Hikers in flip-flops. Luck egalitarianism, democratic equality and the *distribuenda* of justice[i]


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I. Introduction

Two views of social justice have been engaging philosophers' attention and sympathy over the past decades: luck egalitarianism and relational egalitarianism. They are usually presented as the main rival views on the nature of justice. I argue that, on a plausible account of what we ought to distribute equally, luck egalitarianism can integrate, as a matter of internal logic, one of the main aims of relational egalitarianism: the creation of egalitarian political relationships.

According to luck egalitarianism – a theory about the principle of distribution – 'the aim of justice as equality is to eliminate so far as it is possible the impact on people's lives of bad luck that falls on them through no fault or choice of their own'[ii]. On this account, justice is about the prevention or rectification of arbitrary inequalities, and inequalities are arbitrary to the extent to which they result from factors outside the responsibility of those affected. By contrast, individuals have no complaint of justice when they are worse off than others due to actions for which they could be reasonably held responsible. The second view, relational egalitarianism, is a conception according to which justice is *not* essentially about distributing individually consumable goods, but about creating social relationships free from exploitation, domination and exclusion. The prominent positive ideals of relational egalitarianism include equality of rank, status and power[iii] – in short, equality of standing – and solidarity. This is a conception of justice advocated by philosophers like Iris Marion Young, Elizabeth Anderson and Samuel Scheffler[iv].

Relational egalitarianism has taken shape largely in reaction to luck egalitarian views; at its core lies the *prima facie* plausible belief that fair distributions cannot be all there is to social justice, and that the relational features of a society – essentially, how its members treat each other as citizens, either directly in personal interactions or through the mediation of social institutions – must make a difference to how just that society is. Yet, at least some versions of luck egalitarianism can accommodate the importance of relational features as a matter of just distributions, if only by stretching somewhat the meaning of the term 'distribution'.

To formulate the main thesis clarity, I introduce the following distinction between the metric and the *distribuenda* of justice: Any theory of justice needs a metric of justice, which refers to the

thing the distribution of which we ought to care about in order to realise justice. In a theory of justice that operates with an egalitarian principle, the metric could also be called the 'aequandum' of justice, i.e. the thing that we ought to promote equally in order to realise justice. In what follows I employ the more general term 'metric'. The familiar candidates for the metric of justice are resources, opportunity for welfare, access to advantage and capabilities. But individuals' welfare, advantage or capabilities are a function of their enjoyment of particular goods, and the overall resources they can possess is a sum of particular goods. I call the particular goods that are to be distributed the *distribuenda* of justice. They may include self-respect, income, wealth, and opportunity for desirable positions, as in Rawls' proposal, but they may also include, for instance, rights to health care (assuming, for instance, that health is special), or (opportunity for) relationships. Anderson, one of the most influential relational egalitarians, recognises a distinction between what I here call the metric and the *distribuenda* of justice when she writes: "What, then, separates capability theorists from resource theorists? They do not disagree over what goods the distribution of which is directly regulated by the state. Functionings, or states of a person, cannot be immediately distributed. Only the means to such states – resources – can be. For example, the state can provide health care, but not health directly". On her own view, resourcists and capability theorists disagree about metrics but could agree on *distribuenda*[v]. Here is another illustration of the distinction between metric and *distribuenda*: According to Hillel Steiner, justice requires the equalisation of resources (i.e. identifies resources as the metric), and this should be realised by redistributing natural resource value – i.e. identifies one particular resource as the *distribuendum*[vi]. Michael Otsuka, who also believes that we ought to redistribute money – i.e. identifies the same particular resource as Steiner to be the *distribuendum* – argues that the final aim of justice is to equalise wellfare – i.e. identifies welfare as the metric[vii]. Other welfarists with respect to the metric of justice may believe that *distribuenda* which are different, or in addition to, money, are necessary for equalising welfare.

Relational egalitarians do not see egalitarian political relationships as part of the *distribuend*a of justice, but as a requirement of justice distinct from distributive requirements. The central claim of this paper is that egalitarian political relationships can be conceptualised as one of the *distribuenda* of justice[viii] (on any plausible metric), thereby showing that some of the central demands of relational egalitarianism can also be generated by the internal logic of luck egalitarianism[ix]. Indeed, as I elaborate in the fourth section, several philosophers, some of whom are sympathetic to luck egalitarianism, have already argued that some kinds of (opportunities for) relationships ought to be amongst the *distribuenda* of justice.

Depending on how the *distribuenda* of justice is identified, it is possible to integrate one of

the main aims of relational egalitarianism into a luck egalitarian theory of justice. Specifically, if we owe to each other a plurality of goods, then certain kinds of relationships are likely candidates for the *distribuenda* of justice. Depending on the metric of justice one endorses, these relationships can be seen as resources, or non-substitutable contributors to welfare or advantage, or factors co-determining individuals' capabilities. Relationships we have with other members of our community obviously add to or subtract from how well our lives go. In particular, living in societies that realise equality of power and status and which cultivate relationships based on solidarity contributes to individuals' subjective and objective well-being, plausibly to a very significant degree.

A demand that relationships be (re)distributed can strike as artificial at best and absurd at most. Nobody can hand over equal power or solidarity to people in the same way in which one can hand them over money or medicine. It is easy to dispel this initial worry. First, the concept of distribution used here is technical: it refers to the effects that particular policies and institutions, which are designed by human agents, and social practices, which are influenced by individual and collective action, have on citizen's lives. We know that policies, institutions and social practices do impact on issues of status, power, and solidarity. Patterns of distribution of relational goods such as those discussed here already exist: Some people have more social power and higher status than others; some individuals – for instance middle class victims of destructive natural events – are at the receiving end of social solidarity more than others – for instance members of historically discriminated minorities. Second, while it may be true that there is nothing we, individually or collectively, can do to *ensure* equal enjoyment of, or access to, these relational goods, this is not as such a reason to resist considering relational goods as up for distribution: There may be nothing that we can do to *ensure* (access to) equal distribution of *any* good – yet this does not mean that we ought to give up on distributive ideals.

The paper has two aims. First, as already indicated, to show that a version of luck egalitarianism that includes relational goods amongst its *distribuenda* can, as a matter of internal logic, account for one of the core beliefs of relational egalitarianism. Therefore, there will be important extensional overlap, at the level of domestic justice,between luck egalitarianism and relational egalitarianism[x]. This is an important consideration in assessing the merits of and relationship between the two rival views. Second, to provide some support for including relational goods, including those advocated by relational egalitarianism, on the *distribuenda* of justice and therefore to put in a good word for the overall plausibility of this conception of justice. In the course of doing so I hope to show why relational egalitarians, too, have reason to sympathise with this proposal.

The next section focusses on one alleged major tension between luck egalitarianism and

relational equality: their prescription with respect to saving the imprudent. In the third section I argue that the relational goods at the core of democratic equality – equality of power and status, and solidarity, henceforth 'democratic relational goods' of DRGs – can be conceptualised as part of the *distribuenda* of luck egalitarian justice. This is so because they make an important contribution to the metric of justice – whether this is identified as resources, welfare, advantage or capability – and because they cannot be replaced, or compensated for, by other goods. When abandoning the imprudent is incompatible with preserving DRGs luck egalitarianism will require that we save the imprudent. However, there may be cases when abandoning the imprudent is compatible with the preservation of DRGs – for instance, when the losses one incurs due to one's imprudence are relatively trivial. Then, not only luck egalitarians but also relational egalitarians will find no requirement of justice to rescue the imprudent.

The fourth section discusses the most likely objections to a luck egalitarian theory which includes DRGs amongst its *distribuenda* of justice. One objection is that these goods are impossible or very difficult to distribute. But it is far from clear that feasibility considerations impact on considerations of desirability although, of course, they do impact on prescription for immediate action. Moreover, we in fact can and do use policies, institutions and social practices to bring about a more equal distribution of relational goods, including DRGs. Most importantly, this type of objection cannot target my argument regarding the important extensional overlap between luck egalitarianism and relational equality: if the putative impossibility or extreme difficulty to distribute DRGs really is a fatal objection to theories of justice that require people to enjoy particular relationships, then it also an objection to relational equality. A second objection points to the fact that a pluralist *distribuenda* of justice which includes DRGs is unlikely to pass the test of state neutrality. Again, this objection will cut with equal force against my version of luck egalitarianism and against relational justice. I conclude that relational egalitarianism and the kind of luck egalitarianism that I advocate are potential allies in advancing an egalitarian agenda interested in living together well, as equals.

II. Luck egalitarianism *versus* democratic equality?
In the remainder of this paper I focus on one canonical version of relational egalitarianism: democratic equality. According to its pioneer, Elizabeth Anderson, a core belief of democratic equality is that all the members of a political community are entitled to the capabilities needed to avoid dominating social relationships (she adopts a sufficientarian principle of distributing capabilities.)

Anderson identifies several points of conflict between luck egalitarianism and relational

egalitarianism[xi], but in this paper I focus on the alleged conflict concerning compensation for avoidable disadvantage and its practical implications. (In the fourth section I will briefly address another alleged difference between the two views, concerning the relationship between demands of justice and issues of feasibility.) If justice, as luck egalitarianism prescribes, is about eliminating arbitrary inequalities, then it does not concern itself with inequalities which individuals could have avoided – or, on the most charitable reading of the criticism, with inequalities which individuals could have avoided at reasonable costs to themselves. It seems to follow that an individual who gets herself in trouble due to reckless behaviour, which she could have easily avoided, has no claim of justice to help. I will occasionally use the example of a person who goes hiking in the mountains in flip-flops and then finds himself stranded on a rock, in need of help – as it regularly happens these days, at least in the Bavarian Alps. Democratic equality, in contrast, requires the saving of the imprudent; on Anderson's account of justice, everybody is owed what it takes for them to be functioning moral, economic and political individuals. The causes of need should not count, because abandoning the imprudent would mean a failure of solidarity; so individuals cannot forfeit their entitlements through irresponsible behaviour. Another important criticism that Anderson levelled against luck egalitarians is that they are 'too narrowly focussed on the distribution of divisible, privately appropriated goods, such as income or resources, or privately appropriated goods, such as welfare.'[xii] I shall explain why the two criticisms – the the luck egalitarian abandons the impudent and that they are exclusively interested in the distribution of privately consumable goods – are not independent. Once it is clear that there is no principled reason why luck egalitarians should be exclusively concerned with the distribution of divisible, privately appropriated or enjoyed goods, it will also be clear that luck egalitarianism can require the saving of the imprudent as a matter of internal logic.

Specifically, I reject Anderson's claim that luck egalitarianism is inimical to democratic equality because in some cases:

(a) it requires people to bear full responsibility for their choices

and hence

(b) it asks us to abandon the imprudent.

Various philosophers have shown why (a) is false in many real-world situations – that is, situations that involve various degree of injustice[xiii]. When individuals who are victims of injustice make choices that leave them even more disadvantaged than before – or, more generally, when their choices cause them to need immediate help – it is obviously unjust to abandon them to their fates. Anderson uses some such examples – for instance, that of a worker who engages in uninsured dangerous work as a result of economic need. But of course, luck egalitarianism in no way endorses

abandonment in such cases; to the contrary, it has the resources to diagnose the victims of injustice as holding less than their fair share in the first place and therefore having a right to compensation. Most luck egalitarian literature is pitched at a high level of abstraction, and aims to identify the requirements of justice in ideal, rather than real-world circumstances; individual choices and disadvantages incurred by individuals as a result of those choices occur, by assumption, against a background of just distributions. As such, ideal-theoretical elaborations of the demands of luck egalitarian justice are mostly silent on exactly what justice requires for those who suffer as a result of their own choices in unjust circumstances. But certainly not all choices made in unjust circumstances are such that individuals cannot be held responsible for their consequences. To start with, not all individuals are victims of injustice; some are beneficiaries of it. And second, some disadvantage-inducing choices are not made on pain of becoming even worse off (unlike the choice of the unemployed who takes up uninsured dangerous work.) In some real-world cases choices that generate disadvantage can be avoided, at very little cost to the chooser. These are the most interesting cases for testing the compatibility between the prescriptions of luck egalitarianism and those of democratic equality, and this is the type of case modelled by the example of the hiker in flip-flops.

Putting the claim (a) to one side, several philosophers have already argued that luck egalitarianism and democratic equality are not as divergent as generally presented with respect to claim (b). One usual argument is that a luck egalitarian and someone who endorses democratic equality need not differ significantly in the courses of action that they are likely to recommend all things considered, and therefore that the two conceptions of justice are extensionally compatible with each other. Specifically, some argue that luck egalitarians recognise values other than, and sometimes competing with, fair distributions, and therefore can accommodate the goals of democratic equality[xiv]. This means that adopting luck egalitarianism will not necessarily lead to a recommendation that the hiker in flip-flops be abandoned; compassion, humanity or maybe solidarity can justify the use of necessary resources for saving him. Others, to the contrary, believe that relational egalitarians should adopt responsibility as a side constraint on its recommendations, which again will bring its recommendations closer to those of luck egalitarianism[xv]. This may mean, for example, that the rescued flip-flopped hiker should be required to bear the full cost of his rescue, at least if doing so will not deprive him of resources he needs in order to function as a moral, economic and political agent in the future. The two strategies for making the luck egalitarian's recommendation similar with with the recommendation of democratic equality are mutually compatible as far as one is sensitive to the particular condition of the rescued: Those who can afford to take the costs of their rescue are likely to be the same as those who are sufficiently well-off,

materially, to function as equal members of their community.

Another strategy to bridge some of the extensional gap between luck egalitarianism and democratic equality (or, more generally, relational egalitarianism), is to show that the two accounts of justice are not incompatible with each other because honouring the principles of the latter would in fact require the equal distributions of certain goods[xvi]. Christian Schemmel argued that the inner logic of democratic equality requires distributions of (material) goods that is closer to those required by luck egalitarianism than to the sufficiency principle that Elizabeth Anderson herself endorses. To realise democratic equality, Schemmel believes that we ought to set more stringent (than sufficientarian) limits on material inequality. The first reason for this is that inequalities are in need of justification in a community of equals. The second reason is that a society displaying the relational features advocated by Anderson (and others) cannot be realised against a background of significant material inequality.

My claim is symmetrical to Schemmel's (and in no contradiction with it), on the side of luck egalitarianism: Luck egalitarianism will come to the rescue of the imprudent as a matter of justice, at least in reasonably affluent societies and in societies with low levels of imprudent behaviour. A version of luck egalitarianism according to which the correct *distribuenda* of justice includes DRGs is able to accommodate the recommendations of relational egalitarianism *as a matter of inner logic*. The reason is that DRGs can plausibly be seen to contribute significantly to individuals' resources, welfare, advantage or capabilities. Equality of status, power and solidarity are intrinsically good, and it is unlikely that they can be substituted by, for instance, material resources. If living in a society shaped by the ideal of democratic equality is, other things being equal, significantly better for each individual than living in a society that lacks democratic equality, then DRGs are plausible *distribuenda* of justice[xvii].

My contribution to this debate is to show that even if it was correct that luck egalitarian justice required people to bear full responsibility for their choices (as it most likely is in at least some cases, even in unjust circumstances) there are reasons *internal* to luck egalitarianism not to endorse the abandonment of the imprudent, provided that DRGs are being given sufficient weight. If successful, this is the best kind of defence that can be offered to luck egalitarianism in the face of Anderson's criticism. For her complaint was not merely that a luck egalitarian cannot recommend the saving of the imprudent, but that luck egalitarianism cannot acknowledge the requirement of saving the imprudent as a requirement of justice[xviii]. I claim it can, although not as a duty of justice owed to the imprudent himself, but as a claim of justice owed to the other members of the political community.

Anderson's criticism that luck egalitarians focus on privately consumable goods does not cut

with equal force against all kinds of luck egalitarians, who can differ amongst themselves with respect to what makes people's lives go well. Welfare or advantage, for instance, although indeed privately enjoyed, are determined in part by the relationships they have with others, including political relationships they have with co-citizens. As I indicate in the fourth section, Anderson's criticism targets well those versions of distributional views which, in the interest of preserving state neutrality, insist on a monistic (and morally neutral) view of the *distribuenda*.

The luck egalitarian demand identifies a principle of distribution; by itself, it does not generate a complete theory of justice. As a principle of distribution it is not as such committed to any particular metric of justice; rather, a metric of justice must be supplemented in order to generate a more determinate demand of justice. As such, luck egalitarianism is also not committed to particular *distribuenda*. It is compatible with a variety of beliefs about which goods should be distributed (wealth and income? fresh air? friends? beauty? jokes? the social basis of self-respect? solidarity?) although the choice of a particular metric is likely to exclude some kinds of *distribuenda*.

But irrespective of the metric of justice she endorses, if a luck egalitarian believes that the types of relevant resources, or the determinants of welfare, advantage or capability are necessarily plural, then a variety of *distribuenda* are likely to be part of that particular theory of justice. For a particular good to be among the *distribuenda*, it should be impossible to compensate for its absence. In addition, that good should not be obtainable in exchange for other goods; this may be so because they their creation requires coordinated, collective action. DRGs are such goods – a point to which I return in the next section. There is nothing inherent to luck egalitarianism that excludes a pluralistic conception of the *distribuenda* of justice. Adopting luck egalitarianism as a principle of distribution is compatible with the belief that DRGs are as relevant *distribuenda* as individually consumable goods.

III. Democratic relational goods as part of the *distribuenda* of justice

Due to the non-excludable nature of DRGs, a version of luck egalitarianism that includes them amongst its *distribuenda* requires the rescuing of the imprudent as a matter of justice. I propose and discuss the following argument:

1. Justice requires the enjoyment of DRGs – that is, of equality of status, power and solidarity.

2. If a DRG is enjoyed, everyone must enjoy it.

3. So, justice requires that the imprudent enjoy DRGs.

4. If the imprudent is abandoned, she will not enjoy DRGs.

5. Therefore, justice requires that the imprudent not be abandoned.

(1) is true only if DRGs make a significant contribution to how well individuals' lives go (whether in terms of resources, welfare, advantage or capabilities) such that individuals cannot be adequately compensated for their absence. Many people find this claim plausible: other things equal, it is (much) better to live in a society which does not marginalise, dominate and exploit its citizens, and which does not fail to show them equal solidarity[xix]. Two considerations can be advanced in favour of this conjecture. First, some evidence indicates that DRGs are instrumentally valuable to all citizens. Living in societies that are materially very unequal negatively affects everybody, in part because large material inequalities generate hierarchical social relationships of dominance and subordination[xx]. When social relationships are driven by status competition, and when social cohesion is thereby eroded, even the lives of individuals who are materially better off may worsen.

Second, DRGs are likely to have moral, and therefore intrinsic, value. It may be in itself bad to live in a hierarchical society devoid of solidarity. This applies in obvious ways to those who are dominated, oppressed or left out of solidaristic relationships, But, again, it also applies to the members of groups who have superior standing by making it difficult or costly to, for instance, show solidarity *with everybody*. If I live in a society who as a matter of policy saves the imprudent, my contribution to upholding solidarity comes relatively easy: mostly I need to pay my taxes. By contrast, it may be very difficult, if at all possible, to privately show solidarity with all victims of misfortune: there only that much I can do to, for example, organise with other private individuals in order to run rescue services, soup kitchens or accommodation of the homeless. If democratic relational goods have moral value, then it is intrinsically better for the prudent (as well as for the non-prudent) to live in societies that realise these values. This claim is less ambitious than the Socratic belief that a morally objectionable life cannot be a good life. The latter is an all things considered claim. Perhaps on the whole one's life can go well even if that life is not beyond blemish. But, other things equal, it is plausible that one's life will go better if it is morally good, and spared of morally difficult choices.

The argument I propose will be more compelling if DRGs cannot be substituted; in this case, the most plausible version of luck egalitarianism will be concerned with making them directly available to individuals. At the very least, it is clear that democratic relational goods cannot be substituted by money or other private consumption goods. Relationships cannot in general be bought, unlike particular services that can be provided within relationships; their creation takes the active and mutual involvement of the parties to the relationship. And, in the case of social and political relationships, like those made possible by the DRGs, collective action is needed for their realisation. It is hard to see how inclusiveness, non-exploitation or solidarity could exist in the

absence of any institutional set-up that can uphold them; the next section provides a few examples of political action that can distribute democratic relational goods more fairly.

Moving on to (2), it is precisely the collective nature of the DRGs that creates a possible difficulty for a luck egalitarian theory of justice that demands the provision of both individually enjoyable goods and of DRGs. DRGs are non-excludable: Individuals cannot be effectively prevented from enjoying them. Note that the DRGs are not power, status and solidarity, but equality of power, of status and of solidarity. It may be possible to distribute power, status and solidarity according to a responsibility-sensitive egalitarian principle, such that unequally responsible individuals will end up with different shares. But such a distribution would not result in the non-dominating, inclusive and solidaristic social world appraised by relational egalitarians. Instead, it is equality of power, status and solidarity that carry the full instrumental, and the intrinsic value discussed above. It is true that a society can delegate only some of its individuals to a position of lower standing, and it can show solidarity to some, but not to others. Such a society fails to achieve equality of status, power and solidarity: As long as some individuals are having lower standing and are left out of solidarity relationships, everybody else is deprived of the good of equality of status, power and solidarity since the more privileged individuals are failing – to different degrees and bearing different levels of moral responsibility – to relate as equals with individuals from the unprivileged group(s).

DRGs are also non-rivalrous: When they are enjoyed by one individual their availability to others is not thereby reduced, although of course their realisation for more individuals, especially if they behave irresponsibly, may put pressure on material resources. (I return to the latter fact below.) The non-excludable nature of DRGs means it is impossible to provide them only to some members of the society but not to others. Hence, their distribution must follow a responsibility-insensitive luck egalitarian principle: if they exist at all, they must be equally enjoyed by all. It is an open question whether luck egalitarians have any *pro tanto* reason to regret that their distribution is not sensitive to individual choices, including reckless choices. At least some egalitarians have argued that only arbitrary inequalities are in need of justification, while arbitrary equalities are always welcome. For instance, Sholmi Segall has argued that luck egalitarians could only object to arbitrary equalities if choice, rather than equality, was their fundamental value; this would make luck egalitarianism, primarily, a theory about desert rather than about equality[xxi]. The claim that luck egalitarianism ought not to see arbitrary equalities as be problematic is, I contend, particularly convincing in the case of non-rivalrous goods.

But other goods that are likely *distribuenda* of a luck egalitarian agenda, such as income or rights to medical care or rescue services, are rivalrous and excludable. The following question

arises: suppose some individuals incur disadvantages due to choices for which they can be held responsible, like in the case of the hiker in flip-flops. And suppose that, in order to restore them to a threshold of sufficiency, in this case to save the hiker, it is necessary to use rivalrous and excludable resources. Ought the luck egalitarian compensate him – that is, divest resources to come to his rescue – as  a matter of justice? A reason to think so is that failure to provide such compensation can undermine the DRGs that the luck egalitarians also ought to provide as a matter of justice.

It seems that there are two possibilities in this case, and I will show that in both of them the luck egalitarian prescription of justice will coincide with the prescription of democratic theory. Either DRGs *can* be preserved without compensation for avoidable disadvantage, or DRGs *cannot* be preserved without compensation for avoidable disadvantage. In our example, failing to save the reckless hiker – or, rather, failing to have in place policies that rescue people who recklessly endanger themselves – is likely to display a lack of solidarity with those in need. If all members of society are owed social institutions that uphold solidarity – and the point extends to other DRGs – then all members of society will be in one way negatively affected by a principled refusal to save the reckless hiker. But, by assumption, the predicament in which the hiker in flip-flops finds himself is in no way the responsibility of other individuals. Therefore, to the extent to which a principled refusal to save him will erode the good of equality of solidarity, the negative consequences will fall on all members of the society. When DRGs cannot be preserved without compensation for avoidable disadvantage, luck egalitarianism is compatible with democratic equality because it *will* recommend the compensation for avoidable disadvantage, on pain of unfairly depriving of the goods of democratic equality those individuals who are *not* responsible for the choices of the imprudent.

DRGs *can* be preserved without compensating individuals for some avoidable disadvantages – such as badly chosen holidays – but not without compensating individuals for other avoidable disadvantages – like those deriving from recklessly putting oneself at risk of serious harm. Not only democratic egalitarians, but also some luck egalitarians will see this as a requirement of justice and will not allow recklessness – or, more generally, choice – to play a role in whether some become marginalised, dominated or exploited.

(3) follows directly from (1) and (2), (4) is true by assumption and (5) follows from (3) and (4).

The major difference between the two views of justice lies in the ultimate recipient of the duty of justice to protect DRGs. On the luck egalitarian view the duty is owed to the prudent members of the society, who would be negatively affected should some individuals be allowed to put themselves in exploited, dominated or marginalised positions. By dint of their allegiance to the

value of responsible choice, the luck egalitarian must acknowledge that individuals who voluntarily risk their standing as equals – at least in cases of choice that do not result from previous injustice – thereby forfeit a claim of justice to DRGs. In contrast, the democratic egalitarian may want to say that the duty is owed to all members of the society, including the (potentially) imprudent.

Suppose, however, that the correct interpretation of luck egalitarianism deems equalities in the presence of unequal levels of personal responsibility unfair[xxii] (which, as I noted above, is itself a contentious position.) Then, luck egalitarianism will deem *prima facie* unfair the rescuing of the imprudent because this makes the imprudent as safe as the prudent with respect to the holding of the *distribuenda* of justice. In this case it may still be possible that this *prima facie* unfairness towards the prudent is less weighty than an even greater unfairness, also towards the prudent, involved in a failure to rescue the imprudent. If the failure to rescue the imprudent erodes DRGs, then both the prudent and the imprudent are going to end up equally worse off with respect to DRGs: they will both be deprived of the good of solidarity, for instance. And this would also be an unfair equality, for the same reason for which the equality resulting from indefinitely rescuing the imprudent would be unfair.

The difference between luck egalitarianism and democratic egalitarianism with respect to the possibility to forfeit claims of justice to DRGs can, when material resources are scarce, and depending on the weight given to DRGs, result in practical differences. The cost of creating and maintaining DRGs will depend on two factors. First, on the extent to which individuals are willing to uphold democratic equality in their interactions with others; the fewer attempts to exploit, dominate or marginalise, the less need to police individual interactions and thus the cheaper the provision of DRGs. 'The second factor is the extent to which individuals will avoid to imprudently endanger themselves in ways that makes them eligible to rescuing for the sake of preserving DRGs. If a large number of individuals systematically go hiking in the Alps in flip-flops, policies mandating their rescue will represent a serious strain on common material resources (as well as put rescuers at significant risk). If indefinitely saving large numbers of imprudent members of the society jeopardises the provision of other (than democratic relational) goods to the prudent, the balance of reasons may change: The unfairness towards the prudent generated by the indefinite rescuing of the imprudent may out-weight unfairness towards the prudent generated by the sacrifice of DRGs. The same situation may arise in societies with very scarce material resources even when the number of imprudent individuals is low. That is, indefinitely rescuing the imprudent may involve a high level of unfairness towards the prudent. In such cases, since on the luck egalitarian account the imprudent lacks a claim of justice to be saved, the luck egalitarianism considered here will not mandate the rescue as a matter of justice. In case of extreme scarcity, however, it is not

clear that the democratic egalitarian either should favour the indefinite rescuing of the imprudent over rival policy goals – such as, say, the treatment of diseases the contraction of which is outside individuals' responsibility.

To conclude, at least in reasonably affluent societies with relatively ow levels of imprudent behaviour, the demands of justice issued by democratic equality do not conflict with the demands of justice issued by the luck egalitarianism, provided that DRGs are included on the *distribuenda* of justice and that given sufficient weight. Therefore, at the domestic level the same requirements of justice prescribed by democratic equality flow from a version of luck egalitarianism which includes DRGs among the *distribuenda* of justice. Disagreement between luck egalitarians and defenders of democratic equality will nevertheless persist concerning the justification of action that they recommend.

## IV. Objections

The luck egalitarians' choice of the *distribuenda* of justice is one key to their debate with relational egalitarians; depending on this choice, the two views may generate identical recommendations of justice at the domestic level. Yet, some will resist the suggestion that luck egalitarianism can incorporate a concern with the distribution of DRGs, by claiming:

i. that it makes no sense to speak about a distribution of relational goods – including DRGs – because relational goods, in general, unlike non-relational goods, they cannot be distributed; and

ii. that a theory of justice that sets out to distribute relational goods of the kind discussed in this article is incompatible with state neutrality and therefore with political liberalism.

I shall discuss these objections in turn. I think the first can be easily dispelled, both by considering the role that feasibility constraints should have on defining ideals of justice and by indicating that such distributions are in fact possible, at least to some extent. The second objection, on the other hand, is probably correct, and indicates that the more important disagreement in contemporary thinking about social justice may be between those who do and those who do not endorse full state neutrality.

Before addressing each objection let me note that, if successful, they speak – for the same reasons and hence with equal force – against a form of luck egalitarianism that aims to distribute DRGs *and* against democratic equality. This shows that, whatever merits one thinks these objections have, they signal deep similarities between these two views of justice – similarities in spirit, if not in the conceptual tools which they use.

The first answer to the objection (i) is that matters of feasibility do not impact on the

desirability of an ideal of justice, although they do of course impact on issues of implementation[xxiii]. This is a disputed position, with the details of which I will not engage here. But if the infeasibility of an ideal of justice impacts on its desirability, then democratic equality too, is vulnerable to the first objection[xxiv]. (And so are most theories of justice, including the forms of luck egalitarianism that are committed to liberal neutrality and that, I argue, represent the real rival view of justice to both the version of luck egalitarianism I describe and democratic equality.) According to Anderson, relational egalitarianism disagrees with luck egalitarianism on this matter. She thinks that relational egalitarianism is committed to the view that justice cannot require what is infeasible. Yet, if this was true it would spell serious trouble for the relational egalitarian. This is because Anderson also believes that group stigmas and stereotypes, as well as *de facto* group segregation, undermine democratic equality. She recognises that stigma and stereotype are perpetuated by 'discrimination in contact' – that is, in face to face interaction between individuals. For instance, she notes that often the problem of people stigmatised due to their group identity 'isn't that they can't talk, but that people aren't listening or taking them seriously.'[xxv] A growing body of research indicates that attitudes that are likely to fuel gender and racial stigma and stereotype are in part generated by implicit bias. Implicit bias refers to attitudes and beliefs that individual hold unconsciously; they often diverge from their conscious attitudes and beliefs. Importantly, we do not seem to have any direct control over the effects of our implicit biases[xxvi]. We know that some measures are effective checks on implicit bias – and, indeed, Anderson herself advocates affirmative action as a means of fighting stigma, stereotype and discrimination. However, there is no reason to believe that we can eradicate them fully. A relational egalitarian who believes that justice cannot require what is infeasible will have to say that the inequalities of status caused by implicit biases that we cannot keep in check are not unjust. This, however, seems to betray the core commitment of relational egalitarianism.

While it is true that we cannot fully control the extent to which individuals enjoy relationships goods, there is much we can do to this effect. Recently, several political philosophers started to pay particular attention to the distribution of relational goods. Some of these goods fall on the private side of the private/public divide[xxvii], but others can be placed, sometimes squarely, in the public domain. Fortunately, it is possible to show that we collectively can, in fact, distribute DRGs in general[xxviii]. More equal distributions of wealth and income, as well as of economic and social rights are likely to go a long way towards creating a society whose members stand in relationships of equality to each others. But there are certainly many other, additional reforms that can advance the same goal. Providing DRGs means that individuals must be protected from the dangers of being marginalised, exploited or dominated. Examples include policies to rescue the victims of reckless

hiking or extreme sports; legislation regulating work, such that individuals who lose their jobs of their own faults do not thereby become destitute or socially marginalised; and provision of adequate housing such that nobody is homeless against their will. To promote equality of status we could eliminate (especially early) school selection based on merit and de-emphasising quantitative evaluation of pupils and exams. To promote equality of power and inclusion we can, for instance, plan towns having in mind the goal of racial integration or introduce workplace democracy. Given that we can, to a large extent, control the distribution of non-quantifiable goods through the design of social institutions, feasibility constraints is not a good reason to limit the scope of distributions required by luck egalitarianism to quantifiable goods.

The second, more difficult, objection is that, in many cases, shaping policies and institutions in order to realise DRGs is incompatible with state neutrality. The reason is that DRGs will not figure in the comprehensive conception of all reasonable citizens. Nor are *all* these goods necessary in order to ensure that citizens develop and preserve their moral powers – that is, that they develop and preserve the ability to form, revise and act on their conceptions of the good.

A possible way of answering this objection is that neutral states can mandate political interventions that in fact advance (elements of) particular conceptions of the good if, and to the extent to which, this is necessary for the protection of the moral powers of its citizens. Self-respect may be necessary to the development of moral powers, and it is plausible that individuals' self-respect is eroded by social hierarchy, especially by domination and exclusion. At the very least, dominating social relationships are likely to affect at least the self-respect of children who belong to the dominated group.[xxix] Further, it is not hard to imagine that social exclusion can erode the self-respect of both the children and the adults who belong to the excluded group. But it is harder to make a case that adult, freely chosen relationships of dominance and exploitation, or a lack of social solidarity, are incompatible with self-respect. In any case, the burden of the proof seems to be on the side of those arguing for interventions meant to eliminate domination and exploitation and cultivate solidarity. Luck egalitarians interested in the distribution of DRGs may have to bite the bullet of mild perfectionism.


V. Conclusions

I have argued that, on matters of domestic justice, there is necessary and significant, extensional overlap between relational egalitarianism and luck egalitarianism, because the latter can put DRGs on the distributive agenda.

A significant difference between a luck egalitarian mindful of DRGs and an advocate of democratic equality is that the former, but not the latter, must believe that people can, through

choices for which they are responsible, forfeit a claim of justice to the goods to be distributed in the name of justice. This however will not impact, in normal circumstances, on the imprudent's access to DRGs, because realising (at least some of) them requires saving the imprudent; and prudent members of the society have done nothing to forfeit *their* claims to the *distribuenda* of justice.

In a recent paper, Jonathan Wolff reminds us that traditional accounts of egalitarianism have been as much concerned with distributions of resources as with what it means to live together as equals[xxx]. Material equality, on these views, was considered desirable as a means to ends that were considered different from, and more important than, material equality. Thus, the project of earlier egalitarians included material redistribution with the aim of living together, as equals, in a *good* society. Contemporary relational egalitarianism is very close to this spirit,echoed for instance in Scheffler's claim that 'an egalitarian society helps to promote the flourishing of its citizens . . . [and] to live in society as an equal is a good thing in its own right.[xxxi]' For a luck egalitarian it is plausible that how good a society is not independent from how just it is. Therefore, luck egalitarians can share in the spirit of democratic equality. As I acknowledge in the previous section, it may be impossible to fully reconcile the striving for a good society in which we relate to each other as equals, and in which we enjoy equal access to various forms of advantage, with the aspiration for liberal neutrality: any conception of the good life that is comprehensive enough to identify all the DRGs as forms of advantage will be likely to be rejected by some reasonable members of the society. It is not this article's aspiration to convince anyone that this is a price worth paying; rather, I hope to have shown that relational egalitarianism and a certain version of luck egalitarianism can be allays, rather than foes, in this particular debate.

[i] For comments on earlier drafts thank you Chris Armstrong, James Lenman, Tim Meijers, David O'Brien, Ingrid Robeyns,  Christian Seidel and two anonymous referees of the *Journal for Applied Philosophy*.

[ii] Richard Arneson, 'Luck Egalitarianism and Prioritarianism', *Ethics* 110(2) (2000), pp.339-349 at p. 339.

[iii] Samuel Scheffler, 'Choice, Circumstance and the Value of Equality," *Politics, Philosophy and Economics* 4 (2005), pp.5-28, p.18.

[iv] Iris Marion Young, *Justice and the Politics of Difference* (1990: Princeton: Princeton University Press); Elizabeth Anderson, 'What is the Point of Equality?' *Ethics*, 109(2) (1999), pp.287–337; Samuel Scheffler, 'What is Egalitarianism', *Philosophy and Public Affairs*, 31:(1) (2003), pp,5-39.

[v] In 'Justifying the capabilities approach to justice,' in Harry Brighouse and Ingrid Robeyns (eds.) *Measuring Justice. Primary Goods and Capabilities*, Cambridge University Press, pp. 87-88. In Anderson's view, of course, the distribution of capabilities (which she identifies as the metric of distributive justice) is important for the realisation of democratic equality. By contrast, the argument of this paper is that a fair distribution of democratic relational goods (which I identify as the *distribuenda* of justice) is important for realising distributive justice.

[vi] Hillel Steiner in *An Essay on Rights*, Oxford: Blackwell, 1994.

[vii] Michael Otsuka, in *Libertarianism without Inequality* (Oxford: Oxford University Press, 2003). I am grateful to Chris Armstrong for suggesting the term 'equalisandum' and this particular illustration for the distinction.

[viii] A similar line of reasoning can be found in the work of Richard Arneson. He, too, noted that human relationships can be understood to be among those things the distribution of which is a matter of justice, in Arneson 2000 at p.339. In particular, he argued that the ideals of non-domination and inclusion defended by relational egalitarians (and others, such as republicans) represent non-fundamental values that are instrumentally important for an objective well being view of justice. In Richard Arneson, 'Democratic Equality and Relating as Equals', *Canadian Journal of Philosophy Supplementary Volume* 36, pp. 25-52. Unlike me, Arneson seems more ready to allow that we can compensate for inequalities in the relational goods I discuss and therefore the main structure of his argument is different. Other relevant differences stem from Arneson's prioritarian, rather than egalitarian, position and, in particular, from his commitment to welfarism and consequentialism - which inevitably limits the scope of his audience. I am grateful to an anonymous referee for pointing out Arneson's 2010 article to me.

[ix] For another argument leading to a similar conclusion, see Christian Seidel, 'Social equality and distribution' (in this issue of the *Journal for Applied Philosophy*.) Seidel argues that 'the concept of social equality is explained in terms of the concept of distributive equality.'

[x] This article is restricted to matters concerning domestic justice. At the level of global justice there may be wider extensional divergence between luck egalitarianism and relational egalitarianism. Elizabeth Anderson argued that a fundamental difference between these views concerns the nature of justice: on the luck egalitarian account, justice is about realising a desirable distributive pattern, while on the relational egalitarian account it is about implementing principles that can be justified to the equal and free members of one's political community.  In 'The Fundamental Disagreement between Luck Egalitarians and Relational Egalitarians,' *Canadian Journal of Philosophy* 40(1): 1-23, 2010. This may mean that luck egalitarianism is committed to much higher standards with respect to global justice than relational egalitarianism. I am grateful to an anonymous referee for pointing this out to me.

[xi] Anderson, 2010.

[xii] Anderson, 1999, p.288.

[xiii] See for instance John Roemer, 'A Pragmatic Theory of Responsibility for the Egalitarian Planner', *Philosophy and Public Affairs* 10 (1993), pp.146-166; Richard Arneson, 'Egalitarianism and the Undeserving Poor', *Journal of Political Philosophy* 5(3), (1997), pp.327-350; Ronald Dworkin, Sovereign Virtue. The Theory and Practice of Equality (Harvard: Havard University Press, 2002); Peter Vallentyne, 'Equality, Brute Luck, and Initial Opportunities', *Ethics* 112 (2002), pp.529 - 557; and Nicolas Barry, 'Reassessing Luck Egalitarianism', *The Journal of Politics* 70(1) (2008), pp.136-150.

[xiv] For instance, Shlomi Segall, 'In Solidarity with the Imprudent: A Defense of Luck Egalitarianism', *Social Theory and Practice* 33(2) (2007), pp.177-198; Shlomi Segall, *Health, Luck, and Justice* (Princeton: Princeton University Press, 2010), pp.58-73; and Daniel Markovits, 'Luck Egalitarianism and Political Solidarity', *Theoretical Inquiries in Law* 9(1), (2008) pp. 271-308.

[xv] Zofia Stemplowska, 'Responsibility and Respect: Reconciling Two Egalitarian Visions', in Carl Knight and Zofia Stemplowska (eds.), *Responsibility and Distributive Justice* (Oxford: Oxford University Press, 2011), pp.1-23.

[xvi] Christian Schemmel, 'Why Relational Egalitarians Should Care About Distributions', Social Theory and Practice 37 (2011), pp.365-390.

[xvii] This assumes that, if there is a choice of two equal distributions of which the second is more efficient, a luck egalitarian will require the second. I am grateful to Tim Meijers for pointing this out to me.

[xviii] As also noted by Eugen Huzum in his 'Can Luck Egalitarianism be Really Saved by Value Pluralism?', *Studia UBB Philosophia* 56(2) (2011), pp.41-51.

[xix] Arneson's (2010) argument in favour of promoting democratic relational goods on luck egalitarian grounds assumes the truth of this claim. For a review of the reasons why various relational egalitarians prescribe personal and impersonal value to the democratic relational goods, see Patrick Tomlin 'What is the point of egalitarian social relationships', in Alexander Kaufman (ed.), *Distributive Justice and Access to Advantage. G. A. Cohen's Egalitarianism*, Cambridge University Press, 2015.

[xx] A classic is Richard G. Wilkinson and Kate Pickett, *The Spirit Level:  Why Equality is Better for Everyone*, (third

edition, London: Penguin Books, 2010). Fabian Schuppert has argued, based on a review of recent empirical literature on the effects of inequality, that social rather than material inequalities are responsible for negative effects on individual welfare. In 'Suffering from Social Inequality: Normative Implications of Empirical Research on the Effects of Inequality', *Philosophical Topics* 40(1) (2012), pp.97-115.

xxi See Segall (2010).

xxii See for instance G.A. Cohen: 'in deference to fairness, the relevant egalitarian says that she's against inequalities in the absence of appropriately differential responsibility (just as, she now realises, she is also against equalities in the presence of appropriately differential responsibility)' In 'Luck and Equality: A Reply to Hurley', *Philosophy and Phenomenological Research* LXXII(2) (2006), pp.439-446 at p.444.

xxiii This is the position defended by G.A. Cohen – see for instance *Rescuing Justice and Equality.* (2008, Harvard University Press). I have argued for this in Anca Gheaus, 'The Feasibility Constraint on the Conception of Justice', *Philosophical Quarterly* 63(252): 445-464, 2013.

xxiv I engaged with this in Gheaus (2012); for an argument why relational egalitarian in particular ought to reject the feasibility constraint see David O'Brien 'Who's afraid of the feasibility constraint?', manuscript.

xxv Anderson, 2010 pp. 89.

xxvi Cheryl Staats & Charles Patton, *Implicit Bias Review 2013,* Columbus, OH: Kirwan Institute for the Study of Race and Ethnicity, Ohio State University, 2013.

xxvii Elizabeth Brake – amongst many other feminists – argued that caring relationships are akin to a primary good and that states therefore have a duty to protect them; marriage, albeit a form of marriage radically different from the *status quo* can achieve this. See *Minimizing Marriage* (Oxford: Oxford University Press, 2010). Harry Brighouse and Adam Swift have been arguing in a several places that fairness requires that all prospective adequate parents have access to the relational good of parenting. The elimination of poverty and flexible working arrangements for parents are two examples of implementation means. See *Family Values* (Princeton, Princeton University Press, 2014). Chiara Cordelli has argued that friendship ought to be considered personal friendship as an object of distributive concern. In 'Distributive Justice and the Problem of Friendship', *Political Studies*, Online First, DOI: 10.1111/1467-9248.12115.

xxviii For a book-length treatment of why justice requires equality of three relational goods: power, status and affection, see Kathleen Lynch, John Baker and Maureen Lyons, *Affective Equality: Love, Care and Injustice*. (Basingstoke: Palgrave Macmillan, 2009). Jonathan Wolff and Avner de-Shalit's book *Disadvantage* (Oxford: Oxford University Press, 2007) identifies and discusses communal relational goods as forms of advantage and, therefore, as matters of justice.

xxix For an argument along to this conclusion, see Elizabeth Brake, 'Feminism, Family Law, and the Social Bases of Self-Respect', in Ruth Abbey (ed.) *Re-reading the Canon Series: Feminist Interpretations of Rawls*, (University Park, PA: Penn State University Press, 2013), pp.57-74.

xxx In 'Fairness, Respect and the Egalitarian Ethos Revisited', *The Journal of Ethics*, 14: 3-4 (2010), pp.335-350. Tellingly, Wolff self-identifies as a distributional egalitarian, yet he was sometimes classified as a relational egalitarian due to his sympathy for the substantial claims advanced by relational egalitarians

xxxi Scheffler, 2005, 19.