Egalitarianism and Compassion*

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In "Egalitarianism Defended,"[1] Larry Temkin attempted to rebut criticisms I had made of egalitarianism in my article, "Equality, Priority, and Compassion."[2] Temkin's response is interesting and illuminating, but, in this article, I shall claim that his arguments miss their target and that the failure of egalitarianism may have implications more serious than some have thought.

I. THE ROLE OF COMPASSION

First, let me clarify the role that compassion is intended to play in my account. Temkin says that my claim is, roughly, "that it is only appropriate to give one person priority over another [in distributions] when the person's situation warrants greater compassion" (p. 765). Whose compassion? Elsewhere Temkin makes it clear that he means *ours* (p. 766). But it was not our compassion, or the "ordinary" virtue of compassion, that I had in mind. The virtue of compassion is, one might say, a form of benevolence, or concern for another's suffering. The virtue I was primarily trying to elucidate was that of justice, that is, what people might have a claim or right to. And I did this by imagining an impartial spectator with a "theorized" or modified form of compassion that "tracks" just claims—thus enabling us to use the model of the spectator as a heuristic in seeking to understand what justice requires. Of course, I am not denying that our compassion may call for special concern for the worse off. It's just that this was not a topic of my article.

Because the virtue is theorized, objections to my account based too closely on the ordinary virtue are unlikely to succeed. Consider Temkin's

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1. Larry Temkin, "Egalitarianism Defended," *Ethics* 113 (2003): 764–82. Henceforth, references in the text to this article will be indicated by a page number in parentheses.

2. Roger Crisp, "Equality, Priority, and Compassion," *Ethics* 113 (2003): 745–63.

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two cases in which John is much worse off than Judy, in one case because of his own autonomous choice, in the other case because of bad luck (p. 772). Temkin suggests that a compassionate person would feel concern for John in either case but would be less inclined to assist John in the case in which John's plight was his own fault. Temkin argues that this shows that "fairness and compassion are distinct concerns and that *each* may play a role in our giving priority to some who are worse off than others" (p. 773).

Now it may well be that most compassionate people would feel the same concern for John in each case (though in fact I rather doubt that). The question for me, however, is what the impartial spectator would feel. The impartial spectator's feelings are meant to track the claims of justice, and it may be that any claim that John might have could plausibly be said to be undermined by his being responsible for his position. So the spectator may be said to feel less compassion for John in such a case, or even no compassion at all. We do not need, therefore, to appeal to the value of fairness to explain why the case for giving John priority differs in these two examples, if indeed it does. Temkin will object at this point that I am bringing "considerations of fairness *into* our understanding of compassion." But the work here is being done, not by fairness, but by desert.[3] This is not to say that John deserves the harm that he suffers; rather, he is less deserving of assistance than Judy.

II. THE ROLE OF EXAMPLES

My original article, like many of Temkin's own writings, rested several of its arguments on examples. One of these I called the "Beverly Hills" case, in which you can offer fine wine to different groups of individuals:

	10 *Rich*	10,000 *Super-rich*
Status Quo	80	90
Lafite 1982	82	90
Latour 1982	80	92

One of the main points I was trying to bring out with this example was that any prioritarian, or indeed egalitarian, concern tails off entirely as the individuals one is considering reach a certain level of well-being or welfare. There is something absurd about claiming that equality or justice requires that the Rich be benefited instead of the Super-rich.

Now I agree with Temkin that there is something misleading about my example. My use of the names "Rich" and "Super-rich" may be taken to suggest that the numbers here represent economic values, whereas

3. I shall discuss the issue of desert further in Sec. V.

in fact they are intended to represent individual well-being—though I did make it clear at the beginning of my article that this was my intention throughout.

More seriously, however, Temkin appears to be understanding the Beverly Hills case, and presumably other of my examples, as if they are representing possible states of affairs within our own world. But this was far from my intention, and I should have thought far from Temkin's in many of the abstract representations of "worlds" in his own work on equality.[4] The point of the example is to isolate relevant factors from others, and situating it within our messy world defeats its very point. Indeed, it makes good sense to imagine the "worlds" in these examples as fully described, independent possible worlds. For instance, one might, when considering the Beverly Hills case, imagine oneself as a god, given the choice of raining down cases of wine on either of two groups of individuals, who together form the entire population of the world in question. That, of course, is a bizarre state of affairs, and some will say that their moral intuitions lose their grip in such cases. All I can say here is that mine don't, Temkin's don't, and, to judge by the reaction of audiences we have addressed, most people's don't.

So, because my Beverly Hills constitutes its own world, many of the arguments Temkin brings against the example do not apply. Consider, for example, Temkin's "rail[ing] at the prospect of the Rich or the Super-rich getting yet more bottles of fine wine" in a world in which millions of children die every year from preventable causes (p. 771). The world I was imagining contained no such children, and including them only confuses matters.

But what is the point of these very abstract examples, given that we are interested in justice in the real world? Their point, I suggest, is to focus our intuitions and to enable us to grasp principles, the force of which we would not otherwise have seen. In this case, of course, the principle I had in mind was that prioritarian justice has no appeal when all beneficiaries are above a threshold. But why, then, did I call my case "the Beverly Hills case"? The answer is that I did indeed want to tap in to a view which many of us probably do hold—that many of those in Beverly Hills have got enough (whether money or welfare) and that there is no case based in justice for giving priority to those who are very rich over those who are super-abundantly rich. But the point of the example is to hone that real-world intuition into something like an a priori principle of practical rationality.

Temkin also claims that the Beverly Hills case "is hardly a knock-down against egalitarianism" (p. 771). According to this view, "equality is a subtopic of the more general—and even more complex—topic of

4. See, e.g., Larry Temkin, *Inequality* (New York: Oxford University Press, 1994), p. 8.

fairness. Specifically, concern about equality is a portion of our concern about fairness that focuses on how people fare relative to others" (p. 767). What lies behind Temkin's claim here is his postulation of different "aspects" of equality and the idea that, on several aspects, it would not matter whether wine was given to a Rich or a Super-rich person if both would benefit to the same degree: "For example, on one aspect we would measure a situation's inequality as a function of the total deviation from the 'closest' situation in which everyone was equal, where the 'closest' situation turns out to be the situation's median level. Since, *in the real world*, both the Rich and the Super-rich are well above the median level, it won't matter whether we raise a Rich or a Super-rich person n units, as both would increase the total deviation from the median by the same amount" (p. 770; italics have been added).

Temkin goes on to mention other ways in which "the egalitarian could admit that, in a society like ours, it wouldn't matter whether wine was given to a Rich or a Super-rich person if they would benefit equally from it" (p. 770). In the unreal world of my example, of course, equality understood in these ways does speak in favor of benefiting the Rich, and indeed that throws doubt on these aspects of equality, as well as on the very idea at the heart of Temkin's egalitarianism: that there is something bad about certain individuals doing worse than others through no fault of their own.

III. THE CASE OF ANDREA AND BECKY

Temkin has two daughters. They are both well off: "Both are extremely intelligent and attractive, have deep friendships, a stable home, high self-esteem, rewarding projects, fantastic careers, and a long, healthy future. . . . By any reasonable criteria, Andrea and Becky will have 'sufficiently' good lives" (p. 773). Andrea is slightly better off than Becky in these aspects, and, in particular, she is luckier. Whenever she takes her weekly walk, she finds a $20 bill. Becky never does. Temkin tells us that, were he out walking with his daughters and came across the $20 bill, he would hide it with his foot and arrange for Becky to find it.

Temkin suggests that, on my view, there would be no reason based on compassion to give Becky priority, and, indeed, he states that he, himself, believes there is no such reason. As I have mentioned, this interpretation of my position misinterprets the role of compassion. The question is whether it is plausible to claim that Becky has a claim to be given priority, based on an egalitarian conception of justice. Myself, I think she hasn't. But I do think that it would be kinder, more benevolent, and more efficient to ensure that Becky receives the money: it will be a novel experience for her, and the buzz of excitement she will feel is bound to be greater than the mere *frisson* that Andrea will receive from yet another windfall.

Temkin, of course, believes that there is a reason based on fairness to give Becky priority. It just isn't fair that Becky, through no fault of her own, has always done worse than her sister. But the arguments against this conception of fairness in my article—the Levelling Down Objection and the resentment hypothesis (which I'll come to in a moment)—are enough to dislodge fairness-based reasons from their place in justification. Consider, for example, the following slightly amended Andrea and Becky case. One afternoon, out walking with his daughters, Temkin spots a $20 bill lying in the path ahead. Given their positions, he knows that he has no chance of engineering matters so that Becky finds the bill, and he has back problems such that he would be unable to bend down to pick up the bill himself. What he can do is kick the bill into a fast-flowing stream, where it will disappear almost immediately. We may assume also, as Temkin does in the original case, that Becky knows nothing of Andrea's luck and that she need not know in this case either if Andrea finds the bill. On Temkin's view, there is something to be said for kicking the bill into the stream. That is something that I find myself unable to accept, and I suspect I am far from alone.

IV. THE GENEALOGY OF FAIRNESS

In my original article, I offered a tentative genealogical hypothesis concerning the origin of the belief in relative or comparative fairness, intended to be structurally analogous to J. S. Mill's hypothesis to explain the origin of the notion of justice. My suggestion was that, if it can be plausibly argued that the notion of relative fairness has emerged, through a nonrational process, from potentially dubious natural origins, this throws doubt on its normative status. The story I had in mind was one in which human beings naturally feel resentment at others' doing better than themselves and then experience a generalization of this feeling, because of natural sympathy, so that it is felt at any case of relative fairness, whether or not it involves themselves.[5] Then, as culture develops, this generalized feeling shades into the principle of relative fairness.

Temkin discusses the resentment hypothesis, and he finds it "deeply implausible" (p. 769, n. 8). He suggests that sympathy comes into play only in cases in which I find others' views reasonable. For example, if you hate your neighbor unreasonably, I shall feel no sympathy for you, whereas I would feel sympathy were I to believe that you were reasonable in your belief that you had been wronged by her.

But the kind of sympathy I had in mind was more primitive, a

5. I spoke originally of envy rather than resentment. But John Skorupski has persuaded me of the need to distinguish envy—which may be both reasonable and unresentful—from resentment.

nonrational "feeling along with." In his discussion of justice, Mill describes this as being or resembling a "natural instinct," and it is something nonhuman animals feel only toward their offspring, whereas human beings can sympathize "with all human, and even with all sentient, beings."[6] Consider the following story. I am a member of a primitive hunter-gatherer tribe. You and I go searching for food. You find many delicious berries, whereas I find none. Consequently, I feel anger, that is, a basic form of resentment. My anger would subside, for example, were you to trip and drop all your berries into a pond. That evening, I find that one of my offspring has also been bettered in the search for food by the child of another member of the tribe. I feel the same anger, on the basis of the natural emotional investment I have as a parent in how my children do (an extension of the concern I have with how I myself do). Next day, I notice two members of the tribe who are strangers to me, one of whom has been much more successful in the hunt for berries. Because of my natural identification with my fellows, I feel anger at this unfairness. Again, my anger would subside were the inequality somehow to disappear. The feelings of which I speak are not based on any rational assessment of the situation, as is the case with Temkin's case of the neighbors. And that is precisely the problem with them, if they are to be said to provide a respectable source or grounding for egalitarianism.

V. IMPERSONAL IDEALS

In his book *Inequality,* Temkin argued that the Levelling Down Objection to egalitarianism rests on the following principle: "*The Slogan*: One situation *cannot* be worse (or better) than another *in any respect* if there is no one for whom it *is* worse (or better) *in any respect.*"[7]

The Slogan is what Derek Parfit calls a "narrow person-affecting principle,"[8] and Temkin's arguments against it are persuasive. In my article, I suggested that the appeal of the Levelling Down Objection in fact rests upon a wide person-affecting principle:

> *The Welfarist Restriction*: In choices affecting neither the number nor the identities of future people, any feature of an outcome O that results in any individual in that outcome being (undeservedly) worse off than in some alternative outcome P cannot count in favor of O, except to the extent that another in O might be made (not undeservedly) better off.[9]

6. J. S. Mill, *Utilitarianism,* ed. Roger Crisp (Oxford: Oxford University Press, 1998), 5.19.3–4; 20.9–10.

7. Temkin, *Inequality,* p. 256.

8. Derek Parfit, *Reasons and Persons* (Oxford: Clarendon, 1984), pp. 393–95.

9. Crisp, pp. 747–48.

Temkin objects to wide person-affecting principles such as the welfarist restriction that they rule out what he calls "impersonal ideals," the value of which lies "partly, or wholly, beyond any contributions they make, when realized, to individual well-being" (p. 778). Most people, he suggests, "firmly judge that there is at least *one* respect in which vicious sinners faring better than saints is worse than the sinners and saints both getting what they deserve, even if the saints are just as well off in the two alternatives" (p. 777).

Now it may be that most people would make this firm judgment. I don't know. But I do believe that many of those who reflect seriously on the nature of desert find it problematic, especially when they realize that their gut feelings about it rest on assumptions of free will which themselves are not securely justified and on which there is no philosophical consensus. Further, a Millian debunking story can plausibly be told about the doubtful origins of desert as well as about what I called relative fairness.

Temkin suggests that I incorporated the reference to desert into the welfarist restriction because I saw the force of proportional justice. But in fact I did so because I realized that others might see the force of it, and I did not wish my argument to be railroaded by objections based on desert. In other words, I wished to allow appeal to the welfarist restriction by those who accepted a principle of desert. Temkin suggests that this move is ad hoc, whereas in fact it had a perfectly sound dialectical justification.

As it happens, however, I do think that those who accept desert and then accept the welfarist restriction may be led to doubt desert through their rejection of egalitarianism. People's attachment to egalitarianism, such as it is, seems much weaker than their attachment to desert. But once people see the appeal of the welfarist restriction, they may then purge the restriction of its reference to desert and use it against the notion of desert itself.

The problem with relative fairness and desert is that they justify harm to individuals without counterbalancing benefits to anyone. Temkin defines an impersonal ideal as one the value of which lies "*partly* or wholly" beyond any contribution it makes to individual well-being (my italics). But that seems misleading. An ideal which makes some contribution to individual well-being has as good a title to the name "personal ideal" as "impersonal ideal." Indeed, such ideals would better be described as "mixed."

As well as equality and desert, Temkin mentions the following as possibly impersonal ideals: freedom, friendship, love, altruism, knowledge, perfection, beauty, rights, duty, virtue, and truth. All these seem to be cases of allegedly mixed ideals because of the obvious contributions each of them might make to individual well-being. And then the ques-

tion arises whether, once that contribution has been taken into account, we should really ascribe further value to these ideals. Why should their allegedly "impersonal" content matter to us in deciding what to do, if that content, by definition, makes no difference to anyone's life and so, in that important sense, matters to no one?