

# What's Luck Got to Do With it?

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## I. Mitigating Luck in Moral Philosophy: Luck Egalitarianism

- A. At first glance, *What's Luck Got to Do With It?* sounds, to anyone familiar with modern moral philosophy, as if it expounds a view known as “luck egalitarianism”. Indeed, the title invites the assimilation. And, in fact, there are strong resemblances between the book’s view and “luck egalitarianism”. Both are very concerned with the immense and disturbing role that luck plays in doling out more and less privileged lives in our society.
- B. But there are also fundamental differences between Kleinbard’s view and “luck egalitarianism”. I want to emphasize those here.

## II. What is Luck Egalitarianism?

- A. The most famous and influential proponent of luck egalitarianism is the late American legal philosopher, Ronald Dworkin. Dworkin’s position is constructed around a distinction between “brute” and “option” luck.
  - 1. “Brute” luck is the luck of our circumstances, the luck of the social class position into which we are born, the luck of the parents that we are born to, and even the luck of our natural gifts and talents.
  - 2. “Option luck” is the luck of our choices—the luck of how the bets we place through our choices and careers plays out. We might set out to be football quarterbacks and become Tom Brady. Or, we might burn out after some success in high school.
  - 3. The objective of “luck egalitarianism” is to negate “brute luck” so that our lives reflect only “option luck”.
- B. On the face of it, this looks very much like the project of *What's Luck Got to Do With It?*
- C. Kleinbard and the “luck egalitarians” agree about the importance and injustice of what Kleinbard calls “existential adverse fortuities . . . the negative financial consequences that can follow from where we are born, to whom we are born, and when we are born, as well as health crises. The most important example is the inability of those born into straitened circumstances to obtain the private resources necessary fully to build out their human capital through education. These harms are “random in their distribution and [they] can be mitigated by reasonable sums of money.”
- D. But he parts ways with “luck egalitarianism” in important and basic respects.

## III. Why Not Luck Egalitarianism?

- A. As *What's Luck Got to Do With It?* explains, “luck egalitarianism” has its internal problems.
  - 1. For one thing it may be impossible to separate “brute” and “option” luck. The arbitrary circumstances of who we happen to be are not easy to separate from what we choose and do.
  - 2. Perhaps more importantly, the consequences of what we choose and do—the

consequences of our “option luck”—are themselves infected with brute luck. Two people may place the same bet and suffer wildly different outcomes. In our “winner-take-all” economy these differences can become immense.

- B. But Kleinbard has other objections to “luck egalitarianism” and these other objections illuminate the distinctive moral vision that informs his book.
- C. The most obvious way in which Kleinbard diverges from the “luck egalitarians” is in excluding “the characteristics we ordinarily employ to define the core of a person’s individuality” from the domain of unjust luck. His claim is not that we deserve our genetic endowments whereas we do not deserve our parents, but that “luck egalitarianism” dissolves our personal identities in an unacceptable way. Arbitrary facts make us who we are. This, Kleinbard calls “taking people as they are”.
  - 1. “‘Taking people as they are’ means radically separating the attributes with which people are born from the money invested in their human capital, in health insurance, or in other areas susceptible to policy responses measured in monetary terms. Tall people in general earn more than short people, which is terribly unfair, but by taking people as they are, I allow this unfairness to continue.”
  - 2. The luck that Kleinbard wants to mitigate is the luck of external circumstances.

#### IV. **Taking People as they are: Personal Identity and Political Value**

- A. “Taking people as they are” is the most salient divergence between Kleinbard’s view and “luck egalitarianism” but it leads us, I think, away from the core of Kleinbard’s moral vision, and into a discussion of the distinction between the metaphysics of personal identity and the moral claims people can make on each other and society at large.
- B. “Luck egalitarians” would probably respond to Kleinbard by conceding the point about personal identity but denying that it has a role to play in determining what distributive justice requires. They would say:
  - 1. That each and every one of us has our identity constituted to an extraordinary extent by facts that are arbitrary from a moral point of view and matters of sheer luck. No one is the same person if they are born at a different time, or into a different society, or with significantly different skills and talents. Tom Brady without the talents that make him a great football quarterback is not Tom Brady. They and Kleinbard would agree. But,
  - 2. Luck egalitarians would also say that no one’s personal identity gives rise to a claim that society be constructed in a way that values their distinctive traits. Tom Brady is lucky to live in a society that values football so highly, but he has not right to insist that society value football so highly.
  - 3. If “Tom Brady” had been born in 1800—almost 70 years before the first college football was played—the nonexistence of the game would not be an injustice to him.
  - 4. No one drawing up a social contract gets to demand that everyone else agree to a society tailored to favor their unique talents. If everyone made this demand, no contract could ever be drawn up.

- C. Debates between Kleinbard and “luck egalitarians” might well proceed along these lines. That would be unfortunate, because this line of argument obscures what is most distinctive and powerful in the moral vision of *What’s Luck Got to Do With It?* The most important disagreement between luck egalitarians and Kleinbard has to do not with the puzzles of personal identity but with the proper role of “moral deservingness” in our collective lives.

## V. Repudiating Desert

- A. To understand what is most distinctive in Kleinbard’s moral vision, we need to focus on a less salient, but more troubling, side of “luck egalitarianism.” Surprisingly, perhaps, “luck Egalitarianism” turns out to be an attempt to perfect desert as the master criterion of justified distribution.
1. The aim of luck egalitarianism is to rid our social world of the effects of “brute luck” so that our relative social positions will be determined by our “option luck”—by the good or bad bets we have made with our lives and our choices.
  2. In the world imagined by the “luck egalitarians” everyone will lie in a bed of their own making. Social position and success will be exact measures of moral desert.
- B. *What’s Luck Got to Do With It?* is profoundly and powerfully opposed to moral desert as the value that should rule the distribution of good things in our society and our lives.
1. Chapter Two of the book discusses social psychological work on the resiliency of the belief that people get what they deserve and deserve what they get. Its message is moral as much as psychological: internalizing this belief is pernicious because it leads to the denial of our equal and common humanity. Though Kleinbard never puts it this exact way, he thinks that there is more truth to the aphorism “there but for the grace of God go I” than to “I deserve what I have.”
  2. The ideal world of “luck egalitarianism” is a world in which people’s secular success corresponds to their just moral deserts. It is a world where lesser social rank expresses failure, a world in which social superiors are moral superiors, too. The ideal social world that luck egalitarianism points us towards is a world in which state-sanctioned principles of distributive justice embody contempt for the less successful.
- C. The moral aspiration of *What’s Luck Got to Do With It?* is to honor equality, not to institute deservingness. Two very different facets of equal dignity share pride of place in the book.
1. One of these is the fact that each of us has but one life to live, and each of our lives are equally valuable. This endows each of us with a profound interest in leading our lives successfully and, as John Stuart Mill put it, “making them our own”.
  2. The other is the basic fact of our equal moral status and shared humanity. We share the same fundamental status, the same common humanity, and endure the same existential threats. This, too, is a source of fundamental claims on each other.

- A. Our equal and profound interest in leading our lives on our own terms, and successfully so, puts *equality of opportunity* at the center of the book.
  - 1. *Fair* equality of opportunity—understood, following Rawls, as the social circumstance where those who are at the same level of talent and ability, and have the same willingness to use their talents and abilities, should have the same prospects of success regardless of their initial place in the social system, that is, irrespective of the income class into which they are born.
  - 2. Fair equality of opportunity constitutes a social world in which everyone can lead the life that best suits their talents and inclinations. It serves individual freedom.
- B. The basic fact of our shared humanity and equal moral status finds intellectual expression in the book through the concept of “the social mortgage”—in the thought that our common humanity is antecedent to our individual identities and that we therefore owe each other basic mutual support whether or not we each make the best use of our lives. Those whose lives do not work out are not to be regarded as objects of our contempt or pity, they are fellow human beings whose lives have not worked out as well as they might have hoped. They are to be regarded in a “there but for the grace of God go I” spirit. We are to honor each other’s basic dignity.

VI. **From Moral Value to Institutional Vision.**

- A. To oversimplify greatly but, I hope, helpfully, each of these basic principles is expressed in an institution.
- B. The principle of fair equality of opportunity is instituted by envisioning social insurance and collective investment as the fundamental expression of equality of opportunity. Negating “existential adverse fortuities” is fundamental to this project, but not because luck *per se* is an unacceptable affront to the principle that people’s secular success should reflect their just deserts. Luck is to be mitigated because the value of fair equality of opportunity is of paramount importance.
- C. Our common humanity is to be realized by instituting a basic minimum income. The precise moral point here is that our claims to a minimally decent existence and to the social and economic underpinnings of dignity and respect should *not* be tied to our deservingness.
- D. For Kleinbard, in profound contrast to the “luck egalitarians”, moral deservingness is a deeply undesirable principle of distributive justice. Just as we should not have the criminal law to punish the wicked, but to protect ourselves from harm, so too we should not have institutions of distributive justice to reward the deserving and expose the dim and unaccomplished for what they are. We should have institutions of distributive justice to enable everyone to lead the best life that they can construct for themselves, and to honor our common humanity.
- E. This is a powerful and deeply humane vision.