

30. Equality and Desert

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Many people believe that *equality* has intrinsic moral significance, so that an outcome is better—in and of itself—if it leads to greater equality. In fact, however, many of the cases that might be thought to support this belief are compatible with an alternative explanation: that what actually has intrinsic value is giving people what they deserve (for when people are equally deserving, they will deserve to be equally well off). So should we believe in both equality and desert, or just one of the two? Kagan argues, first, that the value of equality is at best conditional, since most of us don't think that inequality is bad if it is truly deserved. Of course, even if that's right, it still might be that equality does matter in its own right in those cases where the inequality is not deserved. Constructing the relevant case to test this sort of "restricted" egalitarianism proves to be surprisingly difficult. Ultimately, however, Kagan concludes that equality has no intrinsic moral significance at all. We should, instead, believe in desert alone.

1

Pluralists in ethics believe in the intrinsic moral significance of more than one basic value. The pluralism might be at the level of the theory of the right (as with those who think that several factors are relevant to determining the moral status of an act), or it might be at the level of the theory of the good, the theory that tells us how good a given outcome is (perhaps as compared to alternatives). In this paper, I am concerned solely with pluralism at the level of a theory of the good.

Such pluralism is perfectly familiar. Many people, for example, believe in the moral significance of both well-being *and* equality.

That is, they believe that the overall goodness of an outcome is a function not only of the amount of well-being but also the amount of inequality (if any). Of course, even someone who rejects the thought that equality has intrinsic moral significance might think that it matters for various practical reasons; for example, increasing equality might maximize well-being. But I am interested only in claims about which factors have *intrinsic* moral significance. The *egalitarian* believes that equality makes an outcome intrinsically better, above and beyond whatever impact this might have on levels of well-being.

Obviously, one might accept various other values as well. For example, one might think

an outcome better if people are getting what they (morally) *deserve*. Or one might think an outcome intrinsically better if people are more *virtuous*. I am sympathetic to a number of these values, but here I want to focus on just two: equality and desert. Although equality is widely thought to have intrinsic moral significance, many moral philosophers have their doubts about desert. Interestingly, I think this gets things backwards. Or so I will argue.¹

2

But first we need some background. Equality is a surprisingly complex notion, as we discover when we try to measure the *degree* of inequality. This emerges especially clearly for cases involving more than two people, and more than two levels of well-being. Luckily, I think we can put this particular problem aside.² I also think we can put aside the “equality of what?” debate. I am going to assume that what matters is equality of well-being, but I believe that what I have to say would carry over for other views as well (for example, equality of resources or equality of opportunity).

However, one important and sometimes overlooked fact about equality should be faced: If we have a simple situation of inequality, with A at a lower level of well-being than B, we can improve the situation in terms of equality either by raising A *or* by lowering B. As far as *strict equality* is concerned, either change is an improvement.

Many people, when they face this fact, decide that they may not believe in strict equality after all. They sometimes urge that what they liked about equality was its concern for the plight of the “have-nots”; now that they see that equality per se has no concern for have-nots per se, they find that strict equality doesn’t really capture what they cared about. One proposal as to what it is that these disillusioned egalitarians really care about is this: giving priority to those who are worse off. The thought here is that increasing someone’s well-being by a fixed amount makes a *greater* contribution, the lower the person’s absolute

level of well-being. We can call this view *weighted beneficence*.³

Note that in our simple situation of inequality, assuming that we can help one or the other but not both and that we can help either by the same fixed amount, weighted beneficence favors helping A, since the welfare gain counts for more going to A than it would going to B, given that A is at a lower level absolutely than B. In contrast, *lowering* B is no improvement at all, as far as weighted beneficence is concerned.

Note, as well, that weighted beneficence is essentially noncomparative. Increases in well-being count for more (or less), depending on the absolute level of the recipient. To know what kind of a “boost” there is, we don’t need to know anything at all about how a person fares relative to another. Of course, it will fall out from weighted beneficence that it is always better to help the worse off (some fixed amount) rather than the better off—but that is just a matter of comparing what is essentially noncomparative information.

In contrast, strict equality is essentially comparative. To know whether a situation will be improved by altering someone, we need to know how that person fares relative to others.

Some would argue that whatever the merits of weighted beneficence, it is certainly not an *egalitarian* value. Others would argue that weighted beneficence is simply the noncomparative egalitarian value, just as what I have been calling strict equality is the comparative egalitarian value—and that both deserve to be called egalitarian values. (Presumably, one might think this whether or not one accepts both of these values.) I won’t try to settle this debate, though I suppose the possibility of this last view explains why I am going to consider weighted beneficence in a paper called simply “*equality and desert*.”

As I have noted, some find that they don’t believe in strict equality at all and that they believe simply in weighted beneficence. Others, I presume, believe in both. And, no doubt, still others believe simply in strict equality. Because of this, I want to examine desert in connection with *both* types of egalitarian val-

ues, that is, both weighted beneficence and strict equality.

Luckily, for most of the points that will concern us, the differences between weighted beneficence and strict equality won't be important. Both agree that when A is worse off than B and we can only help one (by the same amount), the outcome is made better if we help A rather than B. For our purposes, I believe, this point of agreement will normally suffice. Accordingly, we can, for the most part, disregard the differences between weighted beneficence and strict equality and simply talk (indifferently) about the value of *equality*. Obviously, however, whenever it is useful to do so, we can still distinguish between the specific egalitarian values.⁴

One final point: in situations where equality favors helping someone, we can talk of that person's *claim* to be helped.⁵ But this should not be misunderstood as bringing in notions of rights. The idea is just that we can improve the outcome a greater or lesser amount by helping the person in question—the greater the amount, the greater the claim.

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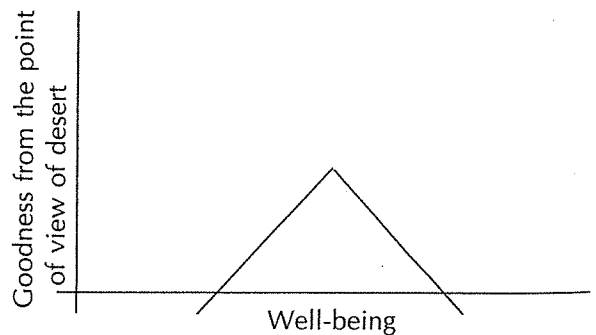
Desert is also a complex notion, even if we restrict our attention (as I intend to) to moral desert—the notion of one person being more or less morally deserving than another. I need to put aside many important questions here, for example, what is the relevant desert base? That is, what is it that makes one person more or less morally deserving?

I am going to assume, without argument, a number of things about desert. One is that more deserving people deserve to be doing better in terms of some relevant magnitude. Again, for simplicity, I am going to assume that the relevant magnitude is well-being. So I am assuming that more deserving people deserve to be doing better than less deserving people.

I am also going to assume that for each person there is an absolute level that the person deserves to be at. This is what the person deserves absolutely. If people have what they

deserve, this is good from the point of view of desert. If people have less than they deserve, then this is less good, or perhaps even bad, from the point of view of desert. More controversially, I also believe that if someone has *more* than they deserve, this is less good, or perhaps even bad, from the point of view of desert. This pair of beliefs explains why I refer to the absolute desert level for a given person as his *peak*—for it is the level of well-being at which the person has exactly what he absolutely deserves, and so things are most fitting or best from the point of view of desert. Too little or too much well-being, and things are less good as far as desert is concerned. Thus the contribution to goodness of outcomes made by desert (that is, the goodness accruing to an outcome by virtue of someone getting or not getting what they deserve) is at a “peak” when someone is exactly at the level they absolutely deserve.

These ideas can be helpfully portrayed graphically. Let the X axis represent the level of well-being that the person is at, and the Y axis the level of goodness from the point of view of desert. (More precisely, the Y axis represents the contribution to the goodness of the outcome made by the person's getting or not getting what she deserves.) Then the “desert graph” for a normal person looks like a mountain, with a peak at the point the person absolutely deserves:⁶



If someone has less than she absolutely deserves, she is “below” her peak (that is, on the western slope of the mountain), and anyone who believes in the intrinsic moral significance of desert for goodness of outcomes will believe that raising the person will make the outcome better—provided that you don’t

raise her too much. If she ends up having more than she absolutely deserves, she is beyond her peak (on the eastern slope of the mountain), and now making her even better off makes things worse, not better (as far as desert is concerned).

Note that this view is essentially noncomparative. For any given person, I first find out how deserving he is, absolutely speaking. This tells me where his peak is. (That is, it tells me the location of his peak on the X axis, how much well-being he *deserves*.) I then find out where he actually is in terms of well-being (his actual location on the X axis). This tells me whether I will improve things from the point of view of desert (moving up the Y axis) by making him better off, or by lowering him. (Of course, if he is at the peak, I should leave him alone.)

All of this information has nothing to do with anyone else. Of course, by comparing this information with the noncomparative information about someone else, I may find that I can do more good by helping someone else—but this is basically a matter of compounding noncomparative information. (Similarly, weighted beneficence compounds noncomparative information to tell me to help the worse off in situations of simple inequality.)

Two possible complications must be noted. First, should we assume that the drop-off rate (loss of value for having too much or too little) is the same for all people, regardless of how deserving they are? I am inclined to think that it is worse, say, if a very good person has a certain amount less than she deserves than if a very bad person has that same amount less than he deserves. That is to say, the slope on the western side should be steeper for better people. Similar considerations lead me to think that the slope on the *eastern* side should be *milder* for better people (that is, having too much is less bad the better you are). If we accept both of these thoughts, then the mountain actually swings like a bell (if we think of the peak as fixed): to the left as you have less deserving people, to the right as you have more deserving people. I call this *bell-motion*. Not everyone believes in it, but I find it plausible.

Second, should we assume that the drop-off rate is *linear*? That is the way I drew my picture, where the slopes are straight. If, for example, you have less than you deserve, then each extra unit of well-being you have less than you deserve makes the same incremental decrease in value. Perhaps, however, and this does seem plausible, the *further* you are from your peak, the *greater* the significance of each additional unit change in well-being. Then the slopes would not be straight, but curved, getting steeper and steeper, the further from the peak. Not everyone believes this either, but I find it plausible, too. Call this *curved desert*. Those who reject it believe in *straight desert*.

Bell-motion won't be important for what follows, except as a nagging complication. Curved desert will be rather important.

4

Also important for our purposes will be the notion that not all desert considerations are essentially noncomparative. There is also, I think, essentially comparative desert. Again, I must skip over many details, but the basic idea is this: It matters—from the point of view of comparative desert—how I am doing compared to you, in light of how (absolutely) deserving we are. If I am as absolutely deserving as you, I should be doing as well as you. If I am more deserving than you, I should be doing better than you. These are essentially comparative judgments, for they say not how well we should be doing in absolute terms, but only how well we should be doing relative to each other; they are based not solely on what I deserve absolutely but more essentially on how what I deserve absolutely compares to what you deserve absolutely.

Comparative desert is not the same thing as noncomparative desert, even though it is based on it, in the way I have just sketched. Suppose A and B are equally deserving (they have the same peak), but A is at the peak, while B is beyond it. Suppose we cannot move B but could push A up to the same level of well-being as B. Should we?

Noncomparative desert says no: Doing so merely gives A more than he deserves; from the point of view of noncomparative desert, this is making things worse. The fact that B is beyond the peak is bad, but moving A beyond doesn't help.

But comparative desert says yes. Since A is just as (absolutely, noncomparatively) deserving as B, A should be doing just as well as B. Improving A to B's position is an *improvement* from the point of view of comparative desert.

Note that you can believe in comparative desert while still thinking noncomparative desert considerations are *more* significant. (I can't pursue here the question of the relative weights of comparative desert and noncomparative desert.) Of course, not everyone believes in the existence of comparative desert. The reasons vary, but one important reason is the fact that (like strict equality) comparative desert can favor lowering those who are better off, even though this does nothing for those who are worse off, and even if the person being lowered has less than he absolutely deserves. For example, suppose A and B are equally deserving, and both are below their shared peak, though A is even lower than B. And suppose that we cannot move A but could lower B. Comparative desert says there is some reason to do this (since it is bad if A, who is just as deserving as B, does less well than B). Of course, there is also a *noncomparative* reason *not* to do this, since it moves B further from her peak. But still, comparative desert says there is at least *some* reason to lower B. And so some people (especially those who reject strict equality) may reject comparative desert. But many people do accept comparative desert, and in fact I find it rather attractive.

Some people find comparative desert attractive but deny that it has anything to do with *desert*. (Perhaps, instead, it is a matter of *fairness*.) They would restrict desert to the noncomparative theory. I am unclear what turns on the label—what really matters is that the value has moral significance. But I am inclined to think that just as equality might have

its comparative aspect (strict equality) and its noncomparative aspect (weighted beneficence), so desert has its noncomparative aspect (as captured by the desert-graph) and its comparative aspect (comparative desert). Anyway, so I will assume.

Even if we accept the reality of comparative desert, it is not clear what the relevant metric is. If your peak is X, and mine is Y, and you are at some point—Z—other than X, where should I be to satisfy comparative desert? I won't enter this debate here either, but hopefully it won't much influence what follows.

One final piece of vocabulary. Whether we make a bigger improvement from the point of view of noncomparative desert by improving A or B cannot be settled merely by knowing who has a higher peak. For even if B has a higher peak and so deserves more *absolutely*, she might be closer to her peak, while A is quite far below his—and so helping A a fixed amount might do more good (in terms of desert) than would helping B (curved desert, for example, might yield this). Thus, in this specific case, we do more good—as far as desert is concerned—to help A. We can say that A is more *specifically* deserving, even though less absolutely deserving. Note, finally, that if one accepts comparative desert, then this might influence specific desert too (though whether one could be more specifically deserving in terms of noncomparative desert, and yet not be more specifically deserving in terms of comparative desert, is a question I won't pursue).

5

On the face of it, I suppose, one might think that both equality *and* desert matter. Or one might accept one but not the other. (As I noted, many people initially accept equality, and they are at least less certain about desert, though I shall argue that this gets things backwards.) Alternatively, one might think that neither of these matter at all. I won't be defending the claim that *either* of these is a

plausible value, though I do think that, on the face of it, *both* are.

The question I really want to pursue is this: Given that one is attracted to a pluralism that includes (at least initially) equality, and (perhaps) desert, how exactly should this be worked out? As I have already suggested, I suspect that at the end of the day we should have some uncertainty about equality and be more confident about desert.

But my *central* goal is to argue that it is at least far from clear what view we should take about this and far more difficult to test distinct views here than meets the eye.

6

Suppose we start with equality. We have—or at least many of us have—the intuition that if A is worse off than B, and we can help one but not both by some fixed amount, then it is better to help A. Helping A makes a greater improvement in terms of the overall goodness of the outcome than does helping B; we can say, in this light, that A has a greater claim than B. Of course, the improvement in terms of the *amount* of well-being would be the same regardless of whom we help (this is stipulated). But that is the very reason that it seems we should accept the value of equality, since it supports the intuition that it is better to help A: From the point of view of equality, since A is worse off than B, an increase in A's well-being makes a greater contribution to the good than does a similar increase in B's well-being (recall that both weighted beneficence and strict equality agree about this). There is, in effect, a "boost"—because of the importance of equality—to A's claim to being helped as compared to B's claim. (Strictly, weighted beneficence gives a boost to *both* A and B, though a stronger one to A, while strict equality gives a boost to A alone; either way, however, we can talk of the "equality boost" given to A's claim as compared to B's.)

For our purposes, the trouble with this argument is this: Equality offers *one* way to ex-

plain the intuition that we should help A rather than B; but it is not the only way. What about considerations of desert?

We might try to block this rival explanation by making A and B equally deserving. Suppose they have the same peak—and suppose that both are below this peak, so desert favors helping both. And suppose further that slopes are linear (that is, straight desert). Then each unit of extra well-being makes the same contribution, regardless of which person we help. So desert is indifferent between helping A and helping B. And so, if we do think it better to help A, this must be due to something other than desert. (It might not be equality, of course, but at least that appears to be a live possibility.)

But this is all too quick. For even given that A and B have the same peak, one might accept views in the theory of desert that would entail that A is in fact more *specifically* deserving. First of all, we might accept comparative desert. Note that A is further from the shared peak than B. Since they are equally deserving, comparative desert considers it bad that A has less than B—which is to say that it would be an improvement as far as comparative desert is concerned if we help A rather than B (helping B rather than A makes things *worse*).

Second, we might prefer *curved* desert. For straight desert, of course, distance from the peak makes no difference to the slope, and so the fact that A is further from the peak than B makes no difference in terms of the noncomparative claim that each can make: helping either a fixed amount makes the same improvement. But if we accept curved desert, then each extra unit of well-being we fall further and further below the peak makes for a greater and greater *incremental* drop in terms of desert. So curved desert says that it is better to help A than B, since A is further from the shared peak.

In short, both comparative desert and curved desert advocate helping A—just as equality does. And this leaves it at least somewhat unclear whether we should believe in equality alone, or both equality and desert (in

the guise of comparative desert and curved desert)—or perhaps just desert alone.

7

What about the possibility of *lowering* B? Suppose, as before, that A is worse off than B, and that both are below their shared peak, but assume now that we cannot help A. We can, however, lower B somewhat (while still leaving her no worse off than A). Is this an improvement?

As we have seen, egalitarians differ over this point. From the standpoint of weighted beneficence, of course, there is nothing to be said in favor of lowering B (since doing so hurts B without helping A). On the other hand, those who accept strict equality hold that, in at least one respect, this is indeed an improvement—for lowering B reduces the level of (strict) inequality. Of course, it may not be an improvement *overall*; lowering B obviously involves a loss in well-being as well, and this may outweigh the gain in equality. But still, according to strict equality, there is at least *something* to be said in favor of lowering B.

So if we, too, think that there is at least something to be said in favor of lowering B, does this show that we, too, should accept strict equality? Do we have here a potential egalitarian intuition that cannot be accommodated by desert?

Not necessarily. Admittedly, noncomparative desert (including curved desert) gives us no reason to lower B (since we are assuming that both A and B are below their shared peak). But *comparative* desert is like strict equality in holding that there is *some* reason to lower B. After all, A and B are assumed to be equally deserving, and so comparative desert considers it a bad thing if B is doing better than A. According to comparative desert, then, this gives us some reason to lower B.

Of course, as I noted in section 4, some people are inclined to reject comparative desert for this very reason. But, obviously enough, no one who accepts strict equality is

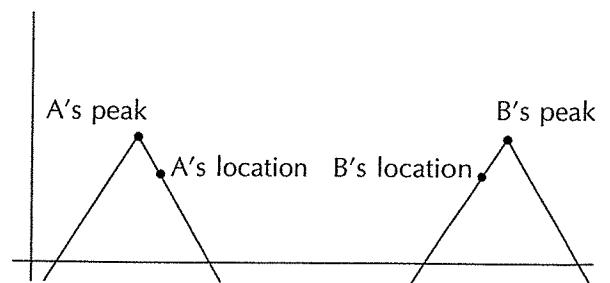
going to argue for rejecting comparative desert on this basis. So even if we *do* believe that there is some reason to lower B, this leaves it open as to whether we should accept both equality (including, in particular, strict equality) *and* desert (including, in particular, comparative desert) or only one of the two.

Suppose, on the other hand, that we believe that there is *no* reason to lower B. Obviously, we will now have reason to reject both strict equality *and* comparative desert (since both hold that there is indeed some reason to lower B). But doing so still leaves open the possibility of accepting either weighted beneficence or noncomparative desert (including curved desert), or both. And so we are no further along in trying to choose between equality and desert.

So what should we accept? Equality *and* desert? Or only one, and if so, which one? Ultimately, it seems, we will need to find some other test case to help us with all of this.

8

Various cases are relevant, but here is an important one. Call this case *Twin Peaks*.⁷ We might think of this situation in these terms: A is a sinner, who is doing better than his peak, better than he absolutely deserves to be doing. B is a saint and is doing less well than she deserves to be doing; she is below her peak. We can help either A or B by some fixed amount of well-being. Who should we help?



Equality says to help A, since A is at a lower level than B. Both strict equality and weighted beneficence agree about this.

But *desert* says to help B, since she is below her peak, while A is above his, and so helping B is an improvement, whereas helping A makes things worse off. Both noncomparative desert and comparative desert agree about this. (Note that this is a case—unlike the one discussed in the preceding section—where comparative desert differs from strict equality. Since A is far less deserving than B, yet is doing better than he deserves to be, while B is doing worse than she deserves to be, comparative desert—unlike strict equality—favors helping B rather than A, even though A is worse off than B.)

Now I think it quite clear, intuitively, that we should help B. I imagine that virtually everyone will agree. After all, B is a saint who is getting less than she deserves, while A is a sinner who is doing better than he deserves. Surely, say I, it is better to help B. For simplicity, I will assume that you agree, too.

At a minimum, then, this supports the thought that desert is a genuine value. But this is still compatible with two further rival claims. The first holds that desert is a genuine value, but equality is not. The alternative is that equality is a genuine value as well (although here it is outweighed by desert). According to the second claim, there is at least a *respect* in which it would be better to help A than B (even though it is outweighed); there is at least *some* reason to favor A over B.

I suppose intuitions may be less forceful on this second question, but when I ask whether there is any respect at all in which it would be better to help A rather than B, I am inclined to think the answer is no. Intuitively speaking, it seems to me that there is *no* reason to favor A over B in this case. (This should not be confused with the claim that there is nothing at all to be said in favor of helping A. There is certainly some reason to help A, since helping A increases the total amount of well-being. But since B's benefit would be just as big, well-being won't favor helping A *rather* than B.)

Does this show, then, that equality is not a genuine factor at all? It seems to. But appearances may be deceptive.

Perhaps we should *weaken* equality so that it says something like this: Equality matters, but only for equally deserving people.

The thought here, of course, is that there are different ways to be a pluralist, even with the very same values. So far we have been assuming a kind of *strong* pluralism, which holds that equality is always relevant, always weighing in (even though it can be outweighed). But a more *modest* pluralism might hold that equality has weight only under certain conditions, and, in particular, only if the people concerned are equally deserving. Since the Twin Peaks case involves someone far more deserving than A, namely B, there is no equality boost to A's claim.

Speaking more generally (and somewhat roughly), there are at least the following possibilities for pluralists that recognize two real factors, X and Y: (1) X always matters (though it can be outweighed), and Y always matters (though it can be outweighed); (2) X always matters, but Y matters only when it is supported by X (or vice versa); (3) X and Y both matter, but only when supported by the other. The first is what I have just called strong pluralism—the moral factors are independent of one another. The second is a kind of “interactive” pluralism, since, in effect, one factor, X, is a condition of the relevance of the other, Y, but it is an asymmetric dependence (since X matters even in the absence of Y). In the third case, the dependence relation is symmetric, which means, in effect, that there is really just a “single” complex factor (X&Y).

Twin Peaks seems to show that strong pluralism is the wrong model for thinking about equality and desert. According to strong pluralism, equality should weigh in on behalf of helping A (rather than B), regardless of considerations of desert. But I am assuming that equality doesn't weigh in on behalf of helping A in Twin Peaks, so, at the very least, equality is not strongly independent of desert.

It could be that equality doesn't matter at all. But the other two pluralistic models remain open as well. It might be, as I have

noted, that equality comes into play only among equally deserving people. This would be pluralism of the second kind. Equality would depend on considerations of desert, but when it did come into play, it would add an *extra* (or extra-strong) boost to the claim of the person at the lower level (beyond whatever effect desert might have). So this would be a genuine pluralism. According to this second model, however, the situation would be asymmetric: Desert could come into play, regardless of equality.

What about the third pluralistic possibility? Could it be that the dependence is symmetric, that desert is conditionally dependent on equality? This doesn't seem likely, since it would presumably mean something like this: that desert matters only when it is a matter of helping the worse off of two individuals. But, in the Twin Peaks case, considerations of desert seem relevant, and they seem to point in favor of helping the better-off person.

So the two remaining possibilities are these: Equality doesn't matter at all, or it does matter, but only for equally deserving people, where it adds an extra boost. In comparison to egalitarianism as we originally understood it, where equality was an independent value, this would be a *restricted* version of egalitarianism, with a corresponding value of *restricted equality*. Restricted equality would agree with our intuitive verdict in Twin Peaks: Given that A is less deserving than B, restricted equality doesn't even come into play, and thus there is no extra boost for A. So should we accept *restricted* equality, or should we reject equality altogether?

10

To test between these two alternatives, we need to find a case involving "equally deserving people" at different levels—to be sure to bring the restricted equality effect into play. What we want to do, obviously, is to see in such a case if the worse-off person gets an extra boost that cannot be explained in terms of desert. Of course, even if there is an extra boost, there might be some explanation other

than restricted equality, but if there is no boost, then that pretty much should rule out restricted equality.

But first we need to get clear about the restriction we have added. What exactly is the condition that restricted equality requires before giving a differential boost to the worse-off person? I've talked loosely about it needing to be the case that people are "equally deserving" before getting the restricted equality boost, and it is clear that this condition—whatever exactly it comes to—is not supposed to be met in the Twin Peaks case. But what, exactly, does it come to?

First, I assume that we don't really mean to require that, if there are two parties, they must both be equally deserving. If the worse-off individual is *more* deserving than the better off individual, I presume that restricted equality can still come into play and give the worse-off individual an extra boost. Surely, all we mean to rule out is restricted equality's weighing in on behalf of someone who is *less* deserving than another party we could help. That is, restricted equality has no boost when considerations of desert *oppose* helping the person who would otherwise be boosted by restricted equality. Provided that the lower person is *as* deserving as the other person we could help (which is compatible with his being *more* deserving), this will suffice.⁸

Second, when we insist that restricted equality give a boost only to someone who is as deserving, do we mean "absolutely" deserving or "specifically" deserving? These can come apart. Someone's peak might be lower; hence, he is less deserving, absolutely speaking. But he might, say, be further from his peak, and so (given curved desert or comparative desert) it might be that more good would be done by helping him a fixed amount, which is to say he is more deserving in this specific situation—more *specifically* deserving. So what do we want before restricted equality can provide a boost? Must the person be at least as deserving in terms of (1) absolute desert, (2) specific desert, (3) either, or (4) both?

I am inclined to think that specific desert alone is the relevant condition for a plausible version of restricted equality. Consider a case

in which A is only very slightly less absolutely deserving than B—that is, his peak is slightly lower—but A is considerably farther *away* from his peak, so that he is far more specifically deserving. I am inclined to think that if restricted equality does indeed ever provide a boost, it will do so in such a case as well. (After all, this is *almost* like a case in which someone is far worse off and doesn't deserve *any* of the inequality—a paradigm case for restricted equality. It is just that in this case a very *small* amount of the difference between A and B can be justified in terms of desert, and it is hard to believe that this deprives restricted equality of any purchase at all.) So, it seems that being as specifically deserving should suffice for restricted equality, even in the absence of being as absolutely deserving. (Note that if there is comparative desert, then this can enter into specific desert, too, and I presume that this too can be relevant for restricted equality. But if not, then it could still be that restricted equality responds to non-comparative specific desert.)

What about the reverse? Could absolute desert suffice in the absence of specific desert? As far as I can see, the kind of case we would need to think about can't arise. We would need to imagine A worse off than B (to get restricted equality into play), but A would have to be as absolutely deserving as B. But together these mean that A is farther from his peak than B, and so—given curved desert and comparative desert—A is more specifically deserving as well. That is, specific desert can favor the worse off, whether or not he is more absolutely deserving, and that seems enough for restricted equality. But the worse off cannot be absolutely more deserving without also being more specifically deserving. So it seems that the worse-off person's being as specifically deserving is both necessary and sufficient for the restricted equality boost. (Might the restricted equality boost be even bigger when A both specifically and absolutely deserves it, rather than merely specifically? I will put this possibility aside.)

One way of summarizing all of this would be to say that according to restricted equality, the claims of the worse off get a boost com-

pared to the claims of the better off—unless considerations of specific desert oppose this (perhaps because someone is more specifically deserving), in which case there is no such boost.⁹

11

We can now return to the question of choosing between accepting restricted equality (suitably interpreted) and denying that equality has any relevance at all. What kind of case could we use to test between these alternatives?

The easiest case to start with might be this: Imagine that A and B have the same peak, but A is worse off. Since A is as deserving as B, restricted equality can give a boost to A's claim to be helped rather than B. So all we have to do is decide whether or not this is so. If there is such a boost, then restricted equality might be true; if there isn't, it can't be.

Unfortunately, it is hard to tell whether there is such a boost, since, of course, desert favors helping A too. (Straight desert wouldn't do this, but curved desert and comparative desert would.) When we feel that it is better to help A, are we merely responding to the fact that A is more specifically deserving, or are we also responding in part to the effect of restricted equality?

In principle, I suppose, if we had a well-developed theory of desert, we might be in a position to determine how great A's claim should be on the basis of desert. If we then decided that A's claim was even greater than this, that would support the thought that restricted equality was at work, and not just desert. But we obviously have nothing like this, and so we will need some other way to tell whether restricted equality has any effect.¹⁰

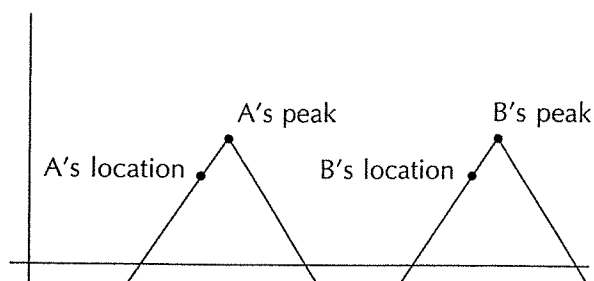
In general terms, then, the situation is this. To detect whether restricted equality has any genuine effect, it seems we need to compare the claims of people at different levels of well-being. Since restricted equality gives a (greater) boost to the claims of the worse off, this should make the lower person's claim (to be helped a fixed amount) greater. But, as we

know, if considerations of desert oppose helping the lower person, then restricted equality won't come into play at all. So desert must either favor helping the lower person or be neutral. But, as we have just seen, if desert *favors* helping the worse-off person, then it will be difficult or impossible to be sure that there is any *further* effect at work beyond desert.

So it seems we must find a case where desert is neutral as to helping the better-off or the worse-off person. If we could find such a case, and then found that intuitively it still seemed as if the worse-off person had a stronger claim, this would support the thought that something more than desert was at work—perhaps restricted equality.¹¹

12

The sort of case we need seems to be this. A must be lower than B. Now if A and B have the same peak (and assuming, for simplicity, that both are below it), then A is further from his peak than B is, and so curved desert favors helping A. But we are trying to avoid having a case where desert favors helping A. So A must have a lower peak than B. Of course, if A's peak is so far down that A is in fact beyond it (as in the Twin Peaks case), desert will oppose helping A, and we don't want that either. So A must be below his lower peak. Indeed, A must be the same distance below his peak as B is below her higher peak. This will keep curved desert indifferent between helping A and helping B. (And, given plausible views concerning comparative desert, this will be indifferent too.) The situation will look like this:



Call this case *Revised Twin Peaks*; it seems to be the case we were looking for. Desert is indifferent between helping A and helping B, so restricted equality can come into play, giving an extra boost to A's claim over B's. So, if restricted equality is a genuine value, A should have a stronger claim to being helped than B does.

Now I can hardly pretend that our intuitions are likely to be firm here, or that everyone will agree. But, for myself, I don't find myself at all inclined to think that A's claim is *stronger* than B's. Rather, I find myself inclined to think that B's claim is every bit as strong as A's. And this certainly seems to speak against restricted equality.

Actually, however, I often find myself inclined to think that A's claim is *weaker* than B's. This is the result, usually, of my thinking that A might well be a sinner, and B a saint. If they are equal distance from their peaks, I find myself thinking, it is more important to help the saint, B.

But this brings to mind one of the complications I noted in section 3, the possibility of bell-motion. For those who accept bell-motion, the more absolutely deserving you are, the steeper the slope on the western side of the peak. This means that an equal distance from the peak is worse, the more deserving you are. And so, if we stipulate that A is the same distance from his low peak as B is from her high peak, then in fact desert will favor helping B—which, of course, is the very intuition I have. But this is something we were trying to avoid, for if desert actually favors helping B, then A is not at least as specifically deserving, and so restricted equality will not give A the boost we were trying to detect.

Accordingly, anyone who accepts bell-motion should actually make B slightly *closer* to her peak than A is to his, to correct for this effect and keep desert indifferent.

But now the problem is obviously this: How *much* closer should we make B to her peak? If we had a general theory of desert, we might know how much closer (if any) we need to make B, to exactly correct for the bell-motion, so as to keep desert indifferent.

But we lack such a theory. Sadly, this leaves the test rather limited in its usefulness. If we correct too little, then the advocate of restricted equality can properly insist that the fact that we favor helping B proves nothing about restricted equality. But if we correct too much—bringing B too close to her peak—then A will now be more specifically deserving, and even if we agree that we should favor A rather than B, we won't be able to tell whether this is because of a restricted equality boost rather than being due to desert alone.¹²

By this time, I suspect, most people will be unwilling to put all that much weight upon their intuitions about this case. I certainly don't find my own intuitions all that strong. But this is not to say that I have no intuitions whatsoever. As I said, I find myself inclined to think that B's claim is at least as strong as A's (perhaps even stronger, when distance from the peak is kept constant). At the very least, it is worth emphasizing the fact that these intuitions provide no support for restricted equality.

13

Of course, one might well have a general methodological qualm about thinking about cases as "thinly" described as the ones I have been giving. Perhaps such cases are too abstract for us to generate intuitions about them, or perhaps we shouldn't trust those intuitions that we do have.

Unfortunately, I can't take the space here to give a full response to this worry. I certainly do think there is a limit to how much justificatory weight we should give to our case-specific intuitions. But I think this about more concrete cases, too; I am not especially inclined to dismiss our intuitions about our abstract cases merely because they are so abstractly described. Obviously, this is not to deny that our intuitions about some of these abstract cases will be more forceful than for others. And I have, in fact, just pointed out that in what seems to be the key relevant case

for deciding whether or not restricted equality is a factor along with desert, our intuitions may be rather weak. But I think we would overgeneralize to think that thin and abstract cases never generate intuitions at all.

Furthermore, I suspect that we don't have all that much practice thinking directly about issues of desert and equality; so it might be that with further dialectical exercise, the relevant intuitions would become clearer. Alternatively, it might be that the intuitions would become firmer if we were to put some flesh on these cases, instead of reflecting upon the mere structural bones. I won't try to do that here, though I do think something of value would still have been accomplished if we simply got clearer about what underlying structure the relevant test cases would have to have. And, if nothing else, thinking about these abstract cases, and seeing that the intuitions are less straightforward than we might have hoped, may demonstrate that our own beliefs about equality and desert are less clear than we might have otherwise taken them to be.

For the most part, then, I am content if I succeed in showing what some of the issues are in thinking about equality and desert, and what sorts of cases are relevant for distinguishing between rival views. But there is no point in my pretending that I have no intuitions about these cases, and so I will continue to report my tentative conclusions as well.

14

Here is a slightly different sort of case (a variant on the one described in section 12) that it may be helpful to think about as well. Really, what I want to consider is a *range* of cases, in which all the basic facts about A and B are kept fixed, except that we vary the location of B's peak. We can call this range of cases *Moving Peaks*.

Suppose, then, that A is rather far below his peak and is considerably worse off than B. (For simplicity, we can imagine that B is doing better than A's peak.) I want to keep all

of this fixed in what follows; all that varies is the location of B's peak. We can begin by imagining that B's peak is even lower than A's. In this case, obviously, since B is less absolutely deserving than A, and A is below his peak, while B is beyond hers, A is far more specifically deserving than B. And since this trivially means that A is at least *as* specifically deserving as B, it should also mean that A's claim gets a further boost from restricted equality.

Now consider what happens as we slowly increase B's peak, imagining B as more and more absolutely deserving. Slowly but surely, B's specific desert claim grows stronger—although, no doubt, for a good long time B's specific desert claim remains weaker than A's. At some point B's peak will actually be higher than A's, and so A will be more deserving absolutely than B, but, even when this happens, at least initially, B will still be beyond her peak, while A will remain below his, and so it will remain the case that A is more specifically deserving than B. Eventually B's peak will increase sufficiently so that B is just immediately below it. But, even at this point, A will be more specifically deserving, since A will be *so* much further below his peak than B is below hers.

At a later point still, B's peak will be sufficiently high, and B will be sufficiently far below her peak, so that B will now be just as specifically deserving as A. Desert will now be indifferent between helping A and helping B. This is, of course, the Revised Twin Peaks case, described in section 12. As we saw there, it is difficult to be sure where exactly B's peak needs to be to have such a case (it depends on whether there is bell-motion or not, and, if so, how much), but nothing called into question the claim that there must be such a point. Call this the "indifference point."

Now make B even more deserving absolutely. As B's peak moves beyond the indifference point, it is now the case that B is *so* far below her (now extremely high) peak that she is *more* specifically deserving than A. And the higher the peak, of course, the greater is her specific desert claim compared to A's.

Consider what happens to A's claim during all of this. As far as A's noncomparative desert claim goes, nothing ever changes: He remains a fixed distance below his unchanging peak. But initially A has a comparative desert claim as well (since A is initially below his peak, while B is beyond hers). Of course, as we increase B's peak, A's comparative desert claim grows progressively weaker, eventually vanishing, and, after that, comparative desert favors helping B more and more. Thus, if we look at A's *overall* specific desert claim, it grows steadily smaller and smaller.

Now think about A's claim in terms of restricted equality. Initially, as we saw, A was more specifically deserving, and so A's claim got the restricted equality boost. Even when B's peak has reached the indifference point, A remains *as* specifically deserving as B, and so the restricted equality boost remains in place. But the very moment that B's peak moves beyond the indifference point, B becomes *more* specifically deserving than A, and so, according to restricted equality, A no longer receives the boost.

According to restricted equality, therefore, A's claim should show a marked discontinuity: As B's peak increases, A's overall claim—desert plus restricted equality boost—should grow steadily and smoothly smaller, since A's desert claim grows continuously smaller. But just beyond the indifference point, A's restricted equality boost disappears completely in a single step—and so the overall strength of A's claim should drop discontinuously. Indeed, given that A is considerably worse off than B, the boost from restricted equality (when it's there) should be rather significant; when that boost disappears, the discontinuous drop in A's claim should itself be a significant one.

But, when I think about this range of cases, I find *no* intuitive discontinuity at all. When I think about how the strength of A's claim varies, it gets smaller, but smoothly, not discontinuously. I certainly don't find myself inclined to think that at some point there is a sharp and significant discontinuous drop.

The same intuitive judgment remains when I think about this question in terms of com-

paring how A's claim compares to B's during all of this. According to restricted equality, it not only should get progressively smaller compared to B's—initially it is larger, but eventually it is smaller—but should do so discontinuously. But I don't find myself at all tempted to ascribe such a discontinuity. It seems to me that A's claim does grow smaller compared to B's, but smoothly, without discontinuity.

I conclude, therefore, that restricted equality is not in fact a genuine value. Perhaps others will have different intuitions than mine when thinking about Moving Peaks, or perhaps none at all. But I find that I am not at all tempted to ascribe the discontinuity that restricted equality needs. And so, however tentatively, I reject restricted equality.

But the original Twin Peaks case (from section 8) seemed to show that egalitarianism itself was implausible unless understood in keeping with *restricted* equality. And so I tentatively conclude that egalitarianism should not be accepted after all.

15

We saw in sections 6 and 7 that various aspects of desert—in particular, curved desert and comparative desert—could explain some of the cases that might otherwise be thought to support equality. But we wondered, nonetheless, whether there might still be some further boost due to equality alone. I have now argued that this is not the case. Beyond considerations of desert itself, there is no *further* reason to eliminate inequality (not even when that inequality is undeserved). Once we accept *desert*, there is no reason to accept equality as well.

Some would object, however, that even if my arguments are sound, I have not actually shown the irrelevance of equality. Rather, they would claim, I have simply incorporated egalitarian considerations directly into my theory of desert. Obviously, if anything like this is correct, it is hardly surprising that equality has no *further* significance—beyond that already implicitly recognized by the (equality-influenced) account of desert.

For example, one might think that there is no real choice to be made between curved desert and equality. After all (it might be argued), *curving* the graph, which is what curved desert does (as opposed to straight desert, which keeps the slope linear) is simply a way of *incorporating* the thought behind weighted beneficence that the lower down someone is, the more reason there is to help her. That is (it might be suggested), all that “pure” desert by itself supports is straight desert; if we then add weighted beneficence, the joint result is curved desert. So curved desert already admits the relevance of weighted beneficence.

But this claim is mistaken. According to weighted beneficence, what's relevant (for determining the strength of the boost to someone's claim) is the person's absolute level of well-being. According to curved desert, in contrast, what matters is the *distance* from the person's *peak*. In and of itself, the absolute level of well-being is irrelevant.

So the motivations behind the two views are rather different, and we can easily see this by noting that they can come apart. Compare the strength of A's claim to be helped, when he is at a certain level of well-being, and a certain distance below his peak, with his claim when he is at a *higher* level of well-being, but is now even *further* from his (now even higher) peak. Weighted beneficence says that the claim gets weaker, since A is now better off. But curved desert says that the claim gets stronger, since A is now further from his peak. For myself, I think that A's claim does get stronger, though I suppose that some might disagree. But in any event, this simple case does at least show that weighted beneficence and curved desert have different intuitions lying behind them. Appeal to curved desert does not simply smuggle in an unrecognized concern with equality.¹³

In a similar vein, some might argue that talk of comparative desert just *is* a way of accepting the importance of strict equality—that it is the very same concern, incorporated into the theory of desert.

It is not quite as easy to dismiss this new suggestion, for both strict equality and com-

parative desert are sensitive to relative standings, and restricted strict equality in particular seems quite similar to comparative desert: Both hold that when one person is worse off than another but just as deserving, there is more reason to help the worse-off person than the better-off, and there is some reason to lower the better-off.

Nonetheless it seems to me rather misleading to say that comparative desert is fundamentally egalitarian in its concern, in the way that restricted strict equality obviously is. It is, of course, true that when we are dealing with two people who are equally deserving, then comparative desert favors equality. But this is just a particular case. It gives us no good reason to think of comparative desert as being especially egalitarian. After all, it is just as true that in all other cases, where the two people are *not* equally deserving, comparative desert favors *inequality*. So there is no more reason to think of comparative desert as being fundamentally egalitarian than the opposite. (Furthermore, since I presume that in realistic cases differences in desert will be rather common, there is also no reason to say that, from a *practical* point of view, comparative desert will tend to be egalitarian.) Comparative desert, like strict equality, is concerned with relative standings—but the nature of the concern is really rather different.

16

Let me mention one final suggestion that might be made on behalf of the egalitarian. In this essay I have tried to avoid taking a detailed stand concerning the question of what it is that makes one person more morally deserving than another. I have assumed, of course, that one person's peak can indeed be higher or lower than that of another, but beyond some vague talk about good and bad people, and saints and sinners, I've said nothing about how it is that a given person's peak is fixed.

One possible view on this issue holds that everyone "starts off" equally deserving. That is, according to this view, there is a certain

level of well-being that *everyone* deserves, at least initially (perhaps simply by virtue of being a person). Presumably, of course, our moral track record can alter this level, leaving us more or less deserving, with higher or lower peaks. But such individual variation should be seen as just that—a departure from the initial shared baseline. If a view like this is correct, then equality still plays an important role in our moral theory, for the initial desert baseline is presumed to be the same for everyone; it is, in effect, an *egalitarian* baseline.

Although this is not the only possible view concerning these matters, this is, undeniably, a plausible and attractive possibility. So let me concede that if something like this view is correct, then there is indeed a sense in which equality remains a genuine value.

But it is important not to exaggerate or misunderstand this sense. Equality would be important simply as a *part* of the theory of desert. If this is the only genuine role for equality, then it cannot be claimed that equality has a content that can be understood independent of considerations of desert, making a contribution to the goodness of outcomes (at least, under the right circumstances) that goes beyond that made by considerations of desert itself. Nor could it be accurately claimed that the theory of desert avoids giving at least a partially independent role to equality by the somewhat illicit subterfuge of *incorporating* egalitarian notions that would otherwise be extraneous to a more "pure" theory of desert. On the contrary, equality would not be a value that could be appropriately *contrasted* with desert at all; it would simply be that in *some* ways (though not in others) people are equally *deserving*.

17

I suspect that if you were to take a poll among moral philosophers, the result would show that many or most believe in equality, while far fewer are confident about whether desert has any intrinsic moral significance. For reasons that I have been trying to bring out, however, I think that this may get things rather

backwards. It seems to me that the intuitive support for desert is strong and clear. What is rather less clear is whether there is any reason to believe that equality matters, too. Even if it does, it seems to me quite unlikely to be a strongly independent value. At best, it seems to be asymmetrically dependent upon considerations of desert. But, as we have now seen, there is in fact some reason to suspect that equality may not have even this much significance. It may simply be that in some ways people are equally deserving, while in others they are not.

Perhaps, then, we should not believe in equality at all, but only desert.

NOTES

1. In what follows I draw from a considerably larger work in progress, *The Geometry of Desert*.
2. See Larry Temkin, *Inequality* (Oxford, 1993), for a wonderful discussion of these issues.
3. Following Derek Parfit, who defends it in *Equality or Priority* (University of Kansas, 1995). The idea is also discussed by Temkin, in *Inequality*, under the label "extended humanitarianism."
4. Perhaps I should mention another possible egalitarian view. Like strict equality, it is essentially comparative—it comes into play only when someone is worse off than another. But unlike strict equality, which in such a situation thinks it is an improvement to either raise the worse off, or lower the better off, this new view would only consider it an improvement if the worse off were raised.
Such a view would lead to intransitive judgments. Consider three worlds. In W_1 , A is below B. In W_2 , A is at B's high level. In W_3 , B is at A's low level. Obviously, this new view will say that W_2 is better than W_1 . How do W_2 and W_3 compare? Both have perfect equality, so, as far as this new view is concerned, W_3 is no worse than W_2 . But if W_3 is no worse than W_2 which is better than W_1 , then by transitivity we have W_3 is better than W_1 . Yet this new view does *not* consider W_3 better than W_1 (since inequality is improved, says this view, only when we help the worse off).
Since this view violates intransitivity, I put it aside (though anyone attracted to it should note that perhaps we are too quick to assume transitivity of "better than." See Larry Temkin, "Intransitivity and the Mere Addition Paradox," *Philosophy & Public Affairs* 16 [1987]: 138–187).
5. Following Temkin, in *Inequality*.
6. For simplicity, I am neglecting details and complications that I explore more fully in *The Geometry of Desert*.
7. Note that, for simplicity, I continue to draw the desert graphs with straight lines. But those who—like me—accept curved desert, rather than straight desert, should imagine the lines slightly curved (that is, with the mountains puffed out on both sides).
8. I take it, however, that even if there is just *one* person in a world, the restriction we are imagining is satisfied, provided that considerations of desert don't oppose helping him. Of course, if there is indeed only one person, then considerations of *strict* equality cannot come into play at all (this being an essentially comparative notion), so no matter how deserving the person is, restricted strict equality won't be relevant. But *weighted beneficence* gives everyone a boost of some sort, even isolated individuals (the lower the person, the greater the boost). Thus, restricted weighted beneficence provides a boost even to an *isolated* individual, provided that considerations of desert don't oppose this.
9. Note, in passing, that restricted equality is an essentially comparative notion (even when it takes the form of restricted weighted beneficence). We can't tell whether restricted equality gives a boost to A's claim merely by looking at facts about A; we must also make sure that no one else is more deserving.
10. Of course, if we *could* do this, then those who believe in restricted weighted beneficence could appeal to an even simpler test case. We would simply imagine a world with a single individual below his peak. (See note 8, on the possibility of doing this.) Given our general theory of desert, we would see how strong his claim should be, and then we would see whether his claim is in fact stronger. If it is, this would support the thought that restricted weighted beneficence was providing the extra boost. Of course, such a test won't work for restricted strict equality, since that comes into play only for situations involving more than one person. But, in any event, we have no such general theory of desert, so these "simple" tests are inadequate.
11. Note that, for restricted weighted beneficence (but not for restricted strict equality; again, see note 8), there appear to be two different ways we might set up a test like this. We might imagine a single world with two individuals (one lower than the other, but equally specifically deserving). Or we might imagine two different worlds with one isolated individual each (one lower than the other, but equally specifically deserving). Either way, we would compare the strength of the claim of the worse off to that of the better off and see if it was stronger.
There are, perhaps, some mild advantages to the second approach. Since each individual is

imagined to be the only person in the world, it is slightly easier to guarantee that considerations of desert don't oppose helping the person. Some of this would follow trivially: Since there is no one else, no one else in that world can have a greater desert claim. And since there is no one else, comparative desert will be silent as well. (Of course, we will still have to be sure that each person is below her peak.)

Despite these slight differences, however, I think it somewhat easier to think about the more familiar cases with two people in a single world. Most important, I don't think we get different intuitive responses when we run the tests one way rather than another (though I may be wrong about this). At any rate, for simplicity, I'll stick to cases of the familiar kind; this also allows us to continue examining restricted weighted beneficence and restricted strict equality at the same time.

12. Might this be a place where it would be helpful to compare the claims of two isolated individuals, rather than two people in a single world (see note 11)? Suppose the case is otherwise as we originally described: A is lower than B and is the same distance from his low peak as B is from her higher one. Even if there is bell-motion, if A and B are not in the same world, there won't be anyone in A's world who is more deserving than A,

so it seems that restricted weighted beneficence could still come into play, giving a stronger boost to A than to B (who is, after all, better off). We also don't have to worry about finding the exact amount to move B closer to her peak, to correct for bell-motion. (Of course, if there is bell-motion, then B is more deserving than A—but it might still be that A's restricted equality boost is great enough to outweigh this.)

Here, too, however, I find no inclination to think that A's claim is greater. And so the example provides no support for restricted weighted beneficence in my own mind. At this point, of course, the advocate of restricted weighted beneficence could claim that the restricted equality boost is outweighed by the fact that B is more deserving. But, to test this, we would have to make desert indifferent, and so we would need to correct for bell-motion after all. And this means we still need to determine how *much* to correct. In short, there seems to be no real advantage to altering the example.

13. What curved desert and weighted beneficence do have in common, of course, is that both give *priority* to the claims of those who fall most short in terms of some favored value (well-being for weighted beneficence; getting what you deserve for curved desert).