

EQUALITY AND PRIORITY¹

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In his article 'Equality', Nagel imagines that he has two children, one healthy and happy, the other suffering from some painful handicap. Nagel's family could either move to a city where the second child could receive special treatment, or move to a suburb where the first child would flourish. Nagel writes:

This is a difficult choice on any view. To make it a test for the value of equality, I want to suppose that the case has the following feature: the gain to the first child of moving to the suburb is substantially greater than the gain to the second child of moving to the city.

He then comments:

If one chose to move to the city, it would be an egalitarian decision. It is more urgent to benefit the second child, even though the benefit we can give him is less than the benefit we can give to the first child.²

My aim, in this paper, is to discuss this kind of reasoning.

1

Nagel's decision turns on the relative importance of two facts: he could give one child a greater benefit, but the other child is worse off. There are countless cases of this kind. In these cases, when we are choosing between two acts or policies, one relevant fact is how great the resulting benefits would be. For Utilitarians, that is all that matters. On their view, we should always aim for the greatest

¹ This paper is a greatly shortened version of my Lindley Lecture 'Equality or Priority?' (42 pp.), published by the University of Kansas in 1995. That lecture owes much to the ideas of, or comments from, Brian Barry, David Brink, John Broome, Jerry Cohen, Robert Goodin, James Griffin, Shelly Kagan, Dennis McKerlie, David Miller, Thomas Nagel, Robert Nozick, Richard Norman, Ingmar Persson, Janet Radcliffe Richards, Joseph Raz, Thomas Scanlon, and Larry Temkin.

² Thomas Nagel, *Mortal Question*, (Cambridge: Cambridge University Press, 1979), pages 123–4. See also Nagel's *Equality and Partiality* (New York: Oxford University Press, 1991).

sum of benefits. But, for egalitarians, it also matters how well off the beneficiaries would be. We should sometimes choose a smaller sum of benefits, for the sake of a better distribution.

Should we aim for a better distribution? If so, when and how? These are difficult questions, but their subject matter is, in a way, simple. It is enough to consider different possible states of affairs, or outcomes, each involving the same set of people. We imagine knowing how well off, in these outcomes, these people would be. We then ask whether either outcome would be better, or would be the outcome that we ought to bring about.

Some writers reject these questions. Nozick objects, for example, that these questions wrongly assume that there is something to be distributed. Most goods, he argues, are not up for distribution, or redistribution.³ They are goods to which particular people already have entitlements, or special claims. Others make similar claims about desert.

These objections we can set aside. We can assume that, in the cases we are considering, no one deserves to be better off than anyone else; nor does anyone have special claims to whatever we are distributing. Since there are *some* cases of this kind, we have a subject. If we can reach conclusions, we can then consider how widely these apply. Like Rawls and others, I believe that, at the fundamental level, most cases are of this kind.

To ask my questions, we need only two assumptions. First, some people can be worse off than others, in ways that are morally relevant. Second, these differences can be matters of degree. To describe my imagined cases, I shall use figures. Nagel's choice, for example, can be shown as follows:

	The first child	The second child
Move to the city:	20	10
Move to the suburb:	25	9

Such figures misleadingly suggest precision. Even in principle, I believe, there could not be precise differences between how well off different people are. I intend these figures to show only that the choice between these outcomes makes much more difference to Nagel's first child, but that, in both outcomes, the second child would be much worse off.

³ Robert Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), pages 149–50.

One point about my figures is important. Each unit is a roughly equal benefit, however well off the person is who receives it. If someone rises from 99 to 100, this person benefits as much as someone else who rises from 9 to 10. Without this assumption we cannot ask some of our questions. Thus we cannot ask whether some benefit would matter more if it came to someone who was worse off.

Since each extra unit is an equal benefit, however well off the recipient is, these units should not be thought of as equal quantities of resources. The same increase in resources usually brings greater benefits to those who are worse off. But these benefits need not be thought of in Utilitarian terms, as involving greater happiness, or desire-fulfilment. They might be improvements in health, or length of life, or education, or range of opportunities, or involve any other goods that we take to be morally important.⁴

2

Most of us believe in some kind of equality. We believe in political equality, or equality before the law, or we believe that everyone has equal rights, or that everyone's interests should be given equal weight. Though these kinds of equality are of great importance, they are not my subject here. I am concerned with people's being *equally well off*. To be egalitarians, in my sense, this is the kind of equality in which we must believe.

Some egalitarians believe that, if people were equally well off, that would be a better state of affairs. If we hold this view, we can be called *Teleological* – or, for short, *Telic* – Egalitarians. We accept

The Principle of Equality: It is in itself bad if some people are worse off than others.⁵

Suppose that the people in some community could all be either equally well off, or equally badly off. The Principle of Equality

⁴ For two such broader accounts of well-being, see Amartya Sen, 'Capability and Well-Being', in *The Quality of Life*, edited by Martha Nussbaum and Amartya Sen (Oxford, Oxford University Press, 1993), Amartya Sen, *Inequality Reexamined* (Oxford: Oxford University Press, 1992), Chapter 3; and Thomas Scanlon, 'Value, Desire, and the Quality of Life', in Nussbaum and Sen, *op. cit.*

⁵ We might add, 'through no fault or choice of theirs'. In a fuller statement of this principle, we would need to assess the relative badness of different patterns of inequality. But we can here ignore these complications. They are well discussed in Larry Temkin's *Inequality* (New York: Oxford University Press, 1993).

does not tell us that the second would be worse. To explain that obvious truth, we might appeal to

The Principle of Utility: It is in itself better if people are better off.

When people would be on average better off, or would receive a greater sum of benefits, we can say, for brevity, that there would be more *utility*.

If we cared only about equality, we would be *Pure Egalitarians*. If we cared only about utility, we would be *Utilitarians*. Most of us accept a *pluralist* view: one that appeals to more than one principle or value. According to *Pluralist Egalitarians*, it would be better both if there was more equality, and if there was more utility. In deciding which of two outcomes would be better, we give weight to both these values.

These values may conflict. One of two outcomes may be in one way worse, because there would be more inequality, but in another way better, because there would be more utility. We must then decide which of these two facts would be more important. Consider, for example, the following possibilities:

- (1) Everyone at 150
- (2) Half at 199 Half at 200
- (3) Half at 101 Half at 200

For *Pure Egalitarians*, (1) is the best outcome, since it contains the least inequality. For *Utilitarians*, (1) is the worst outcome, since it contains the least utility. For most *Pluralist Egalitarians*, (1) would be neither the best nor the worst of these outcomes. (1) would be, on balance, worse than (2), since it would be *much* worse in terms of utility, and only *slightly* better in terms of equality. Similarly, (1) would be better than (3), since it would be much better in terms of equality, and only slightly worse in terms of utility.

In many cases the *Pluralist View* is harder to apply. Compare

- (1) Everyone at 150

with

- (4) Half at N Half at 200.

If we are *Pluralist Egalitarians*, for which values of N would we believe (1) to be worse than (4)? For some range of values – such as 120 to 150 – we may find this question hard to answer. And it may not have an answer. The relative importance of equality and utility may be, even in principle, imprecise.

We should next distinguish two kinds of value. If we claim that equality is good, we may mean only that it has good effects. If people are unequal, for example, that can produce conflict, or damage the self-respect of those who are worst off, or put some people in the power of others. If we care about equality because we are concerned with such effects, we believe that equality has *instrumental* value, or is good as a means. But I am concerned with a different idea. For true Egalitarians, equality has *intrinsic* value, or is in itself good.

This distinction is important. If we believe that, besides having bad effects, inequality is in itself bad, we shall think it to be worse. And we shall think it bad even when it has no bad effects.

To illustrate this second point, consider what I shall call *the Divided World*. The two halves of the world's population are, we can suppose, unaware of each other's existence. Perhaps the Atlantic has not yet been crossed. Consider next two possible states of affairs:

- (1) Half at 100 Half at 200
- (2) Everyone at 145

Of these two states, (1) is in one way better than (2), since people are on average better off. But we may believe that, all things considered, (1) is worse than (2). How could we explain this view?

If we are Telic Egalitarians, our explanation would be this. While it is good that, in (1), people are on average better off, it is bad that some people are worse off than others. The badness of this inequality morally outweighs the extra benefits.

In making such a claim, we could not appeal to inequality's bad effects. Since the two halves of the world's population are quite unconnected, this inequality has no effects. If we are to claim that (1) is worse because of its inequality, we must claim that this inequality is in itself bad.⁶

⁶ In his paper in this volume, which I cannot properly discuss here, Richard Norman writes: '[Parfit] asks us whether (1) is worse than (2). I have to confess that I do not know how to answer that question, and I do not think that this is simply a personal confession on my part. . . . I want to say of Parfit's Divided world example that when you abstract the question from the social context in which we make judgements about equality and inequality, it is no longer clear how to answer it' (pp. 240–1 below). It is, I agree, not obvious whether the inequality in (1) is bad. But that it is not because we cannot make value judgments about such examples. It is clear that (1) would be better than

(3) Half at 100, Half at 50,
but worse than

(4) Everyone at 200.

We can now turn to a different kind of egalitarian view. According to *Deontic Egalitarians*, though we should sometimes aim for equality, that is *not* because we would thereby make the outcome better. On this view, it is not in itself bad if some people are worse off than others. When we ought to aim for equality, that is always for some other moral reason.

Such a view typically appeals to claims about *comparative* justice. Whether people are unjustly treated, in this comparative sense, depends on whether they are treated *differently* from other people. Thus it may be unfair if, in a distribution of resources, some people are denied their share. Fairness may require that, if certain goods are given to some, they should be given to all.

Another kind of justice is *non-comparative*. Whether people are unjustly treated, in this other sense, depends only on facts about them. It is irrelevant whether others are treated differently. Thus, if we treated no one as they deserved, this treatment would be unjust in the non-comparative sense. But, if we treated everyone equally unjustly, there would be no comparative injustice.⁷

It can be hard to distinguish these two kinds of justice, and there are difficult questions about the relation between them.⁸ One point should be mentioned here. Non-comparative justice may require us to produce equality. Perhaps, if everyone were equally deserving, we should make everyone equally well off. But such equality would be merely the effect of giving people what they deserved. Only comparative justice makes equality our aim.

When I said that, in my examples, no one deserves to be better off than others, I did not mean that everyone is equally deserving. I meant that, in these cases, questions of desert do not arise. It is only comparative justice with which we are here concerned.

There is another relevant distinction. In some cases, justice is *purely procedural*. It requires only that we act in a certain way. For example, when some good cannot be divided, we may be required to conduct a lottery, which gives everyone an equal chance to receive this good. In other cases, justice is in part *substantive*. Here too, justice may require a certain kind of procedure; but there is a separate criterion of what the outcome ought

⁷ Cf. Joel Feinberg, 'Noncomparative Justice', *Philosophical Review*, 83 (1974).

⁸ Cf. Philip Montague, 'Comparative and Non-comparative Justice', *Philosophical Quarterly*, 30 (1980).

to be. One example would be the claim that people should be given equal shares.⁹

We can now redescribe our two kinds of Egalitarianism. On the Telic View, inequality is bad; on the Deontic View, it is unjust.

It may be objected that, when inequality is unjust, it is, for that reason, bad. But this does not undermine this way of drawing our distinction. On the Deontic View, injustice is a special kind of badness, one that necessarily involves wrong-doing. What is unjust, and therefore bad, is not strictly the state of affairs, but the way in which it was produced.

There is one kind of case which most clearly separates these two views: those in which some inequality cannot be avoided. For Deontic Egalitarians, if nothing can be done, there can be no injustice. In Rawls's words, if some situation 'is unalterable . . . the question of justice does not arise.'¹⁰

Consider, for example, the inequality in our natural endowments. Some of us are born more talented or healthier than others, or are more fortunate in other ways. If we are Deontic Egalitarians, we shall not believe that such inequality is in itself bad. We might agree that, if we *could* distribute talents, it would be unjust or unfair to distribute them unequally. But, except when there are bad effects, we shall see nothing to regret in the inequalities produced by the random shuffling of our genes. Many Telic Egalitarians take a different view. They believe that, even when such inequality is unavoidable, it is in itself bad.¹¹

⁹ There is an intermediate case. Justice may require a certain outcome, but only because this avoids a procedural flaw. One such flaw is partiality. Suppose that we have to distribute certain publicly owned goods. If we could easily divide these goods, others might be rightly suspicious if we gave to different people unequal shares. That might involve favouritism, or wrongful discrimination. We may thus believe that, to avoid these flaws, we should distribute these goods equally.

How does this view differ from a view that requires equality for substantive reasons? One difference is this. Suppose that we have manifestly tried to distribute equally, but our procedure has innocently failed. If we aimed for equality only to avoid the taint of partiality or discrimination, there would be no case for correcting the result. (For discussions of these points, see Robert Goodin, 'Egalitarianism, Fetishistic and Otherwise', *Ethics*, 98 (1987); and Lawrence Sager and Lewis Kornhauser, 'Just Lotteries', *Social Science Information* (Sage, London, Newbury Park and New Delhi, Vol 27, 1988).)

¹⁰ John Rawls, *A Theory of Justice*, (Cambridge: Harvard University Press, 1971), page 291.

¹¹ There is now a complication. Those who hold this second view do not merely think that such inequality is bad. They often speak of natural injustice. On their view, it is unjust or unfair that some people are born less able, or less healthy, than others. Similarly, it is unfair if nature bestows on some richer resources. Talk of unfairness here is sometimes claimed to make no sense. I believe that it does make sense. But, even on this view, our distinction stands. According to Telic Egalitarians, it is the state of affairs which is bad, or unjust; but Deontic Egalitarians are concerned only with what we ought to do.

These views differ in several other ways. The Telic View, for example, is likely to have wider scope. If we believe that inequality is in itself bad, we may think it bad whoever the people are between whom it holds. It may seem to make no difference whether these people are in the same or different communities. We may also think it irrelevant what the respects are in which some people are worse off than others: whether they have less income, or worse health, or are less fortunate in other ways. *Any* inequality, if undeserved and unchosen, we may think bad. Nor, third, will it seem to make a difference how such inequality arose. That is implied by the very notion of intrinsic badness. When we ask whether some state is in itself bad, it is irrelevant how it came about.

If we are Deontic Egalitarians, our view may have none of these features. Though there are many versions of the Deontic View, one large group are broadly contractarian. Such views often appeal to the idea of reciprocity, or mutual benefit. On some views of this kind, when goods are co-operatively produced, and no one has special claims, all the contributors should get equal shares. There are here two restrictions. First, what is shared are only the fruits of co-operation. Nothing is said about other goods, such as those that come from nature. Second, the distribution covers only those who produce these goods. Those who cannot contribute, such as the handicapped, or children, or future generations, have no claims.¹²

Other views of this kind are less restrictive. They may cover all the members of the same community, and all kinds of good. But they still exclude outsiders. It is irrelevant that, in other communities, there are people who are much worse off. On such views, if there is inequality between people in different communities, this need not be anyone's concern. Since the greatest inequalities are on this global scale, this restriction has immense importance.

Consider next the question of causation. The Telic View naturally applies to all cases. On this view, we always have a reason to prevent or reduce inequality, if we can. If we are Deontic Egalitarians, we might think the same; but that is less likely. Since our view is not about the goodness of outcomes, it may cover only inequalities that result from acts, or only those that are intentionally produced. And it may tell us to be concerned only with the

¹² See, for example, David Gauthier, *Morals by Agreement* (Oxford: Oxford University Press, 1980), pages 18 and 268.

inequalities that we ourselves produce. On such a view, when we are responsible for some distribution, we ought to distribute equally. But, when no one is responsible, inequality is not unjust. In such cases, there is nothing morally amiss. We have no reason to remove such inequality, by redistribution. Here again, since this view has narrower scope, this can make a great practical difference.

4

Let us now consider two objections to the Telic View.

On the widest version of this view, *any* inequality is bad. It is bad, for example, that some people are sighted and others are blind. We would therefore have a moral reason to take single eyes from the sighted and give them to the blind. That conclusion may seem horrific.

Such a reaction is, I believe, mistaken. To set aside some irrelevant complications, we can imagine a simplified example. Suppose that, after some genetic change, children are henceforth born as twins, one of whom is always blind. And suppose that, as a universal policy, operations are performed after every birth, in which one eye from the sighted twin is transplanted into its blind sibling. That would be non-voluntary redistribution, since new-born babies cannot give consent. But I am inclined to believe that such a policy would be justified.

Some people would reject this policy, believing that it violates the rights of the sighted twins. But that belief provides no ground for rejecting the Telic View. As pluralists, Telic Egalitarians could agree that the State should not redistribute organs. Since they do not believe equality to be the only value, they could agree that, in this example, some other principle has greater weight, or is overriding. Their belief is only that, if we all had one eye, this would be *in one way* better than if half of us had two eyes and the other half had none. Far from being horrific, that belief is clearly true. If we all had one eye, that would be much better for all of the people who would otherwise be blind.¹³

A second objection is more serious. If inequality is bad, its disappearance must be in one way a change for the better, however this change occurs. Suppose that, in some natural disaster, those who are better off lose all their extra resources,

¹³ Cf. Nozick, *op. cit.*, page 206 (though Nozick's target here is not the Principle of Equality but Rawls's Difference Principle).

and become as badly off as everyone else. Since this change would remove the inequality, it must be in one way welcome, on the Telic View. Though this disaster would be worse for some people, and better for no one, it must be, in one way, a change for the better. Similarly, it would be in one way an improvement if we destroyed the eyes of the sighted, not to benefit the blind, but only to make the sighted blind. These implications can be more plausibly regarded as monstrous, or absurd. The appeal to such examples we can call *the Levelling Down Objection*.¹⁴

It is worth repeating that, to criticize Egalitarians by appealing to this objection, it is not enough to claim that it would be *wrong* to produce equality by levelling down. Since they are pluralists, who do not care only about equality, Egalitarians could accept that claim. Our objection must be that, if we achieve equality by levelling down, there is *nothing* good about what we have done. Similarly, if some natural disaster makes everyone equally badly off, that is not in any way good news. These claims do contradict the Telic Egalitarian View.

I shall return to the Levelling Down Objection. The point to notice now is that, on a Deontic view, we avoid this objection. If we are Deontic Egalitarians, we do not believe that inequality is bad, so we are not forced to admit that, on our view, it would be in one way better if inequality were removed by levelling down. We may believe that we have a reason to remove inequality only *when*, and only *because*, our way of doing so benefits the people who are worse off. Or we may believe that, when some people are worse off than others, through no fault or choice of theirs, they have a special claim to be raised up to the level of the others, but they have no claim that others be brought down to their level.

Given these differences between the Telic and Deontic Views, it is important to decide which view, if either, we should accept. If we are impressed by the Levelling Down Objection, we may be tempted by the Deontic View. But, if we give up the Telic View, we may find it harder to justify some of our beliefs. If inequality is not in itself bad, we may find it harder to defend our view that we

¹⁴ Such an objection is suggested, for example, in Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986) Chapter 9, and Larry Temkin, *op. cit.* pages 247–8.

should often redistribute resources. And some of our beliefs might have to go. Reconsider the Divided World, in which the two possible states are these:

- (1) Half at 100 Half at 200
- (2) Everyone at 145

In outcome (1) there is inequality. But, since the two groups are unaware of each other's existence, this inequality was not deliberately produced, or maintained. Since this inequality does not involve wrong-doing, there is no injustice. On the Deontic View, there is nothing more to say. If we believe that (1) is worse, and because of the inequality, we must accept the Telic form of the Egalitarian View. We must claim that the inequality in (1) is in itself bad.

We might, however, give a different explanation. Rather than believing in equality, we might be especially concerned about those people who are worse off. That could be our reason for preferring (2).

Let us now consider this alternative.

5

In discussing his imagined case, Nagel writes:

If one chose to move to the city, it would be an egalitarian decision. It is more urgent to benefit the second child . . . This urgency is not necessarily decisive. It may be outweighed by other considerations, for equality is not the only value. But it is a factor, and it depends on the worse off position of the second child. An improvement in his situation is more important than an equal or somewhat greater improvement in the situation of the first child.¹⁵

This passage contains the idea that equality has value. But it gives more prominence to another idea. It is more important, Nagel claims, to benefit the child who is worse off. That idea can lead us to a quite different view.

Consider first those people who are badly off: those who are suffering, or those whose basic needs have not been met. It is widely believed that we should give priority to helping such

¹⁵ Nagel, *op. cit.* page 124.

people. This would be claimed even by Utilitarians, since, if people are badly off, they are likely to be easier to help.

Nagel, and others, make a stronger claim. On their view, it is more urgent to help these people even if they are *harder* to help. While Utilitarians claim that we should give these people priority when, and because, we can help them *more*, this view claims that we should give them priority, even when we can help them *less*.

Some people apply this view only to the two groups of the well off and the badly off.¹⁶ But I shall consider a broader view, which applies to everyone. On what I shall call

The Priority View. Benefiting people matters more the worse off these people are.

For Utilitarians, the moral importance of each benefit depends only on how great this benefit would be. For *Prioritarians*, it also depends on how well off the person is to whom this benefit comes. We should not give equal weight to equal benefits, whoever receives them. Benefits to the worse off should be given more weight.¹⁷ This priority is not, however, absolute. On this view, benefits to the worse off could be morally outweighed by sufficiently great benefits to the better off. If we ask what would be sufficient, there may not always be a precise answer. But there would be many cases in which the answer would be clear.¹⁸

On the Priority View, I have said, it is more important to benefit those who are worse off. But this claim does not, by itself, amount to a different view, since it would be made by all Egalitarians. If we believe that we should aim for equality, we shall think it more important to benefit those who are worse off, since such benefits reduce inequality. If *this* is why we give such benefits priority, we do not hold the Priority View. On this view, as I

¹⁶ Cf. H. Frankfurt, *The Importance of What We Care About* (Cambridge: Cambridge University Press, 1988), Chapter 11, and Joseph Raz, *op. cit.* Chapter 9.

¹⁷ Several other writers have suggested such a view. See, for example, Thomas Scanlon, 'Nozick on Rights, Liberty, and Property', *Philosophy & Public Affairs*, 6 (1976), pages 6 to 10, Joseph Raz, *op. cit.*, Harry Frankfurt, 'Equality as a Moral Ideal', in *The Importance of What We Care About* (Cambridge: Cambridge University Press, 1988), David Wiggins, 'Claims of Need', in his *Needs, Values, Truth* (Oxford: Blackwell, 1987), Dennis McKerlie, 'Egalitarianism', *Dialogue*, 23 (1984), and 'Equality and Priority', *Utilitas*, 6 (1994).

¹⁸ Like the belief in equality, the Priority View can take either Telic or Deontic forms. It can be a view about which outcomes would be better, or a view that is only about what we ought to do. But, for our purposes here, this difference does not matter.

define it here, we do *not* believe in equality. We do not think it in itself bad, or unjust, that some people are worse off than others. That is what makes this a distinctive view.

The Priority View can be easily misunderstood. On this view, if I am worse off than you, benefits to me matter more. Is this *because* I am worse off than you? In one sense, yes. But this has nothing to do with my relation to you.

It may help to use this analogy. People at higher altitudes find it harder to breathe. Is this because they are higher up than other people? In one sense, yes. But they would find it just as hard to breathe even if there were no other people who were lower down. In the same way, on the Priority View, benefits to the worse off matter more, but that is only because these people are at a lower *absolute* level. It is irrelevant that these people are worse off *than others*. Benefits to them would matter just as much even if there *were* no others who were better off.

The chief difference is, then, this. Egalitarians are concerned with *relativities*: with how each person's level compares with the level of other people. On the Priority View, we are concerned only with people's absolute levels. This is a fundamental structural difference. Because of this difference, there are several ways in which these views have different implications.

One example concerns scope. Telic Egalitarians may, I have said, give their view wide scope. They may believe that inequality is bad even when it holds between people who have no connections with each other. This may seem dubious. Why would it matter if, in some far off land, and quite unknown to me, there are other people who are better off than me?

On the Priority View, there is no ground for such doubts. This view naturally has universal scope. If it is more important to benefit one of two people, because this person is worse off, it is irrelevant whether these people are in the same community, or are aware of each other's existence. The greater urgency of benefiting this person does not depend on her relation to the other person, but only on her lower absolute level.

These views differ in other ways, which I have no space to discuss here. But I have described the kind of case in which these views most deeply disagree. These are the cases which raise the Levelling Down Objection. Egalitarians face this objection because they believe that inequality is in itself bad. If we accept the Priority View, we avoid this objection. On this view, except when it is bad for people, inequality does not matter.

6

Though equality and priority are different ideas, this distinction has been often overlooked.

One reason is that, especially in earlier centuries, Egalitarians have often fought battles in which this distinction did not arise. They were demanding legal or political equality, or attacking arbitrary privileges, or differences in status. These are not the kinds of good to which our distinction applies. And it is here that the demand for equality is most plausible.

Second, when Egalitarians considered other kinds of good, they often assumed that, if equality were achieved, this would either increase the sum of these goods, or would at least not reduce this sum. In either of these cases, equality and priority cannot conflict.

Third, even when a move to equality would reduce the total sum of benefits, Egalitarians often assumed that such a move would at least bring *some* benefits to the people who were worse off. In such cases, equality and priority could not deeply conflict. Egalitarians ignored the cases in which equality could not be achieved except by levelling down.

Since this distinction has been overlooked, some writers have made claims that are not really about equality, and would be better stated as claims about priority. For example, Nagel writes:

To defend equality as a good in itself, one would have to argue that improvements in the lot of people lower on the scale of well-being took priority over greater improvements to those higher on the scale.¹⁹

In the example with which we began, Nagel similarly claims that it would be 'more urgent' to benefit the handicapped child. He then writes:

This urgency is not necessarily decisive. It may be outweighed by other considerations, for equality is not the only value.²⁰

These remarks suggest that, to the question 'Why is it more urgent to benefit this child?', Nagel would answer, 'Because this would reduce the inequality between these two children'. But I doubt that this is really Nagel's view. Would it be just as urgent to benefit the handicapped child, even if he had no sibling who was better off? I suspect that, on Nagel's view, it would. Nagel would

¹⁹ *Reading Nozick*, edited by Jeffrey Paul (Oxford: Blackwell, 1981) page 203.

²⁰ *op. cit.* p. 124.

then, though using the language of equality, really be appealing to the Priority View.²¹

Consider next the idea of distribution according to need. Several writers argue that, when we are moved by this idea, our aim is to achieve equality. Thus Raphael writes:

If the man with greater needs is given more than the man with lesser needs, the intended result is that each of them should have (or at least approach) the same level of satisfaction; the inequality of nature is corrected.²²

When discussing the giving of extra resources to meet the needs of the ill, or handicapped, Norman similarly writes:

the underlying idea is one of equality. The aim is that everybody should, as far as possible, have an equally worthwhile life.²³

As before, if that were the aim, it could be as well achieved by levelling down. This cannot be what Norman means. He could avoid this implication by omitting the word 'equally', so that his claim became: 'the aim is that everybody should, as far as possible, have a worthwhile life.' With this revision, Norman could not claim that equality is the underlying idea. But that, I believe, would strengthen his position. Distribution according to need is better regarded as a form of the Priority View.²⁴

What these writers claim about need, some have claimed about all kinds of distributive principle. For example, Ake writes:

Justice in a society as a whole ought to be understood as a complete equality of the overall level of benefits and burdens of each member of that society.

The various principles of distributive justice, Ake claims, can all be interpreted as having as their aim 'to restore a situation of complete equality to the greatest degree possible'.²⁵ Some writers

²¹ Similar remarks apply to section 117 of my *Reasons and Persons* (Oxford: Oxford University Press, 1984). For a later discussion of the choice between these views, see Nagel's *Equality and Partiality*, op. cit., Chapters 7 and 8.

²² D.D. Raphael, *Justice and Liberty* (London: Athlone Press, 1980), page 10. Cf. page 49.

²³ Richard Norman, *Free and Equal* (Oxford: Oxford University Press, 1987), page 80.

²⁴ See, however, the excellent discussion in David Miller, 'Social Justice and the Principle of Need', in *The Frontiers of Political Theory*, ed. Michael Freeman and David Robertson (Brighton: Harvester Press, 1980).

²⁵ Christopher Ake, 'Justice as Equality', *Philosophy & Public Affairs*, 5 (1975), pages 71 and 77.

even make such claims about retributive justice. They argue that, by committing crimes, criminals make themselves better off than those who keep the law. The aim of punishment is to restore them to their previous level.

These writers, I believe, claim too much for equality. But there are some plausible views which are rightly expressed in egalitarian terms. For example, Cohen suggests that 'the right reading of egalitarianism' is that 'its purpose is to eliminate involuntary disadvantage'.²⁶ He means by this *comparative* disadvantage: being worse off than others. This is an essentially relational idea. Only equality could eliminate such disadvantage. Cohen's view could not be re-expressed in the language of priority. Similar assumptions underlie Rawls's view, whose complexity leads me to ignore it here.

Some Egalitarians are not moved by the Levelling Down Objection. For example, Ake writes

What about the case of someone who suddenly comes into good fortune, perhaps entirely by his or her own efforts? Should additional burdens . . . be imposed on that person in order to restore equality and safeguard justice? . . . Why wouldn't it be just to impose any kind of additional burden whatsoever on him in order to restore the equality? The answer is that, strictly speaking, it would be . . .²⁷

Ake admits that, on his view, it *would* be just to level down, by imposing burdens on this person. What he concedes is only that the claim of justice would here be overridden. Levelling down would be in one way good, or be something that we would have a moral reason to do. Similarly, Temkin writes:

I, for one, believe that inequality is bad. But do I *really* think that there is some respect in which a world where only some are blind is worse than one where all are? Yes. Does this mean I think it would be better if we blinded everybody? No. Equality is not all that matters.²⁸

Several other writers make such claims.²⁹

²⁶ G.A.Cohen, 'On the Currency of Egalitarian Justice', *Ethics*, 99 (1989).

²⁷ *op cit.* page 73.

²⁸ *Inequality*, page 282.

²⁹ See for example Amartya Sen, *Inequality Reexamined* (Oxford: Oxford University Press, 1992), pages 92–3.

Since some writers are unmoved by the Levelling Down Objection, let us now reconsider that objection. Consider these alternatives:

- (1) Everyone at some level
- (2) Some at this level Others better off

In outcome (1) everyone is equally well off. In outcome (2), some people are better off, but in a way that is worse for no one. For Telic Egalitarians, the inequality in (2) is in itself bad. Could this make (2), all things considered, a worse outcome than (1)?

Some Egalitarians answer Yes. These people do not believe that the avoidance of inequality always matters most. But they regard inequality as a great evil. On their view, a move to inequality *can* make an outcome worse, even when this outcome would be better for everyone. Those who hold this view we can call *Strong Egalitarians*.

Others hold a different view. Since they believe that inequality is bad, they agree that outcome (2) is *in one way* worse than outcome (1). But they do not believe that (2) is worse all things considered. In a move from (1) to (2), some people would become better off. According to these Egalitarians, the loss of equality would be morally outweighed by the benefits to these people. (2) would be, on balance, better than (1). Those who hold this view we can call *Moderates*.

This version of Egalitarianism is often overlooked, or dismissed. People assume that, if we are Egalitarians, we must be against a move to inequality, even when this move would be bad for no one. If we regard such inequality as outweighed by the extra benefits, our view must, they assume, be trivial.³⁰

That assumption is mistaken. If some change would increase inequality, but in a way that is worse for no one, the inequality must come from benefits to certain people. And there cannot be a *great* loss of equality unless these benefits are also great. Since these gains and losses would roughly march in step, there is room for Moderates to hold a significant position. They believe that, in all such cases, the gain in utility would outweigh the loss in equality.

³⁰ See, for example, Antony Flew, *The Politics of Procrustes* (Buffalo, New York: Prometheus, 1981), page 26, McKerlie, 'Egalitarianism', *op. cit.*, p. 232. See also Nozick, *op. cit.* p. 211.

That is consistent with the claim that, in many other cases, that would not be so. Moderates can claim that *some* gains in utility, even if *great*, would *not* outweigh some losses in equality. Consider, for example, these alternatives:

- (1) All at 100
- (4) Half at 100 Half at 200
- (5) Half at 70 Half at 200.

Moderates believe that, compared with (1), (4) is better. But they might claim that (5) is worse. Since (5) would involve a much greater sum of benefits, that is not a trivial claim.

Return now to the Levelling Down Objection. Strong Egalitarians believe that, in some cases, a move towards inequality, even though it would be worse for no-one, would make the outcome worse.³¹ This view may seem incredible. One of two outcomes *cannot* be worse, we may claim, if it would be worse for no one. To challenge Strong Egalitarians, it would be enough to defend this claim. To challenge Moderates, we must defend the stronger claim that, when inequality is worse for no one, it is not in any way bad.

Many of us would make this stronger claim. It is widely assumed that nothing can be bad if it is bad for no one. This we can call the *Person-affecting View*.

This view might be defended by an appeal to some account of the nature of morality, or moral reasoning. According to some writers, for example, to explain the impersonal sense in which one of two outcomes can be *worse* – or worse, period – we must appeal to claims about what would be worse *for* particular people. The Person-affecting View can also be supported by various kinds of contractualism.³²

Egalitarians might reply by defending a different meta-ethical view. Or they might argue that, when the Person-affecting View is applied to certain other questions, it has unacceptable

³¹ I am assuming here that inequality is not in itself bad for people. It is not bad for me if, unknown to me and without affecting me, there exist some other people who are better off than me. That assumption is implied, not only by hedonistic theories about well-being, but also by plausible versions both of desire-fulfilment theories, and of theories that appeal to what Scanlon calls *substantive goods*. For a contrary view, however, which would need a further discussion, see John Broome, *Weighing Goods* (Oxford: Blackwell, 1991) Chapter 9.

³² Such as the view advanced in Thomas Scanlon's 'Contractualism and Utilitarianism', in ed. Amartya Sen and Bernard Williams, *Utilitarianism and Beyond* (Cambridge: Cambridge University Press, 1982).

implications, since it conflicts too sharply with some of our beliefs.³³ Since I have no space to discuss these questions here, I shall merely express an opinion. The Person-affecting View has, I believe, less plausibility than, and cannot be used to strengthen, the Levelling Down Objection.

8

I shall now summarise what I have claimed. According to Telic Egalitarians, it is in itself bad, or unfair, if some people are worse off than others through no fault or choice of theirs. Though this view is widely held, and can seem very plausible, it faces the Levelling Down Objection. This objection seems to me to have great force, but is not, I think, decisive.

Suppose that we began by being Telic Egalitarians, but we are convinced by this objection. We cannot believe that, if the removal of inequality would be bad for some people, and better for no one, this change would be in any way good. If we are to salvage something of our view, we then have two alternatives.

We might become Deontic Egalitarians. We might come to believe that, though we should sometimes aim for equality, that is not because we would thereby make the outcome better. We must then explain and defend our beliefs in some other way. And the resulting view may have narrower scope. For example, it may apply only to goods of certain kinds, such as those that are co-operatively produced, and it may apply only to inequality between members of the same community.

We may also have to abandon some of our beliefs. Reconsider the Divided World:

- (1) Half at 100 Half at 200
- (2) Everyone at 145

On the Deontic View, we cannot claim that it would be better if the situation changed from (1) to (2). This view is only about what people ought to do, and makes no comparisons between states of affairs.

Our alternative is to move to the Priority View. We could then

³³ See Temkin, *op. cit.*, Chapter 9. Another objection to the Person-affecting View comes from what I have called *the Non-Identity Problem* (in my *Reasons and Persons*), Chapter 16).

keep our belief about the Divided World. It is true that, in a change from (1) to (2), the better off would lose more than the worse off would gain. That is why, in utilitarian terms, (2) is worse than (1). But, on the Priority View, though the better off would lose more, the gains to the worse off count for more. Benefits to the worse off do more to make the outcome better. That could be why (1) is worse than (2).

The views that I have been discussing often coincide. But, as I have tried to show, they are quite different. They can support different beliefs, and policies, and they can be challenged and defended in different ways. Taxonomy, though unexciting, needs to be done. Until we have a clearer view of the alternatives, we cannot hope to decide which view is true, or is the best view.

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