

Beispiel für einen Text, der im Philosophiestudium im Bereich Praktische Philosophie behandelt werden kann.

What is the point of equality?

Elizabeth Anderson

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The following text is a section from an influential paper by the US-American philosopher Elizabeth Anderson, entitled “What is the point of equality” from 1999 (pages 308–312). In this section Anderson analyses a view she calls ‘luck egalitarianism’ or ‘equality of fortune’. This is a theory of social justice according to which people are entitled to claim support and compensation if they are worse off than others through no fault of their own (‘bad *brute* luck’). One example is the health of a person: If one is born with a handicap so that one is in need of constant medical support, this should be financed by the community on the grounds of justice. Luck egalitarians also claim that if some are worse off than others due to risks they have taken voluntarily (‘bad *option* luck’), they are not entitled to make such claims. Here an example could be the ill health of a person driving recklessly and having a car accident: While society might still want to help the injured driver, according to luck egalitarianism the driver is not entitled to compensation for ill health on the grounds of justice. Anderson criticises luck egalitarianism and, in her paper, suggests an alternative understanding of social justice.

Questions:

1. What is, in one sentence, Anderson’s main claim about luck egalitarianism?
2. In the selected passage, Anderson offers several arguments for her claim: two relate to a misconception of capitalism, two to a misconception of socialism, and one concerning

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both. Identify them, restate them shortly, and try to find a real world example for each to illustrate Anderson's criticism.

3. Anderson criticises luck egalitarianism for implicitly labelling some as "innately inferior". Who are those, what makes them appear inferior and what do you think about Anderson's criticism?
4. Try now to put yourself in the position of a luck egalitarian. Pick one of the arguments from question 2 and think of a possible objection available to the luck egalitarian. Be careful not only to claim something but to develop an argument yourself. Perhaps you can also think about how Anderson could re-enforce her initial criticism?

THE ILLS OF LUCK EGALITARIANISM: A DIAGNOSIS

We have seen that equality of fortune underwrites a hybrid institutional scheme: free markets, to govern the distribution of goods attributable to factors for which individuals are responsible, and the welfare state, to govern the distribution of goods attributable to factors beyond the individual's control. Equality of fortune can thus be seen as an attempt to combine the best of capitalism and socialism. Its free market aspects promote efficiency, freedom of choice, "consumers' sovereignty," and individual responsibility. Its socialist aspects give everyone a fair start in life and protect the innocent against bad brute luck. Equality of fortune could be seen as a doctrine to which socialists might naturally gravitate, after learning the lessons of the follies of comprehensive centralized state economic planning and the considerable virtues of market allocations. By incorporating a very large role for market decisions within their institutional arrangements, luck egalitarians might appear to have disarmed the traditional conservative and libertarian critiques of egalitarianism.

But the counterintuitive judgments that luck egalitarians pass on the cases discussed above suggest a more dismal judgment: equality of fortune appears to give us some of the worst aspects of capitalism and socialism. Egalitarianism ought to reflect a generous, humane, cosmopolitan vision of a society that recognizes individuals as equals in all their diversity. It should promote institutional arrangements that enable the diversity of people's talents, aspirations, roles, and cultures to benefit everyone and to be recognized as mutually beneficial. Instead, the hybrid of capitalism and socialism envisioned by luck egalitarians reflects the mean-spirited, contemptuous, parochial vision of a society that represents human diversity

hierarchically, moralistically contrasting the responsible and irresponsible, the innately superior and the innately inferior, the independent and the dependent. It offers no aid to those it labels irresponsible, and humiliating aid to those it labels innately inferior. It gives us the cramped vision of the Poor Laws, where unfortunates breathe words of supplication and submit to the humiliating moral judgments of the state.

How could luck egalitarians go so wrong? Consider first the ways equality of fortune invites problems in the ways it relies on market decisions. It offers a very inadequate safety net for the victims of bad option luck. This reflects the fact that equality of fortune is essentially a “starting-gate theory”: as long as people enjoy fair shares at the start of life, it does not much concern itself with the suffering and subjection generated by people’s voluntary agreements in free markets. The fact that these evils are the product of voluntary choices hardly justifies them: free choice within a set of options does not justify the set of options itself. In focusing on correcting the supposed injustices of nature, luck egalitarians have forgotten that the primary subject of justice is the institutional arrangements that generate people’s opportunities over time.

Some luck egalitarians, most notably Dworkin, also use market decisions to provide guidance on appropriate state allocations at the start of life. The guiding idea here is that individual autonomy is protected by “consumers’ sovereignty.” Thus, Dworkin suggests that the market prices people actually pay for insurance against bodily injury might be used as a guide for the state’s awards of compensation for people who are blamelessly injured in the same ways. But actual market prices for insurance reflect two factors irrelevant to determining the compensation the state might owe to the involuntarily injured: the need to keep compensation extremely low to reduce the moral hazard for nonfatal injuries (high compensation might tempt people to risk greater injuries), and the fact that people insure only against the costs of injury that the state does not already indemnify them against (e.g., workplace disability, public accommodations for the disabled).

Dworkin’s resort to the hypothetical insurance purchases of people who don’t know their abilities suffers from a larger problem: he never explains why such hypothetical market choices have any relevance at all to determining what citizens owe one another. Since these choices were not, in fact, made, the failure to reflect them in state allocations violates no one’s actual autonomous choices. Individuals’ market choices vary according to their tastes. But what one is obligated to do for others is not, in general, determined either by one’s own or even by the beneficiaries’ tastes. We have seen that such taste relativity licenses discrimination against citizens with rare disabilities and against risk-loving citizens. But even if certain people are willing to take risks with themselves, it doesn’t follow that they give up their claim on fellow

citizens to provide them with the same social insurance benefits against *involuntarily* caused disabilities to which their risk-averse fellows are entitled. Moreover, even if everyone would rationally purchase some insurance for themselves — say, for plastic surgery to correct minor defects in appearance—this fact is hardly sufficient to generate an *obligation* for society to pay for it. If everyone wants it, they could of course vote to include plastic surgery in a national health-care plan. But if they voted not to include it and leave everyone to purchase such insurance from their private resources, it is hard to see how any citizen could have a complaint of justice against the decision of the voters. It is one thing for everyone to decide that something is worth purchasing for their private consumption, quite another to decide that citizens acting collectively are obligated to socialize the costs of providing it to everyone. I conclude that *people's real or hypothetical market choices offer no guidance whatsoever to what citizens are obligated to provide to one another on a collective basis*. This suggests another desideratum for egalitarian theory: it must supply principles for collective willing— that is, for what citizens should will together, not just for what each can will individually.

Now consider the ways luck egalitarianism invites problems in the ways it relies on socialist principles. Equality of fortune tells us that no one should suffer from undeserved misfortune. To implement its principles, the state must make judgments of moral desert or responsibility in assigning outcomes to brute or option luck. To determine whether a smoker who picked up the habit while a soldier shall get state-funded medical treatment for lung cancer, other people must judge whether he should have shown stronger resolve against smoking, given the social pressures he faced from peers and advertisers while serving in the army, the anxiety-reducing benefits of smoking in the highly stressful situation of combat, the opportunities he was offered to overcome his habit after the war, and so forth.

F. A. Hayek has identified the central problem with such merit- based systems of reward: in order to lay a claim to some important benefit, people are forced to obey other people's judgments of what uses they should have made of their opportunities, rather than following their own judgments. Such a system requires the state to make grossly intrusive, moralizing judgments of individual's choices. Equality of fortune thus *interferes with citizens' privacy and liberty*. Furthermore, as Arneson and Roemer make clear, such judgments require the state to determine how much responsibility each citizen was capable of exercising in each case. But it is disrespectful for the state to pass judgment on how much people are responsible for their expensive tastes or their imprudent choices.

Furthermore, equality of fortune would not really promote personal responsibility in the way that it claims. To be sure, it denies compensatory rewards to people who are judged responsible for their bad fortune. But this gives individuals an *incentive to deny personal responsibility for their*

problems, and to represent their situation as one in which they were helpless before uncontrollable forces. Better social conditions for fostering the spread of a passive, whining victim's mentality could hardly be constructed. They allow citizens to lay claim to such goods as basic medical benefits only at the cost of making an undignified spectacle of themselves. Moreover, it is easier to construct a sob story recounting one's undeserved misfortunes than it is to engage in productive work that is valued by others. In giving people an incentive to channel their self-seeking energies in the former rather than the latter direction, equality of fortune generates a huge *deadweight loss* to society.

In promoting such an unhappy combination of capitalist and socialist institutions, equality of fortune succeeds not in establishing a society of equals, but only in reproducing the stigmatizing regime of the Poor Laws, in which citizens lay claim to aid from the state only on condition that they accept inferior status. Poor Law thinking pervades the reasoning of luck egalitarians. This is most evident in their distinction between the deserving and the undeserving disadvantaged—between those who are not responsible for their misfortune and those who are. Like the Poor Law regime, it abandons those disadvantaged through their own choices to their miserable fates, and defines the deserving disadvantaged in terms of their innate inferiority of talent, intelligence, ability, or social appeal.

Moreover, in classifying those who devote the bulk of their energies to caring for dependents with those who have a voluntarily expensive taste for charity, equality of fortune *assumes atomistic egoism and self-sufficiency as the norm for human beings*. It promises equality only to those who tend only to their own self-interest, who avoid entering into relationships with others that might generate obligations to engage in dependent caretaking, and who therefore can manage to take care of themselves through their own wage earning, without having to depend on market-generated income provided by anyone else. But such a norm for human beings cannot be universalized. Long periods of dependency on others' caretaking are a normal and inevitable part of everyone's life cycle. It is therefore an indispensable condition of the continuation of human society that many adults devote a great deal of their time to such caretaking, however poorly such work may be remunerated in the market. And this, in turn, entails some dependency of caretakers on income generated by others. Equality of fortune, in representing the dependency of caretakers as voluntary deviance from a falsely universalized androcentric norm, ends up justifying the subordination of women to male wage earners and the stigmatization of dependent caretaking relative to self-sufficient wage earning. A more perfect reproduction of Poor Law thinking, including its sexism and its conflation of responsible work with market wage-earning, could hardly be imagined.

