

Equality-Tempered Prioritarianism[†]

ABSTRACT: In this paper, I present and explore an alternative to a standard prioritarian axiology. Equality-tempered prioritarianism holds that the value of welfare increases should be balanced against the value of equality. But given that, under prioritarianism, the value of welfare benefits decreases as their beneficiaries decrease, equality-tempered prioritarianism holds that the intrinsic value of equality will be sufficient to alter a prioritarian verdict only in cases in which welfare benefits are granted to the very well-off. I argue that this view, suitably refined, solves a persistent problem for prioritarianism, and is superior to alternatives.

KEYWORDS: prioritarianism, equality, egalitarianism, leximin, sufficientarianism

In prioritarianism, egalitarianism has an important and well-motivated rival. Prioritarianism appears to deliver a satisfying representation of standard egalitarian intuitions without some of the straightforwardly implausible results of standard egalitarianism. For instance, an egalitarian, for whom the value of equality is an important aspect of the value of states of affairs, seems committed to the betterness of intuitively absurd distributions, including those with substantial burdens for the worst-off, for the sake of equality. Prioritarianism seems to solve this problem.

Despite its advantages, I argue that prioritarianism cannot be accepted as it stands, and must be supplemented with the value of equality. The plan of the paper is as follows. In §1, I argue that prioritarianism faces a serious and persistent problem that resists easy solution. In §2, I argue that supplementing a prioritarian axiology with the value of equality (a position I call “equality-tempered prioritarianism”) solves this worry. In §3, I address an important objection to the view as presented here, and in so doing I offer a slight reinterpretation of the view I present in §2 in light of the more damaging of these objections.

1. Prioritarianism and Misery for the Ultra-Rich

According to prioritarianism, the only thing that improves a state of affairs is an improvement in welfare. In this, prioritarianism agrees with many

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traditional axiologies, including classical utilitarianism. Prioritarianism’s distinctive feature is its weighting. Prioritarianism is a tempering of the classical utilitarian axiology: all welfare benefits improve a state of affairs, but marginal benefits to worse-off persons improve a state of affairs *more* than marginal benefits to the better-off.¹ Hence, prioritarianism delivers a distinctive concave prioritarian *value curve*: the marginal value of welfare benefits decreases as the welfare of beneficiaries increases. Of course, prioritarianism is open to interpretation: no one has yet produced a precise account of the relative concavity of this value curve.² For the purposes of this paper, I will leave this interpretive issue aside.

One way to capture the prioritarian idea is by way of a piece of terminology. Call a “welfare unit” a marginal welfare benefit of arbitrary size. In increasing the welfare of x from 10 to 12, there is an increase in two welfare units. Given this terminology, prioritarianism holds that a welfare unit is worth more if its recipient is worse-off. On a prioritarian view, all welfare units are valuable, but, in every case, a welfare unit for x is worth less than a welfare unit for a person slightly worse-off than x . As beneficiaries get better-off, the marginal value of welfare units (i.e., marginal welfare benefits) diminishes asymptotically to zero.³

As I indicated above, prioritarianism—despite its vague specification—appears to successfully capture a number of intuitions that drive people away from utilitarianism and toward a form of egalitarianism. Egalitarianism seems plausible, in part, because egalitarianism generally treats the interests of the worse-off with priority in comparison to the interests of the better-off. But though this is a general feature of egalitarianism, it is not universal; equality is sometimes increased by making the worse-off worse-off—in particular, if this is a necessary side effect of increases to equality. But prioritarianism seems to capture the plausibility of treating the worse-off with priority without this overwhelming downside.

But though prioritarianism is plausible, it has a serious problem I’d like to consider here. Call any person with an extraordinarily high welfare level a member of the “Ultra-Rich”. Now consider the following proposition:

Misery for the Ultra-Rich: There is some number of Ultra-Rich persons, such that the value of a minor benefit granted to each

¹See Weirich 1983.

²Cf. Arneson, 2000a.

³This obviously is not a necessary feature of prioritarianism. The marginal value of welfare units could diminish asymptotically to, say, .5. But, as I explore below, there are good reasons to say that it diminishes to zero and, as far as I can tell, no reason *not* to say so.

would outweigh the disvalue of moving one person from a life worth living to a life of absolute misery.

Misery for the Ultra-Rich is strongly unintuitive, and causes problems for views that imply it.⁴ Prioritarianism is among them. For prioritarianism, *some* amount of marginal welfare improvements for the Ultra-Rich could outweigh the substantial burden of misery for a single individual: as Holtug notes, prioritarianism embraces the claim that misery “can be outweighed by a sufficiently large sum of benefits that fall at a—indeed any—higher level.”⁵

Misery for the Ultra-Rich, as stated, is vague. I have not specified what it means to be “Ultra-Rich”; I have not precisely specified the notion of a “minor benefit”, nor have I said anything about what it means to be in “absolute misery”. Though I will say more about the “Ultra-Rich” later, I leave the remaining terms vague; the general idea here should be relatively straightforward. Those interested in a more precise formulation of *Misery for the Ultra-Rich* are free to fill in the details as they prefer. No matter how these details are filled in, however, it seems clear to me that a very small benefit for very well-off individuals should not trade-off against a disastrously poor life, no matter how many very well-off individuals there are.

A number of views could potentially reject *Misery for the Ultra-Rich*. One important example is *leximin*. Leximin holds that benefits for any worse-off person lexically dominate benefits for any better-off person; in comparison to welfare units for the better-off, welfare units for the worse-off are of absolute axiological priority. Leximin solves *Misery for the Ultra-Rich*: because benefits to the worse-off are absolutely prior in value, it is not the case that there is some finite number of benefits to the best-off that would be sufficient to outweigh burdens for the worse-off.

Though it solves *Misery for the Ultra-Rich*, leximin has been rightly criticized as too extreme. Richard Arneson (referring to “maximin”) notes that a leximin-style view

would prefer the outcome which a single worst-off person gains a penny’s worth of benefit at the cost of the loss of thousands

⁴The intuition I cite here is that there is no number of Ultra-Rich persons for whom a minor benefit would outweigh the disvalue of a life of absolute misery. This intuition ranges, quite obviously, over very large numbers of people. As such, it has been criticized by John Broome as “unreliable”. (See Broome 2004, 58-9.) I do not have space to respond to this objection here; I respond to it in previous published work. See Dorsey 2009.

⁵Holtug 2007, 134.

of dollars for each of thousands of the better-off. A maximin rule introduces a strict lexical priority for the interests of the worst-off, however slight, when they conflict with the interests, however great, of the next worst-off. Lexical priority relations among moral values are strong medicine and perhaps are very rarely, if ever, justifiable. They are especially difficult to justify if the value given lexically lower priority really has value at all. In the context of the distribution of social benefits as assessed by social justice principles, leximin is implausibly extreme.⁶

Though Arneson confines his discussion to resources rather than welfare and “social justice principles,” rather than the axiological evaluation of states of affairs, his point translates. In both cases, the view is too strong.⁷

It might be responded that if *Misery for the Ultra-Rich* is really unintuitive, leximin can’t be too extreme: our intuitions appear to support just this kind of lexical priority in *denying Misery for the Ultra-Rich*. After all, *no* amount, no matter how large, of minor benefits for the Ultra-Rich can outweigh the disvalue of misery for one. But leximin goes far beyond the denial of *Misery for the Ultra-Rich*, as Arneson notes. Consider the possibility that to benefit one member of the worst-off class, who is doing very poorly, all members of the *next* worse-off class, who are doing quite badly themselves, must sacrifice nearly everything that makes their lives even barely worth living. Insofar as leximin implies that such a distribution would be better, leximin delivers unacceptably strong results, and should be rejected.

A second option is to return to egalitarianism. Call “strong egalitarianism” the view that the betterness of states of affairs is based only on the extent of improvements in equality between these states of affairs (perhaps admitting the value of welfare as a tie-breaker). This form of egalitarianism would have the power to render *Misery for the Ultra-Rich* false. The value of any equality-improving welfare unit cannot be outweighed by any equality-worsening welfare unit. Worsening the worse-off for the benefit of the better-off is surely, on any serious view of the nature of equality, an exacerbation of inequality.

However, strong egalitarianism succumbs to serious problems. One such worry is the classic

Leveling-Down Objection: Egalitarianism holds that there is some-

⁶Cf. Arneson 200b, 237-8.

⁷Larry Temkin also argues convincingly against leximin in Temkin 1993, 103-5. For a response to Temkin, see Mendola 2005.

thing good about simply reducing the welfare levels of the better-off class, without benefiting anyone.⁸

Strong egalitarianism clearly embraces leveling-down. Whether all instances of leveling-down are problematic is certainly controversial. Indeed, I shall argue in this paper that we should allow that leveling-down, in certain contexts, can in fact improve a state of affairs. However, strong egalitarianism goes much further than this. Strong egalitarianism is committed not simply to the *pro tanto* value, but to the *all-things-considered* value, of leveling-down those who are, in fact, extremely poorly-off. This conclusion should be rejected.

Furthermore, on straightforward assumptions about the nature of inequality, sometimes a necessary feature of improving the lot of the worse-off is increasing inequality, e.g., in cases in which the worse-off can be made better-off only by *also* making the better-off better-off. So, for instance, if one person is living in misery, and a necessary side-effect of relieving her misery is to grant an even larger improvement to a well-off person, strong egalitarianism would rank this transfer as a value loss, even though *both* the worse-off person and the better-off person improve. Call this result “*Misery for Equality*”. In accepting *Misery for Equality*, strong egalitarianism proves unacceptable.

One way to avoid the leveling-down objection is to adopt a version of “conditional egalitarianism”. This family of views declares that equality is intrinsically valuable, but only conditionally; an egalitarian state of affairs is more valuable than an inegalitarian state of affairs in a way that depends on further features of those states. Andrew Mason prefers a version of conditional egalitarianism such that equality is valuable for its own sake if and only if at least one person is better-off as a result of equality. Mason writes: “When some benefit from equality, we should value it for its own sake even though its value is partly grounded in its benefiting some. If no one benefits from equality, then it lacks non-instrumental value.”⁹ This view is extensionally equivalent to a view described by Bertil Tungodden and Peter Vallentyne under the heading “Paretian egalitarianism”. As stated by Tungodden and Vallentyne, Paretian egalitarianism is the conjunction of a concern for a weak efficiency requirement with a concern for equality. On this view, whenever two states of affairs are Pareto-incomparable (i.e., one state of affairs is better for some and worse for others than the other),

⁸For additional discussion, see §§3.1, 3.2. For a detailed discussion of the leveling down objection, see Holtug 1998.

⁹Mason 2001, 248.

“equality is determinative of justice.”¹⁰ (These views are equivalent given that both views will declare an egalitarian improvement worse only if it is worse for at least one and better for none. In all other cases, egalitarian improvements are better. Insofar as conditional egalitarianism is a family of distinct views—a variant of which I explore in §3.2—it will be convenient to refer to the view outlined in Mason and Tungodden and Vallentyne as “Paretian egalitarianism”.)

Paretian egalitarianism can successfully avoid *Misery for the Ultra-Rich* and *Misery for Equality*. Because equality determines the relative betterness of states of affairs only in cases in which equality makes at least one person better-off, *Misery for Equality* is avoided; in that case, no one is made better-off as a result of equality. Second, because the transfer discussed in *Misery for the Ultra-Rich* renders some better-off, others worse-off, this transfer is Pareto-incomparable, and hence equality reigns. Thus, on Paretian egalitarianism, it does not improve a state of affairs to make a worse-off person worse-off for the sake of minor benefits for the better-off. Despite these victories, however, this view should be rejected. Paretian egalitarianism yields verdicts we have already used to reject other principles including, e.g., leximin. According to Paretian egalitarianism, a very minor benefit for a worst-off person would seem to justify any amount of losses for the better-off, so long as the resulting state is more egalitarian. Imagine, for instance, that one very poor person could be granted a penny’s worth of benefit, but only at the cost of robbing all individuals who live even marginally good lives of that which renders their lives worth living at all. It would seem that, in this case, the penny’s worth of benefit justifies such an enormous cost to those who, already, barely get by (assuming, e.g., that everyone ends up equally poorly-off). If this verdict is extreme enough to justify rejecting leximin, it is extreme enough to justify rejecting Paretian egalitarianism.

Call the last family of views that solve *Misery for the Ultra-Rich*, “threshold-laden”. In solving *Misery for the Ultra-Rich*, threshold-laden views set some particularly important line of welfare achievement, and declare that benefits below the line are to take absolute priority to benefits above the line. Important examples of threshold-laden views are Roger Crisp’s recent version of a sufficientarian doctrine,¹¹ and Campbell Brown’s “threshold prioritarianism”.¹² For Crisp’s version of sufficientarianism, worse-off persons below a certain threshold would take absolute priority to better-off persons

¹⁰Tungodden and Vallentyne 2005, 131.

¹¹Cf. Crisp 2003.

¹²Brown 2005.

above that threshold. Assuming the threshold is placed somewhere between misery and the position of the Ultra-Rich, this view solves *Misery for the Ultra-Rich*. The main difference between Brown’s and Crisp’s views is that Crisp’s view is indifferent to distributions above the threshold, while Brown’s treats distributions among super-threshold and sub-threshold welfare units as weighted on a prioritarian scale, while admitting that sub-threshold welfare units are of absolute priority to super-threshold welfare units.¹³

However, a threshold-laden view is difficult to sustain plausibly. The first worry is that this view comes with an analogue of *Misery for the Ultra-Rich*. Imagine, for instance, that some person is living a good life above the line, but could be lowered to *just* above the threshold (barely achieving whatever line of important significance is identified by the threshold-laden view in question) for the benefit of *miniscule* welfare gains for some finite amount of people who are even better-off than the Ultra-Rich (call this “*Sufficiency for the Mega-Rich*”). In other words, we simply shift the persons involved in the original *Misery for the Ultra-Rich* case higher on the scale. I submit that this is no more plausible than the original *Misery for the Ultra-Rich*, especially given that most sufficientarian views will set the all-important threshold at a relatively low level.¹⁴

But there is a deeper problem here. Threshold-laden views lack an adequate rationale. To see this, consider the moral strength of the threshold on a threshold-laden view. For either version, a microscopic benefit to a person *just below* the line would be enough to outweigh *massive* benefits for *any amount* of people just above the line.¹⁵ Though I don’t regard this verdict as implausible in all cases (surely the plausibility depends, in part, one where one sets the threshold), its strength requires an equally strong *rationale*. Threshold-laden views declare that the moral weightiness of the threshold is licensed by the importance of a *particular* line of welfare achievement, and *its* importance. But it seems difficult to defend one particular line of welfare achievement as having enough relative importance to manage such a strong evaluative conclusion.¹⁶ Roger Crisp, for instance, suggests that the proper line should be set at “the point at which [a person] has a level such that

¹³Brown 2005, 216-218.

¹⁴Cf. Nussbaum 2000, ch. 1.

¹⁵It is worth noting that Crisp responds to this worry by claiming that “trivial” benefits below the threshold do not have absolute priority. But even if we accept that “trivial” benefits can be defined adequately (see Brown, 215), the view is no less strong if we limit our discussion to a trade-off between the smallest-possible non-trivial benefit for an individual *just below* the threshold and massive numbers of massively non-trivial benefits to those *just above* the threshold.

¹⁶Cf. Casal 2007, 312-14. I argue for this conclusion in Dorsey 2012, ch. 4.

[she] can live a life which is sufficiently good.”¹⁷ But this response is not particularly helpful—it does not specify a particular welfare achievement that (a) is plausible as a description of a life as “sufficiently good”, and (b) could plausibly bear the evaluative weight required of it by threshold-laden views. As it stands, threshold-laden views seem in need of a stronger rationale, one that would select a welfare level of importance enough to license a conclusion sufficient to reject *Misery for the Ultra-Rich*.

So what to do? Prioritarianism succumbs to *Misery for the Ultra-Rich* and hence should be viewed with a strong degree of suspicion. But we have seen reason to be skeptical of virtually all ways to reject it. Of course, these problems are well-known, and well-discussed. But they are significant enough, I think, to warrant an expanded catalog of potential alternatives. In the remainder of this paper, I argue that prioritarianism and egalitarianism can work together to establish a view that avoids *Misery for the Ultra-Rich* without the problems we have so far uncovered in alternative views.

2. *The Basic Idea: Equality-Tempered Prioritarianism*

In this section, I briefly outline the main idea behind my proposed amendment to prioritarianism. The resulting view has the advantage of being relatively simple. Of course, nothing comes so easy. The view I present here comes along with some serious problems and will be revised in light of these problems in §3.2. It is helpful, however, to state the basic idea here for heuristic purposes.

To illustrate the general idea, assume that the following principle is true:

Egalitarianism: improvements in the equality of a state of affairs are intrinsically valuable.

The basic and revised statements of ETP rely on a general assumption that equality is intrinsically valuable. Hence I should say a few words to defend this claim. First, it would be rather strange if improvements to equality did not improve the value of states of affairs in any circumstances. After all, we often speak of the value of equality; we treat equality as a goal to be achieved, we often speak as though equality should be a basis upon which to make decisions. Hence it would be surprising if the principles by which we rank-order states of affairs include no reference to equality at all.

For instance, consider the difference between two states of affairs, each containing two persons: A: {x: 100, y: 10}; B: {x: 55, y: 55}. B is better.

¹⁷Crisp 2003, 761.

But why? It appears that an entirely natural answer to the question is that *B's distribution is equal, A's is not*. Though egalitarianism is not the only view that can support B's betterness (virtually any non-utilitarian view can do the same), egalitarianism does so in a particularly intuitive, straightforward way. It seems too roundabout, for instance, to declare that B is better because a move from A to B treats the worst-off with priority, or that benefits to the worse-off are worth more, hence rendering B better than A. Speaking in terms of bare intuition, equality has at least *pro tanto* value: value that does not necessarily track the overall value of states of affairs, but value nonetheless. If this is correct, the assumption that equality should play a role in the betterness relation is—at least for the moment—justified. And hence if we assume also that improvements in overall welfare are valuable along a prioritarian axiology the resulting view is pluralist: both welfare (according to prioritarian weighting) and equality are intrinsically valuable.

Of course, the grand dilemma of any pluralist axiology is the problem of *weight*. If *Egalitarianism* is true, we have a choice about how to weigh the value of equality against other values. However, because prioritarianism weighs marginal welfare units along a concave value curve, there will be no single answer concerning how much equality is worth in comparison to marginal welfare benefits. But progress can be made if we can figure out, in some suitably benchmark case, what the overall value or disvalue is of a single *inequality* increasing welfare unit. *The following point is critical*. Confining our discussion to inequality-increasing welfare units, if the value of these units diminishes asymptotically to zero as beneficiaries get better-off, there will be some point at which the disvalue of inequality will overtake the value of a marginal welfare unit. But if this is correct, we can reframe the question of the relative value of equality and welfare this way: at what level of welfare do we believe that an increase in equality is more important than an additional welfare unit for an individual at that level of welfare? I propose the following: the negative value of inequality is enough to outweigh one inequality-increasing welfare unit for the *Ultra-Rich*. A welfare benefit for the Ultra-Rich does not improve the overall value of a state of affairs if that welfare unit increases inequality (decreases equality). Hence we are left with a view that treats the value of equality as having the power to outweigh additional welfare units for very well-off individuals. Call this view “equality-tempered prioritarianism” (ETP).

It would do to express this idea technically. Let $A(w_1, w_2)$ be an interpretation of the betterness relation between two states of affairs w_1 and w_2 . If A is positive, w_2 is better than w_1 , *vice versa* if A is negative. For ETP, A will be a function, first, of the prioritarian value of the first state of affairs

as compared to the second ($P(w_1, w_2)$), and second, of the comparative level of equality or inequality of the first state of affairs as compared to the second ($E(w_1, w_2)$):

$$\text{Equality-Tempered Prioritarianism: } A(w_1, w_2) = f(P(w_1, w_2), E(w_1, w_2)).$$

So far so good. But three questions arise. First, what is the function f ? Second, how is P determined, given the input of two states of affairs and, second, how is E determined, given the input of two states of affairs? Taking these in reverse order, E will be a determination of the comparative equality of w_1 and w_2 . If w_2 is less egalitarian than w_1 , the value returned will be negative, if w_2 is more egalitarian, the value returned will be positive.¹⁸ P is, obviously, simply determined by the prioritarian value curve, i.e., the weighted aggregate welfare of w_2 minus the weighted aggregate welfare of w_1 .

Now to f . Because ETP declares that both welfare (according to a prioritarian value curve) and equality are intrinsically valuable, the overall comparative value of two states of affairs will be an aggregative function of their comparative prioritarian value scores and equality scores. But it is important not to weigh equality too heavily in comparison to its partner input. As briefly noted above, the basic idea of ETP is that the value of increasing equality should be no less than the value of a welfare unit for an

¹⁸As Temkin notes, equality is a complex ideal, especially in cases that are more densely populated (Temkin 1993, chs. 2-3). I remain largely ecumenical in understanding what makes states of affairs better or worse in terms of equality; I won't offer a theory, in other words, of which welfare units are equality- or inequality-increasing. However, for the sake of a simplified presentation of ETP I make the following general assumption. E should be an *aggregate* of equality-increasing and inequality-increasing welfare units. If, in other words, inequality is increased by granting a single welfare unit to a single individual, resulting E score should be -1. And, furthermore, if inequality is increased by granting one welfare unit to additional people, each additional person for whom an inequality-increasing welfare unit is granted adds -1 to E (one inequality-increasing welfare unit for ten people generates an E result of -10). Furthermore, increasing inequality by 10 welfare units for one person should also generate an E result of -10. Note that this assumption generates the result that the relevant equality scores do not vary if everyone gets better-off or worse-off by some fixed amount. In other words, A: $\{x: 10; y: 100\}$ and B: $\{x: 110; y: 200\}$ are identically (in)egalitarian. But this is the right answer. Equality is a measure of the difference between individuals. And this measure is neutral among changes like those on display in A and B. I stress that assumption generates the right results, at least as I conceive them, given ETP as stated. But if someone prefers to reject these assumptions, ETP could be modified accordingly. Thanks for an anonymous reviewer for requesting a clarification of these issues.

individual who barely meets the threshold of the Ultra-Rich. If that's correct, then, the aggregative function f should weigh E by a factor equivalent to a welfare unit for a member of the (just barely) Ultra-Rich. If we define the prioritarian weighted value of a welfare unit for a member of the (just barely) Ultra-Rich as W_{ur} , then, as a first pass,

$$f = P + (W_{ur}E)$$

Here's how this view solves the problem of *Misery for the Ultra-Rich*.¹⁹ For prioritarianism, the value of a particular welfare unit will always be positive; but the value of individual welfare units will diminish as the welfare score of the beneficiaries increases. If this is correct, for every *inequality-increasing* welfare unit (a welfare unit the addition of which renders E negative), the overall value of that welfare unit will be less than its weighted prioritarian value, insofar as the intrinsic disvalue of the resulting inequality will be added to its weighted prioritarian value (given that $(W_{ur}E)$ will be negative for any negative value of E). But if this is correct, at some level of welfare, the positive value gained by a particular inequality-increasing welfare unit granted to an individual at that level will not be enough to counteract the negative value of the resulting inequality, and hence the comparative value of that particular welfare unit (A) will be negative. As defined here, this point is set at the level of the Ultra-Rich. And hence, given that each minor welfare benefit granted to a member of the Ultra-Rich is inequality-increasing, these welfare benefits will not, on balance, contribute to the comparative value of the state of affairs in question.

It would be helpful at this point to say a little more about who the Ultra-Rich *are*. And though I will not offer any precise theory, we have the tools in place to answer this question. Notice that identifying the Ultra-Rich will depend in large measure on our intuitions concerning *Misery for the Ultra-Rich*. The main problem with *Misery for the Ultra-Rich* is that the people

¹⁹Here's an example of how f operates. Let's say that 1000 is the level of the Ultra-Rich, and that the weighted value of welfare unit granted to an Ultra-Rich person is 1. Take, now: A: $\{x: 10; y: 1000\}$ and B: $\{x: 10; y: 1001\}$. In a move from A to B, the value of P will be less than 1, say, .99. But the comparative equality of A and B is negative by a factor of precisely one welfare unit, and so E should return a value of -1. This is then multiplied by the value of a welfare unit for an Ultra-Rich person (1), returning a value of -1 for W_{ur} . This returns a value of -.01 for f , and hence B represents a value loss in comparison to A. But let's compare, now, A: $\{x: 10; y: 500\}$ and B: $\{x: 10; y: 501\}$. Given that y is worse-off in this comparison, the additional welfare unit in B is worth more than a welfare unit for an Ultra-Rich person. And so P is greater than one. But, again, E will generate a value of -1, which (when multiplied by the value of a welfare unit for the Ultra-Rich) will generate an overall W_{ur} score of -1. But the value of f in this case will be positive, given that P is greater than one, indicating a value gain.

provided a minor benefit at the cost of misery for one are comparatively extremely well-off. If so, at some lower level of welfare n , it will be plausible to say that for these individuals a minor benefit can, in substantial numbers, outweigh the cost of misery for one. And if this is correct, a determination of who counts as a member of the Ultra-Rich will simply be a determination of those for whom minor benefits will, and those for whom minor benefits will not, at some magnitude, outweigh misery for one. And this will in turn determine how we assign the value of E in comparison to P .

Some may complain, surely correctly, that the difference between individuals for whom minor benefits can outweigh major burdens for the worse-off and individuals for whom minor benefits cannot outweigh major burdens for the worse-off is vague, far more vague than ETP allows. Ultimately, any particular assignment of the relevant Ultra-Rich threshold may seem arbitrary. And while this is correct, simply because any particular line may seem arbitrary does not entail that there is no such line. Unless we are to commit to an unacceptably indeterminate axiology, at some point we must say that minor benefits for *these people*, and not people slightly better-off, can outweigh major burdens for the worse-off. Refusing to do so either commits us to *Misery for the Ultra-Rich*, or to a wide swath of individuals for whom the axiological status of welfare benefits is, in essence, in limbo. Both conclusions should be avoided.

At this point, it is worth comparing ETP to threshold-laden views. ETP is committed to the claim that benefits to people below a certain threshold (the threshold of the Ultra-Rich) are absolutely prior to inequality-increasing welfare units for those above the threshold. Thus ETP is, in a sense, a threshold-laden view. But ETP avoids both problems with threshold-laden views I discuss above. First, *Sufficiency for the Mega-Rich* poses no problem for ETP, and for two reasons. A: because ETP's threshold is set comparatively high, even if it would make a state of affairs better to reduce a person above the line to *just* above the line for the sake of minor benefits to those *wildly* above the line, this seems comparatively innocuous. The problem for sufficientarian views is that the sufficientarian threshold is set, as noted above, at a comparatively low level. But, B: even if this were a problem, because on ETP any increase in equality improves a state of affairs more than welfare benefits for those above the threshold would have, exacerbating inequality above the threshold is always worse; above the threshold, ETP becomes a version of strong egalitarianism and hence *Sufficiency for the Mega-Rich*, on ETP, is false. Second, recall that threshold-laden views are required to offer a threshold strong enough to support the claim that any finite number of super-threshold welfare units cannot outweigh the smallest

relevant amount of sub-threshold welfare units. ETP, however, can offer a comparatively strong rationale: the rationale for the threshold designated by ETP is not the overwhelming importance of a single welfare achievement (which seems far too meager to defend the strong implications of sufficientarianism), but, simply, that the value of equality will eventually overtake the value of welfare units assuming that the value of welfare units are evaluated according to the concave prioritarian value curve. ETP is a natural outcome of a dual commitment: a commitment to a prioritarian weighting of welfare units, and a commitment to the non-zero value of equality. If we accept *Egalitarianism* and accept the claim that marginal welfare benefits for the better-off decrease asymptotically to zero, we are committed to the claim that, at some level of welfare n , the non-zero value of an increase in equality outweighs the non-zero value of an marginal welfare benefit at n . Hence, for ETP, the rationale is simple: the conjunction of prioritarianism and *Egalitarianism*.

But if this is true, we appear to have rejected *Misery for the Ultra-Rich* without rejecting prioritarianism in favor of a view that embraces the implausible conclusions of views I explored in §1. In addition, it is worth noting that the value of equality in most cases is dormant in terms of the all-things-considered better-than relation. However, as the prioritarian value curve dips, it dips below the value of equality; equality thus regains its bite in a manner sufficient to defeat *Misery for the Ultra-Rich*.

3. *Leveling-Down: ETP Defended and Revised*

Because ETP is *equality*-tempered prioritarianism, it comes equipped with standard egalitarian baggage. The heaviest piece of which is the *Leveling-Down Objection*. I'll take this objection in two stages; I consider, first, ETP's evaluative attitude toward leveling-down the Ultra-Rich. Second, I consider ETP's stance when it comes to leveling-down the worse-off. Indeed, as a warning, though ETP substantially tempers the excesses of strong egalitarianism, some structurally similar absurdities arise on ETP. And hence, or so I shall argue, we should slightly alter one component of ETP; I outline this revision in §3.2.

3.1. *Leveling-Down the Ultra-Rich*

Start with the Ultra-Rich. If I am correct about the relative value of equality and welfare units at high welfare levels, this entails that leveling-down, which will increase the overall equality units in a state of affairs, will not just im-

prove a state of affairs in some respect, but also *overall, all-things-considered*, when applied to the Ultra-Rich. Some may find this unacceptable.

However, I think this result is worth defending. Consider, for instance, a state of affairs in which there are two classes, the *tortured* and the very well-off. Also imagine that there are two alternatives, neither of which involve making the tortured any better-off. One involves, however, giving a *very short* moment of pleasure to the very well-off (say, the amount of pleasure one gets from a medium-grade lollypop). Though we are tempted to say that there is, perhaps, *something* better about giving the lollypops to the very well-off, viz., that they will have a minor welfare benefit, it strikes me as incorrect to say that, overall, this state of affairs is better. Rather, I think a strong intuition is that giving lollypops to people who are already very well-off, even if the tortured could not be helped in refusing to do so, makes the state of affairs worse. It makes people who are *wildly* well-off already even *better-off* without doing anything for the worse-off.

But if this intuition resonates, there can be no barrier to the acceptance of leveling-down. In this case, we have seen that moving from *no lollypops* to *lollypops* worsens a state of affairs when these lollypops are granted to people who are absolutely well-off. But if going from *no lollypops* to *lollypops* makes things worse, going from *lollypops* to *no lollypops* makes things better.

There might be residual skepticism that this form of leveling-down could ever be justified. However, there could be many explanations for this intuition. One explanation is that leveling-down appears to violate certain *de-ontic* intuitions we have. For instance, it is often held that individuals have a set of *rights* not to be harmed—interpreted as rights not to have their welfare diminished—and that violating such rights when doing so does not benefit others is impermissible, even if the right in question is comparatively minor (say, the right not to be given a slight pin-prick). But, of course, this sort of an intuition does not shed light on the *value* of leveling-down. One can be skittish about the moral requirement to level-down without being skittish about the overall value that leveling-down would add to the state of affairs. And, I claim, this is a real value. Something morally, as well as axiologically, important is lost when the Ultra-Rich gain slightly better-tasting coffee when others are living in misery.

However, it should be noted that because equality is more valuable than welfare units for the Ultra-Rich, ETP will declare that even if *everyone* is Ultra-Rich or better, leveling-down adds value to the state of affairs. So, for instance, if the choice is between C: {x: 1000, y: 1000} and D: {x: 1000, y: 1100}, ETP would rank C as more valuable overall (assume that 1000 is, roughly speaking, the point at which one becomes Ultra-Rich). The

disvalue of the comparative inequality of D is not outweighed by the value of 100 welfare units.

This might be thought too unintuitive to be sustainable. I argue, however, to the contrary. Welfare benefits are crucially important for the comparative value of individual states of affairs. But once these benefits reach a certain absolutely high level, their importance when it comes to improvements in the state of affairs diminishes according to the prioritarian value curve. While welfare units are certainly of value at extremely high levels, we should hesitate to say that this value is enough to improve an overall state of affairs unless these benefits are at least neutral with regard to other important values. When these benefits compete with other values, given their comparative lack of importance, I am unprepared to declare that welfare benefits should automatically win: we should not shy away from the suggestion that equality is more important than welfare benefits that mean as little as welfare benefits to the Ultra-Rich *as insisted upon by the prioritarian value curve*.

Let me put this point in a slightly different way.²⁰ Recall that the Ultra-Rich are in part identified by the level at which minor burdens for individuals at that level, no matter the magnitude, cannot outweigh major burdens for the worse-off. But if this is the case, we already have good reason to believe that the welfare benefits for Ultra-Rich individuals are evaluatively insignificant; speaking in terms of considered judgment, *no magnitude* of such benefits will outweigh misery for even one person. But if that's correct, i.e., if welfare benefits for the Ultra-Rich, no matter how much, cannot outweigh misery for one, it seems to me that there is good reason to believe that equality is worth more these insignificant welfare units. Once persons have reached the point of being Ultra-Rich, it is not unreasonable to declare that further welfare units only improve the state of affairs overall if they do not devalue the state of affairs with respect to other important social goals, equality included. Hence I accept that ETP embraces the all-things-considered value of leveling-down the Ultra-Rich. But I reject the call to alter ETP on that basis.

3.2. Leveling-Down the Worse-off and Misery for Equality

Now let's turn to ETP's attitude toward leveling-down the worse-off. And here matters turn ugly. Insofar as ETP accepts *Egalitarianism*, ETP appears committed to the claim that leveling-down those who are extremely

²⁰Thanks to an anonymous reviewer for pressing this point.

poorly-off is a *pro tanto* value improvement. But even if leveling-down is plausible in cases in which welfare units are absolutely insignificant, it would appear strange to say that leveling-down the worse-off makes a state of affairs better to any degree at all.

To be honest, I share the intuition that leveling-down the worse-off can be good in no respect whatsoever. But the problem gets much, much worse. Recall *Misery for Equality*. Strong egalitarianism does not simply license leveling the *better-off* down to the standard of the worse-off, it licenses leveling-down both the better-off *and worse-off* if that would have a net benefit in terms of overall equality. So, for instance, if the only way to improve the equality of a state of affairs is to worsen the condition of the the better-off class *and* the worse-off class (while worsening the condition of the better-off class to a greater degree), this would be embraced by strong egalitarianism. *Misery for Equality* is substantially tempered by ETP, but it remains. Given the prioritarian value curve, every inequality-increasing benefit for the Ultra-Rich is an all-things-considered value loss. Thus *at some point* the aggregate value loss of inequality-increasing welfare units for the Ultra-Rich will be enough to outweigh the value *gain* granted by giving a benefit to a worse-off person. For instance, if we are forced to choose between E: $\{x: 10; y: 1000\}$ and F: $\{x: 11; y: 10000\}$, the loss of value in terms of inequality might be enough to outweigh the gain in welfare for x , hence leading us to prefer E to F.²¹ Furthermore, take G: $\{x: 10; y: 100000\}$ versus H: $\{x: \text{Misery}; y: 1000\}$. Given the value *gain* in terms of equality as a result of moving the better-off from Mega-Rich to simply Ultra-Rich, H appears favored by ETP. Indeed, it is not the case simply that there is *something* good about so doing. Rather, it is *all-things-considered* better to level-down even the worse-off for a comparatively gigantic improvement in equality when those equality-improvements come at the cost of the Ultra-Rich. Hence, though ETP tempers *Misery for Equality*, it remains.

However, I think ETP can be salvaged by rethinking our commitment to the value of equality. Given the problems noted (first, that ETP retains the implausible claim that there is at least something good about leveling-down everyone, even the worse-off, and, second, the remaining vestiges of *Misery for Equality*), it would appear that the axiological relationship between the prioritarian welfare value of a given state of affairs and the equality or inequality of that state of affairs is substantially more complex than is currently represented by *Equality-Tempered Prioritarianism*. As stated, ETP accepts *Egalitarianism*, which grants equality non-zero value however

²¹I thank Clayton Littlejohn and Alastair Norcross for pressing this objection forcefully.

it arises. But this appears not to be an adequate representation of considered judgment. In particular, it would seem more plausible to rule out the value of equality in cases in which an *increase* in equality makes the worse-off *worse-off*, or where a *decrease* in equality makes the worse-off *better-off*. So rather than accepting that equality is intrinsically valuable (and inequality intrinsically disvaluable) in all contexts, we should adopt a version of *conditional* egalitarianism. But rather than adopting the Paretian iteration discussed above, we should say that equality contributes to the relative value of two states of affairs only if an increase in equality (or a decrease in inequality) doesn't make the worse-off any worse-off.²²

To express this more precisely, I need to make use of a boolean operator, $C(w_1, w_2)$, which assigns a score (1 or 0) determined by two factors, viz., the difference in welfare units for the worse-off between the specified states of affairs ($WO(w_1, w_2)$),²³ and whether there is an aggregate increase or decrease in equality between those two states of affairs (which I have already defined as $E(w_1, w_2)$). When ($WO < 0$ and $E > 0$) or ($WO > 0$ and $E < 0$), $C=0$; otherwise $C=1$. With this defined, A can be expressed as follows:

$$\text{Equality-Tempered Prioritarianism: } A(w_1, w_2) = f(P(w_1, w_2), C(w_1, w_2), E(w_1, w_2)).$$

The relevant function f is thus defined:

$$f = P + (C(W_{ur}E))$$

Under this formula, the value of equality is in operation only when either the interests of the worse-off are unaffected, or when the interests of the worse-off are advanced by an increase in equality. In all other cases, i.e., when the worse-off are made better-off by inequality, equality plays no role in the betterness relation.

²²Why non-Paretian? After all, supplementing prioritarianism with Paretian egalitarianism would rule out the value of leveling-down in *all* cases. However, it is for this reason too strong; as I have already argued, leveling-down the Ultra-Rich is a plausible outcome, and should be preserved. Hence, or so I argue, we should refuse to supplement prioritarianism with Paretian egalitarianism. But for the sake of ecumenicalism, I leave this open as a possibility. The central insight of ETP remains if we temper prioritarianism with a form of Paretian egalitarianism rather than the non-Paretian conditional egalitarianism I prefer.

²³One might ask: how do we measure the value of equality units for a class of individuals, say, the worse-off? Simple: the value of welfare increases or decreases for a specified class between two worlds w_1 and w_2 is given by $P(w_1, w_2)$, where the words in question treat as relevant only the specified class. Put more simply, it is the weighted prioritarian value of welfare increases or decreases for individuals in the specified class.

Two points are worth mentioning about this proposal. First, in accepting a form of conditional egalitarianism, rather than a more straightforward egalitarianism, I deny that equality is intrinsically valuable in cases in which the worse-off stand to lose by an increase in equality. If this is correct, the view I advocate has the resources to deny that there is *anything* valuable about leveling-down the worse-off. In cases in which the worse-off lose, equality has no intrinsic value at all. But I think this is significant. Some might believe that accepting this form of conditional egalitarianism is implausibly *ad hoc* (more on this objection in the next section). However, if, as it is plausible to believe, we should reject even the *pro tanto* value of leveling-down in cases in which the worse-off stand to lose, we should be inclined to accept conditional egalitarianism *rather than* a more straightforward egalitarianism as a proper representation of our disposition toward the value of equality. Generally speaking, it is plausible to hold that equality is valuable. But only when the worse-off aren't made worse-off by equality. And if this is correct, the view just stated is no more *ad hoc* than the basic idea, articulated in §2.

Second, I have not properly identified the “worse-off”. However, my preference here is to remain neutral between potential methods by which to assess the point at which an individual’s welfare has the power to render it the case that equality is not intrinsically valuable. For the record, I favor an absolute conception of the “worse-off”. In particular, a natural suggestion is that the worse-off should include anyone who falls below the level of the Ultra-Rich. However, there are other methods. One could identify a “worse-off” individual as someone below the mean; or someone below some other identified absolute threshold.²⁴ How best to set the line will, of course, require investigation into our considered judgments. I leave this investigation for another time.

One note before I conclude. As it stands ETP is a general account of the nature of the “better-than” relation. But I have not offered any general proof that my proposal has a number of important technical features. For instance, I have not argued that my proposal guarantees that the better-than relation will be transitive. However, whether my view is ultimately transitive must depend on the interpretation of a number of elements of ETP between which I remain ecumenical here, including the proper theory of equality or inequality, the assignment of the “worse-off”, etc. The view as stated guarantees neither transitivity nor intransitivity,²⁵ and hence, if

²⁴Cf. Tungodden 1999.

²⁵Here’s a quick argument to this effect. Confining our discussion to states of affairs

we wish to guarantee one or the other, we should be careful to interpret the missing elements in ways that guarantee the transitivity (or intransitivity) of the better-than relation, as suggested by ETP.

4. Conclusion: Is ETP Ad Hoc?

ETP has substantial virtues in comparison to the views I have considered so far. Unlike un-tempered prioritarianism, ETP can solve *Misery for the Ultra-Rich*. Unlike leximin, ETP holds that it does not improve a state of affairs to grant a very minor benefit to the worst-off at the expense of very substantial burdens for the sake of people who are themselves very poorly-off. Unlike strong egalitarianism, ETP (as revised) avoids the most problematic instances of leveling-down. And unlike threshold-laden views, ETP does not commit to a transposed version of *Misery for the Ultra-Rich*, nor can it fail to offer an independent rationale for the strong axiological conclusions it posits.

In conclusion, I discuss an important objection I have so far (mostly) left to the side. Someone might claim that the view I offer is *ad hoc*. After all, why should we believe that not only is the better-than relation characterized by a generally prioritarian weighting of human welfare, but *also* the (conditional) value of equality? What independent reason is there to believe this view?

I have already argued that to accept the intrinsic value of equality is independently plausible. However, if equality is intrinsically valuable, we

that include members of the non-Ultra-Rich (see note below), let's make two assumptions. First, assume that the worse-off includes anyone below the line of the Ultra-Rich. Second, assume that equality is increased whenever there is a decrease in welfare for the Ultra-Rich, or whenever there is an increase in welfare for the worse-off. If we accept these assumptions, then in any set of choice circumstances, if A is better than B, this is because either there is a gain for the worse-off (a ϕ -improvement), or there is an increase in equality that is a burden only for the Ultra-Rich (a ψ -improvement). At least one of these is necessary; either is sufficient to render a state of affairs better than another. But these factors are clearly transitive: if A is a ϕ -improvement over B, and B is a ϕ -improvement over C, then A is clearly better than C (a ϕ -improvement). If A is a ϕ -improvement over B, and B is a ψ -improvement over C, A will be better than C (at least a ϕ -improvement). If A is a ψ -improvement over B, and B is a ϕ -improvement over C, A will be, once again, at least maintain a ϕ -improvement over C. And if A is a ψ -improvement over B, and B is a ψ -improvement over C, then A will also be a ψ -improvement over C. Of course, this might not hold if we interpret the worse-off differently, or if we alter our theory of equality. Nevertheless, at least under one set of assumptions, ETP is transitive. (Note that if we confine our discussion to states of affairs in which there are only members of the Ultra-Rich, the view in question is equivalent to a strong egalitarianism, and is therefore transitive if and only if the interpretation of the value of equality is transitive.)

must determine some method by which to weigh the value of equality in comparison to the value of welfare improvements. But then why not do so in a way that solves *Misery for the Ultra-Rich*? If equality is valuable, and welfare is valuable according to the prioritarian value-curve, the value of equality must exceed the value of welfare units at some point.²⁶ Why not address the comparative weight of these values in a way that best suits our considered judgments? The basic idea behind ETP, as outlined in §2, then, is not *ad hoc*.

Of course, I accept a revised version of the basic idea; I accept a non-Paretian conditional egalitarianism rather than *Egalitarianism*. Hence ETP is not *ad hoc* only if the rejection of *Egalitarianism* in favor of a conditional egalitarianism is not *ad hoc*. But, once again, it is not. My version of conditional egalitarianism responds to the considered judgments that I, and I hope the reader, will have concerning *Misery for Equality*, and the implausible result that leveling-down the worse-off will improve a state of affairs in at least some respect. Conditional egalitarianism, or so I claim, is a more plausible representation of considered judgment than *Egalitarianism*. Of course, if the objection on the table is asking for a further rationale than conformity to considered judgment, I'm afraid I cannot offer one. But I confess to finding this very little reason to be concerned about the fate of ETP. The view I advocate solves *Misery for the Ultra-Rich*, without the implausible results of leximin, strong egalitarianism, or threshold-laden views. This result is of course not enough to guarantee the truth of ETP. But it is, at the very least, strong enough to get it a place at the table.

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²⁶Actually, this is not strictly true; the lower value limit of marginal welfare units might exceed the upper value limit of equality. But this proposal is substantive, and is independently implausible in light of the possibility of a solution to *Misery for the Ultra-Rich*. See also note 3.

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