

**PHD THESIS SUMMARY:
Desert, Luck, and Justice**

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Nearly 2400 years ago, Aristotle wrote that “all people agree that what is just in distribution must be in accord with some sense of desert” (*Nicomachean Ethics* 1131a). Since then, many philosophers have written approvingly about desert as a principle of distributive justice. Also, a host of empirical studies claim to show that people are—as Shelly Kagan (2012, 3) puts it—“friends of desert”: they think that some people are more deserving than others, and that it is a good thing if people get what they deserve (see Konow and Schwettmann 2016 for an overview).

Nevertheless, the popularity of desert as a principle of distributive justice waned during the 1970s, coinciding with the publication of John Rawls’ (1971) desert-less theory. My PhD is a collection of six chapters that all aim to contribute to answering the question: What role, if any, can desert plausibly play within egalitarian theories of distributive justice? Ongoing philosophical reflection on the notion of desert has made clear that it is surprisingly complex: there are many different conceptualizations of it, and these are not all vulnerable to the same objections. I argue that, because of this complexity, generalized skepticism about desert as a principle of distributive justice can and should be resisted.

Chapter 1 of my PhD is introductory. I explain that it remains very controversial what ‘desert’ is, exactly. Many philosophers agree that desert claims are three-place relations, uniting a desert subject (S), a desert object (O), and a desert base (B). An example would be the claim that Rosemary (S) deserves to win the Rotterdam weightlifting contest (O), because she has the strongest muscles of all contestants (B). However, there is considerable debate about what permissible desert subjects, objects, and bases are and about when these stand in an appropriate relation to each other. In this debate, three ‘received wisdoms’ have emerged:

Received Wisdom 1 (aboutness principle): The only permissible B are acts and attributes of S (cf. Feinberg 1970, chap. 4; Olsaretti 2003).

Received Wisdom 2 (responsibility requirement): When S deserves O because of B, then S is responsible for B (cf. Feldman 1995; McLeod 1998).

Received Wisdom 3 (backward-lookingness): If at time t, S deserves O because S performed an action or had a certain attribute B at t', then t' cannot be later than t (cf. Feinberg 1970, chap. 4; Feldman 1995).

In my thesis, I challenge *Received Wisdoms 2* and *3*. I argue that rejecting these opens avenues for desert to play a plausible, but limited role in theories of distributive justice.

Chapters 2 and 3 of my PhD are conceptual, contributing to debates about what desert is. Chapter 2 examines whether it is defensible to hold that desert should play a (very) different role in distributive and in retributive justice. John Rawls (1971) certainly thought so, but did not provide a satisfactory defense of the asymmetry of desert in his own work (Honig 1993, chap. 5). Samuel Scheffler (2000), Saul Smilansky (1996), and Jeffrey Moriarty (2003, 2013) have all proposed defenses of asymmetries of desert. Their defenses, however, have either been convincingly criticized or only hold for weak asymmetries of desert—in which desert plays a role in both retributive and distributive justice, but a (somewhat) more central role in the former. These defenses do not support strong asymmetries, such as the asymmetry present in Rawls' work, in which desert plays no role at all in distributive justice, but a central role in retributive justice.

I defend two main claims about strong asymmetries of desert. First, I argue that some recent defenders of desert-based theories of distributive justice may actually be interested in defending asymmetries that go the other way: in which desert plays a more central role in distributive justice rather than in retributive justice. Second, I argue that strong asymmetries in both directions can be defended. The responsibility defense is premised on the thought that a rejection of *Received Wisdom 2* (responsibility requirement) for desert claims on certain objects of distributive justice can be defensible, whereas this is not the case for desert claims on the objects of retributive justice. The thought motivating the shameful revelation defense is that implementing desert-based theories of justice would require people to reveal facts about themselves that they consider shameful, and that forcing them to do so would, under certain conditions, be permissible in the retributive sphere, but not in the distributive sphere. I conclude that there is no reason for those who are sympathetic to strong asymmetries of desert to revise their thinking radically.

In chapter 3, I probe *Received Wisdom 3*: that desert claims are always backward-looking. Fred Feldman (1995) was the first to challenge this received wisdom: he argues that people can deserve compensation on the basis of their future acts and suffering. There have been two main responses to Feldman's challenge. The first is to resist it and argue that desert really is a backward-looking notion (Celello 2009). The second is to build on Feldman's suggestion that desert may sometimes be forward-looking and propose a more elaborate account of forward-looking desert (Schmidtz 2002). I argue that desert is forward-looking for a wider range of objects and bases than has been considered so far. To make this claim, I proceed in two steps. First, I introduce Feldman's argument for the forward-looking desert of compensation and argue that criticisms that have been raised against it can be resisted. Secondly, I argue that not just the desert of compensation, but also chances, praise, and rewards can, sometimes, be forward-looking.

In chapters 4 and 5, I move along to the relation between desertism and luck egalitarianism. Luck egalitarianism is, very roughly, the view that "inequalities in the advantages that people enjoy are acceptable if they derive from the choices that people have voluntarily made [option luck], but [...] inequalities deriving from unchosen features of people's circumstances are unjust [brute luck]" (Scheffler 2003, 5). Many luck egalitarians invoke desert, and it is not always clear when the two views differ. In chapter 4 (co-authored with Thomas Mulligan), I ask what the differences are between desertism and luck egalitarianism. I argue that desert and luck egalitarianism come apart in three important contexts. First, compared to desertism, luck egalitarianism is sometimes stingier: it fails to justly compensate people for their socially valuable contributions—when those contributions arose from option luck. Second, luck egalitarianism is sometimes more restrictive than desertism: it fails to justly compensate people who make a social contribution when that contribution arose from brute luck. Third, luck egalitarianism is more limited in scope: it cannot diagnose economic injustice arising independently of comparative levels of justice.

In chapter 5 (co-authored with Willem van der Deijl), I ask whether desert could offer a plausible principle of stakes for luck egalitarianism. A principle of stakes specifies "what consequences can justifiably be attached to the features that are the appropriate grounds of responsibility" (Olsaretti 2009, 167). Without it, luck egalitarianism is indeterminate: the theory cannot tell us what consequences people should bear when they

are responsible for their acts. Olsaretti (2009) argues that desert cannot serve as a plausible principle of stakes for luck egalitarianism. In this chapter, I defend the claim that she is too pessimistic about this by introducing a simple, but plausible, desert-based account of stakes that is immune to her argument.

Chapter 6 (co-authored with Dick Timmer) takes a more applied perspective by focusing on desert and high salaries. Specifically, it asks whether it is possible to earn too much. I observe that in the philosophical debate about income and wealth, one assumption is surprisingly uncontested. This is the assumption that, all else equal, people should always have the freedom to earn more income and accumulate more wealth. I argue that this assumption should be rejected. In particular, I argue that three prominent approaches to taxation and justice in political philosophy—Rawlsian egalitarianism, utilitarianism, and desertism—all hold that above some point, people do not have a justice-relevant, non-instrumental claim to be free to earn more income. I then discuss instrumental arguments against income limits and argue that those arguments are weaker than is often thought. I conclude that it may, in fact, be possible to earn too much.

In 1971, John Kleinig remarked that “the notion of desert seems by and large to have been consigned to the philosophical scrap heap” (71). In my thesis, I hope to have contributed to showing that philosophers should not be too quick in consigning desert to the scrap heap of distributive ideals. Several received wisdoms about it can and should be challenged: the connection between desert and responsibility, on the one hand, and desert and time, on the other, are more complicated than it seemed. The rejection of received wisdoms about desert opens new and exciting avenues for philosophical research into desert as a principle of distributive justice.

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