

Equality-Tempered Prioritarianism[†]

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In prioritarianism, egalitarianism has an important and well-motivated rival. Prioritarianism appears to deliver an intuitively 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 at least one 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 plausibly.

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 three important objections to the view as presented here. In §3.4, I offer a slight reinterpretation of the view I present in §2 in light on the more damaging of these objections.

One comment merits mention before I begin. Discussions of equality, well-being, and their relative axiological weight are often technical and expressed in mathematical terms. I eschew this technicality, to the extent that is possible, for two reasons. First, such technicality renders otherwise plausible discussions unreadable. Second, because my view is intended to be open to a wide range of interpretations (including, for instance, the precise

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measure of equality or inequality, and the precise level of concavity in the prioritarian value curve), to insist on a precise specification of my view is to insist on a presentation that is artificially precise, and that takes stands on controversial accounts that are not central to the presentation of equality-tempered prioritarianism. Indeed, I have doubts that any precise function could capture our considered judgments about the nature of equality. Given this, it seems sensible to describe my view in general terms, without artificial precision. My goal for this paper is to establish that the general statement of equality-tempered prioritarianism is sufficiently plausible to merit further investigation into the nitty-gritty.

1. Prioritarianism and Misery for the Ultra-Rich

According to prioritarianism, the only thing that improves a state of affairs is an improvement in well-being. In this, prioritarianism agrees with many 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 . In other words, as beneficiaries get better-off, the overall value of welfare units (i.e., additional marginal welfare benefits) diminishes asymptotically to zero.

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. One reason

¹See Paul Weirich, “Utility Tempered with Equality” in *Noûs* 17 (1983).

²Cf. Richard Arneson, “Perfectionism and Politics” in *Ethics* 110 (2000).

egalitarianism seems so attractive is the fact that equality is generally increased by improving the position of the worse-off relative to the better-off. Generally speaking, as we tend toward equality the welfare of the worse-off improves. However, egalitarianism appears to deliver this verdict in an indirect, roundabout way. Prioritarianism, on the other hand, delivers a greater concern for the welfare of the worse-off directly.

1.1. *Misery for the Ultra-Rich*

Prioritarianism is plausible, and has earned its status as the axiological default. But there is trouble in paradise. 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 would outweigh the disvalue of a life of absolute misery for one person.

Misery for the Ultra-Rich is strongly unintuitive, and causes problems for views that imply it.³ But 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.”⁴

Misery for the Ultra-Rich, as stated, is a touch vague. I have not precisely 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”. Here I rely on a vague specification in part because different theories of welfare will understand these terms differently. For instance, a perfectionist about well-being will understand “absolute misery”

³The 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 John Broome, *Weighing Lives* (Oxford: Oxford University Press, 2004), 58-9.) I do not have space to respond to this objection here; I respond to it in previous published work. See Dale Dorsey, “Headaches, Lives, and Value” in *Utilitas* 21 (2009), 54-6.

⁴Nils Holtug, “Prioritarianism” in *Egalitarianism: New Essays on the Nature and Value of Equality*, ed. Holtug and Lippert-Rasmussen (Oxford: Oxford University Press, 2007), 134.

in a very different way than a hedonist. However, it seems to me that whatever one's favored theory of welfare, 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.

Misery for the Ultra-Rich is not a newly discovered problem for prioritarianism. Indeed, 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 are lexically dominant on benefits for any better-off person; in other words, in calculating the evaluative contribution of welfare units, leximin treats welfare units to any worse-off person as of absolute 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 trade-off against 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 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.⁵

Though Arneson confines his discussion to resources rather than well-being and “social justice principles,” rather than the axiological evaluation of states of affairs, his point is a perfectly cogent criticism of the claim that

⁵Cf. Richard Arneson, “Rawls versus Utilitarianism in Light of *Political Liberalism*” in *The Idea of a Political Liberalism*, ed. Davion and Wolf (Lanham, MD: Rowman and Littlefield, 2000), 237-8.

benefits to the worst-off have lexical priority to benefits to the better-off. In both cases, the view is too strong.⁶

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*. But leximin goes far beyond the denial of *Misery for the Ultra-Rich*, as Arneson notes. Consider the possibility that in order 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 all of the benefits they achieve that make 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 a classical form of *egalitarianism*. Egalitarianism comes in many shapes and sizes. Call “strong egalitarianism” the view that rank-orders states of affairs based only on the extent of the equality in those states of affairs (perhaps admitting the value of well-being 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: In a way that is unintuitive, egalitarianism suggests that in at least one possible case, the best state of affairs is achieved by simply reducing the well-being levels of the better-off class.⁷

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 admit the value of at least some limited instances instances of leveling-down. Even if this is true, however, strong egalitarianism appears to be committed to leveling-down in circumstances

⁶Larry Temkin also argues convincingly against leximin in *Inequality* (Oxford: Oxford University Press, 1993), 103-5. For a response to Temkin, see Joseph Mendola, “Intuitive Maximin” in *The Canadian Journal of Philosophy* 35 (2005).

⁷Note that there are other ways to state the leveling-down objection. For additional discussion, see §§3.1, 3.2. For a detailed discussion of the leveling down objection, see Nils Holtug, “Egalitarianism and the Levelling Down Objection” in *Analysis* 58 (1998).

in which leveling-down would be uncontroversially repugnant. Strong egalitarianism will claim that leveling-down is acceptable even when the welfare level to which people are leveled-down is extremely low.

Furthermore, on straightforward assumptions about the nature of inequality, improvements to the worst-off can sometimes increase inequality, if a means to or necessary side-effect of such improvements are larger improvements to the 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 would improve. Strong egalitarianism is thus unacceptable.

Most egalitarians attempt to avoid the leveling-down objection by adopting a form of pluralism. On this view well-being maintains non-trivial value, and has value that competes with equality.⁸ But in their haste to reject any instances of leveling-down, egalitarians appear to have given up on an axiology that is distinctive of prioritarianism itself. If we accept the claim that welfare units for the better-off are less valuable than welfare units for the worse-off, a pluralist egalitarianism (that refuses to level-down) simply increases this level of priority.

A more serious problem, however, is that in giving up on the value of leveling-down, egalitarians have given up on an axiology that could defend itself from *Misery for the Ultra-Rich*. In order to reject *Misery for the Ultra-Rich* on such a pluralist view, one would have to admit that there are some improvements in equality that cannot be outweighed by improvements in welfare, in particular, improvements to the welfare of the Ultra-Rich. But this view straightforwardly implies the value of leveling-down. If egalitarians wish to avoid leveling-down, pluralism appears to commit them to *Misery for the Ultra-Rich*.

Two further egalitarian views are worth brief consideration. “Conditional egalitarianism” declares that equality is intrinsically valuable, but only conditionally; an egalitarian state of affairs is more valuable than an inegalitarian state of affairs if and only if at least one person is better-off in the more egalitarian state of affairs. In advocating just such a position, Andrew 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

⁸See Temkin, *Inequality*.

⁹Andrew Mason, “Egalitarianism and the Levelling Down Objection” in *Analysis* 61

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), “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.)

Though these views can retain at least some of the bite of a more traditional egalitarianism, they should be rejected. Nils Holtug argues (successfully, in my view) that conditional egalitarianism (and hence Paretian egalitarianism) appears committed to the denial of the transitivity of “better-than”.¹¹ Holtug compares three states: A: {A: 5, B: 5; C: 5; D: 5}, B: {A: 10, B: 10; C: 4; D: 6}, C: {A: 30, B: 20; C: 10; D: 5}. For Mason’s view, A must be better than B (given that A is more egalitarian, and is better for at least one person, than B), B must be better than C (given, plausibly, B is more egalitarian, and is better for at least one person, than C), and C must be better than A, (given at least one person is worse-off in A, and none are better-off). Hence these views are intransitive. The culprit here is the refusal to level down, i.e., the refusal to describe A as better than C.

In addition, these views imply verdicts that are only slightly less ridiculous than strong egalitarianism. Strong egalitarianism declares leveling-down the worse-off for the sake of equality an axiological improvement. But conditional and Paretian egalitarianism have results that are only slightly less unpalatable. The following states of affairs are Pareto-incomparable (assume that level 10 roughly corresponds to the achievement of the basic minimum, 1000 corresponds to a high level of project achievement): D: {A: 50, B: 50, C: 1000}, E: {A: 10, B: 51, C: 51}. Assuming that E is more equal than D, Paretian and conditional egalitarianism would appear to declare that E is better than D given their Pareto-incomparability, and given that E is more egalitarian. These views are incorrect.

Call the last family of views that solve *Misery for the Ultra-Rich*, “threshold-

(2001), 248.

¹⁰Bertil Tungodden and Peter Vallentyne, “On the Possibility of Paretian Egalitarianism” in the *Journal of Philosophy* 102 (2005), 131. It is no accident that Tungodden and Vallentyne use the term “justice” when describing Paretian egalitarianism. According to them, a *deontic* form of Paretian egalitarianism is a distinct position, but an *axiological* form is not: axiological Paretian egalitarianism is simply equivalent to a form of leximin.

¹¹“A Note on Conditional Egalitarianism” in *Economics and Philosophy* 23 (2006).

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,¹² and Campbell Brown’s “threshold prioritarianism”.¹³ For Crisp’s version of sufficientarianism, worse-off persons below a certain threshold would take absolute priority to better-off persons 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 Campbell Brown’s view, and Roger Crisp’s view, is that Crisp’s view is indifferent to distributions above the threshold, while Brown treats distributions among super-threshold welfare units as weighted on a prioritarian scale, and distributions among 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.¹⁴

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 line (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 those who are Ultra-Rich. (Call these 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.¹⁵

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 either version of a threshold-laden view. On 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.¹⁶ Though I don’t re-

¹²Cf. Roger Crisp, “Equality, Priority, and Compassion” in *Ethics* 113 (2003).

¹³Campbell Brown, “Priority or Sufficiency...or Both?” in *Economics and Philosophy* 21 (2005).

¹⁴Brown, 216-218.

¹⁵Cf. Martha Nussbaum, *Women and Human Development* (Cambridge: Cambridge University Press, 2000), ch. 1.

¹⁶It is worth noting that Crisp responds to this worry by claiming that “trivial” benefits

gard this verdict as implausible in all cases (surely the plausibility depends, in part, on 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.¹⁷ Roger Crisp, for instance, suggests that the proper line should be set at “the point at which [a person] has a level such that [she] can live a life which is sufficiently good.”¹⁸ 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 supreme importance; 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. 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 absurdity.

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

At this point in the dialectic, we find ourselves in a difficult position. Prioritarianism must be revised. But we seem to face a dilemma: we must revise prioritarianism enough to avoid *Misery for the Ultra-Rich*. But we must not revise or amend it so much that we end up with problems that are just as bad or worse. However, I think a way out is possible. 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 and clear-cut. Of course, nothing comes so easy. I will discuss one

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.

¹⁷Cf. Paula Casal, “Why Sufficiency is Not Enough” in *Ethics* 117 (2007), 312-14.

¹⁸Crisp, 761.

small, but necessary complication of the view I advocate here in §3.4. In order to illustrate the simple idea behind my proposal, consider the following suggestion:

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

In order to illustrate my general approach, let's treat *Egalitarianism* as given. Assume also that improvements in overall well-being are valuable along some sort of 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. To address this issue, some terminology is in order. Call an "equality unit" an increase in the equality of a state of affairs by precisely one *welfare unit*. Conversely, an "inequality unit" is a decrease in the equality of a state of affairs by precisely one welfare unit. For instance, the movement from F: {x: 100, y: 10} to G: {x: 100, y: 11} entails the addition of one equality unit (decrease of one inequality unit). A single unit for the worse-off will improve the equality of that state of affairs by precisely one unit. In addition, the movement from H: {x: 100, y: 10} to I: {x: 99, y: 10} is the addition of one equality unit. The movement from J: {x: 100, y: 10} to K: {x: 102, y: 10} is a loss of 2 equality units, as is the movement from L: {x: 100, y: 10} to M: {x: 101, y: 9}; the state of affairs is more inegalitarian by two units of welfare.¹⁹

One brief note is worth pointing out before I move on. As Temkin notes, equality is a complex ideal, especially in cases that are more densely populated.²⁰ The extent to which any particular state of affairs is more egalitarian than another is thus controversial. I will refrain from commenting on this controversy, and hence I will not assume any particular method by which we should evaluate the extent of equality in a particular state of affairs. My intent is to characterize my view in a way that is sufficiently

¹⁹One might object to the notion of an equality unit in the following way. Consider F and G in comparison to F': {x: 100, y: 99} and G': {x: 99, y: 99}. On my view, both display an increase of one equality unit. However, one might think, the move from F' to G' is a greater increase in equality. (Thanks to [...].) But this conclusion seems to me motivated only if we ignore the fact that F' is substantially equal *already*, far more equal than F. In moving from F' to G', one increases equality only slightly, in fact, just as much as a move from F to G; it just so happens that one's starting point was very near to equality to begin with.

²⁰*Inequality*, chs. 2-3.

general so as to avoid commitment to any particular method of judging the equality or inequality of a particular state of affairs, or the comparative equality or inequality of multiple states of affairs. Indeed, I am officially skeptical that any such view can capture the diversity of our considered judgments about the nature of inequality; my own view is also compatible with a simple intuitionistic assessment of equality. Hence the concept of an equality unit should be understood to be fully compatible with any particular method—or anti-method—of judging inequality (such as, for instance, the Gini coefficient). An equality unit is simply an increase in the equality of a state of affairs by precisely one welfare unit, whatever the formula is for determining when marginal welfare benefits increase or decrease equality.

Given this terminology, we can return to the question of weight in the following way: how much is one equality unit worth against the value of one welfare unit? The answer, of course, is “it depends.” It depends on, first, an evaluative determination: we need to figure out, in some suitably benchmark case, what the worth of a single equality unit is compared to the worth of a single welfare unit. However, it also depends crucially on another feature of the evaluation of well-being. Because the value of welfare units decreases as these welfare units are granted to persons who are better-off (given prioritarianism), if an equality unit has greater-than-zero value, this equality unit will fail to outweigh some welfare units, and *will* outweigh others. Hence the question of comparative evaluative weight will depend on additional facts about the welfare unit in question. Most importantly, it will depend on facts about the overall welfare level of the person whose welfare unit it is.

The following point is crucial. If the value of welfare units diminishes asymptotically to zero, there will be some point at which the greater-than-zero value of an equality unit will overtake the greater-than-zero value of a single inequality-increasing welfare unit. Thus we can restate our evaluative question in the following way: at what level of welfare do we believe that an improvement in equality is more important than an additional welfare unit for a single individual? I propose the following: an equality unit is worth more than a 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 generates an additional inequality unit. Hence we are left with a view that treats the value of equality units as having the power to outweigh additional welfare units for very well-off individuals. Call this view, “equality-tempered prioritarianism” (ETP).

Just exactly *who* is a member of the Ultra-Rich class is unclear, but this need not concern us here. The answer to this question largely depends on

our intuitions concerning *Misery for the Ultra-Rich*. There is some point at which adding minor benefits for any number of people at the cost of misery for one is simply ruled out. Thus setting the appropriate level will require inquiry into our considered judgments. However, whatever that level is, I suggest, should set the relative evaluative weight of equality units and welfare units. If this is correct, ETP has the power to rule out *Misery for the Ultra-Rich*. Because the value of an equality unit is greater than the value of a welfare unit for the Ultra-Rich, welfare units for the Ultra-Rich will not improve a state of affairs if that improvement comes at the expense of an equality unit. On my view, inequality increasing welfare units are *pro-tanto* valuable, but cannot improve the overall value of a state of affairs: the loss in value accompanied by the loss of an equality unit always overrules the gain in welfare upon which that decrease in equality supervenes. In *Misery for the Ultra-Rich*, each welfare unit for the better-off entails the addition of an inequality unit. Hence, no matter how many welfare units are granted to the Ultra-Rich, the overall disvalue of inequality rules out *Misery for the Ultra-Rich*.²¹

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. (Though, importantly, it does not declare that all welfare units above the threshold are lexically dominated by sub-threshold benefits; only *inequality-increasing* super-threshold welfare units are so dominated.) But 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. This they cannot do. ETP, on the other hand, can offer a rationale strong enough to believe its claims: the rationale for the threshold above which equality-decreasing welfare units is not the overwhelming importance of a single welfare achievement (which seems far too meager to defend the strong implications of sufficientarianism), but rather 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

²¹Furthermore, even if the assumption that I made at the beginning of this paper, viz., that the overall value of single welfare benefits diminishes asymptotically to zero, is false, there is reason to set the value of a single equality unit greater than the value *to which single welfare units diminish asymptotically*.

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 a leximin. Furthermore, we can solve *Misery for the Ultra-Rich* in a way that offers a rationale strong enough to support the strength of its conclusions. Furthermore, the value of equality in most cases is substantially dormant. In cases that do not involve the Ultra-Rich, the addition of the value of equality yields no more than a slight increase in the concavity of the prioritarian value curve. 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. Objections to the Basic Idea

There are three crucial objections to the relatively simple articulation of ETP I have so far offered. First, I argue that *Egalitarianism* is well-motivated, and hence the solution to *Misery for the Ultra-Rich* embodied in ETP is not *ad hoc*. Second, I argue that though ETP accepts certain instances of leveling-down, many of these instances are acceptable. However, as the third objection notes, ETP implies more than we should be willing to tolerate; not only does it imply benign instances of leveling-down, it seems to imply rather malignant ones as well. This objection will motivate a slight complication of ETP, argued for in §3.4.

3.1. Ad Hoc

So far I have assumed that equality has value. This assumption, combined with a prioritarian value curve, yields the result that equality will temper prioritarianism, most plausibly at the level of the Ultra-Rich. But I have so far not argued that *Egalitarianism* is true. At this point, ETP seems to solve *Misery for the Ultra-Rich* without an independently plausible rationale. In other words, *Egalitarianism*, and with it ETP, may seem *ad hoc*.

At first glance, it would be rather strange if improvements to equality did not improve the value of states of affairs. 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: N: {x: 100, y: 10}; O: {x: 55, y: 55}. O is better. But why? It appears that an entirely natural answer to the question is that *O's distribution is equal, N's is not*. Though egalitarianism is not the only view that can support O's betterness (virtually any non-utilitarian view can do the same), egalitarianism does so in a particularly intuitive, straightforward way. It seems too complicated, for instance, to declare that O is better because a move from N to O treats the worst-off with priority, or that benefits to the worse-off are worth more, hence rendering O better than N. 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.

To give this raw intuition a little more bite, consider an argument from Sidgwick. Sidgwick notes in *The Methods of Ethics* that utilitarianism must be supplemented by an egalitarian principle when it comes to *ties*.²² However, prioritarianism can also result in ties. For instance, assume that there are two possibilities, one in which a worse-off person is benefited by a small amount, and another in which a better-off person is benefited by a large amount. For any prioritarian view, we can interpret the values involved such that these states of affairs result in an equal prioritarian rank. But it is surely implausible to suggest that there really is *no* way to decide between tied cases. Rather, just as Sidgwick did with utilitarianism, we ought to adopt an egalitarian answer—the more equal state is of greater value in cases in which the value of welfare itself is insufficient to establish an ordering. In order to properly break ties, equality must have some *pro tanto* value. The value of equality is what decides, at the very least, tiebreaker cases.

This point is important, so I'll say a few more words about it. Because prioritarianism issues in ties, it holds that we should be axiologically indifferent to two states of affairs, one of which benefits the least well-off to a small degree, the other that benefits the well-off, even extremely well-off, to a higher degree (depending on the shape of the prioritarian curve). Of course, the prioritarian will claim, because her position implies, that this choice is the correct one: we should be axiologically indifferent. But imag-

²²Henry Sidgwick, *The Methods of Ethics* (Indianapolis, IN: Hackett Publishing Company, 7th ed., 1981 [1907]), 417.

ine the following case. Assume, for the purposes of argument, that hedonism is true. Imagine now that we have the opportunity to put one very badly-off person, a person who has lived with substantial misery, in an experience machine for one day. Also imagine that we could instead put a well-off person, a person who would otherwise have a very good life, into an experience machine for a year, making her life that much better overall. Assume that the prioritarian would be indifferent to the two resulting states of affairs. Should *we* be indifferent? I contend that the answer is no: leaving the matter there is unsatisfactory. If there is nothing else whatever at stake—if every other axiological principle is indifferent between the choices—why not settle for the one that is more egalitarian, for the one that more substantially benefits the worse-off? I submit that doing so is plausible. Furthermore, this result seems to me to generalize to whatever prioritarian weighting we accept—the amount of time spent in the experience machine for the better-off person is unlikely to alter our intuition that indifference is the wrong answer. For these reasons, I insist that “equality breaks ties” is a plausible general axiological principle.

Accepting “equality breaks ties” does not guarantee *Egalitarianism*. One could, in principle, accept a form of conditional egalitarianism that held that the non-zero value of equality is displayed only in tied cases. Though this is a possible position, it seems much more straightforward to say that the explanation for the truth of “equality breaks ties” appeals to the value of equality itself: because equality units contribute to the value of states of affairs, when other values are insufficient to decide between states of affairs, equality is active and dispositive. Thus it appears to me that there is good reason to reject the claim that *Egalitarianism* is an *ad hoc* addition to a prioritarian value curve. Not only does *Egalitarianism* support a plausible axiology, it is plausible in its own right.

Of course, these intuitions are defeasible. Indeed, the opponents of *Egalitarianism* are generally willing to grant that the value of equality is supported by common-sense commitments. Nevertheless, so the argument goes, *Egalitarianism* appears committed to absurd conclusions: in particular, *Egalitarianism*, when combined with a prioritarian value-curve, implies that a state of affairs can be improved by leveling-down. (Indeed, this conclusion might support the acceptance of “equality breaks ties” by means of a conditional egalitarianism.) To this I now turn.

3.2. Leveling-Down

Because ETP is *equality*-tempered prioritarianism, it comes equipped with

standard egalitarian baggage. In particular, if I am correct about the relative value of equality units 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 improve the state of affairs overall when applied to the Ultra-Rich.

First, I might respond in the following way. Assume that this upshot is, in fact, implausible (which I shall dispute). Even so, implausibility comes in degrees. It is not clear that the unintuitive implications of ETP are any worse than *Misery for the Ultra-Rich*, or the extreme consequences of, say, a *leximin* or threshold-laden axiology. In adopting the best account of the evaluation of states of affairs, any view must be prepared to accept some unintuitive consequences. But it is not at all clear that ETP does not prevail on grounds of overall intuitive accommodation. Compared with the unintuitive implications of competitor views, the bullets to be bitten by ETP are comparatively toothsome.

I think this response is plausible. But first, it is worth noting that ETP *substantially* constrains the cases in which leveling-down is allowed. Given this, it is worth pausing to wonder whether the cases of leveling-down allowed by ETP are at all intuitively problematic. It is far from clear, or so I shall claim, that when we concentrate simply on the cases of leveling-down allowed by ETP, that we generate intuitive problems for the view I advocate. 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 better-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 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 here 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 is plausible, 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 the best-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 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 *deontic* 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 (in the cases in which ETP would insist on 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.

Some might claim, for instance, that a rejection of leveling-down is supported by independent principles including, for instance, *The Slogan*:

The Slogan: One situation *cannot* be worse (or better) than another *in any respect* if there is *no-one* for whom it *is* worse (or better) *in any respect*.²³

Given that *The Slogan* holds that no state of affairs can be better than any other unless there is a person for whom it is better, if *The Slogan* is true, *Egalitarianism* is false: leveling-down can never, under any circumstances, improve the value of states of affairs. But though *The Slogan* can motivate prioritarianism, to appeal to *The Slogan* in this case is to beg the question against ETP. *At issue* is whether one situation can be worse (or better) than another in any respect if there is no-one for whom it is worse (or better) in any respect. I have claimed, in the case above, that *The Slogan* is not as plausible as might initially be thought. It seems quite far-fetched to claim that there *is nothing wrong at all* with inequality increasing benefits to those who are incredibly well-off already. It seems correct to say that, in most cases, a state of affairs only gets better when individuals' lives get better. This claim seems most plausible when the particular individuals under consideration are not already extremely well-off. But, as I have shown, this claim is not universally plausible.

One further embarrassing implication of ETP should be discussed. If the value of one equality unit is y , and if the *absolute* value of one welfare

²³Temkin, 256. Nils Holtug provides a slightly revised version of *The Slogan* that avoids various objections mounted by Temkin, in particular the *Non-Identity Problem*. (See Holtug, “Good for Whom?” in *Theoria* 69 (2003).)

unit for a member of the Ultra-Rich is z , ETP will hold that $y > z$. If so, 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 P: {x: 1000, y: 1000} and Q: {x: 1000, y: 1100}, ETP would rank P as more valuable overall (assume that 1000 is roughly compatible with a person's being Ultra-Rich). The disvalue of 100 inequality units is not outweighed by the value of 100 welfare units.

This might be thought too unintuitive to be sustainable. However, I think it is not so crazy to embrace the value of P over Q above. Welfare benefits, it seems to me, are crucially important for the value of 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 social goods, 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*. Marginal welfare benefits for people who are *absolutely* badly-off are surely enough to outweigh equality units. But I do not share this intuition when it comes to benefits for the *Ultra-Rich*. Hence, as we have good reason to believe that welfare units for the Ultra-Rich are absolutely insignificant (assuming a prioritarian value-curve), we have good reason to believe that equality trumps these 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 levels-down. But I reject the call to alter ETP on that basis. This, at the very least, is my intuition. Even if it is not shared, however, ETP's intuitive benefits should be enough to earn it strong consideration, despite its occasional embrace of leveling-down.

Those who would reject *Egalitarianism*, and with it ETP, might respond by claiming that ETP's implications go beyond leveling-down simply for the Ultra-Rich. In addition, ETP is committed to claiming that though leveling down the worse-off is not an *all things considered* improvement in the value

of a state of affairs, there is *something* good about so doing.²⁴ Indeed, because equality is valuable, there is something good about leveling-down in all cases, viz., an improvement in equality.

I confess that I find this objection difficult to motivate. In particular, I doubt that our intuitions are sufficiently fine-grained to plausibly claim that the results of ETP (viz., that there is something good about leveling-down the worse-off, but that that which is good about so doing is massively outweighed by that which is bad about so doing) are less intuitive than the results of a standard prioritarianism (viz., there is nothing good about leveling-down in any case) without some prior commitment to the acceptance or rejection of *Egalitarianism*. Leaving this aside, however, I find it very implausible to say that there could be *nothing* good about leveling-down the worse-off if we accept, as I have argued we should, that leveling-down can, all things considered, improve a state of affairs when applied to the Ultra-Rich. If the latter is plausible, we should accept that there is at least *something* good about leveling-down in every case, but that only in certain cases is the value of leveling-down not outweighed by the disvalue of lost welfare units. Hence it seems to me that leveling-down is not a serious problem for ETP.

3.3. Misery for Equality

Recall that a 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. This implication 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*, this value loss 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 R: $\{x: 10; y: 1000\}$ and S: $\{x: 15; y: 10000\}$, the subsequent loss of value in terms of inequality might be enough to outweigh the subsequent gain in welfare for the worse-off person, hence leading us to prefer R to S.²⁵ Furthermore, take T: $\{x: 10; y: 100000\}$ versus U: $\{x: \text{Misery}; y: 1000\}$. Given the value *gain*

²⁴Cf. Holtug, “Egalitarianism and the Levelling-Down Objection”.

²⁵I thank Clayton Littlejohn and Alastair Norcross for pressing this objection forcefully.

in terms of equality as a result of moving the better-off from Mega-Rich to simply Ultra-Rich, P appears favored by ETP. Call this result “*Misery for Equality*”.

Some may defend this result on the following grounds. Importantly, depending on the shape of the prioritarian value-curve, the extent to which the value of equality will outweigh misery for a single individual is likely to be quite minimal indeed, requiring a state of affairs to be *radically* inegalitarian before a state of affairs like U could be better. The extent to which *Misery for Equality* is implausible, it might be claimed, is the extent to which we should revise our understanding of the prioritarian value-curve, rather than the extent to which equality has non-zero value. In addition, though many might find *Misery for Equality* embarrassing, *Misery for Equality* has at least one thing going for it that *Misery for the Ultra-Rich* does not: improvements in *equality*, rather than simply improvements to the well-being of the Ultra-Rich. This is a significant difference.

While some may be convinced by these reflections, I am less sanguine. In my view, *Misery for Equality* is a serious problem for ETP, and must be solved if it is to be a competitor for the proper rank-ordering of states of affairs. “It is one thing to level-down the Ultra-Rich”, it might be said. “It is yet another to level-down *everybody*.”

We thus appear to be caught in the second horn of a dilemma I noted at the beginning of §2. If we simply accept a prioritarian view, we accept a view that should be rejected given *Misery for the Ultra-Rich*. However, if we alter prioritarianism too much, we risk abandoning prioritarianism’s many virtues. It thus appears as though ETP in its simple form has tempered prioritarianism with equality in a way that overrides one of ETP’s most fundamental advantages over strong egalitarianism: no matter what else prioritarianism says, a purely prioritarian axiology will never trade-off welfare units for the worse-off against mere equality units.

3.4. A Simple Solution

In introducing ETP, I noted that any amendment to prioritarianism must be careful not to amend prioritarianism too much, lest problems that are just as bad, or worse, arise. It seems that ETP’s relatively simple iteration falls into this trap: it entails too far a departure from the prioritarian idea. However, *Misery for Equality* permits of a simple, attractive solution, and one that fits snugly into ETP as conceived here, and is a plausible weakening of the proposed tempering of prioritarianism. *Misery for Equality*, as noted above, offends our intuitions not because equality lacks value, but rather

because we are reluctant to trade off well-being benefits for the worse-off merely for the sake of equality. Thus it would appear that *Egalitarianism*, as an axiological principle, is too strong. Consider:

Weaker Egalitarianism: improvements in the equality of a state of affairs are intrinsically valuable, but are lexically dominated by improvements in the welfare of the worse-off.

If we replace *Egalitarianism* with *Weaker Egalitarianism*, *Misery for Equality* fails: it never improves a state of affairs to trade the well-being of the worse-off for overall gains in equality. ETP will refuse to accept the betterness of a state of affairs that achieves *massive* benefits in terms of equality units at the cost of welfare units for the better-off *and* the worse-off. Furthermore, every intuitive advantage captured by *Egalitarianism* is also captured by *Weaker Egalitarianism*; *Weaker Egalitarianism* also plausibly handles tied cases, as well as remaining consonant with the most plausible intuitive appeals to equality (for instance, in the comparison between N and O, above). Replacing the former with the latter is thus well-motivated.

Questions remain. Importantly, my proposal must plausibly identify the “worse-off”. If the “worse-off” is identified merely as the *worst-off*, ETP could not plausibly solve all problematic permutations of *Misery for Equality*. Take, for instance, a simple permutation of T and U above: V: $\{x: \text{Misery}; y: 11; z: 100000\}$ versus W: $\{x: \text{Misery}; y: \text{Misery}+1; z: 1000\}$. Again, assuming the prioritarian curve was specified in the right way, if the “worse-off” is understood simply to mean the “worst-off”, W might still be better than V. After all, the position of the worst-off person x is not traded-off for the sake of equality; x ’s welfare remains unaltered. But this seems quite implausible. Trading off y ’s well-being for the sake of equality seems no less implausible than the trade-off of x ’s well-being in moving from T to U.

But this problem can be solved by again consulting our reaction to *Misery for Equality*. The important question to ask is: what do x (in T and U) and y (in V and W) have in common? In particular, both x and y are on the, as it were, losing end of an inegalitarian distribution. I submit that what seems so decidedly wrong about declaring W better than V and U better than T is that in moving from the former to the latter, we are leveling down the welfare of not only those who are above the line of equality, but also those who are *below* the line of equality in the former state of affairs. Thus it seems to me that the worse-off should be identified by their position relative to the *ideal point of quality*. Though x (in T and U) is worse-off than y (in V and W), y ’s leveling-down is no less problematic than x ’s.

But what does it mean to be below the line of equality? In order to avoid controversial commitments when it comes to the nature of equality, I define the worse-off generically. A member of the worse-off class is any individual for whom an increase in one welfare unit would also entail the increase in one equality unit. Though, as I suggested before, the extent to which any particular person's welfare benefits will entail increases in equality will await the proper theory of equality, it seems right to say that those people who are *below* the egalitarian ideal of any particular state of affairs should not have their welfare traded-off for the sake of equality itself. Hence it always makes a state of affairs worse to decrease inequality by means of a reduction in the well-being of a particular person for whom an increase in welfare would also entail an increase in equality.

It may be responded that the move from *Egalitarianism* to *Weaker Egalitarianism* is *ad hoc*. But this accusation is unjustified. *Weaker Egalitarianism* is independently plausible. Though there are good reasons to say that equality is valuable, we should be hesitant to say that this value is fungible against welfare units for the worse-off. To see this, consider a rank-ordering of the plausibility of various egalitarian views. One possibility is strong egalitarianism: a view that rank-orders states of affairs based on their overall equality. A second possibility is strong egalitarianism with an important caveat: improvements in equality could never override welfare improvements for the worse-off. Though the second view is not plausible by itself (i.e., in a choice between X: $\{x: 5; y: 6\}$ versus Y: $\{x: 5; y: 5\}$, this view would favor Y), it is substantially more plausible that the former. If so, tempering prioritarianism with *Weaker Egalitarianism* is not *ad hoc*: it is tempering prioritarianism with a *more plausible* iteration of egalitarian principles.

In accepting a prioritarian weighting of marginal welfare benefits, and in accepting the non-zero value of equality, we have a choice about how to weigh these competing values. *Egalitarianism* is one way: equality units have non-zero value, but value that is not lexically dominated by any other value. *Weaker Egalitarianism* is another way: equality has non-zero value, but value that is trumped by welfare units for the worse-off. And it seems to me we should weigh these values in a way that delivers the greatest overall intuitive plausibility. Whichever way one chooses to evaluatively weigh equality units against welfare units, ETP continues to offer a positive rationale for the denial of *Misery for the Ultra Rich*. But some interpretations of ETP are too strong: they imply *Misery for Equality*. Hence in selecting the correct version of ETP, we must judge the relative weight of equality against our considered judgments: we accept *Weaker Egalitarianism*. Though the non-zero value of equality tempers prioritarianism plausibly, its value must

be controlled. If *Weaker Egalitarianism* is adopted, prioritarianism is tempered by an egalitarian principle strong enough to avoid its most distressing problems but weak enough to avoid sacrificing its many virtues. Ultimately, we should accept the axiological theory that best conforms to our considered judgments in reflective equilibrium. ETP accomplishes this, as well.

4. Conclusion

I have argued that we should temper prioritarianism with the value of equality. Doing so is well motivated: the value of equality is supported by a number of plausible intuitions, intuitions that are themselves strong enough to support the value of leveling-down, it at least a limited range of cases. I hope to have shown that leveling-down is not especially troubling if it is kept under control: leveling-down will only improve a state of affairs if those leveled-down are Ultra-Rich (or better), and the worst instances of leveling-down can be plausibly contained by blocking trade-offs of the welfare of the worse-off for equality. Both *Egalitarianism* and *Weaker Egalitarianism* are hence well-supported. And if either is true, ETP follows naturally.

Before I conclude, one final thought is in order. In attempting to find a plausible axiological principle, we are forced to make the best out of a bad situation. No view is without implausible implications. I hope to have shown that the implausible implications of my view are not especially troubling—or, at least, they are not *as* troubling as the unintuitive implications of rival views. ETP's merits license strong consideration.