

## Equality-Tempered Prioritarianism<sup>†</sup>

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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 complication of the view I present in §2 in light on 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 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

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classical utilitarian axiology: all welfare benefits improve a state of affairs, but benefits to worse-off persons improve a state of affairs *more*.<sup>1</sup> Despite its weighting, prioritarianism is an underspecified axiology. Any view that tempers utilitarianism with a differentially heavy weighting for welfare improvements for the worse-off, but does not subscribe to an *absolute* priority for such improvements, is properly described as prioritarian.<sup>2</sup> Prioritarianism thus encompasses a wide range of axiological principles, depending on the specified weighting.

One way to capture the prioritarian idea is by way of a piece of terminology. Call a “welfare unit” a welfare benefit of arbitrary size. For prioritarianism, the overall evaluative contribution of one welfare unit decreases as the welfare of the beneficiary of that unit increases, as shown in Figure 1.

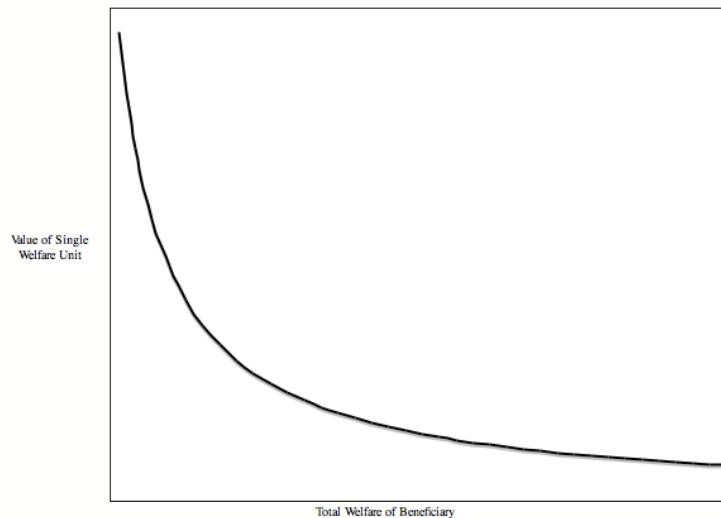


Figure 1

But decrease by how much? 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, the prioritarian value curve is horizontally asymptotic. It seems most natural to say that, as beneficiaries get better-off, the overall value of additional welfare units diminishes asymptotically to zero.

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

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

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 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. For starters, utilitarianism is clearly subject to *Misery for the Ultra-Rich*. If all welfare units are equivalent in value, there is certainly some number of minor benefits for the better-off that will outweigh a major welfare burden for a worse-off person. In saying so, utilitarianism stands in need of revision. But prioritarianism does little better. Though misery for a single person is, in some sense, *worse* under a prioritarian axiological regime than under utilitarianism, this fact is not enough to rule out the suggestion that there is *some* amount of welfare for the Ultra-Rich that could outweigh 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.”<sup>3</sup>

Thus in endorsing *Misery for the Ultra-Rich*, prioritarianism appears to have a significant problem. But partisans have a perfectly plausible response, one that deserves consideration here. *Misery for the Ultra-Rich* is difficult to

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<sup>3</sup>Nils Holtug, “Prioritarianism” in *Egalitarianism: New Essays on the Nature and Value of Equality*, ed. Holtug and Lippert-Rasmussen (Oxford: Oxford University Press, 2007), 134.

overcome for any axiological theory that is not substantially implausible in other regards. *Misery for the Ultra-Rich* appears to follow straightforwardly from the following plausible evaluative theses:

1. Aggregation: in evaluating the quality of states of affairs, welfare benefits can be aggregated across persons.
2. Continuity: a welfare benefit—any size—of type  $x$  (say, a welfare benefit for an individual at a certain welfare level  $z$ ) can always be outweighed by enough of any other welfare benefit type  $y$  (say, a welfare benefit for an individual at a certain welfare level  $z+n$ ).

In order to reject *Misery for the Ultra-Rich*, one of these theses must be denied, despite its evident plausibility. The first possibility is to deny aggregation. In other words, if we reject the claim that welfare benefits can be summed and claim instead that benefit-to-burden comparison must always be one-to-one (rather than many-to-one or many-to-many), *Misery for the Ultra-Rich* fails: misery for one person cannot be made up for by a mere minor welfare benefit for one Ultra-Rich individual. However, denying aggregation as an axiological principle leads to disastrous results. Aggregation, for instance, appears required to deliver the right verdict in cases in which one has to rank-order equivalent benefits or burdens for more rather than fewer people. Fifty deaths, so the saying goes, are worse than one. To say so, one must be able to aggregate welfare burdens, in particular, deaths.<sup>4</sup>

If we accept aggregation, we must deny continuity to reject *Misery for the Ultra-Rich*. If benefits can be summed between persons, and enough welfare benefits of a very small size, when aggregated over individuals, can outweigh welfare benefits of a (indeed, any) larger size, *Misery for the Ultra-Rich* follows: there is some amount of small welfare benefits for the Ultra-Rich which, when summed, will outweigh the avoidance of misery for a single person.

Continuity has a history of denial. One important example is *leximin*. Leximin holds that benefits for any worse-off person is lexically dominant on benefits for any better-off person; in other words, in calculating the

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<sup>4</sup>Note, this result is merely a feature of *value*, not *moral obligation*. Much important work has gone into showing that, when it comes to moral obligation, aggregation can be avoided without giving up the sensible suggestion that, for instance, one should save fifty rather than one from preventable death. This thesis is irrelevant given the purposes of this paper, however. Without aggregation, one appears to be prevented from saying that fifty deaths *are worse* than one. But being so prevented surely disqualifies a view from being the correct account of value.

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.<sup>5</sup>

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

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

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<sup>5</sup>Cf. 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.

<sup>6</sup>Larry 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).

as leximin implies that such a distribution would be better, leximin delivers unacceptably strong results, and should be rejected. The welfare of the worse-off may be special—but not this special. We must search for a better way to express this plausible, though amorphous, view.

One alternative might be to accept a form of *sufficientarianism*, which would 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.<sup>7</sup> This view would posit a non-leximin denial of continuity. It would not be the case that benefits to all worse-off persons would take absolute priority to benefits to all better-off persons. Rather, it would be the case that 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*. However, the sufficientarian proposal is difficult to sustain plausibly. On this view, 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. But what could be the rationale for such a strong conclusion? Sufficientarianism declares 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.<sup>8</sup> 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.”<sup>9</sup> 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 sufficientarianism. As it stands, sufficientarianism seems in need of a stronger rationale.

Leaving this aside, however, sufficientarianism delivers implausible axiological verdicts. 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 this form of sufficientarianism) for the benefit of *miniscule* welfare gains for some finite amount of *Mega-Rich* persons (Mega > Ultra). In other words, we simply shift the persons involved in the original *Misery for the Ultra-Rich* case higher on the

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<sup>7</sup>Cf. Roger Crisp, “Equality, Priority, and Compassion” in *Ethics* 113 (2003).

<sup>8</sup>Cf. Paula Casal, “Why Sufficiency is Not Enough” in *Ethics* 117 (2007), 312-14.

<sup>9</sup>Crisp, 761.

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.<sup>10</sup>

There remains a third option: *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. Strong egalitarianism denies continuity. 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 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.<sup>11</sup>

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 limited instances of leveling-down. Even if this is true, however, strong egalitarianism appears to be committed to leveling-down in circumstances 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 or a 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

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<sup>10</sup>Cf. Martha Nussbaum, *Women and Human Development* (Cambridge: Cambridge University Press, 2000), ch. 1.

<sup>11</sup>Note 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).

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 weakening their preferred egalitarianism by adopting a form of pluralism. On this view well-being maintains non-trivial value, and has value that competes with equality.<sup>12</sup> But in their haste to reject any instances of leveling-down, egalitarians appear to have given up on the distinctive egalitarian axiology. The value of equality, without occasionally overriding the value of welfare improvements, yields a rather wimpy egalitarianism: this form of egalitarianism has no power to reject prioritarianism, only power to ever-so-slightly improve the comparative value of equality-increasing transfers to equality-decreasing transfers. As Brighouse and Swift note, this view is substantially toothless: “Egalitarians can be pluralists about value. They think that there is a reason to level-down—where doing so will make a distribution fairer—but to recognize that there are also reasons not to. We are sympathetic to this response, but the result is to leave egalitarianism without much bite. The (non-person-affecting) reason to level down is unlikely to outweigh the reasons there are to prefer people to be better rather than worse-off.”<sup>13</sup>

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 conditional on further features of a state of affairs. Andrew Mason proposes a version of conditional egalitarianism that makes the intrinsic value of equality conditional on at least one person’s being better-off in the more egalitarian state of affairs. 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.”<sup>14</sup>

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<sup>12</sup>See Temkin, *Inequality*.

<sup>13</sup>Harry Brighouse and Adam Swift, “Equality, Priority, and Positional Goods” in *Ethics* 116 (2006), 472.

<sup>14</sup>Andrew Mason, “Egalitarianism and the Levelling Down Objection” in *Analysis* 61

Mason’s view can solve *Misery for the Ultra-Rich* without committing to leveling-down. Nonetheless, it does so only by rejecting lynchpin features of value-theoretic reasoning. On reasonable assumptions about the nature of equality, Mason’s view violates the transitivity of the “better-than” relation, as argued by Holtug.<sup>15</sup> Holtug compares three states: A:  $\{x: 5, y: 5; z: 5; w: 5\}$ , B:  $\{x: 10, y: 10; z: 4; w: 6\}$ , C:  $\{x: 30, y: 20; z: 10; w: 5\}$ . For Mason’s view, A must be better than B, B must be better than C (given, plausibly, B is more egalitarian), and C must be better than A, given the refusal to level-down. Hence, Mason’s view is intransitive. The culprit here is the refusal to level down, i.e., the refusal to describe A as better than C.

An alternative proposal is described by Peter Vallentyne and Bertil Tungodden 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.”<sup>16</sup> Leaving aside the argument, made by Tungodden and Vallentyne, that Paretian Egalitarianism is an impossible axiological position (or, at best, merely equivalent to a form of leximin, problematic for precisely the reasons I rehearse above), Paretian egalitarianism implies 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 Paretian egalitarianism has similar results. The following states of affairs are Pareto incomparable: D:  $\{x: 10, y: 900; z: 100000\}$ , E:  $\{x: \text{Misery}, y: 901; z: 1000\}$ . And assuming that E is more egalitarian than D, Paretian egalitarianism would appear to declare that E is better than D given their Pareto incomparability. But this position is only *slightly* less unpalatable the results of strong egalitarianism. Hence it would appear that neither conditional egalitarianism of the form recommended by Mason, nor Paretian egalitarianism can deliver a solution to *Misery for the Ultra-Rich* without implications that are just as bad, or worse, than a standard prioritarianism.

So what to do? Prioritarianism succumbs to *Misery for the Ultra-Rich*

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(2001), 248.

<sup>15</sup>“A Note on Conditional Egalitarianism” in *Economics and Philosophy* 23 (2006).

<sup>16</sup>Bertil 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.

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 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 a movement 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.

A brief simplifying assumption. As Temkin notes, equality is a complex ideal, especially in cases that are more densely populated.<sup>17</sup> To simplify matters, I will rely for the most part on two-person cases to illustrate the intuitive general idea behind my approach. Given that equality is a complex ideal, whether a particular sequence of distributions contribute equality or inequality units to the state of affairs will often be controversial—but this is a debate on which I will remain neutral; the appeal of my approach should be clear no matter what one’s considered theory of equality is, or how various approaches relate.

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).

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<sup>17</sup>*Inequality*, chs. 2-3.

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. This view denies continuity, but only at a very high level: no amount of inequality-increasing welfare units *for the Ultra-Rich* will outweigh other welfare units: inequality increasing welfare units are *pro-tanto* valuable, but cannot improve the overall value of a state of affairs: the gain of an inequality unit always overrules the gain in welfare. 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*.<sup>18</sup>

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 or sufficientarianism. 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 *toothless egalitarianism*, of the sort that Brighthouse and Swift complain lacks bite. 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 in-

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<sup>18</sup>Furthermore, 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*.

stances 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 J'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*.<sup>19</sup> 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

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<sup>19</sup>Henry Sidgwick, *The Methods of Ethics* (Indianapolis, IN: Hackett Publishing Company, 7th ed., 1981 [1907]), 417.

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 imagine 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 the 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.) It is 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. If *The Slogan* is to be believed, ETP is, for this reason, false.

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 sufficientarian 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—including those that accept *The Slogan*—the bullets to be bitten by ETP are comparatively toothsome.

I think this response is plausible. However, one wonders whether the leveling-down implication of ETP is really a bullet that needs biting in the first place. I think that in accepting ETP we end up with cases of leveling-down that are not totally unacceptable. In fact, I argue that there is a strain of pretheoretic intuition that is prepared to accept leveling-down in precisely these sorts of cases. 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 an extra lollypop and hence an extra bit of pleasure to the well-off. 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. For the sake of trivial benefits, such a distribution has further relinquished an important social value: equality.

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.

However, this reply is not sufficient to defeat all seemingly unintuitive implications of ETP. If the value of one equality unit is  $y$ , and if the *absolute* value of one welfare 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*. 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.<sup>20</sup> 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

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<sup>20</sup>Cf. Holtug, "Egalitarianism and the Levelling-Down Objection".

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 value of lost welfare units. Hence it seems to me that leveling-down is not a serious problem for ETP.

At this point, it is useful to compare the implications of ETP with the implications of sufficientarianism. Like sufficientarianism, ETP is committed to the claim that benefits to people below a certain threshold (the threshold of the Ultra-Rich) are non-continuous with benefits above that threshold. But ETP's available tools for defending this implication are more robust than that of sufficientarianism. Though ETP sets a threshold of a kind, the rationale for that threshold 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, on any prioritarian value curve, will eventually overtake the value of welfare units. ETP is a natural outcome of a dual commitment: a commitment to prioritarianism, and a commitment to the non-zero value of equality. If so, we must make a choice concerning where equality units will overtake the value of welfare units. Given the implausibility of *Misery for the Ultra-Rich*, and the general insignificance of benefits at this level, the best place to set this threshold is at the level of the Ultra-Rich.

### 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.<sup>21</sup> Furthermore, take T:  $\{x: 10; y: 100000\}$  versus U:  $\{x: \text{Misery}; y: 1000\}$ . Given the value *gain* in terms of equality as a result of moving the better-off from Mega-Rich to simply Ultra-Rich, 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

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<sup>21</sup>I thank Clayton Littlejohn and Alastair Norcross for pressing this objection forcefully.

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*; 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 inequalitarian 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.

Prioritarianism must not be tempered in a way that is too strong. Though the non-zero value of equality tempers prioritarianism plausibly, its value must be controlled. One way to control its value is to declare that equality units outweigh welfare units only at high levels, as insisted upon by the structure of ETP itself. Another way, detailed here, is to replace *Egalitarianism* with *Weaker Egalitarianism*, i.e., to declare that improvements to equality are lexically dominated by improvements to the welfare of the worse-off. If this proposal 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.

#### 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.