

Equality Once Again – Social Policy and the idea of Levelling Down

Tomer Lotan

London School of Economics & Political Science
Department of Social Policy

The striving for a more equal society has been an inspiring ideal for social policy and a powerful engine for the foundations of the welfare state. However, equality as a political concept has been subject to ongoing criticism and has been gradually denounced. In an attempt to reclaim the appeal of economic equality, this paper endeavors to cross the common boundaries of redistribution and to offer a different equalizing strategy titled "Levelling Down". This strategy has been extensively debated in political philosophy but has not been examined through a social policy perspective. This gap is addressed in the following discussion which aims to generate achievable policy implications with greater commitment to the ideal of equality.

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Introduction

Social policy discourse has always involved some concept of equality. With equality being so tightly linked with the idea of social justice, the pursuit of a just society has often used equality as a powerful motivator for policy actions. Equality has played such a dominant role within the political theory that, in the words of Amartya Sen: "Every normative theory of social arrangement that has at all stood the test of time seems to demand equality of something"(Sen, 1992: 12).

Nevertheless, equality has also become one of the most contested ideals of current politics and seems to have lost its appeal, particularly under the waves of Neo-Liberalism and the rise of the New-Right. At this crucial junction, a tremendous challenge is posed to egalitarian theory: on the one hand, the constant increase of economic inequalities requires a more radical action which expresses a stronger commitment to equality. On the other, any solution suggested by the egalitarian school must meet the current structure and institutions of the welfare state and generate appealing ideas for policymakers.

This paper is an attempt to take up this challenge from a very particular angle, focusing on a strategy called "Levelling Down" (LD). The idea of LD is borrowed from the extensive equality debate taking place in the political philosophy literature. Its basic idea is that equality can be achieved not only by making the worst off better, but also by making the better off worse. Though this idea is often judged to be counter-intuitive, my aim in this paper will be to project it into the realms of social policy and to consider various conditions for it to be adopted as a legitimate equalizing mechanism. My leading question will therefore be: *"Could Levelling Down be integrated as a legitimate social policy mechanism?"*

I will endeavor to answer this question as follows: chapter I will look at the debate over equality and its limits within the social policy discipline. In Chapter II the LD controversy will be introduced and the weakness of the political philosophy discussion will be demonstrated. Chapter III will merge a refined interpretation of the LD strategy into social policy and examine it using an example from the education area. This example will be further developed in Chapter IV in an attempt to generate general conditions for LD. The accumulative arguments will be wrapped into a framework for LD which will be presented in Chapter V and will be tested through a particular health policy example in Chapter VI. Chapters VII and VIII will sum up the discussion.

In many ways this paper is not a typical social policy essay. It could be comprehended as an effort to pave an interdisciplinary route between social policy and political philosophy. However, I find it important to note that the paper has a clear social policy aim, namely to provide refined tools to think about equality and to implement it in a range of social areas. The theoretic shift I suggest here is an attempt to construct an authentic argument which confronts the moral obligation to equality with practical dilemmas of social policy and offers a possible solution to address them. In that sense the LD discussion will serve as a methodological platform to expose commitments to equality under social conditions that will be carefully examined. The case studies I will look at reflect difficult situations in which equality is challenged. By addressing these difficult situations I hope not only to be highlighting a stimulating moral complexity, but also to offer a framework to reclaim equality through real policy actions.

To clarify the boundaries of the following discussion it is important to note that this paper is only concerned with economic equality in the context of the overall equality. To use Burchardt's useful framework (2007: 40-46), my analysis will only address *distributional concerns* and not what Burchardt calls *concerns about process*. Thus, elements of civil and political rights, legal entitlements and aspects of equal respect will not be examined here. Additionally, I will concentrate on the relative aspects of equality with regard to the shape of overall distribution rather than other principles of distribution, such as sufficiency, priority or desert.

I. The Equality debate

Virtually everyone believes in equality in some sense. The fundamental principle of moral equality maintains the idea that members of a political community should be treated as equals, with equal concern and respect. This simple commitment to equality, stemming from the work of Dworkin (1977), has become a minimal standard in the equality discourse, accepted by all political and theoretical schools of thought, and has been portrayed by Will Kymlicka as an "egalitarian plateau" (1990: 5). However, as we move on from this common plateau and look closer at the questions of what "treatment as equals" or "concern and respect" actually mean, equality turns out to be a surprisingly elusive concept. Equality stretches along multiple dimensions of the political theory. Civil, legal, social and economic equalities involve different interpretations of the equality ideal and impose different demands on government and society (Walzer, 1985). Thus, though nearly all agree that society should be more equal, the "egalitarian plateau" constitutes a platform for vigorous debates over the foundations and implications of equality, and sets the stage for deep political disagreements (Swift, 2001: 93-94).

Although equality is clearly present in the political arena it has been given a hard time in recent decades. Both academic and public discourses have raised tough questions for egalitarian theory, criticizing and challenging equality as a political ideal. This is particularly true where economic equality is concerned; culture of dependence, politics of envy and hindrance to economic growth are among the most prevalent accusations introduced to reject distributional equality, making it publicly unappealing and politically toxic. In response to this growing condemnation of equality, politicians as well as scholars are replacing the equality discourse with a "softer" terminology which reflects a milder obligation to equality. Expressions such as "equity", "fairness" and "social inclusion" are gradually entering the political arena and together with "stealth" distributional policies represent a shift toward an "equality inexplicit" social policy (ibid: 91-106).

With equality under the cosh, egalitarians are faced with the challenging task of refining the ideal of equality and exploring new dimensions for policy implementation. Interestingly, much of this theoretical progression has occurred in the realms of political philosophy. The foundation of liberal egalitarianism, laid by Rawls and his followers, paved the way for renewed academic discussions to better construe the egalitarian

impulse and contribute to the refinement of the equality concept.¹ In contrast, the social policy literature has been surprisingly silent regarding some of these late theoretical developments. Apparently, some of the leading questions of the equality debate in political philosophy did not diffuse to enriching the social policy studies. The debate over the "currency of equality" and the juxtaposition of equality and priority are good examples to illustrate these parallel discourses. These issues extensively stimulate the current disputes in the area of political philosophy but are barely touched by the social policy literature, which seems to be bound to the equality of opportunity/outcomes dichotomy. As Clayton & Williams argue, the late egalitarian controversies "may seem far removed from the debates about equality which arise in everyday discussions of social and economic policy" (Clayton & Williams, 2000: 1).

This observation does not mean that social policy has been blind to the notion of equality. On the contrary, it has extensively explored and studied the ways different policies serve the aim of achieving a more equal society. It has also provided significant contributions to the establishment and refinement of equality measures and the equal integration of certain minority groups.² By doing so, social policy study has demonstrated its strength of assessing real-life scenarios and genuine dilemmas of policymaking. Arguably, the tangibility of the social policy discipline is much more meaningful to the equality debate as the sophisticated interpretations introduced by the political philosophy sometimes fail to meet reality. I tend to accept this criticism and chapter II will provide an explicit illustration of this weakness of political philosophy. Yet there is also a need to exhibit the limits of the equality debate within the context of social policy.

Equality through redistribution: limits of the equality concept in social policy

To a great extent, endorsing the value of equality is to reject the disvalue of inequalities. Intuitively, addressing the differences in individuals' life prospects and reducing the gaps between people with different backgrounds is what justice favors. Hence, tackling unjust inequalities through redistribution constitutes the core principle of the egalitarian agenda (Clayton & Williams, *ibid*: 4). Correspondingly, the struggle for a more equal society is understood as a political, social and institutional effort to abolish inequality which has become a pervasive fact of modern society.

¹ For a review of the recent academic egalitarian debate see Wolff (2007).

² A very good illustration of these contributions could be found in Hills et al. (2009) and Baker et al. (2004).

A variety of mechanisms are introduced to tackle inequalities, ranging from more "passive" methods like taxation and cash transfers, to "active" schemes which provide incentives to social mobility and empowerment through the labor market and education. John Hills' framework (2002: 231-235) of the four kinds of policy intervention – prevention, protection, promotion and propulsion – provides a comprehensive view to grasp the wide-ranging methodologies of social policy to address the inequality defects. As noted by Hills, this framework offers a closer look at individuals' adverse state and makes distinctions between entry and exit and between risks and effects.

This observation reveals an important insight into the way social policy tackles inequality. When focusing on "adverse state", equality is always understood as *making the worse off better*. In other words, whether inequalities are addressed through active, passive, traditional or sophisticated models of policy, there seems to be an implicit commitment to improve the condition of those whose lives most demand improvement. On the practical level, this overarching commitment is translated to redistribution, allocation or provision of certain goods to the poor, deprived and disadvantaged as the predominant mechanism for equality. The ethos of the welfare state, either through its early origins as Poor Law systems or through its contemporary models of poverty alleviation, has expressed this idea of distributional justice as a means to achieving a more equal society.³

This premise of equality seems to remain untouched even when the welfare mechanisms are contested. Le Grand's "Strategy of Equality" (1982), for instance, is a powerful criticism against large-scale public expenditure. According to his analysis, this dominant feature of the welfare state is unsuccessful in promoting equality, as it fails to improve the situation of the less advantaged and systematically favors the better off. Thus, Le grand reassures the common perception that equality should be achieved through making the worse off better.

Helping those who are worse off to become better off obviously makes much sense and seems to reflect the most faithful implications of our egalitarian concerns. However, strict egalitarianism can also yield another meaning: if we value the diminution of the gap between the worse and the better off then we are committed to value the worsening of the better off, even when it does not improve the condition of the worse off at all.

³ For a closer look at the linkage between the philosophy of liberal equality and the politics of the welfare state see Wilensky (1978).

This equalizing mechanism is known as "Levelling Down" in the political philosophy literature (Holtug, 1998: 166). As opposed to the various mechanisms to tackle inequality which have been studied by the social policy discipline, LD does not focus on the adverse state and thus does not entail models of distribution. Rather, LD refers to the alternative of (only) making the better off worse for the sake of equality.⁴

The fact that LD has been overlooked by social policy research is not very surprising as LD appears to be quite a bizarre policy to consider both morally and practically. However, in political philosophy studies the LD method has been extensively analyzed and debated. The next chapter will provide a short philosophical detour to visit the LD controversy. My aim in this chapter will be to use the philosophical debate to challenge the common conception of equality as redistribution, but at the same time to expose the limits of the theoretical arguments.

⁴It is important to emphasize that LD only refers to situations in which the worsening of the condition of the better off does not produce an improvement to the worse off. So for example taxation of the rich is not an LD example as the revenue is used to improve society, including the worse off.

II. Levelling Down, the objection and the counter critique

At the heart of the Levelling Down idea lies the simple logic that if one believes that inequality is intrinsically bad, as egalitarians do, then one would have to support reducing inequality by making the better off worse, without making the worse off any better. The troublesome implications of such logic have been comprehended as a powerful claim against egalitarian thinking, underpinning the grounds of a longstanding philosophical controversy known as "the Levelling Down Objection" (Mason, 2001).

A useful example to introduce the objection is given by Parfit (2000: 97-98): in a world where half are sighted and half are blind it would be justified for egalitarians to take out the eyes of the sighted without any improvement for the blind, just for the sake of equality. Such a conclusion clearly illustrates the absurdity as well as the horrific potential embedded within the LD idea.⁵ However, as Parfit notes, the more serious objection to LD emanates from a "person affecting claim". According to this powerful philosophical principle, a situation which is worse for some and better for none cannot be considered to be a change for the better in any way.⁶ Another direction taken to resist LD is what Susan Hurley (2006: 328-334) calls "impersonal perfectionism". This objection refers to the implausible waste of excellence the LD strategy involves, as it entails giving up higher reaches of good to society.

These appealing arguments have posed a true challenge for egalitarians, as Temkin asserts: "The Levelling Down objection is, perhaps, the most prevalent and powerful anti-egalitarian argument, and it underlies the thinking of most non-egalitarians as well as many who think of themselves as egalitarians" (Temkin, 2000: 126). In response to the LD objection various attempts were presented by defenders of egalitarianism to confront the objections' arguments and to offer potential solutions for recapturing the LD idea.⁷

One set of attempts tackles the objection by trying to refute the "person affecting claim", demonstrating how a distribution could be considered better, even though there is no

⁵ A hilarious description of such a dreadful Levelling Down regime is nicely suggested in a short story by Kurt Vonnegut, Jr. (see Appendix A).

⁶ Parfit puts this claim as follows: "if an outcome is worse for no one, it cannot be in any way worse" (p.114). Temkin holds that this claim is "the heart of the Levelling Down objection", and provides his own version: "One situation *cannot* be worse (or better) than another if there is *no one* for whom it is worse (or better)" (Temkin, 2000: 132).

⁷ This is by no means a comprehensive review. The LD debate is massive and rich with different arguments and counter arguments. I chose to focus on the literature which provides specific examples for LD and suggests intuitive justifications to reflect them.

one for whom it is better. Temkin (ibid: 137-138) illustrates such a case through the "Non-Identity Problem" in which two policies are weighted: the "live for today" policy, where individuals immediately have children and therefore deplete resources for current use, and the "take care of tomorrow" policy, in which resources are conserved by postponing having children for a few years. Temkin observes that while most people find the "take care of tomorrow" more appealing, it turns out that this preference rejects the "person affecting claim". It is an example of people finding an option better, although it is worse for some (the parents) and better for no one (since the children would not exist).

In another example Temkin undermines the LD objection by referring to the concept of proportional justice, when "there ought to be a proportion between doing well and faring well". Taking a retributive view, it seems unjust to many that in an alternative afterlife the worst sinners fare better than the most benign saints. Hence, levelling down the sinners' well-being in the afterworld is acceptable, even if no one is better off, only because they "deserve" so (ibid: 138-140).

A different strategy to escape the LD objection is to grant same egalitarian importance to well-being and equality. Christiano (2006: 71-74) takes this position and argues that egalitarians should prefer a situation which is better in terms of its equal distribution of welfare and not with respect to its equality. To illustrate, Christiano takes the example of distributing bread in a situation when there is much more bread than needed. Since there is plenty for everybody: "Whether we distribute equal amounts of bread or not would be, in and of itself, a matter of indifference"(ibid: 73). Christiano's example provides a context in which equality "could not be important" and thus LD may not be relevant. Similar logic is echoed in Crisp's work (2003: 755-758), in which he demonstrates the worthlessness of equality in a scenario titled "The Beverly Hills case". When the dichotomy is between the very rich and the super-rich it is dubious to assume that equal distribution actually matters and LD is avoided once again.

A forceful discussion to tackle the LD objection is presented by Jonathan Wolff (2001), who searches for special circumstances in which LD is right. The first scenario Wolff considers is "Socially Located Egalitarianism" in which a community with a simple lifestyle is offered a chance of substantial economic development that could level up the well-being of all, but cause significant inequality among members. The idea that the community members would prefer to reject the opportunity on the basis of keeping

equality seems completely plausible. This qualifies the case to be a very attractive illustration of justified LD. However, as observed by Wolff, this scenario involves ambivalent effects on the community members, making it very difficult to identify a clear improvement of well-being. Thus, Wolff argues, it is probably true to conclude that "being better off as we are" might not exhibit LD after all (ibid: 23-25).

Another example explored by Wolff is the swimming pool case. According to this scenario, a mayor challenges a discriminatory policy of the state forcing her to racially segregate swimming pools by shutting down the only swimming pool in town. This seems to be a promising example of LD since the new state of affairs, when white people are worse off and no black person is well off, is justified (ibid: 25). Though this case is also vulnerable to various responses regarding the actual gains and losses of the whites/blacks, it clearly contributes an important point to the LD discussion. Using a careful analysis, Wolff maintains that what makes the swimming pool case appealing for LD is the fact that it is linked to the political essence of racism. Therefore he maintains that LD could be right in some special particular cases when symbolic factors are attached to inequality (ibid: 30-31). Although this conclusion implies that there is a very narrow context for such cases, Wolff asserts that this is not bad news for egalitarians, as the supreme validity of the LD objection is undermined.

Where counter arguments fall short: limits of the philosophical debate

Looking at the various efforts to rescue the LD from the forceful objection it is difficult not to sense that these efforts hardly work, as they fail to challenge the straightforward implications of LD as commonly understood. The examples provided by different defenders of egalitarianism seem to reflect extraordinary or even bizarre circumstances often with a great deal of complexity or abstraction. Temkin's examples are noticeably such cases in which the LD is indirect and theoretical and can barely offer implications for policy. The same applies to Christiano's bread example and Crisp's "Beverly Hills" scenario. Again, whilst their arguments are completely plausible for avoiding LD, the given contexts of unlimited resources are imaginary corner cases in which actual questions of distributive justice are not met. Wolff's illustrations seem to be more promising as they reach, perhaps, as close as possible to justifying a straightforward LD, with the swimming pool example in particular as it involves a genuine policy question to be weighed. Nevertheless, both the community and the swimming pool examples suffer from being highly vulnerable to different interpretations and linked with other factors rather than equality *per se*.

With no straightforward example, one which captures a direct, intentional, person-affecting action, it seems that only by "stretching" and "refining" the basic egalitarian conception could LD actually be shielded. This, I believe, has driven many egalitarians to bite the bullet and to adopt the idea that LD is better *in one respect* and not better *all things considered*. In other words, being egalitarian does not mean endorsing *only* equality, but also other values balanced altogether. When taking such a pluralist position egalitarians could live peacefully with the LD objection. This view cannot be better put than Temkin's conclusion: "(D)o I really believe that there is some respect in which a world where only some are blind is worse than one where all are? Yes. Does it mean I think it would be better if we blinded everybody? No. Equality is not all that matters. But it matters some" (Temkin, *ibid*: 155).⁸

While inclining toward the same pluralistic intuitions, I find this conclusion disturbing. With equality being such a dominant feature of our social, political and economic discourse, it is disconcerting not being able to identify a single case in which a strong sense of equality prevails and thus paves the way for actual LD. Is the LD objection indeed so extensive that no reasonable scenario could be delivered from it? I doubt it.

⁸ Other egalitarians chose to abandon the strict egalitarian view and to offer refined directions which avoid LD. A very attractive solution is "Prioritarianism". For a closer look at this approach see Holtug(2006).

III. Putting the pieces together: Levelling Down in terms of social policy

The following discussion is an attempt to respond to the limits presented above, those which are reflected in the single equalizing mechanism of social policy and the ones which are expressed by the abstractness of the political philosophy arguments. By incorporating the LD idea into the realms of social policy I believe both boundaries could be crossed, complementing the disciplines' strengths into a meaningful conjunction.

I shall now turn to look closely at social policy areas in which the LD idea can be integrated. My aim will be searching for particular contexts within these policy areas which are neither imaginary nor esoteric and seem to offer a permissible view of LD. But before doing so, an important theoretical argument should be introduced, an argument which I call "Inverse Levelling Down".

"Inverse Levelling Down"

Let us look again at the canonical example of a world where half are sighted and half are blind. As mentioned previously, it is surely dreadful to consider LD in this scenario and there is absolutely nothing to be said for actually putting out the eyes of the sighted. But what if the initial situation was inverted, such that everybody was blind to begin with? Would it be as unreasonable to reject that some people will be cured while the others not? Say we have an innovative medicine, one which restores people's sight but it could be provided only to half of the population. Is it now plausible to consider rejecting the treatment across the board on the basis of equality?⁹

This is an illustration of the inverse LD principle. In this version no actual LD takes place, but rather levelling up is blocked in order to avoid greater inequality. To anchor the logic of the inverse LD, consider the following claim:

The Inverse Levelling Down principle: A situation could be better by not making some better off if by doing so (potential) inequality is reduced.

It is important to observe that the outcomes of LD and inverse LD are completely identical. Since the implications of avoiding levelling up are equivalent to LD, it appears that both strategies are used interchangeably throughout the LD debate (in fact, some of the aforementioned examples implicitly mirror the inverse LD logic). However, I find that there is much more than a rhetorical difference between the two strategies. As the

⁹ I avoid here questions of fair distribution and assume there is a fair mechanism to be used for allocating the medicine which excludes elements of entitlement, eligibility etc. One could convert the example to a situation where a medicine is being allocated for all but there is only 50% chance of healing.

inverse case of the blindness indicates, there are different judgments for not allowing the improvement of someone's well-being and for taking an intentional action of lowering it. This bias is significant and could be supported by evidence from both philosophy and psychology.¹⁰

Public Policy implications and the education case study

Acknowledging the distinctive judgment of the inverse LD principle is a crucial step forward in the search for "real" justified LD contexts. When projecting the LD logic into the public policy arena it seems to me that it could be more easily translated if understood as *not allowing an improvement of a particular advantaged group of people*. Whether it is presumed that a certain upgrade of goods or services would benefit only the most affluent individuals, then, I argue, it is much more plausible to diminish this upgrade on the basis of equality and to demonstrate an actual LD.

To illustrate, consider the following example: in a state school for children with special needs various services are provided, including required facilities, equipment, specially trained teachers and pedagogical assistance. Nevertheless, there is one child (with the same special needs as the other children) whose parents are dissatisfied with the level of support provided at the school. These parents happen to be very rich and so they decide to privately hire an assistant to help this child during classes. The school management opposes having a private assistant in the classroom on the basis of equality and therefore forbids it.

I analyze this example as a clear case of inverse LD, where the potential gain of the child's well-being is lowered while not raising the well-being of any others.¹¹ Could the school's decision actually be supported?

Fortunately, the answer is given, as this example is not imaginary but a real policy being implemented by the Ministry of Education in Israel. According to the school guidelines published by the Ministry: "Hiring private assistant or funding assistant's extra hours or paying extra salary for assistance by parents is prohibited in order to avoid negative discrimination between children of wealthy parents and children whose parents cannot

¹⁰ The famous "omission bias" is clearly a well examined cognitive bias, illustrating the different moral judgments towards actions and inactions with similar outcomes. For a closer look and empirical evidence see Baron (2008), Spranca et al. (1991).

¹¹ In fact, one could claim that the other children might actually become better off by having extra educational staff in the classroom. This obviously makes the LD even more contested.

afford" (Israeli Ministry of Education, 2008: 39). So here is a policy of direct, intentional, person-affecting LD which has been adopted by central government for reducing inequality. I find this example a strong claim against the LD objection, as it explicitly proves that in some particular contexts, it is right to straightforwardly level down.

What is it in this example that makes LD plausible? This question is fundamental for refining the egalitarian defense lines, and more importantly for examining further implications for policymaking. In the next chapter I will attempt to deconstruct the educational case into various dimensions and to suggest further possible scenarios to consider. The aim of this next step is to go beyond the question of whether LD can be permitted and to offer *conditions* under which social policy should allow LD actions.

Seemingly, there are many possible directions to explore here and the following lines are an initial effort to provide an answer. This is by no means an exhaustive framework but rather an outline of what I find as leading arguments in favor of LD. These arguments are not based on systematic investigation of individual's judgments. Rather I wish to present a theoretic development of the LD discussion and reflect its complexity through what I assume to be typical thinking or intuitions.

IV. Conditions for Levelling Down

Fundamental goods

A probable starting point would be that what makes the education example applicable for LD is the fact that it deals with a fundamental good. Since education is considered to be a basic need or right and since it is so strongly associated with personal fulfillment and flourish, then education is surely an essential feature of one's well being (White, 2007). Moreover, good education has proven to be a powerful indicator for future success and social mobility and thus plays a major role in the equality of opportunity discussion (Mason, 2006). Arguably, these attributes of education qualify the given example for LD. With extra assistance in the classroom the child of the "able" parents is explicitly given a better chance for a prosperous future while the other children not. Put differently, this example exhibits inequality of "what really matters" for well-being and therefore it is just to equalize the level of education for all children by banning the private extra assistance.

Nevertheless, this argument cannot be very persuasive when a wide range of private education models is vastly acceptable. I predict that even for those who totally support the Ministry's policy in the example above, prohibition of private tutors at home or private learning centers seems to be rather doubtful. The same applies for provision of other fundamental goods such as healthcare, which are also strongly linked to the performance of capable living. I believe that similar reluctance is expected towards banning private healthcare across the board or forbidding individuals from consuming all sorts of treatment.

One can think of more complicated cases which involve fundamental goods, such as certain kinds of biomedical enhancements that could vastly improve the most essential human capabilities (e.g. memory). Limiting the ability to consume such enhancements on the virtue of equality seems somewhat reasonable and therefore justifies policy intervention. However, I will not pursue these cases here as biomedical enhancements also carry a whole range of ethical complexities to take into account.¹²

What is clear though is that justifying the LD on the basis of fundamental goods is barely sufficient. There is an apparent need to account for the different judgments – why is having extra educational assistance at home tolerable while having the same assistance in the classroom is not?

¹² For a stimulating discussion about regulating access to future biomedical enhancement see Buchanan et al. (2001: 96-98).

Public vs. Private sphere

One very prevalent premise is that there is a significant difference between the public and the private sector, with distinct "rules" applied in each sphere. A variety of literature supports that distinction by analyzing the "grammar" of the different spheres. With regard to the LD discussion, the studies suggest that there are contradicting expectations of the two spheres in terms of the commitment to equality. Whereas the public sphere is perceived as a place where equality is reinforced, private and market spheres do not share a similar promise, as noted by Anderson: "...the market is understood to be a sphere in which one is free, within the bounds of law, to pursue one's personal advantage unrestrained by any consideration of the advantage of others" (Anderson, 1990: 182). This understanding clears the distinction between the classroom assistant and the home tutor. If indeed we "expect" the public sphere to assure equality, then the mere fact that our example takes place in school is a good reason for justifying LD.

However, this simple distinction should be carefully examined and refined. Firstly, not everything that is within the school arena could similarly be acceptable for LD. There seem to be a range of goods which are associated with school life which might yield different judgments - should school uniform be implemented on the basis of equality? Should pupils be banned from bringing fancy food for lunchtime when everybody else is having the school meal? Should using laptops in the classroom be prohibited just because not everybody can afford them? How could we account for having differences in judgments? It seems that the nature of the goods plays a role after all.

Secondly, does "public sphere" apply only in public spaces? An interesting illustration of this assumption could be introduced by the next test-case: under a youth exchange program, a school sends its pupils to a foreign country. This program is fully funded by the school and it operates as a school activity. While an economy airfare is paid for all pupils, some parents, who happen to be very rich, decide to privately buy first-class tickets for their children. Again, the school management opposes the inequality and forbids the affluent children from flying in a separate class.

This is an interesting case to discuss, as it involves a non-fundamental good, in a private space, which seems to be more sensitive to the "rules" of a public sphere, and thus is "expected" to reinforce equality. What would be the common judgment about this particular test-case? I am not completely certain, but my personal view is that this scenario also approves the LD of the rich pupils. If so, then the validity of the public

sphere argument appears to be more powerful than the fundamental goods argument, but at the same time problematic. It appears that the public/private distinction can sometimes be violated, and here is a real-life example again: in my daughter's nursery, which is not a public nursery, a "birthday policy" takes place. According to the policy, when a toddler has her birthday at the nursery, the parents are only allowed to bring a cake (and maybe some balloons). Any kind of pretentious party is forbidden, and parents are told to keep the celebration modest and simple. Obviously one could come up with educational reasons for doing so, but generally equality is given as the mere justification for the "birthday policy". So LD can actually take place in a private sphere, one in which the particular context supports the equality-oriented "grammar". But what is it that creates this "grammar"?

By looking at the various examples given above I find that there is another factor which is somehow combined with the suggested distinctions made so far, one which can partly account for the different judgments which have arisen. I call this factor: the violation of group solidarity.

Violation of group solidarity

It seems almost impossible to generate moral judgments for the scenarios above without taking into account the effects on the rest of the group. Consider the "birthday policy" again. Could we really exclude the potential feelings of the other children (or parents) when justifying the nursery's agenda? Unlike private assistance in the classroom, a birthday cake has nothing to do with claims about equal opportunity or future development. So what is so disturbing about some parents being able to throw a huge party while others not? I believe that the answer to this question lies in a strong sense of group solidarity, a kind of cohesion which is violated when a certain individual opts for a better situation.

The group solidarity argument could easily be framed as simple envy. Envy has undeniably played a central role within in the major controversies over equality, and has been used as a powerful accusation against the egalitarian impulse (Young, 1987, D'Arms, 2009). I will not delve into this vast debate here, but rather suggest a distinction which contributes to the LD discussion: When involving the group effects in these kinds of examples, the motivation for equality does not emerge from "negative" perspective of simply wanting others' possessions or qualities. Rather, this motivation is linked to a more "positive" view of keeping certain cohesion among the group members.

This is a very delicate distinction which cannot be easily differentiated. However, for the LD discussion what matters is that whenever the situation involves inequality within a cohesive social fabric, a greater discontent is expected, what makes policy intervention more legitimate.¹³

Following that argument, then the candidate cases for LD are the ones in which inequality is being manifested straightforwardly among an interrelated group. A classroom, a nursery group, and even a hospital ward are all examples of spaces in which individuals have a stronger sense of sharing something in common. Under such circumstances individuals are being more sensitive to relative positions and thus, when inequality is more visible and salient, LD is more likely to be justified. I believe our intuitions are faithful to this distinction. I predict, for instance, that we would be more tolerant toward a private medical treatment being held in a private room in the hospital than having people with the same medical condition being treated differently in a shared patient's room just because some could afford better treatment.

Nonetheless, solidarity is not the whole story. Suppose the parents of all children in the special needs classroom are supportive of the extra assistant in the classroom, declaring that they have no envious feeling whatsoever and that no group solidarity is violated. Would it weaken the justification for LD? Possibly, but I find the egalitarian claim is stronger than that. When upholding that there is something intrinsically bad in inequality, an egalitarian should not feel comfortable with this scenario. Assuming so conveys that violation of group solidarity may be the strongest factor so far, but cannot produce an overarching principle for justifying LD.

¹³ A possible argument could claim that the feelings of the others (envy/other emotions) directly affect the individual's well being in the sense that being envious is actually being worse off. Following that logic then "relaxing" the envious feelings of the children in the various educational examples could be considered as raising their well-being. If that is indeed the case then we cannot refer to these examples as LD. I reject that view following the appealing analysis given by Wolff who supports the exclusion of envy from the distributive justice theory. According to Wolff envy cannot be assumed to be a similar claim for compensating loss of well-being as, say hunger or shelter and claims that "it is highly counter-intuitive and morally unattractive to redistribute from the non-envious to the envious just in virtue of that difference" (Ibid: 29). I assume therefore that feelings of the "others" do not violate the basic premises regarding LD.

V. Some conclusions

Several conclusions can be drawn from the above discussion. First, and most important - *LD could be plausible all things considered*. The multiple scenarios, though not being equally judged, demonstrate that a wide range of contexts in social policy permit an actual, direct and straightforward LD. It should be mentioned again that all these observed contexts obeyed the inverse LD principle, by *not allowing the improvement* of the well-being of the more affluent persons. This is a straight answer for countering the LD objection and for reclaiming the egalitarian triumph.

Second, *the scope of the justified LD cases is vast*. The inverse logic of LD allows for a variety of cases to be applicable to actual LD. When investigating the different scenarios, further circumstances emerge, providing additional settings to explore our intuitions. Apparently, the justified LD scope is wider than what could have been initially suspected and clearly the discussion calls for further investigation.

Third, *there are complicated judgments within the scope of justified LD*. Intuitions do not seem to follow a particular criterion, but rather to respond to various conditions under which LD seem to be more permissible. These conditions are not entirely consistent but when put together a "scale" of LD justification could be constructed, providing a promising direction for analysis and exploration.

Initial framework

In an attempt to fuse the insights together and to draw some boundaries around the LD justification I offer the following framework:

Conditions for Levelling Down

LD is more likely to be justified:

- (a) When it is in its inverse version.
 - (b) When it is concerned with fundamental goods.
 - (c) When it is taking place in the public sphere.
 - (d) When the situation is more vulnerable to violation of group solidarity.
1. These conditions are not equally valid.
 2. The more conditions fulfilled the more likely the situation is justified to LD.
 3. The inverse LD condition (a) has the most powerful ground for justifying LD and should be understood as a preliminary condition.

4. Conditions (b), (c), and (d) do not apply evenly and none of them is valid across the board.
5. By weighing the various examples I find the envy condition (d) as most forceful, then the public sphere (c) and finally the fundamental goods (b).

An illustration of the suggested framework is presented in the following diagram. The scenarios are set in a hierarchical order (I to VII) with I being more likely to be justified for LD and VII being less likely.

I = privately hired assistance in classroom, private treatment in a shared hospital room

II = laptop in classroom, first-class ticket for school trip, big birthday parties at public nursery

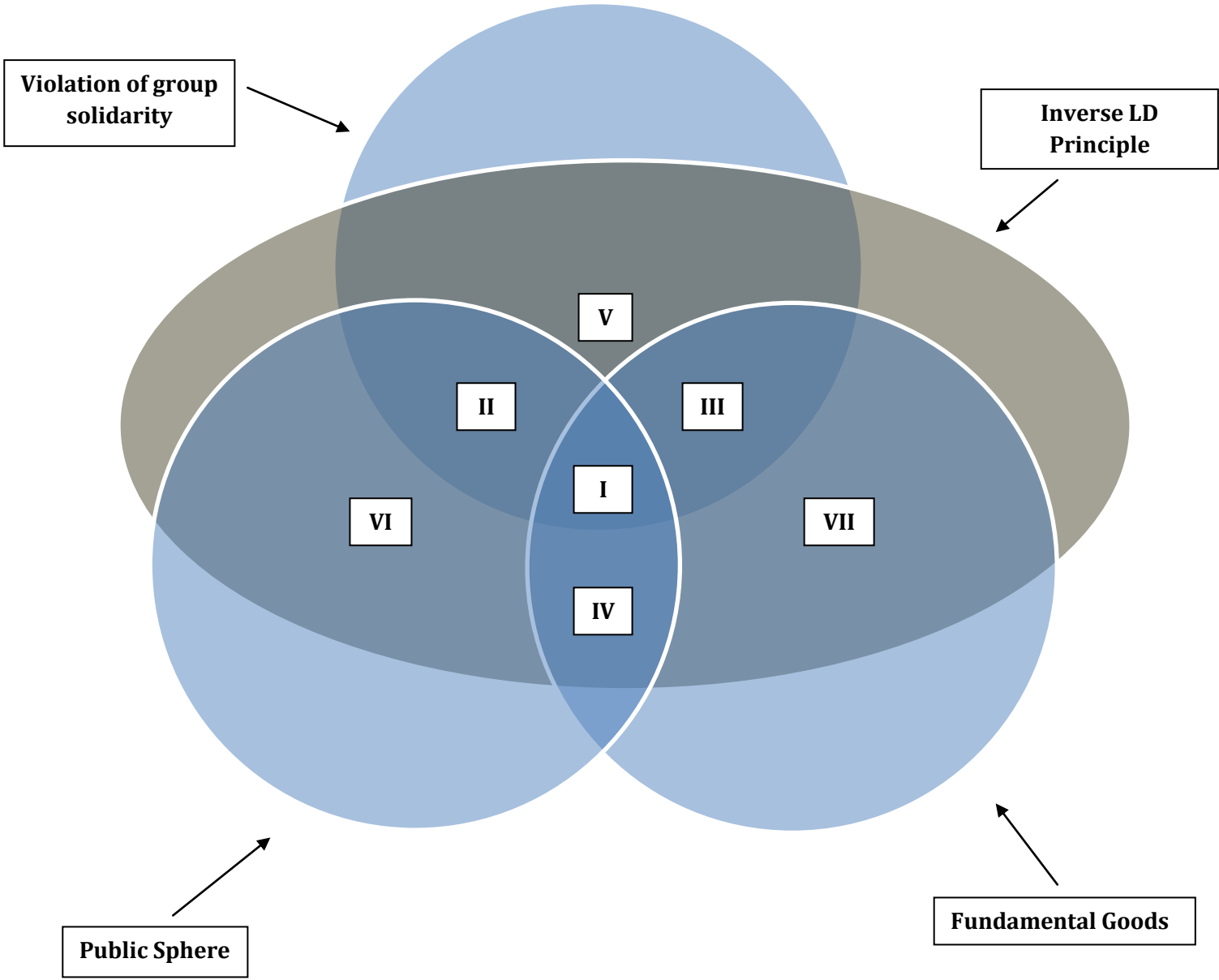
III = certain kinds of biomedical enhancement

IV = envy-free parents agree to have extra assistance in classroom

V = big birthday parties at private nursery

VI = private treatment in a private room in hospital

VII = private tutor at home, private medical insurance



VI. Assessing the framework: The health policy test-case

The framework above provides an initial suggestion to weighing up LD policies. I will now put this framework to the test and examine a particular policy in the context of the British health system.

"Improving access to medicines for NHS patients" is the title of a report invited by the Secretary of State for Health and published in 2008. The report, written by UK National Cancer Director, Mike Richards, examines various aspects regarding the improvement of access to expensive drugs which do not meet the cost-effectiveness measures of the NHS. More interestingly, the report looks closely at the private purchase of additional drugs by able patients and considers policy actions to be taken by the government, including posing restrictions on such purchase (Richards, 2008).

The idea of limiting individuals from improving their condition through private drug consumption illustrates a case where equality is being addressed through making the better off worse without making the worse off any better.¹⁴ Though the report does not explicitly use the LD terminology I find it is powerful documentation to support the LD discussion, mainly because it anchors the evaluation of policies using stakeholders' opinions which have been collected for the review. Having this kind of data is a unique opportunity to observe actual responses to a particular LD policy and to test some of the insights mentioned above.

It is important to note that the case of expensive drugs purchasing is highly linked to severe medical conditions such as advanced cancer and usually refers to patients nearing the end of their life. When this is the case, I believe some of our moral judgments are altered and probably making LD even more despicable. At the same time, these severe circumstances are also characterized with a significant link between access to care and ability to pay, which makes a stronger case for radical equalizing intervention. These contradicting motivations should be bore in mind when we delve into analysis.

The first point to make is that the report reveals once again that LD policy can exist. In describing the state of affairs in the UK, the report mentions the complex legal framework which led to confusion about when and how patients could purchase additional drugs. In practice, the policy guidance was understood differently by the NHS

¹⁴ The report clearly notes that the tension between equality and personal autonomy is "at the heart of this issue"(p. 2) and thus clarifies that equality is the motivator for considering limitations on private purchase of drugs and not other medical or ethical issues.

Trusts and one of the common interpretations was to exclude patients from NHS care if they opted to purchase additional treatment:

"Some Trusts have maintained that if a patient wishes to purchase an additional private drug, they must then have the whole course of treatment for that condition as a private patient, including that treatment which the patient would usually have received free of charge on the NHS. Such patients therefore lost their entitlement to NHS care" (Richards, *ibid*: 26).

The logic of losing entitlements as an incentive to maintaining a more equal treatment is exactly the logic of the (inverse) LD idea. Hence, the policy adopted by the NHS Trusts illustrates a real implementation of LD in social policy.¹⁵

Although the report clearly exposes that LD has been adopted as a legitimate policy by parts of the NHS, it still expresses reluctance toward adopting this policy as the preferable alternative across the board. The report acknowledges the wide agreement among stakeholders that having to choose between NHS and private treatment represents a greater commitment to equality. It also mentions a meaningful proportion of about 16% of respondents who supported this method as best policy. This mere fact reassures the idea that LD policies could be viewed as powerful mechanisms to tackle inequalities. Yet a substantial majority was against withdrawing NHS care for those who opt for additional treatment (*ibid*: 31-34).

It is important to notice though that the respondents (and the report) reject this policy on the basis that it is unfair to deny patients NHS care they would otherwise receive.

In other words, what makes the LD policy so problematic is not the idea of blocking individuals' potential benefit, but rather the fact that gaining one treatment entails the loss of all other (basic) treatments. A close look at stakeholders' responses on that matter supports this distinction and strengthens the view that what is wrong with the policy is the idea of *losing basic care*. The report notes that many "shared the feeling that this approach was unfair, even if there was an acceptance that this interpretation had been applied for the sound reasons of attempting to keep NHS and private treatment separate" (*ibid*, 31-32). Thus, the rejection of LD in this case seems to be highly linked to the sophisticated manner in which the policy was formulated. It could be argued that limiting the ability to purchase drugs by a different method (for example banning their sale through regulation) would constitute a more tolerable LD policy. Unfortunately these kinds of methods are not considered by the report.

¹⁵ I analyze this policy as an inverse LD policy since it is primarily understood as an incentive to patients to avoid opting to purchase additional drugs and not as a sanction against those who actually choose to do so.

In the search for a consistent policy across the NHS, the report evaluates several alternatives for patients who purchase additional treatment, ranging from total exclusion of entitlements (the LD alternative) to a full integration within the NHS through a top-up system. The policy eventually recommended is a kind of middle way between these approaches – the separate care solution (ibid: 44-60). According to this alternative, patients are allowed to purchase additional private care without losing their NHS entitlements, but this additional treatment must be in a different medical setting. Patients under this solution "are not penalized for choosing to enter into arrangements with private providers to provide additional services, but they must receive this additional care in parallel to their NHS care" (ibid: 46).

The idea of "separate"/"parallel" care addresses certain concerns about equality by promising equal treatment within the NHS. As the report notes, having different settings for private treatment is "in line with strongly held views on the desirability of maintaining equality on NHS wards and day clinics" (ibid: 6). But what makes NHS wards and clinics so applicable for such strict equality, one which cannot tolerate the upgrade of able patients? A possible answer could be offered by the LD framework: there is no doubt a treatment of that kind is a fundamental good, one which has a significant effect on a person's well-being. It is disturbing to think of such treatment as something which is not provided equally to all, but it is far more disturbing to have this inequality of fundamental goods taking place in the public sphere, e.g. clinic or hospital. When this inequality is also projected straightforwardly, in a way that clearly manifests individuals' relative positions, then there is also a strong sense of solidarity being violated which makes the unequal situation intolerable.

When limiting private treatment to parallel settings, the report effectively moves from a situation where all conditions to LD are met, to a different situation, one where group solidarity is not violated and so a powerful LD action is mitigated. Put differently, the separate care solution comprises fewer conditions for LD than the simultaneous care and therefore makes it less likely to be adopted as a preferable policy.

The solidarity effect is clearly present in the report and anchors the significant rejection of simultaneous care in the view that such a situation "would be a manifest inequality, which would make those who could not pay feel disempowered" (ibid: 66). Defending social solidarity appears to be a powerful motivator for adopting the separate care

approach and a leading argument to reclaim equality through the limitation of private drugs purchase.¹⁶

Yet we should take into account that separate settings are not always an option. The ability to provide parallel settings for the rich to execute a private improvement could be a very problematic option both morally and practically. The particular case of the additional drugs endeavors to pave a middle way (which is also highly costly and involves a comprehensive realignment of the medical services¹⁷), but this may not be the case in other areas of social policy.

To conclude, the case of an additional drugs policy seems to reassure LD as a feasible alternative. Not only has it exposed that actual policy of that kind has been implemented throughout the NHS, but it has also demonstrated that moral sensitivity to equality has been interpreted with accordance to the LD framework. Thus, though the report does not choose the LD policy as a solution, it contributes much to the acknowledgment of the LD option.

¹⁶ This logic, which supports the LD mechanism, is clearly echoed in a letter sent to the review by an advanced cancer patient (see Appendix B).

¹⁷ See pp. 59-60 in the report for the practical implications in this case.

VII. Final discussion: integrating Levelling Down in Social Policy

Unsurprisingly, the LD strategy has been unvoiced in the social policy debate. After all, the idea of making the better off worse only for the sake of equality appears to be dubious at first sight without any real implications to be considered by policymakers. However, visiting some areas of social policy exhibited that LD could not only be an enduring policy but also a favored solution when certain conditions are fulfilled.

It is important to notice that this conclusion goes beyond the boundaries of the LD discussion and entails a far more significant implication - that *under certain circumstances equality in its strictest sense is what we want*. In other words, the LD discussion revealed that there are certain "social spaces" in which we care about equality *per se*. Within these spaces equality is forcefully cherished in a way that allows denying the improvement of some individuals' well-being without making any others better.

I find this to be the most striking implication of the LD discussion. It is not about generating a winning argument for the political philosophy debate, but rather about acknowledging the sensitivity to strict equality under particular contexts. The LD discussion, more than anything, should be grasped as a methodology to deconstruct this sensitivity and to provide relevant justifications for policy intervention. Integrating LD in social policy is therefore a response to an apparent tendency to keep some of the "social spaces" inequality-free. By taking LD strategies into account policy makers could better capture the ideal of equality when designing solutions for social needs. Several directions could be considered here: First, policy actions which express LD logic could be articulated explicitly. When we care about equality in the classroom, in hospital wards, in daycares etc., there is no reason to conceal this commitment or limit it only to the improvement of the least advantaged. When the conditions are right, policymakers could come up with LD suggestions without having a sense of guilt.

Second, when understood in its inverse version, LD could be a useful instrument to *maintain* equality in the services we care for and protect them from greater inequality. It could be argued that in a way LD already exists in many social areas when it seems obvious that all are equal and there is no apparent need to limit the improvement of some. After all, could we really have been able to consider a private assistant in the classroom before coming across the education example? Yet as the example demonstrates, sometimes even this obvious equality is being challenged. With greater market laden reforms and a constant expansion of private consumption there are good

reasons to believe that more and more goods and services will be available for personal upgrade. These challenges invite the LD as a legitimate response when equality is violated in "social spaces" we value. In these cases, when equality is what we wish to keep, LD could be a powerful instrument to be endorsed by policymakers.

Third, the suggested framework for LD conditions, though not fully investigated, could provide a promising lead for policy guidance. Following the conditions for a more legitimate LD strategy could yield a more adequate comprehension of the equality aspects in policy controversies which are prevalent in current political discourse. Issues such as allowing private music lessons during school hours, hiring private medical staff for surgical procedures and even buying better military equipment for personal upgrades are all examples to everyday questions which seem to stimulate the equality debate and need to be examined carefully. As argued earlier, LD is fueled with various dimensions and reflects a wide scope of cases, with multiple factors to analyze. Recognizing the complexity of such cases and the need to balance the equality ideal with other values and motivations I find it important for social policy to adopt a constructive mechanism to evaluate these questions. Using the framework may serve as a starting point for policy evaluation of that kind, making LD a candidate policy for implementation.

Finally, the LD discussion also paves the way to "address the rich". When crossing the equality debate from the classic focal point on the disadvantaged to a more careful focus on the most affluent, social policy is opened to further solutions. A very good example to such a shift is the "Senior Executive Salary" bill currently being discussed by the Israeli Parliament (State of Israel, 2010).¹⁸ The bill, aiming to minimize pay inequalities in publicly held companies, suggests that the best paid employees cannot earn more than 50 times the salary of the lowest paid employee. As one can observe, this is not an LD policy since other considerations for improving the condition of the worst-off are involved (the central aim is to motivate salary rise for the poor). However, this example suggests that the equality debate can be altered in a similar direction suggested by the LD discussion and how diffusion of ideas could affect policy de facto.¹⁹

¹⁸ For a journalistic review on the Bill see Izenberg (2010).

¹⁹ The "Senior Executive Salary" bill is a fascinating case which clearly deserves a much detailed investigation. Nevertheless I will not pursue this example here not only because this is not a clear case of LD but also since the legislation process is in very early stages.

Conclusion

"Many of us have egalitarian concerns" Norman Daniels (1990) rightfully argues. The idea that certain goods like liberties, powers and opportunities should be more equally shared is a common belief which dominates the public discourse. However, the striving for a more equal society, particularly in economic respects, stretches beyond a single judgment or strategy. As Daniels continues, there is a need to reject the view that these egalitarian concerns "are all cut from one uniform moral fabric" (Daniels, 1990: 293). When doing so, the door is opened to discern the different commitments to equality in different contexts and circumstances.

To some extent, the aim of this paper was to search for these unique circumstances - contexts in which equality is so powerfully endorsed that the idea of limiting a further improvement of some seems legitimate, all things considered. These contexts are not easy to identify nor equally judged, but when carefully analyzed they provide a fruitful platform to confront the equality debate straightforwardly. The framework for LD conditions I have tried to establish here is an initial attempt to do so. Nevertheless, the LD discussion calls for a much deeper investigation, including comprehensive empirical data to capture further examples and judgments.

Whatever the case may be, the LD discussion is a stimulating challenge for the equality debate. In a way, the discussion touches on a fundamental question which has been occupying the egalitarian discourse for a long time and has been phrased by Elizabeth Anderson (1999) as "what is the point of equality?" Analyzing LD scenarios, ones in which making the better off worse seem plausible, is a useful instrument to "strip our intuitions" about equality and test our justifications for equalizing mechanisms. I believe that this philosophical journey to the origins of equality could gain an important contribution from the LD methodology. But at the same time, as this paper has tried to expose, the implications of LD are highly relevant for the social policy world. Not only has social policy rescued the LD discussion from its philosophical abstractness, but also provided the grounds for actual integration of some of the LD ideas in the process of policymaking in various social areas.

Correspondingly, the LD discussion has challenged the common perception of equality within the realms of social policy by breaking the conservative boundaries of redistribution. This obviously does not mean that redistribution should be abandoned or mitigated. Redistribution is still the most powerful mechanism at the heart of the welfare state. However, as Kymlicka (2002) observes, some of the welfare state

mechanisms which intended to promote equality, "have often ended up either perpetuating the dependence and stigmatization of the poor or have disproportionately benefitted the well off" (ibid: 92). According to Kymlicka, these outcomes imply that liberal egalitarianism, which has been the moral engine for these institutional mechanisms, is facing a crucial challenge and that more radical approaches should be adopted by the liberal egalitarian politics (ibid: 88-96).

LD strategies are therefore a step forward in the attempt to alter the traditional concept of equality. It might not be considered as radical as other suggestions to reclaim equality through *ex ante* mechanisms which directly tackle the entrenched economic inequalities.²⁰ Nevertheless LD offers a renewed mechanism for achieving equality *within the current social-political institutions*. In that sense, LD could be an appealing middle way to impose a much greater obligation to equality in a method which is achievable for social policy.

To conclude, this paper has endeavored to project the philosophical idea of LD into a practical examination within the social policy sphere. This conjunction has proven to be fruitful by generating some interesting insights regarding policy implementation. Moreover, the LD discussion, I believe, also provides a fertile ground for a conceptual shift to bring equality back to its central position in the social policy field.

²⁰ "Property-Owning Democracy" is the most prominent suggestion. See for example (O'Neill 2009).

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Appendix A - a short story by Kurt Vonnegut, Jr.²¹

HARRISON BERGERON

THE YEAR WAS 2081, and everybody was finally equal. They weren't only equal before God and the law. They were equal every which way. Nobody was smarter than anybody else. Nobody was better looking than anybody else. Nobody was stronger or quicker than anybody else. All this equality was due to the 211th, 212th, and 213th Amendments to the Constitution, and to the unceasing vigilance of agents of the United States Handicapper General.

Some things about living still weren't quite right, though. April for instance, still drove people crazy by not being springtime. And it was in that clammy month that the H-G men took George and Hazel Bergeron's fourteen-year-old son, Harrison, away.

It was tragic, all right, but George and Hazel couldn't think about it very hard. Hazel had a perfectly average intelligence, which meant she couldn't think about anything except in short bursts. And George, while his intelligence was way above normal, had a little mental handicap radio in his ear. He was required by law to wear it at all times. It was tuned to a government transmitter. Every twenty seconds or so, the transmitter would send out some sharp noise to keep people like George from taking unfair advantage of their brains.

George and Hazel were watching television. There were tears on Hazel's cheeks, but she'd forgotten for the moment what they were about.

On the television screen were ballerinas.

A buzzer sounded in George's head. His thoughts fled in panic, like bandits from a burglar alarm.

"That was a real pretty dance, that dance they just did," said Hazel.

"Huh" said George.

"That dance-it was nice," said Hazel.

"Yup," said George. He tried to think a little about the ballerinas. They weren't really very good-no better than anybody else would have been, anyway. They were burdened with sashweights and bags of birdshot, and their faces were masked, so that no one, seeing a free and graceful gesture or a pretty face, would feel like something the cat drug in. George was toying with the vague notion that maybe dancers shouldn't be handicapped. But he didn't get very far with it before another noise in his ear radio scattered his thoughts. George winced. So did two out of the eight ballerinas.

²¹ The story is taken from Pojman, L. P. and Westmoreland R. (1997) Equality Selected Readings, New York: Oxford University Press, pp. 315-318.

Hazel saw him wince. Having no mental handicap herself, she had to ask George what the latest sound had been.

"Sounded like somebody hitting a milk bottle with a ball peen hammer," said George.

"I'd think it would be real interesting, hearing all the different sounds," said Hazel a little envious. "All the things they think up."

"Um," said George.

"Only, if I was Handicapper General, you know what I would do?" said Hazel. Hazel, as a matter of fact, bore a strong resemblance to the Handicapper General, a woman named Diana Moon Glampers. "If I was Diana Moon Glampers," said Hazel, "I'd have chimes on Sunday-just chimes. Kind of in honor of religion."

"I could think, if it was just chimes," said George.

"Well-maybe make 'em real loud," said Hazel. "I think I'd make a good Handicapper General."

"Good as anybody else," said George.

"Who knows better than I do what normal is?" said Hazel.

"Right," said George. He began to think glimmeringly about his abnormal son who was now in jail, about Harrison, but a twenty-one-gun salute in his head stopped that.

"Boy!" said Hazel, "that was a doozy, wasn't it?"

It was such a doozy that George was white and trembling, and tears stood on the rims of his red eyes. Two of the eight ballerinas had collapsed to the studio floor, were holding their temples.

"All of a sudden you look so tired," said Hazel. "Why don't you stretch out on the sofa, so's you can rest your handicap bag on the pillows, honeybunch." She was referring to the forty-seven pounds of birdshot in a canvas bag, which was padlocked around George's neck. "Go on and rest the bag for a little while," she said. "I don't care if you're not equal to me for a while."

George weighed the bag with his hands. "I don't mind it," he said. "I don't notice it any more. It's just a part of me."

"You been so tired lately-kind of wore out," said Hazel. "If there was just some way we could make a little hole in the bottom of the bag, and just take out a few of them lead balls. Just a few."

"Two years in prison and two thousand dollars fine for every ball I took out," said George. "I don't call that a bargain."

"If you could just take a few out when you came home from work," said Hazel. "I mean-you don't compete with anybody around here. You just set around."

"If I tried to get away with it," said George, "then other people'd get away with it-and pretty soon we'd be right back to the dark ages again, with everybody competing against everybody else. You wouldn't like that, would you?"

"I'd hate it," said Hazel.

"There you are," said George. The minute people start cheating on laws, what do you think happens to society?"

If Hazel hadn't been able to come up with an answer to this question, George couldn't have supplied one. A siren was going off in his head.

"Reckon it'd fall all apart," said Hazel.

"What would?" said George blankly.

"Society," said Hazel uncertainly. "Wasn't that what you just said?"

"Who knows?" said George.

The television program was suddenly interrupted for a news bulletin. It wasn't clear at first as to what the bulletin was about, since the announcer, like all announcers, had a serious speech impediment. For about half a minute, and in a state of high excitement, the announcer tried to say, "Ladies and Gentlemen."

He finally gave up, handed the bulletin to a ballerina to read.

"That's all right-" Hazel said of the announcer, "he tried. That's the big thing. He tried to do the best he could with what God gave him. He should get a nice raise for trying so hard."

"Ladies and Gentlemen," said the ballerina, reading the bulletin. She must have been extraordinarily beautiful, because the mask she wore was hideous. And it was easy to see that she was the strongest and most graceful of all the dancers, for her handicap bags were as big as those worn by two-hundred pound men.

And she had to apologize at once for her voice, which was a very unfair voice for a woman to use. Her voice was a warm, luminous, timeless melody. "Excuse me-" she said, and she began again, making her voice absolutely uncompetitive.

"Harrison Bergeron, age fourteen," she said in a grackle squawk, "has just escaped from jail, where he was held on suspicion of plotting to overthrow the government. He is a genius and an athlete, is under-handicapped, and should be regarded as extremely dangerous."

A police photograph of Harrison Bergeron was flashed on the screen-upside down, then sideways, upside down again, then right side up. The picture showed the full length of Harrison against a background calibrated in feet and inches. He was exactly seven feet tall.

The rest of Harrison's appearance was Halloween and hardware. Nobody had ever born heavier handicaps. He had outgrown hindrances faster than the H-G men could think them up. Instead of a little ear radio for a mental handicap, he wore a tremendous pair of earphones, and spectacles with thick wavy lenses. The spectacles were intended to make him not only half blind, but to give him whanging headaches besides.

Scrap metal was hung all over him. Ordinarily, there was a certain symmetry, a military neatness to the handicaps issued to strong people, but Harrison looked like a walking junkyard. In the race of life, Harrison carried three hundred pounds.

And to offset his good looks, the H-G men required that he wear at all times a red rubber ball for a nose, keep his eyebrows shaved off, and cover his even white teeth with black caps at snaggle-tooth random.

"If you see this boy," said the ballerina, "do not - I repeat, do not - try to reason with him."

There was the shriek of a door being torn from its hinges.

Screams and barking cries of consternation came from the television set. The photograph of Harrison Bergeron on the screen jumped again and again, as though dancing to the tune of an earthquake.

George Bergeron correctly identified the earthquake, and well he might have - for many was the time his own home had danced to the same crashing tune. "My God-" said George, "that must be Harrison!"

The realization was blasted from his mind instantly by the sound of an automobile collision in his head.

When George could open his eyes again, the photograph of Harrison was gone. A living, breathing Harrison filled the screen.

Clanking, clownish, and huge, Harrison stood - in the center of the studio. The knob of the uprooted studio door was still in his hand. Ballerinas, technicians, musicians, and announcers cowered on their knees before him, expecting to die.

"I am the Emperor!" cried Harrison. "Do you hear? I am the Emperor! Everybody must do what I say at once!" He stamped his foot and the studio shook.

"Even as I stand here" he bellowed, "crippled, hobbled, sickened - I am a greater ruler than any man who ever lived! Now watch me become what I can become!"

Harrison tore the straps of his handicap harness like wet tissue paper, tore straps guaranteed to support five thousand pounds.

Harrison's scrap-iron handicaps crashed to the floor.

Harrison thrust his thumbs under the bar of the padlock that secured his head harness. The bar snapped like celery. Harrison smashed his headphones and spectacles against the wall.

He flung away his rubber-ball nose, revealed a man that would have awed Thor, the god of thunder.

"I shall now select my Empress!" he said, looking down on the cowering people. "Let the first woman who dares rise to her feet claim her mate and her throne!"

A moment passed, and then a ballerina arose, swaying like a willow.

Harrison plucked the mental handicap from her ear, snapped off her physical handicaps with marvelous delicacy. Last of all he removed her mask. She was blindingly beautiful.

"Now-" said Harrison, taking her hand, "shall we show the people the meaning of the word dance? Music!" he commanded.

The musicians scrambled back into their chairs, and Harrison stripped them of their handicaps, too. "Play your best," he told them, "and I'll make you barons and dukes and earls."

The music began. It was normal at first-cheap, silly, false. But Harrison snatched two musicians from their chairs, waved them like batons as he sang the music as he wanted it played. He slammed them back into their chairs. The music began again and was much improved.

Harrison and his Empress merely listened to the music for a while-listened gravely, as though synchronizing their heartbeats with it.

They shifted their weights to their toes.

Harrison placed his big hands on the girls tiny waist, letting her sense the weightlessness that would soon be hers.

And then, in an explosion of joy and grace, into the air they sprang!

Not only were the laws of the land abandoned, but the law of gravity and the laws of motion as well.

They reeled, whirled, swiveled, flounced, capered, gamboled, and spun.

They leaped like deer on the moon.

The studio ceiling was thirty feet high, but each leap brought the dancers nearer to it. It became their obvious intention to kiss the ceiling. They kissed it.

And then, neutraling gravity with love and pure will, they remained suspended in air inches below the ceiling, and they kissed each other for a long, long time.

It was then that Diana Moon Glampers, the Handicapper General, came into the studio with a double-barreled ten-gauge shotgun. She fired twice, and the Emperor and the Empress were dead before they hit the floor.

Diana Moon Glampers loaded the gun again. She aimed it at the musicians and told them they had ten seconds to get their handicaps back on.

It was then that the Bergerons' television tube burned out.

Hazel turned to comment about the blackout to George. But George had gone out into the kitchen for a can of beer.

George came back in with the beer, paused while a handicap signal shook him up. And then he sat down again. "You been crying" he said to Hazel.

"Yup," she said.

"What about?" he said.

"I forget," she said. "Something real sad on television."

"What was it?" he said.

"It's all kind of mixed up in my mind," said Hazel.

"Forget sad things," said George.

"I always do," said Hazel.

"That's my girl," said George. He winced. There was the sound of a rivetting gun in his head.

"Gee - I could tell that one was a doozy," said Hazel.

"You can say that again," said George.

"Gee-" said Hazel, "I could tell that one was a doozy."

(Kurt Vonnegut, Jr., 1961)

Appendix B – Extracts from a letter sent to the "improving Improving access to medicines for NHS patients" Report²²

“Dear Prof Richards,

I am an advanced cancer patient and I recently filled in a questionnaire about top-up payments. I have little money but ticked the box allowing top-ups because how could I possibly deny this to a fellow patient. I sent off the form (and felt good).

Then I thought about it more deeply – the implications. Very wealthy people go private – no change there.

Moderately well-off NHS families will be put under enormous pressure at the worst possible time when they are coping with the imminent loss of a family member, and that family member with the loss of them and their life. This now strikes me as cruel. The families who find the money may find themselves under considerable financial stress in the future. The families who do not may be left with a burden of guilt. What an inheritance.

This does not directly affect me as I have little money and therefore no choice. And yet it does affect me. Throughout my treatment... I have been cared for. Care implies much more than treatment. How would I feel when I approach my final days knowing that I am being let go because of cost while others in the same hospital are being held on to? How would my relatives feel? How would the doctors and nurses feel? Comparisons have been made with state education and private tuition, but this is not a life or death issue, nor generally is dentistry... if the better off (who tend to be better educated and informed) are allowed to pay for top-ups they will not be motivated to argue for important treatments in the NHS as a whole.

I am not speaking from a position of moral superiority – if I had the money I would buy the best possible treatment, including top-ups, if allowed – but that is not the point. The principles of the NHS are important to all of us as a caring society both now and in the future.

Even in writing this I feel guilty that I might prevent a fellow patient from extending their life. I know this is not an easy decision and I wish you well with it.”

²² Taken from: Richards, M. (2008), *Improving Access to Medicines for NHS Patients*, Report for the Secretary of State for Health, London, p. 34.