**What is unfair about unequal brute luck? – an intergenerational puzzle**

Luck egalitarians hold that fairness requires us to bring it about that everyone is equally well off where this results from their brute luck, but not where it results from individual choices or actions. In this paper, I consider two competing interpretations of this claim. Unequal brute luck may be intrinsically unfair or it may be that only its distributional effects are unfair. I illustrate the difference between these two views with an example of the intergenerational effects of brute luck in which an instance of brute luck for one person depends upon the choices of another person. In such a case, luck egalitarians seem more committed to equalizing the distributional effects of brute luck, rather than neutralising the luck itself. However, this approach is not without its problems. Equalizing only the distributional effects of brute luck in such cases can leave luck egalitarians unable to respond to instances of inherant unfairness and can violate the moral aims of those involved. I conclude by showing how this dilemma arises from assuming that because undeserved inequality is bad, undeserved equality must also be bad, and I argue that rejecting this assumption can avoid this puzzle.

Keywords: luck egalitarianism, unfairness, intergenerational justice

People who care about both personal responsibility and social equality often uphold the Luck Egalitarian principle that “It is bad—unjust and unfair—for some to be worse off than others through no fault [or choice] of their own.” (Temkin 1993: 13). This principle is egalitarian in that it implies, as Arneson puts it, that “everyone should have the same, in some respect, or alternatively that we should bring it about that people reach a condition that is closer to, rather than further from, everyone’s having the same, in some respect” (Arneson 2006: 2)[[1]](#footnote-1). However, it also appears to respect individual responsibility by holding that the respect in which everyone should have the same is that they should be equally well off only in so far as this is a result of their ‘brute luck’, i.e. outside of their responsibility or control.

In this paper, I challenge the suitability of luck egalitarianism as a compromise between equality and responsibility by highlighting its inadequacy as an account of fairness in intergenerational cases. In particular, I wish to consider what it is about unequal brute luck that makes such inequalities unfair. In section 1, I set out two ways in which unequal brute luck might be unfair, it may be intrinsically unfair or only its distributional effects may be unfair. In section 2, I present a case of intergenerational injustice in which these two kinds of unfairness can be separated and argue that luck egalitarians have more reason to be concerned about the distributional effects of brute luck in this case. In section 3, I offer a number of objections to this view. Finally, in section 4, I argue that these objections depend on luck egalitarianism’s condemnation of unchosen or undeserved equality, but not if it condemns only unchosen or undeserved inequality.

1. **Two views about the unfairness of unequal brute luck**

If some are worse off than others due to unequal brute luck then this could be unfair in one of two ways. According to the first, standard, view, it is the fact that unequal brute luck leads to people being differentially well off that makes it unfair. On this view, there is nothing unfair about unequal brute luck per say, but only its distributional effects. This is the view expressed by most canonical statements of luck egalitarianism, such as “a fair distribution of risks and benefits is one that is sensitive to different people’s choices, but insensitive to their brute bad luck” (Dworkin 2000: 451) or “the primary egalitarian impulse is to extinguish the influence on distribution of … brute luck” (Cohen 1989: 908). On this view, luck egalitarians are under no direct imperative to equalize brute luck itself. Instead their duty is, first and foremost, to produce a distribution of whatever we take to be valuable that is as insensitive as possible to the effects of differential brute luck.

However, there is another possible view about the unfairness of unequal brute luck: since bad brute luck is intrinsically bad, differential brute luck is intrinsically unfair. On this view, it is unfair that bad things happen to some and not to others – irrespective of its effect on the overall distribution of resources. Luck egalitarians should, therefore, seek, first and foremost, to neutralise bad brute luck, and only then, if this proves impossible or ineffective, to equalise its distributional effects.

This distinction has played little role in the literature thus far, and in most cases, the difference between these two views is insignificant and uncontroversial. For instance, in the case of a preventable disaster where we have to decide between acting to prevent the disaster at some cost and merely compensating people for its effects after it has taken place, both views will lead us to conclude that we should do whatever will most efficiently and effectively prevent people being harmed. However, the difference between thee views become salient and controversial in cases where the brute luck of some depends upon the choices of others, such as cases of intergenerational inequality.

1. **An intergenerational puzzle**

Consider the following case. Two couples start out in a situation of fair equality. One couple (P) is prudent and comes to have more than the other couple (I) who have been imprudent. Let us assume that the ways in which P were prudent and I were not makes the inequality between P and I wholly justified on luck egalitarian grounds. However, what should we say if both P and I have a child? Call P’s child cp and I’s child ci. Because I are less well off than P, ci will be worse off than cp - ci will not only have a less enjoyable childhood but will go on to be worse off than cp for the rest of their lives. This will be the case even if cp and ci are equally prudent and do not act in any other way that might justify the inequality between them. Furthermore, this is only the case because I are worse off than P; it is no reflection of any other feature of I, P or their children. For this reason, the inequality between ci and cp cannot be justified on luck egalitarian grounds, since it is outside of the responsibility or control of either child.

If unequal brute luck is intrinsically unfair then we should neutralise it, even in cases where this means redistributing goods between agents who are not themselves the subjects of unequal brute luck. For instance, in this case we should redistribute goods from P to I for the duration of ci’s childhood so that ci no longer suffers from the effects of I’s poverty. Since this is the only cause of the inequality between ci and cp, redistributing between P and I is the only way to make cp and ci equally well off[[2]](#footnote-2). However, this also makes I better off than they chose or deserved to be, by compensating I for their own imprudence. Similarly, it makes P worse off, through no fault or choice of their own.

This response would not be supported by our second view about the unfairness of unequal brute luck. Since redistributing between P and I makes somebody worse off, through no fault or choice of their own, anybody who viewed the distributional effects of unequal brute luck as the only source of its unfairness would object to this redistribution. They would argue that if we redistribute goods from P to I because ci suffer from bad brute luck then we allow ci’s brute luck to alter the ‘just’ distribution of goods between P and I and that this is unfair. A luck egalitarian who accepted this view might instead believe that we should redistribute goods to ci directly, as compensation for their poor childhood, and that any effect this might have in making I better off, relative to P, should be minimised. Let us assume that the best way of doing this is to redistribute goods from cp to ci over the course of their adult lives.

Both of these policies, redistributing goods from P to I whilst they are parents or from cp to ci after they have grown up, will make the distribution of goods more equal overall. However, in one case the brute luck itself has been neutralised, whilst in the other the distributional effects of brute luck have been reduced instead. Whilst both policies make ci no worse off than cp, the first policy also makes I no worse off than P, which luck egalitarians may view as unjustified because this inequality was the fault and choice of I. This also make P worse off than they would otherwise have been, simply because of the bad brute luck suffered by I’s children. This seem to support the standard view of luck egalitarians, that unequal brute luck is not intrinsically unfair, suggesting that they should prefer redistributing goods from cp to ci.

There are, of course, many instrumental reasons a luck egalitarian might offer for not redistributing between P and I. These include the effects of such redistribution on the incentives faced by P and I to be prudent in future, the desire to punish I for their imprudence or the sense that P has no special duty to help I. These are not properly the concerns of luck egalitarianism, at least as I understand it here, and they are not arguments I wish to consider, since my concern is solely with the unfairness of unequal brute luck.

1. **Why neither view offers a satisfactory solution to the puzzle**

Let us therefor accept that there are some reasons for luck egalitarians to believe that it is the distributional effects of brute luck that are unfair, rather than the unequal brute luck itself, and hence to prefer redistribution between ci and cp rather than their parents. I find this position unsatisfactory for such cases in two ways. Firstly, it can leave the luck egalitarian with no acceptable response to the unfairness inherent in this inequality and secondly it appears to runs counter to respecting individual’s responsibility by denying them the opportunity to lead free and equal lives according to their own moral aims, even where these are consistent with luck egalitarianism.

The first of these problems emerges if we imagine that there are inefficiencies in redistributing between cp and ci to compensate ci for the effects of their childhood poverty. This is not unrealistic since the sorts of harm produced by a childhood in poverty can be long-lasting and hard to overcome. Furthermore, the redistribution may itself be costly to administer and enforce. For both of these reasons, cp and ci, taken together, might be significantly worse off if we redistributed between them then they would be if we had redistributed between P and I on their behalf. In this case, both cp and ci can be said to bare a cost, because of the childhood poverty of ci, which their parents did not have to bare. They are therefore worse off than their parents through no fault or choice of their own, but due simply to their parents’ inequality. Had P decided voluntarily to help I, then both cp and ci would have been better off than they are following this redistribution.

Since the second generation is worse off through no fault or choice of their own, a luck egalitarian should seek to compensate them via further redistribution if they can. As it was I’s imprudence that led to ci’s childhood poverty the most obvious policy would be to redistribute between I and both cp and ci. However, it is quite possible that such redistribution would not help, because there is no way of redistributing from I, who is old and has little, without further harming ci and so requiring additional, inefficient, redistribution from cp to ci in order to make up for this. Furthermore, it is plausible that P should also redistribute some of their money because, whilst their good fortune is due to their prudence, the fact that they do not need to redistribute to anyone in their own generation who has suffered from childhood poverty is not. Therefore, they are better off than their children through no 'merit or effort of their own', but simply because of the greater equality of the generation into which they were born. This gives the luck egalitarian reason to want to redistribute from P, even if their sole goal is to equalise the distributional effects of bad brute luck between cp and ci.

Furthermore, it is plausible that redistributing from P to I, rather than to ci and cp, would be the most efficient way to remove the inequality between cp and ci. If this were the most efficient means of removing the costs cp and ci would face through redistributing between themselves then the fact that it also benefits I seems like a price worth paying given that every other option leaves somebody worse off through no fault or choice of their own.

From this result, we can see that it may well be impossible to produce a fairer outcome via redistribution alone. If we redistribute between cp and ci, and this redistribution is inefficient, then we create a situation in which P and I are better off, relative to cp and ci, because they had the brute luck to grow up under conditions of equality. If, however, we redistribute from P to I in order to create equality for cp and ci then we prevent I from facing the full consequences of their imprudence. In both cases, some are made worse off and there is no way to make the distribution of goods insensitive to ci’s bad brute luck. This is so even though this brute luck can be directly neutralised by redistributing from P to I. The luck egalitarian is therefore unable to take the only rout to rectify the inherent unfairness in this case.

The second problem with luck egalitarianism focussing on equalising the distributional effects of unequal brute luck emerges if we consider what sort of world the people in this case would like to live in. If we only redistributed between cp and ci, and not between P and I, there is a good chance that we could subvert these moral aims, even if they are luck egalitarian in spirit. It is perfectly reasonable to expect cp and ci to prefer a genuinely equal start in life to an unequal childhood followed by a life of redistribution. Denying them this fair playing field because their parents had to feel the consequences of their own choices demeans their own moral concern for each other, and their parents. I would clearly have reason to prefer to receive some redistribution from P, and so be able to raise their children well, rather than having to bring up their children in poverty. However, they may also believe that it is wrong for their children, or anyone, to be dependent upon others to compensate them for their poor start in life. P may also reasonably prefer that they take on a certain burden so that their children can live in a free and equal world, rather than saddling their own children with the responsibility of looking after the less fortunate in return for continuing to reap the rewards of their parents’ prudence.

This objection does not imply any inconsistency in luck egalitarianism per say. However, it does conflict with the motivation behind it. Maybe the luck egalitarian would be in favour of some voluntary arrangement in situations such as these, under which P and I redistributed between themselves. However, what if such an arrangement was not possible? It might be shameful to either party to give or receive charity of this sort, or both may fear opening themselves up so to the moral claims of others. It seems wrong to hold a view that would not promote such a transfer of resources, only to hope that it might still emerge out of some voluntary private arrangement.

Even if luck egalitarianism did not subvert the moral aims of the people it affects, it seems demeaning to deny somebody the equal opportunity that the luck egalitarian claims to support. By compensating ci for their poor childhood, the luck egalitarian may, possibly, achieve their aim of equalising the distributional effects of brute luck. However, if the cost of this is that people must face this bad luck and only be compensated for it afterwards, this appears to make use of the individual agents as a means of producing the right distribution of resources, rather than distributing resources so as to respect people’s responsibility to choose how well off they want to be.

I believe it is possible for the luck egalitarian to bite the bullet on this issue and say that this is the fairest approach, just as they might claim that it is unfair for people not to be worse off than others when they choose or deserve to be so. However, neither claim strengthens the moral motivation behind luck egalitarianism and they may even be inconsistent with its fundamental aims.

1. **A better solution**

The dilemma of the previous section emerges from the assumption that it is unfair for P to become worse off, and I better off, because of the bad brute luck suffered by ci in being born to poor parents. If we wish to preserve this ‘justified’ form of inequality, then it seems we have no means of compensating ci for their bad luck that does not run counter to both the spirit and effectiveness of luck egalitarianism in this case. However, the most common statements of luck egalitarianism, such as the one mentioned in the introduction to this work, only make explicit claims about the unfairness of undeserved inequality and need not imply that a state of undeserved equality is also unfair.

For instance, Shlomi Segall has proposed the following ‘asymmetrical’ version of luck egalitarianism: “It is bad for one to be worse off than another through no fault or choice of one’s own. It is never bad, with respect to equality, for one to be equal to another through no merit or effort of her own.” (Segall 2015: 359). It would follow from this view that whilst the inequality between cp and ci is unfair – and therefore bad – the inequality between P and I is not necessarily fairer than their equality, and their being made equally well off via redistribution would be no worse, at least with respect to fairness.

This view escapes both of the horns of my dilemma. It allows for a distributional view about the unfairness of brute luck that would not imply that there was anything unfair about redistributing between P and I. P’s prudence and I’s imprudence create a justification for their inequality, but they do not remove the justification for their equality. The undeserved inequality between cp and ci in this case therefor creates a sufficient justification for redistributing between P and I. If luck egalitarians are willing to adopt such an asymmetrical view about the unfairness of inequality, their position might be much more suitable as a principle of intergenerational fairness.

**Conclusion**

I have considered whether luck egalitarians should view unequal brute luck as unfair in itself, or whether they should only condemn its distributional effects. I have approached this question by considering a case of intergenerational inequality and asking whether the luck egalitarian should primarily be concerned to equalize the brute luck in this case, or neutralise its effect on how relatively well of people are. I believe that the luck egalitarian may intuitively be drawn towards neutralising the distributional effects of brute luck, because brute luck cannot be equalised without removing justified inequalities. However, I find that taking this approach has undesirable consequences for the luck egalitarian that undermine their commitment to the value of equality and responsibility, making the position unsuitable for such cases. However, I conclude that a luck egalitarian might be able to avoid this puzzle by taking an asymmetrical view about the unfairness of unequal brute luck, on which inequalities caused by unequal brute luck are unfair, but equality itself is never unfair, irrespective of its cause[[3]](#footnote-3).

**References**

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1. This is in opposition to an alternative view, considered by Arneson, of ‘luck prioritarianism’. [↑](#footnote-ref-1)
2. Since the inequality between I and P is the only source of the inequality between ci and cp we must presumably have already removed other sources of inequality such as unequal education and healthcare. [↑](#footnote-ref-2)
3. I am grateful for feedback on drafts of this paper from Luc Bovens, Veronique Munoz Darde, Mike Otsuka, Shlomi Segal, an audience at the Pavia Graduate Political Philosophy Conference 2015 and an anonymous reviewer. [↑](#footnote-ref-3)