

Six (or so) Arguments

With this background in mind, let us turn our attention to some recent philosophical arguments in this field. Without pretending to completeness, I shall consider six arguments (or seven, depending on what you count as an “argument”). Here they are:

0. Appeal to Intuition, Direct Style
1. The Impartiality of Moral Principles
2. Veil of Ignorance Arguments
3. The Moral Arbitrariness of Desert
4. Conditions of Co-operation
5. Motivation by Counterfactual Interests
6. Equal Concern and Respect

The rest of the essay examines these, *seriatim*.

Before Beginning: Appeals to Intuition

Here I need merely remind the reader that we are talking about *arguments* for equality, as distinct from sheer assertions of it. Appeals to “intuition”—that the commitment to equality is “moral bedrock,” as I have heard it said—must, on the face of it, count in the latter category. As a device for supporting equality, this invites the response that unfortunately, *my* “moral bedrock” might be something quite incompatible with the proponent’s: say, that equality is a snare and a delusion. Strange bedrockfellows! So where would we go from there? If it’s anywhere, it’s going to have to be either back to arguments, or to non-rational or irrational activity, such as politics—waving flags, Bosnia, etc.

However, the proponent of intuition is likely to offer a sort of meta-argument: “Justification does come to an end. Perhaps the belief in egalitarianism is just such a belief. With it we can justify other moral beliefs, but it cannot itself be justified.”³ But does the end-point of moral arguments need to be some *moral* principle? Some of us deny it. On the right view of the foundations of morality, there are no moral bedrocks. Everything is arguable, and arguable by reference to considerations that have to be meaningful to those concerned, antecedently to the moral theory being put forward—namely their various values and preferences, whatever they may be, plus a variety of empirically manageable factual claims.

Here is a brief exposition.⁴ The philosopher tries to propound, or at least inquire what it might be like to have, a rational morality. To do this one must,

of course, have a view of rationality. Which rationality? And whose justice? The answer, programmatically, is: any thinking person's. What I think thinking persons think about practical matters, when they do, is that they cart around with them an assortment of preferences, more or less thought through, and they evaluate their actions in the light of their likelihood of, on the whole, promoting what they prefer (or, if you prefer, what they "value.")

How, then, do we evaluate a morality? The moralities we can evaluate are *possible de facto moralities*. Rational morality then, will be the set of proposable requirements on everyone's conduct that gets a suitably high rational rating. Here, we are saying, is a proposed rule for everyone's behavior, and to advocate this is to advocate its having effect upon all, including oneself. Now, one is oneself also a member of the tribe in question, and that's of considerable importance, just as so many moral philosophers have insisted it is. That is to say, there will be a problem about advocating a set of rules from which, you propose, you will yourself be exempt. This problem is *not*, however, that what one is proposing would then be literally *unintelligible*. If I say, "The rule is: you all have to do whatever *I* want, and meanwhile, I don't have to do anything you want," they *understand*, well enough, what I'm saying. The problem is that if this rule is to have any chance at all of being accepted by these people, they're going to have to be either very *peculiar* or else very *stupid*. The former is ruled out by the need for morality to be acceptable to all, not just to the peculiar. The morality we seek is to be the rules for any bunch of humans who interact, rather than of some particular bunch. The latter is ruled out by our terms: seeking a rational morality. 'X is rational' does not mean 'X is highly intelligent', to be sure. But X's being stupid *is* a matter of X's not doing what it would obviously be rational for X to do, in the case in question.

Rational moralities are rational by virtue of being supported from within rather than imposed from without. What rules do have a chance of rational acceptance? Answer: rules such that anyone in the community is, from her own point of view, better off given that set of rules than any other set, given that everyone else likewise is to accept them.

Meanwhile, on the Default position identified, we may note, enthusiasts for egalitarianism are welcome to use their own incomes—not just their intuitions—to promote equality. No one, I take it, is against the sheer impulse to share and share alike with one and all. But that isn't what is in question here, and is not what the egalitarianism we are investigating settles for. Instead, it asserts egalitarianism as a principle of justice. And the effect of holding such principles solely on the basis of intuition is to assert the lack of need to explain to the taxpayers or other cost-bearers of egalitarianism why they should allow you to cram your view down his or her throat. That is not argument.

First Argument: Impartiality of Morality

These arguments appeal to what is now, at least, common ground—so much so that there is temptation to turn it into a defining feature of morals: that its

principles cannot arbitrarily favor one person (or class) over another, that we are all subject to uniform rules, rules for the common good rather than rules that would shore up the advantages of some person, elite class, race, or whatever. But this is beside the point in the present context, for what we are talking about here is not merely impartiality, but *egalitarianism*. And egalitarianism, which favors consumers over producers, looks to be *partial* rather than impartial. But what is uncontroversially central to morals is that its principles, and their administration, must be impartial. To infer from this uncontroversial specification that those principles must require each individual person to be *impartial as among possible recipients of whatever they can do for others*, is simply fallacious. For a generally accepted example: all parents, impartially, have the right *to favor their own children over others*—an impartial right to be partial, *not* an impartial requirement to be impartial in that context. Indeed, egalitarianism itself may be accused of being *partial* at the highest level, by preferring consumers over producers. It says we may invade person A, though he has harmed no one, so as to improve the lot of person B, though B has done nothing to deserve this. The debate, as I say, is not whether morality is to be somehow equal, but over the respects in which it is to be so—equal *how?*, is the question. Egalitarianism is one (type of) view about this, but decidedly not the only one. It *needs* arguing.

Second Argument: the Veil of Ignorance

What I will loosely call Veil-of-Ignorance arguments suppose that it is a fundamental requirement of morality that it be impartial in the special sense that the principles of morals are to consist of principles we would only choose from a very special point of view, namely the one we would have if we had no idea who we were—the familiar Rawlsian idea. In fact, it is not really clear what this idea is, and in one interpretation it would be a mere *façon de parler* for the requirement that our principles do not load the dice in anyone's favor.⁵ However, in another reading (probably more nearly the one actually intended by Rawls) the Veil does a lot more than that. For on this view, in requiring us to choose from such a special perspective, it also assures that the principles chosen will ignore individuals' interests in using their own powers for their own purposes, and instead have regard for persons only as beneficiaries of the exertions of collectivized powers by and for all. In choosing for "myself" when "I" don't know who I am and so don't *have* a self, I am necessarily choosing for Homogenized Anybody: I am assigning, say, the same probability to my being any actual person as to my being any other. Small wonder that it has a socialist (or at least utilitarian⁶) output.

But the Veil of Ignorance gambit has the problem that from the point of view of any real person, it is quite remarkably unclear why he should pay any attention to principles that could only appeal to people who didn't know who they were (or, of course, to people who would benefit from its output—not Everyperson, but Majorityperson, or Bureauperson!) As with the previous ideas,

we just have to point out that the claim that the “moral point of view” is the one you’d have on *that* view of the veil is tendentious—hardly acceptable to all parties.

Third Argument: The Moral Arbitrariness of Desert

The most influential of all arguments for egalitarianism, I am sure, is this one, due in its modern form to Rawls, again. The basic idea is that we are all fundamentally entitled to equal ministrations because, roughly speaking, we are *not by nature fundamentally entitled to unequal ones*. The argument invokes what we may call the Transitivity of Nondesert: if you claim to deserve x by virtue of your having property F , then if your being F is not deserved, *neither is x* .

The idea is that *the differences between us that are due to our basic endowments from Nature are “morally irrelevant” or “arbitrary,”* on the ground that we cannot be thought to *deserve* our natural assets—we are simply born with them; and the same goes for inherited wealth or other advantages. “No one deserves his greater natural capacity nor merits a more favorable starting place in society.”⁷ By Transitivity of Nondesert, then, we do not deserve whatever differential advantages we may try to lay claim to.

Once we appreciate what this is supposed to be an argument for, however, we shall see that this famous argument contains a fundamental fallacy. The conclusion of it, remember, is supposed to be that we all have the duty to utilize our personal powers so as to bring it about that everyone has a (roughly) equal amount of X [it doesn’t presently matter what X is for this purpose]. Alternatively, the conclusion is that we are supposed to support political institutions which do that. Some think that’s a difference that matters. I don’t.⁸ Yet the *premise* says only that nobody *deserves* any more X than anyone else—a purely negative premise. How are we supposed to get from it to the quite positive intended conclusion that everyone ought to get *some* X from us—an equal amount, as may be?

From the premise, ‘Jones does not deserve X ,’ does it or doesn’t it follow that we *shouldn’t give Jones any X* ? On the “strong” version, it does: Jones deserves to get no X . The other is what we may call the “weak” version: *It is not the case that Jones deserves to get some X* . Which version does the proponent of the Differences-are-Morally-Arbitrary view want to invoke? The “strong” version has it that Jones positively ought not to be given any X —giving him any would be wrong. Indeed, maybe it is our duty to take away what he has. But if an asset can’t underwrite *differential* desert when it’s not deserved, then how can *common* assets be able to do so? For after all, *they* aren’t deserved either. If the strong version is offered, then, the conclusion would have to be, not the Egalitarian one, that everyone deserves an equal (nonzero) amount of something, but rather that *nobody ought to supply anything to anyone*. That’s egalitarian, to be sure—but we may be sure that it isn’t quite what the theorists we are considering have in mind.

Now, perhaps those theorists would want to back off and opt only for the

weak version: it is not the case that anyone deserves anything from anyone; i.e., that *nobody is morally required to give anything to anyone*. In that case, however, the indicated conclusion is: So what? I shall then feel free to give Jones an X, should I happen to want to give him an X, or if I see some advantage in doing so, or if I think that Jones' having X would contribute to the value of the universe at large; and in doing so I would violate no moral injunctions of any kind. On this option, in short, we would then simply be right where, I think, we actually are: namely, with the need to construct a reasonable morality on the basis of our selves as the selves we actually are, shorn of arbitrary metaphysical baggage.⁹ Which, I think, means settling for the nonviolence principle, with everything else by arrangement only—including what principles of desert for this or that undertaking we will employ.¹⁰

But there are no further alternatives. We could try backing off from the thesis that got us into this mess in the first place, namely, the transitivity thesis—that if B deserves X by virtue of having property F, and B did not deserve to have F, then B does not deserve X. But if you do that, then the back of this argument is broken. There are innumerable contexts in which the concept of desert is easy to wield: Louise, who makes beautiful sounds and stays on pitch, deserves the scholarship, while Jordan, who sounds like a rasp and is quite at sea about the location of C, does not. The only reason Rawls supplies for not being able to utilize such commonsense judgments is his thought that the desert-bases aren't deserved. If that is beside the point—which, of course, it is—then there's nothing left of his argument anyway.

The idea is also a bad one for egalitarians because proponents of equality are committed to denying that there is any *variable* property, F, such that anyone deserves a certain (equal) amount of good G by virtue of being F, because everyone has an equal amount of F. An example is found in a recent book which appeals to our "equal humanity" as a basis for distributive equality.¹¹ But humanity isn't a variable property in humans: either you are a human, or you aren't. (And claims that so-and-so's performance was "so human" or that this person is "a real mensch" and the like do not invoke judgments of a type that would lend themselves to claims about equality.) It makes no sense, then, to argue that since we are all "equally" human, it follows that we all deserve a certain equal amount of something that *is* variable, namely X. (For example, it does not follow that we even deserve the minimum, whatever it is, necessary to *keep* us human, that is, keep us alive. That can only be inferred if we add the premise that what humans as such deserve from other humans is enough, from the rest of us, to enable them to remain human for some period or other (say, as long as possible). But where did *that* come from?)

The other thing we should do is reject the premise that justice consists in giving people what they "deserve", unless we include the qualifier 'morally'. We could make it trivially true that justice consists in giving people what they morally deserve, if in turn we restrict morality to the part covered by justice. But that's surely not all of it, for one thing. And the idea that a great play by a hockey player "morally" deserves a rousing cheer, or the player himself a huge salary, seems to me silly. People with no interest in hockey owe nothing to

any hockey players just for their merits as hockey players, however great those merits may be, and however much those players deserve their rewards from their head offices or from hockey enthusiasts. Similarly, the entrepreneur who makes available to us a great new product deserves, in the circumstances, to make a lot of money thereby. This hardly means that people who don't use that product owe him anything. Nor, however, has he done any disservice to those whose incomes are consequently much lower than his.

Fourth Argument: Conditions of Co-operation

This argument employs a more promising premise. Richard Norman is impressed with the idea of justice as co-operation: that the duties of justice are "appropriate to co-operative organizations, because they are principles on which everyone committed to such co-operation can agree."¹² He supposes (his only example) "... a group of people coming together in some joint enterprise ... [e.g.] who have decided to share a house ..."¹³ He proposes that "two things follow from their commitment to co-operation. First, it will be a joint decision, not one imposed by some of them on the others."¹⁴ The group will operate either by consensus, or at least by a procedure that gives everyone an equal vote, though "... voting will not be used by a majority of the group to exploit a minority."¹⁵ Second, he supposes, the joint *product* of this group would be divided among the members equally. There are, then, two "egalitarian principles of justice: (a) that power should be shared equally, and (b) that benefits and burdens should be so distributed that everyone benefits equally overall."¹⁶

Several questions need to be asked, both about these principles themselves and about their derivation. Norman's example is quite specific; generalizing it would require a characterization of co-operation, for starters. Norman supplies a "wide sense": "any interaction or association between a number of people producing a result which they could not have produced individually."¹⁷ However, he later adds that "a co-operative community is contrasted with a coercive form of association."¹⁸ That's well, since a group of slaves working with a cotton-gin do co-operate in his "wide sense". It is essential, then, that a co-operative group be a *voluntary* group. And by this I take it, at a minimum, that anyone is free to leave if she doesn't like the way things are going.

Norman's group, however, contains people who, he says, are "fully committed to working together"; so, they don't ask "How can I get the others to organize things in the way that I want?", but rather "How shall *we* organize things?", attributing this way of thinking to Rousseau.¹⁹ But for one thing, it is not true that if A belongs, voluntarily, to co-operating group G, then A necessarily thinks in this "Rousseavian" way about G. He can continue to think solely of his own good. Co-investors in a mutual fund think this way; so does the person seeking salvation for her soul by joining the (*non*-democratic) Roman Catholic Church. Nor is it necessarily true that their output will be divided equally. Norman's argument works *only* if his co-operators enter into their co-operative enterprise on terms of *antecedent* equality. If they don't, then they

won't accept merely equal distributions of the benefits. Those who bring more, as well as those who do more, will doubtless get more, and should..

In any case, society is *not* a voluntarily cooperating group—it's just a whole lot of people who happen to bump into each other. Norman might insist that it *ought* to be.²⁰ But he would need a case for that which does not presuppose that our group already is co-operative; and what could that possibly be, if not mutual benefit?

There is a plausible distributive principle for co-operative enterprises, worked out by David Gauthier, who points out that, in the first place, each person entering into co-operation must expect to get at least what she could get in her best alternative (she being, remember, free to leave any time, and motivated to make the best life for herself that she can). Then with regard to the "co-operative surplus", as Gauthier calls it, the rule will be that each gets an equal *proportion* of her maximal marginal claim. That principle does not afford a basis for a general social reinforcement of equality in the distribution of anything in particular.²¹

What about the equality of *political* power which Norman thinks is so basic? Well, suppose that it was brought into effect to prevent the more productive from doing something, even though what they did was advantageous to those who took them up on it? The principle of equal political power would now fall into conflict with the other principle—which, indeed, is what happens in every democratic society, so far as I can see: people use their equal political power to prevent all sorts of efficient reallocations of resources, despite the fact that those reallocations are beneficial to some and costly to none (except, of course, the bureaucrats supervising the reallocations). But plainly those contemplating joining an association and knowing that this could eventuate would have ample reason for thinking twice about doing so. They would want strong constraints *against* such uses of equal political power—constraints *against* egalitarianism.

Norman himself insists that the use of democracy would have to be constrained by a provision against exploitation of the minority by the majority. Of course, if political power is so constrained that no majority could ever overrule anyone, unless explicitly authorized to do so by all concerned, then we would have a society with *no* politics at all. Everything would be done by arrangements among the parties concerned, with due care that third parties not be negatively affected, and that would be that. So, I agree with Norman: political power should indeed be equally distributed. The correct share for each is exactly the same: Zero. But again, this isn't quite what he wants. In the end, then, the appeal to co-operation yields no argument at all for general social equality of the interesting, substantive kinds we are asking about.

Fifth Argument: Motivation by Counterfactual

There is a central argument from R. M. Hare²² purporting to establish the rationality of granting an equality of one of the types we are discussing here:

namely, that we morally must grant equal weight to the equally-intense *desires* of all sentient beings. This indeed would not, one would think, yield equality of most of the familiar kinds, since people's desires differ enormously in intensity as well as in kind. Nevertheless, it would be very important if it could be demonstrated that I, for instance, must weight *your* desire for X just the same as *mine* when it comes to making up my mind what to do. So let us see.

Hare invites us to consider the relation between two sorts of propositions, namely propositions of the form

- (1) "I now prefer with strength S that if I were in that situation x should happen rather than not;" and
 (2) "If I were in that situation, I would prefer with strength S that x should happen rather than not"²³

He claims that the first of these follows from the second. The intended effect of this maneuver is to get us to agree that, as a rational being, I ought to cater to the desires I would have if I were in C as if they were here and now my own: "it suffices for our argument that I cannot know the extent and quality of others' sufferings, and, in general, motivations and preferences without having equal motivations with regard to what should happen to me, were I in their places, with their motivations and preferences."²⁴ "... In so far as I know what it is like to be the other person, I have already acquired motivations, equal to his, with regard to the hypothetical case in which I should be in his position."²⁵

Many philosophers are inclined to take issue with the logical claim that (2) entails (1), evidently supposing that to accept this inference is to open the flood-gates (just as Hare evidently thinks it does).²⁶ But they needn't worry. Let us suppose that the entailment holds: my realizing that if I were you, I would desire that p, is tantamount to my having the *desire*, here and now, that *if I were you, then p*. But do these desires have any motivational force? Hare supposes they do. But wrongly, as we shall now see.

Consider what a rational agent does with desires concerning *unlikely* situations. Plainly he does not give them as much weight as he does to those of his desires regarding situations he is likely or certain to be in. Here a remark of Bernard Williams seems entirely in point:

This claim seems hard to accept even if the I of the hypothetical situation is straightforwardly me, as in cases of buying insurance ... I indeed know, for instance, that if my house caught fire, I would prefer, with the greatest possible intensity, that my family and I should get out of it. Since I am a moderately rational agent, I take some action now to make sure that we could do that if the situation arose, and that action comes of course from a preference I have now. But there is no sense at all in which that present prudential preference is of the same strength as the preference I would have if the house were actually on fire (driving almost every other consideration from my mind), and it is not rational that it should be.²⁷

And if the situations in question are impossible? Then they will have *no* weight—they won't motivate him to do anything at all! The rational agent admits any and all of her desires to her practical decision-making base, indeed; but being concerned to *satisfy* them, she ignores or suppresses those, if any, requiring impossible conditions for their realization. Where the probability of *p* is zero, the desire to do *x* in the case that *p* is so thin that most of us would not bother to call them “desires” at all. My desire not to be shot, were I a rabbit, deters me not at all from pulling the trigger on the one currently before me, for my chances of being that, or any, rabbit are zero. Zero times a very intense desire = zero, rather than the same as the rabbit's! Any desires of this sort, then, are fancies, whims, or capricious hankerings—but not the sort of thing that people need take their time cultivating or dwelling upon. And this, needless to say, is not quite the result that Hare was looking for here.

Sixth Argument: Equal Concern and Respect

The thesis that a society owes its members equality of resources, has been advocated by Ronald Dworkin.²⁸ I conclude by saying a little more than what I have already said in print²⁹ in response to his proposal. In Dworkin's view, governments have this duty because of a general responsibility to treat their subjects with “equality of concern and respect”. This raises three questions: (1) What *constitutes* “concern and respect?” (2) *How much* concern and respect? And finally, (3) *Why?* Why must I *vote for that government*, anyway?

Dworkin's conclusion of a right to equal resources, as stemming from his principle of equal concern and respect, was presumably intended to have the implication that those who supply the resources end up having to hand over a considerable percentage of them to those who would otherwise have little or none. Now we may ask: does this show equal respect for all? There is the sort of question raised by Nozick: what is the equal respect of which we speak if the program issuing it sanctions use of force against some simply in order to shore up the resources of others? Is equal concern even *compatible* with equal respect? Perhaps not. You might reasonably take the view that I would respect you best by keeping my “concern” for you out of it; my equal respect for A might require that I concern myself very little, if at all, for A, who is frankly not interested in my attentions.

In any case, we are normally, and very properly, more concerned about those close to us; basic respect for all will ask us to allow people this inequality of concern, which is, after all, of the very essence of their lives in so many cases. If we ask, How much concern do we owe *everyone?*, the most plausible answer is: Very Little, or perhaps None. And Dworkin, I think, agrees with this; he denies that his principle applies to us as individuals.³⁰ He thinks of the concern and respect of which he makes so much as being essentially political. Indeed, he supports the idea with an “abstract egalitarian thesis,” which he states as follows: “From the standpoint of politics, the interests of the members of the community matter, and matter equally.”³¹ It isn't that *we owe each other a*

whole lot of equal concern and respect, but that political institutions do.

Political institutions are human creations. So the question arises why we should *create* an institution incorporating such a principle if we don't think it applies to us, independently of those institutions. In any case, the abstract principle invites the same questions that I raised above: What is it for people's interests to "matter," how much do those interests matter, and why do they matter? For present purposes, indeed, we may simply ask whether those interests can be catered to without violating other interests of individuals—notably, without trampling upon their basic interest in pursuing the good life as they see it. Perhaps we would show still greater concern and respect for all by not turning a powerful government loose on them at all.

Note on Frank

I have not discussed in this paper, the intriguing findings and arguments of the economist Robert Frank.³² Frank points out that distributions of rewards, such as incomes, in innumerable human associations, tend to be very much narrower in their spread from top to bottom than one would expect on the basis of the marginal products of the persons concerned. This is true not only in associations within the public sector but also in fully private firms, including business organizations. Why is this? Frank surmises that it is because those in the upper brackets are willing to make sacrifices to keep those at the bottom in the organization—they choose the right pond. This is a good deal for both parties: the topmost, who retain beneath them suitable inferiors to look down upon, and those beneath, who are paid much more than they would get on a fully open market not influenced by such considerations. I don't discuss Frank's argument in the main body of the paper, however, because it is not and does not purport to be an argument for egalitarianism. A moral duty to share or distribute anything unequally isn't the conclusion indicated by Frank's premises; a distribution differently structured, and in particular much narrower in span from top to bottom, than what one might expect from the principle of marginal contribution, is what we find instead. This shows something about human attitudes, but certainly doesn't demonstrate a case for egalitarianism..

Conclusion

These are not all the arguments there could conceivably be for equality, no doubt; but they are the main ones I have encountered in recent literature. All fail, crucially, to support their conclusions, and I think we should regard this as significant evidence that those conclusions are not to be accepted, especially given the very good reasons for rejecting them that are familiar to everyone. We shouldn't accept any moral hypothesis this strong without compelling reason, and such reason does not, so far as I can presently see, exist. This is not to deny that in many specific contexts, there are good reasons for treating people, in

certain respects, equally. Whenever there is a good reason for treating everyone in some class in a certain way, then we have a case for a sort of equality of treatment: insofar as people have the characteristic taken to constitute that good reason, then a given person will get whatever degree of treatment possession of that characteristic is supposed to call for. And whenever we owe the members of some class generally the duty of maximizing some benefit for them, then when that benefit is scarce, the distributive question of how to allocate it will arise, and prima facie equality may be indicated. But these conclusions are *very much weaker* than the theorists we have been looking at think to establish. In short: Egalitarianism needs, but lacks, good arguments.

Notes

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1. ‘Opportunity’ here is used in the sense in which we have to create and provide opportunities, not in the liberal sense of merely not interfering with the opportunities created by the agent or voluntarily offered him or her by others. Minimum wage laws, for example, interfere with opportunity, by preventing people from offering work at lower wages; winter works programs provide it. To be sure, winter works program supported by taxation do so at public expense, and to that extent they reduce opportunity on the part of the taxpayer.

2. I except from the present discussion the very interesting problem of what to do about and with young children; for present purposes, I will assume that we are dealing only with adults.

3. Kai Nielsen, *Equality and Liberty* (Lanham, Md.: Rowman & Allanheld, 1985), 38. It must be pointed out that Nielsen hopes that other arguments offered by him are persuasive; he does not intend simply to rest his case on intuition.

4. For a longer one, see, e.g. the middle section of my *The Libertarian Idea* (Philadelphia: Temple, 1988; now Broadview Press, 2001), or the introductory chapter in my *Moral Matters*—2nd ed., Broadview, 1999, 1-38.

5. One who has argued thus is G. E. Pence, “Fair Contracts and Beautiful Intuitions”, *New Essays on Contract Theory—Canadian Journal of Philosophy Supplementary Volume III*, ed. Kai Nielsen & Roger Shiner (1977), 137-52. Gauthier’s *Morals by Agreement* offers another such interpretation (Ch. X, “The Archimedean Point”), 233-67.

6. Rawls denies the utilitarian implication, and many have gone along with him on this, to be sure. I suspect that is due to the confusion of interpretation mentioned. See Narveson, “Rawls and Utilitarianism”, in H. Miller and W. Williams, *The Limits of Utilitarianism* (Minneapolis: University of Minnesota Press, 1982), 128-43.

7. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), 102.

8. For the reason why, see the last section, about Dworkin.

9. This is a somewhat different restatement of my argument in “Equality vs.

Liberty: Advantage, Liberty”, *Social Philosophy and Policy* 2 no. 1 (Autumn 1984): 33-60. Rawls’ construction of choosers operating behind a veil of ignorance is my main target here. Michael Sandel explores various views about how to interpret this construction in *Liberalism and the Limits of Justice* (NY: Cambridge U.P., 1982); Rawls’ talk does invite such conundrums, which I believe to be quite avoidable. See my Critical Notice: Michael Sandel, *Liberalism and the Limits of Justice* (*Canadian Journal of Philosophy*, 17 no. 1 (March 1987): 227-34. I should also acknowledge a general debt to Nozick’s treatment of Rawls in the second part of Ch. VI, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 120-48.

10. I discuss the subject of desert at length in chapter 9.
11. Carol Gould, *Rethinking Democracy* (NY: Cambridge U.P., 1988).
12. Richard Norman, *Free and Equal* (Oxford, U.K.: Oxford University Press, 1987)
13. Norman, *Free and Equal*, 69.
14. Norman, *Free and Equal*, 69.
15. Norman, *Free and Equal*, 70.
16. Norman, *Free and Equal*, 73.
17. Norman, *Free and Equal*, 74.
18. Norman, *Free and Equal*, 74.
19. Norman, *Free and Equal*, 70.
20. Norman, *Free and Equal*, 90.
21. See David Gauthier, *Morals by Agreement* (Oxford, U.K.: Oxford University Press, 1986), chapter 5, 113-56.
22. R. M. Hare, *Moral Thinking* (Oxford, U.K.: Oxford University Press, 1981)
23. Hare, *Moral Thinking*, 95.
24. Hare, *Moral Thinking*, 96.
25. Hare, *Moral Thinking*, 99.
26. Hare, *Moral Thinking*, 113.
27. Bernard Williams, *Ethics and the Limits of Philosophy* (Harvard: Harvard U. Press, 1985), 90.
28. Ronald Dworkin, “What is Equality?,” in two parts, *Philosophy & Public Affairs*, 10, nos. 3 & 4. Part 1, “Equality of Welfare,” no. 3 (Summer 1981): 185-246; part 2 “Equality of Resources,” no. 4 (Autumn 1981), 283-346.
29. Jan Narveson, “On Dworkinian Equality,” and “Reply to Dworkin,” *Social Philosophy and Policy* 1 no. 1 (Autumn 1983), 1-23, 41-44.
30. Dworkin, “In Defense of Equality,” *Social Philosophy and Policy* 1, no. 1, (Autumn 1983), 31.
31. Dworkin, “In Defense of Equality,” *Social Philosophy and Policy* 1, no. 1, (Autumn 1983), 24.
32. Robert Frank, *Choosing the Right Pond* (Oxford, 1985).