

Is the Gender Pension Gap Fair?

Final version ahead of publication

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Abstract The income gap between women and men expands with age, culminating in a gender pension gap in old age that is much larger than pay gaps earlier in life. In this article, I question two attempts to justify gender pension gaps. One insists that lower financial contribution justifies women's lower overall pensions. The second states that women must receive less monthly because they live longer. I argue that neither of these reasons is fair in a gender-unjust world. Rather than justifying pension gaps, female longevity is an opportunity to promote gender justice: by subsidizing longer lives, old-age redistribution attenuates lifetime gender inequality. In the case of retirement pensions, the use of age to promote gender equality may be preferable to explicit gender differentiation. There is, then, a feminist case for old-age redistribution.

Keywords gender justice; gender pension gap; longevity; old age; age discrimination

Introduction

The income gap between women and men across life is well-documented. Less known is the fact that it expands with age, culminating in a gender pension gap in old age that is much larger than pay gaps earlier in life.¹ In Europe, for instance, the pay gap is around 16%, far below the staggering 30% that is the gender pension gap.² Gender pension gaps are decreasing over time, in Europe at least, and this may be regarded as good news by those advocating for fair pensions.³ But why? What, if anything, makes gender gaps in monthly pension income unfair? This article examines and rejects two attempts to justify them. While the gender wage gap has been subject to some philosophical scrutiny,⁴ there are two arguments that do not figure in debates about wage gaps, but which might create obstacles to greater equality between older men and women.

The gender pension gap receives little attention in contemporary political philosophy.⁵ We might think that is because, despite being more sizeable, it is relevantly similar to gender wage gaps earlier in life. Yet, pensions are unique in that they accumulate disparities over an entire life, such as gaps in pay and participation, both in the labour market and in care work. The gender pension gap also differs from other pension gaps. With socioeconomic status, education, and ethnicity, the better-off expect to live longer than the worse-off. In contrast, women are likely to live longer

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than men despite faring worse over a lifetime and enjoying lower shares of social primary goods across life, such as income, wealth, and free time.⁶

In this article, I assume that the pension system is guided by an egalitarian principle of *gender justice* according to which nobody should be disadvantaged on account of their sex or gender, meaning that women and men should be equal in terms of opportunities and resources over a complete life.⁷ I take this standpoint as a necessary (though surely still insufficient) condition for gender justice. This normative standpoint does not, of course, assume that all women fare worse than all men. Yet, it does recognize that there are background conditions of inequality between men and women, qua sex- or gender-based groups. Henceforth, I speak of what is *typically* or *often* the case, with no pretension that it holds for all women and men, always and everywhere.

The article proceeds as follows. Section 1 argues that lower financial contributions do not justify women's lower pensions over a lifetime. Section 2 discusses the view that to receive the same in total, women must receive less monthly because they live longer than men. In section 3, I show that gender longevity gaps are not a reason to open a gender pension gap against women but one in their favour. The fact that women live longer than men should not serve as an attempt to dismiss feminist claims but, instead, as an opportunity to further gender justice: by subsidizing longer lives, old-age redistribution attenuates lifetime gender inequality. Section 4 offers four reasons for preferring age-based treatment over explicit gender differentiation in pensions. Section 5 concludes.

1. The Contributory Argument for Gender Pension Gaps

Gender pension gaps are often explained by gendered differences in employment history, specifically in intensity, regularity, and number of years worked.⁸ This is an empirical claim that can only justify gender pension gaps if we add the normative view that retirement pensions should reflect individual histories in employment, such as our lifelong wages and career patterns. The picture of retirement as a reward for a life of work or contribution is indeed widespread, but it may penalize women, whose working lives tend to be less well paid, more irregular, and shorter. The argument could take the following shape:

- (1) On average, women tend to contribute less (financially) than men.
- (2) Those contributing less (financially) should receive lower overall pensions.

C1. On average, women should tend to receive lower overall pensions.

This is a logically valid argument. So, the conclusion is only false if one of the premises is false. This argument has at least three problems. *First*, premise (2) is not obviously plausible, and it is very questionable when applied to the worse-off. *Second*, this premise should only hold under conditions of fair equal opportunity, which are unlikely to obtain between men and women. *Finally*, the presupposition that financial means are the only relevant way of contributing to pension schemes seems false. Once we broaden the scope of (2) – to include contributions ‘in kind’ – it becomes questionable that (1) holds. I conclude that the contributory argument could only render gender pension gaps fair if women chose to contribute less, on an appropriate notion

of contribution, in an otherwise gender-equal world. Since that is not the case in societies as we know them, gender pension gaps cannot be rendered fair by the contributory argument.

a) *Disadvantage*

Not all political philosophers agree that contribution generates a claim to a benefit in return.⁹ Of the many criticisms that may be raised, I want to register one that goes against, perhaps not the general principle, but a rather inegalitarian application of it. The central idea is that, from an egalitarian standpoint, the better-off should be *net* contributors and contribute more than they receive, while the worse-off should be net beneficiaries who benefit more than they pay. An egalitarian state has reason to implement net transfers between different positions of advantage, meaning that better-off persons are not entitled to receive as much in state transfers as they contribute financially. The pursuit of economic equality is threatened when the better-off have a claim to receive back in benefits the money they spend on contributions. Insofar as women tend to be, on average, poorer in income and wealth than men, it is fair that they contribute less money to pensions and, for that matter, to any fiscal scheme. Hence, premise (1) is plausible. It is simply an application of 'ability-to-pay' or 'equal sacrifice' principles, according to which those more able to do so should pay more.¹⁰ It is premise (2) that is questionable under distributive inequality. There are egalitarian reasons to depart from (2) and subsidize the least well-off, which suggests that such a justification of gender pension gaps does not get off the ground in an unequal society.

b) *Involuntary Disadvantage*

Many egalitarians could, further, claim that women's disadvantage in pensions is unjust if it is not attributable to choices for which they may be held responsible. The gender pension gap seems unfair if it penalizes the worse-off under conditions of unfair opportunity to contribute to pensions. We can cash out this idea in terms of what John Rawls (1971: 63) once famously called fair equality of opportunity,¹¹

those who are at the same level of talent and ability, and have the same willingness to use them, 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.

Rawls's worries about *class* apply to *gender* as well.¹² Both align with the view, familiar to liberal egalitarian feminist thought, that women should not be disadvantaged on account of factors beyond their control.¹³ In this respect, fair equality of opportunity is a fairly minimal principle. Though it generally opposes inequality that arises out of unchosen features, it does not, for instance, attempt to correct inequalities in natural luck. It also leaves the possibility that people have unequal opportunities when socialization shapes differences in preferences and motivation.¹⁴ The principle of fair equality of opportunity has limits and it will not suffice for gender justice, but it is nevertheless powerful as a necessary feature of a just society.

It is a complex empirical question how much of the gender gap in employment and wages is attributable to individual choice. Some might stress that differences in *preferences* or *choices* explain why women dedicate fewer years to paid work and work fewer hours, typically in lower-paid occupations. Over the years, feminists have used several strategies to question whether such

gender gaps are in fact entirely attributable to choice.¹⁵ I agree with them and do not have much to add here except the wish to register two points.

The *first* is that, even on the minimal principle of fair equality of opportunity, gender gaps in employment and wages can still be considered involuntary. One could, for instance, potentially challenge the idea that men and women face different prospects of success based on their *initial place* in the social system on the grounds that both have nearly identical earnings at the outset of their careers, and that only later do earnings begin to diverge.¹⁶ However, this would be too quick. Suppose two people begin on the same footing in a career, but one expects to have much better prospects of success because their path will be easier from that moment onwards. We can reasonably doubt that, in this case, *prospects* of success are the same regardless of their initial place in the social system.

There are at least two reasons to suspect that the prospects of success are not the same between men and women. One takes outcomes as accurate proxies of opportunity: in cases where we can reasonably expect groups to perform equally well, as is the case here, a consistent outcome inequality may indicate that chances are not equal (Phillips 2004). After all, if a coin flip consistently comes up heads, it is at some point reasonable to suspect that the chances of getting tails are not as high.¹⁷ Yet, some might worry that this explanation excessively blurs the morally relevant difference between outcome and opportunity. A second strategy, more in line with fair equality of opportunity, is to show that men and women with equal talents and motivation, and who make similar choices, still fare differently.¹⁸ Expectations by employers that women take the lion's share of parental leave and are less committed to the paid labour market reduces their chances of being hired, promoted, or paid as much as their male counterparts. We find this between three groups. First, between women and men who do not marry, are childless, and equally willing to adopt a male-stereotypical lifestyle.¹⁹ Second, it holds among mothers and fathers, explaining why parenting is associated with higher odds of pension receipt for men than women.²⁰ Third, heterosexual marriage also tends to bring higher economic benefits to men than it does to women.²¹ This suggests that women and men with equal talents and motivation have unequal access to employment and wages, despite their matrimonial and procreative choices.

The *second* point to register is that, if feminists are right to reject this empirical claim, then this would taint the contributory justification of gender pension gaps. This is not to say that choice *suffices* to exonerate the gender gap, as it seems sensible to think that it does not.²² Rather, it is only to suggest that it is necessary. Insofar as we are responsibility-sensitive egalitarians, we should endorse contribution sensitivity only when people may reasonably be held responsible for differential contribution. We can doubt that this is the case with men and women, even on a minimal conception of equality of opportunity. In addition, we can add further considerations, such as that many of the different choices of men and women are the product of living in a gender-stereotyped society.²³ Yet, even in the absence of these, it is possible to already consider a significant part of the differences in labour-market performance as not being justified by fair equality of opportunity (or so I shall assume henceforth).

Even so, there is still something missing. In a different world, all this could have translated into an involuntary *advantage* for women. We could imagine a world that values female-stereotypical work much more than male-stereotypical activities. That world would still divide labour chances

along gender lines, but it could conceivably disadvantage men. This suggests that not all of the work here is done by the “involuntariness” aspect of the gender division of labour but also by a social decision – bolstered by the contributory argument – about which positions will be (dis)advantageous.

c) Fair Play?

Questions of responsibility are tricky, as they hinge upon the difficult distinction between choice and circumstance. Even if one accepts the general principle behind premise (2), and holds men and women responsible for disparities in contribution, one could still insist that this premise operates under an implausibly narrow conception of contribution. Implicitly, it assumes that people only contribute to pensions *financially*. But this is not true. Even if they contribute less *financially*, women engage more in other cost-incurring, benefits-producing activities for society,²⁴ which are necessary to the maintenance of pension schemes.

The financial reductionism of (2) ignores at least four activities that contribute to pensions.²⁵ One is the social value of producing workers (*procreation*). It is not only the output of workers that matters, but also the number of workers that exist in the first place. Second, and relatedly, there is the social value of raising workers (*rearing*). Workers are not simply “mushrooms who spring out of nowhere”, feminists often point out:²⁶ they must be cared for and invested in for many years. Third, partners also contribute to each other’s earning capacity. It is possible to work much more if one has a partner at home doing the tasks one would otherwise have to do oneself. Fourth, plenty of time and resources are spent on elderly care that goes unaccounted for by (2). Surely, such activities reduce financial pressure on retirement pension schemes, and women are known to do more for them than men. The other side of their lower involvement in the labour market is greater participation in all these activities.²⁷

These activities have positive externalities for pensions and our GDP as a whole (Giannelli *et al.* 2012). Yet, they are neglected by the financial reductionism implicit in premise (2). Sharing pension benefits only among those contributing financially does not consider that the latter also benefit greatly from the above activities, which can plausibly be seen as both costly and intentional.²⁸ Policy-wise, this argument differs from the previous one. Instead of asking for the enhancement of female labour-market opportunity, it calls for extending economic rewards to women absent from the labour market via, for example, care credits.²⁹

These activities are often not well rewarded, if they are paid at all.³⁰ The underlying injustice here can be a matter of both distributive equality and reciprocity. From a distributive standpoint, one can insist that the relatively low reward of care activities turns an involuntary difference into an unfair *disadvantage*. Supporting care might also be justified in terms of its impact on the overall condition of disadvantaged women, who may be more likely to be on the care-giving side.³¹ As a matter of reciprocity – understood as the view that benefits should attach to contribution – a narrow notion of contribution is also problematic if it fails to reflect the social contribution many women make to society.

In this section, I argued that the contributory justification of gender pension gaps would only be fair if women really chose to contribute less, on an appropriate conception of contribution, in an otherwise equal world between men and women. This is not necessarily to say that all of the pre-

pension earnings are unfair. Rather, it is to question whether the link between pre-pension earnings and retirement pensions should remain unbroken when certain conditions are met. The conditions are that one party is involuntarily disadvantaged compared to the other and that relevant contributions are not properly valued. Both of these points attack premise (2) in very different ways. One focuses on involuntary disadvantage across life, whereas the other rejects financial reductionism. If we were to remove the financial reductionism from the contributory argument, premise (1) would be more likely to be false. But still, we would have independent worries against the argument, grounded on the fact, which henceforth will be taken as an assumption, that women and men are worse off over a lifetime. This would still be an obstacle to contributory justifications of the gender pension gap.

2. The Differential Longevity Argument for Gender Pension Gaps

The objections raised above against the contribution-based justification of gender pension gaps should make us reluctant to provide women with lower lifetime retirement benefits in old age. But the story is not yet over. Retirement pensions are not simply a reward for a working life. They are also considered to be insurance mechanisms against a longer life. For women and men to receive equal overall benefits, it might be said that there must be lower average monthly/annual benefits for women insofar as they typically live longer than men. Closing the lifetime pension gap might require a monthly pension gap in favour of men. Consider:

- (3) Men and women should receive equal pension benefits over a lifetime.
- (4) Those who live longer can only receive equal pension benefits over a lifetime if they *either* have less per month/year or if they retire later.
- (5) Women should not retire later than men.

C2. On average, men should receive more than women per month/year.

This argument is also valid. Its only implicit assumption is that women live longer than men, on average. To reject the conclusion, we need to ask ourselves which premise is wrong. Premise (4) holds by mathematical necessity. For instance, imagine that we are both invited to a buffet that lasts from 20:00 to 22:00. However, I must leave at 21:00. If I want to eat as much as you in total, I need to either eat twice as fast as you or, alternatively, you need to arrive one hour later than me. That way, we would have the same amount of time (one hour) to enjoy the buffet.

The same happens with retirement pensions. Suppose we are to receive equal resources to retire over a lifetime, say an equal lump sum, but I live longer (in the example, I could have stayed one hour longer than you). I must then choose between (a) consuming the benefits at the same speed but retiring later, or else, (b) retiring at the same age as you, at the expense of a relatively lower retirement income per year (Van Parijs 2015a: 81-2). If we cannot reject this mathematical truth, the problem with the argument must lie elsewhere.

Premise (5) is intuitively appealing. I take it that many would resist unequal retirement ages between men and women, even if it would enable a closure of both the lifetime and the monthly pension gap, all at once. Most of us see no problem that the longer lived are retired for a longer time, especially if they are worse off over their lives. Few, if any, would deny that the long-lived (women) should retire for a longer time than the short-lived (men). Whether we can reject (5)

here depends on how plausible (3) is. If we must reject either of these premises, I argue that it should be (3).

The view that women and men should receive equal benefits over a lifetime is initially intuitive. But it should be rejected to the extent that women are worse off than men during life. In that case, there is nothing objectionable about women receiving equal retirement benefits for longer than men and, hence, more benefits over a lifetime. It might be said, however, that the fact that women typically live longer than men undermines our reasons for thinking that women are worse off than men throughout life. Here, we can distinguish between two possible positions. One, which I reject, holds that the longevity gap is unfair for women, *accentuating* their disadvantage. The other, which I endorse, affirms that the longevity gap may *attenuate* women's disadvantage.

A) *Is Living Longer a Disadvantage?*

It is hard to say "yes". Typically, people are made better off by living longer. People who die earlier tend to miss out on many goods, such as relations, income, wealth, leisure, free time, votes, and opportunities more generally. We have reasons to think that, considering the alternative of earlier death, living a longer life is generally a good thing.³² An exception is, of course, if a longer life translates into more time below a minimum threshold of what one needs to live with dignity. If the longevity gap puts women below a threshold of sufficiency, then it is plausible to believe a longer life is indeed a disadvantage. If the function of the pension system is sufficientarian, and it only aims to abolish old-age poverty, we might say that, regardless of background inequalities, those who live longer should get more over a lifetime insofar as this is necessary for a decent life.

However, and as mentioned in the Introduction, I assume that the pension system is guided by an egalitarian principle. While the sufficiency view is plausible, it is not enough for our egalitarian purposes since it does not tell us to close the monthly pension gap if longer-lived persons have enough to satisfy their time-specific needs, which many women are likely to have for a significant part of their longer lives. Beyond a threshold of basic needs, compensating for female longevity further begins to look inequalitarian. Given that a longer life in good health is a good to which most of us aspire, it is unclear why anyone should be compensated for it above the level necessary to preserve and maintain a dignified living standard.

B) *Is Living Longer an Unfair (Dis)advantage?*

The debate on whether the gender longevity gap is unfair began when John Kekes (1997) argued that egalitarian liberalism implied (in his view, absurdly) that women had to compensate for men's lack of female longevity (Casal 2015b: 90-1).³³ But not everyone thought the general idea was absurd. In a stimulating essay, Philippe Van Parijs (2015a: 82) argued that "as long as most people would be willing to give up some income to live longer, women's higher life expectancy reduces the inequality between men and women". If living longer is typically advantageous, the gender longevity gap might count among the few gender inequalities that disadvantage men.

In reply, it is sometimes said that this gap is only a natural (or 'cosmic') inequality and, therefore, not a matter of social justice. It is also noted that men are often responsible for their dying earlier. If so, the longevity gap may be a social inequality not attributable to circumstance but to choice (hence, not unfair on responsibility-sensitive grounds). These considerations are best engaged

with in a powerful reply by Paula Casal (2015a, 2015b), in which it is suggested that gender longevity gaps do not lead to unfair gender inequalities. I agree that, as things stand, they *do* not.

Still, in what follows, I register four problems with attempts to question the view that greater female longevity can lead to an unfair advantage. First, it is important to note that appeals to ‘nature’ or ‘responsibility’ cannot completely dismiss the justice-based relevance of the gender longevity gap. The reason is that such appeals only capture one part of the picture. Since the gap varies across societies (Rochelle *et al.* 2015), it is not simply ‘natural’. It also depends on which society one inhabits. Nor is the gap solely a result of our choices in life. Evidence that it persists across men and women with similar lifestyles suggests that it is not only behaviours that account for the gap.³⁴ Even if dismissals based on ‘cosmic’ or ‘chosen’ disadvantage were plausible, they would not suffice to exonerate the gender longevity gap.

Secondly, it is odd for feminists to appeal to ‘nature’ and ‘responsibility’ as reasons to dismiss the longevity gap. The historical role of such reasons has been to slow down, if not wholly dismiss, much of the disadvantage women face. Conservative talks on pregnancy and the ‘biological clock’ are a quick reminder of how nature can be so used.³⁵ The same goes for responsibility. Holding men responsible for their ‘longevity-shortening’ behaviours, such as drinking alcohol, may be a normative move similar to holding women accountable for ‘earning-shortening’ lifestyles to justify that they do not get equal pay. As Van Parijs (2015b) noted, justifying the longevity gap via ‘nature’ or ‘responsibility’ opens the door to problematic inequalities against women.³⁶

To this, one could reply that it also matters whether the causes of death are socially valuable. For example, holding women who take care of children responsible for being poorer is not equivalent, in the relevant sense, to holding men who drink heavily responsible for being shorter-lived. I suspect many agree that heavy drinking may have *that* consequence while disagreeing that caring for one's child should, in an analogous way, reduce one's earnings. For the reasons given in Section 1, I accept that difference. But the difference, then, does not have to do with whether such inequality is chosen; but instead with the particular consequences that choices should have.³⁷ Therefore, the point here must only be that when no difference in stakes exists, we cannot worry about female lack of male earnings, despite the lifestyles that reduce their wages, while ignoring men's lack of female longevity because of the gender-typical lifestyles that reduce their longevity.

Thirdly, we should not deny that the longevity gap can be a matter of social justice. The ‘natural’ story is often invoked to show that longevity heterogeneity is a cosmic inequality. The gap in longevity indeed exists not only in humans but also in the animal kingdom. In fact, Lemaître *et al.* (2020) find that a range of female mammals live longer than their male counterparts. However, the cosmic element to this inequality does not invalidate that it can also be a matter of social justice. For instance, many believe those born unable to walk are victims of a cosmic misfortune. To say this is not to deny that such persons can be victims of social injustice. It is a matter of social justice if society is designed such that naturally impaired persons are prevented from participating in civil society on an equal footing.³⁸ The same applies to the longevity gap. The short-lived may complain, as a matter of social justice, if their society is organized to their disadvantage, on account of which they miss out on critical social goods (such as the right to retire).³⁹ Whether a longevity gap is unjust depends on how society is organized.

It is hard to overstate the importance of this point. A key difference between the short-lived in general and men in particular, is that, while real-world societies are designed to advantage the longer-lived in general, this is not true of longer-lived women. Men tend to enjoy an overall advantage despite their shorter lives. That is why men have *no* all-things-considered complaint about differential longevity, even if it renders them in one way worse off. They cannot claim to be victims of social injustice in most societies, though they *could* if the gap persisted in an otherwise gender-just community.

Finally, and relatedly, disregarding longevity gaps is generally implausible, as it implies that it does not matter how long we live, provided we live equally well each year we live. However, intuition tells us that a person living 30 years with 100 units of good per year is worse off than one living 80 years with the same yearly units. It must be that one fares worse than the other, even if there is no yearly resource gap between these two persons.

This section concludes that while any longevity gap *could*, in principle, be a source of unfair disadvantage for those who live shorter lives, this is *not* the case for men in most societies. If the complaint is that the shorter-lived have fewer goods over a complete life, the complaint can be made by most social groups that live shorter lives, such as disadvantaged socioeconomic classes, but not by men in particular. On the contrary, as we shall see, old-age redistribution can promote gender injustice and attenuate (wo)men's (dis)advantage by enabling the possibility, implicitly rejected in premise (3), that women benefit more from retirement pensions over a lifetime.

3. Can Longevity Gaps promote Gender Justice?

There is fear that acknowledging the normative relevance of longevity heterogeneity is used to further men's rights and/or dismiss women's. In this section, I suggest that what may be often seen as an obstacle should instead be considered an opportunity: longevity gaps can contribute to gender justice by promoting an equal distribution between men and women or improving women's absolute position. To the extent that state assistance subsidizes women's longer lives, via an equal distribution of monthly pensions at old age, the more it attenuates their lifetime disadvantage compared to men. Doing so aligns with women receiving more retirement benefits than men over a lifetime and, hence, with a rejection of premise (3).

Here's how. Women tend to be overrepresented in older age groups because they typically live longer. The extent to which women benefit from living longer depends, as well, on how good those extra years are. Perhaps there is no gain in longevity if a longer life is only spent in a frail condition. The better old age is, the better the condition of those who live relatively longer. This opens the possibility of using the fact that women are overrepresented as recipients to have a more positive impact on their lifetime condition. This feminist argument for old-age redistribution can be formulated as follows:

- (6) Women tend to live relatively longer than men.
 - (7) The better old age is, as through pension schemes, the better the condition of the relatively longer-lived vis-à-vis shorter-lived persons.
- C3.** The better old age is, as through pension schemes, the better the overall position of women vis-à-vis men.

A concrete example will help. Imagine a world where men expect to live to 80 years old, whereas women expect to live to 85. The better this world treats the 80+, the better it is for women on average. If life after this age is barely worth living, women do not benefit from living longer. The better it is, the more this will promote lifetime equality between men and women. For that, two conditions must be met. *First*, there must be unjust background conditions such that inequality in favour of women will promote gender justice. *Second*, and more controversially, it is supposed that favouring women in some respects (say, pension systems) can attenuate other disadvantages.

Implicit in this second condition is an 'all-things-considered' account of gender justice (ATC). Such accounts are often distinguished from good-specific accounts (GS). A GS egalitarian view holds that people have equality-based claims to a specific good, say longevity, regardless of how much they have of other goods.⁴⁰ This view allows men to complain that they tend to live shorter lives, regardless of how well off they are in other respects. In contrast, ATC views look at the overall distribution of goods and bads. The overall distribution encompasses the distribution across both time and space: throughout time, because it matters what the distribution has been over an entire life, and across space, as it considers goods of various sorts together in one single assessment. Instead of looking at the longevity gap as an injustice against men, ATC views may see it as promoting gender equality more generally, over whole lives.

The normative relevance of this integrationist approach can hardly be overstated. It explains why a short life may generally be a 'social' injustice, but men's specific tendency to die earlier is not. Men are an exception among the short-lived. Meanwhile, ATC views also explain why ignoring male longevity in an otherwise gender-equal society would be implausible, too. This integrationist approach does not render our (good-specific) focus on pensions irrelevant, but it insists that we should not consider pensions to be separate from the overall distribution. Even if one could correct the distribution in other ways, pensions remain a second-best solution, one that is especially key to addressing the concerns of older women.

One question that ATC accounts need to answer concerns the weights different goods ought to have. The good of longevity may carry some weight, but it is not clear that it outweighs the value of income, wealth, and free time earlier in life. The account I propose is open to different relative weights between such goods. The conclusion that women are worse off (ATC) will hold even if longevity is weightier. It is unlikely that longevity will ever be so valuable as to have one sacrifice half their lifetime earnings for the prospects of living 3-5 additional years.⁴¹ That is all truer in a neutral weighting – where the resource and longevity gaps across life are equally weighty. In that case, women would have to live twice as long to justify having half the resources when younger. Whatever the weighing we adopt, ATC views can easily show that women are generally worse off than men despite living longer. This sustains the conclusion that in the world as it often is, they should receive more state assistance overall to promote distributive equality.⁴²

A second question for ATC views concerns the currency or metric of justice. Here again, I remain agnostic. I assume that justice will require redistributing resources such as retirement pensions. That might be because such resources themselves matter or because they matter as means to something else we value, such as welfare. This choice will affect the degree of redistribution that people are owed. For instance, as we age, we will likely need more resources to attain a particular level of well-being. Moving away from resources may lead to greater generosity towards old age.

No matter how we answer the questions above, one powerful objection to ATC views remains. It might be said that such views may accept a problematic disparity concerning some good (say, longevity), provided other disparities compensate for it. For instance, one could say that it is indifferent between world A, where men and women live as long and have the same per year they live, and world B, where men die much earlier and women earn much less, provided inequalities in both spheres compensate one another. Because we should not be indifferent between both worlds, we might be tempted to endorse a 'good-specific' account instead.

Indeed, it would be unacceptable to be indifferent between both worlds. But we do not need to resort to a good-specific account to say so. There is a liberal egalitarian explanation for why world A is better than world B, even if men and women are equal, ATC, in both cases. The complaint against world B cannot be that men and women are unequally badly off. Both are badly off, and it is not clear that they are unequally so. A better reason seems to be that they are not as well off as they could be. Part of what makes people's lives go well is access to resources and longevity so that they can devise their own plans. In a way, world B is worse for both men and women, potentially equally worse. It is a levelling-down version of world A. If so, maximin or prioritarian ATC views – concerned with making the lives of the worse off go as well as possible for them – can justify moving from B to A. From a liberal standpoint, it also makes sense to prefer world A because, unlike B, A does not force women into a conception of the good life that involves living a poorer but longer life, nor does it impose a shorter wealthier one on men. World A makes no judgments regarding what life is best for them, men and women.

In summary, I argued that closing monthly pension gaps promotes all-things-considered equality between men and women. Even if it will likely open a lifetime pension gap in favour of women, this is positive from an egalitarian standpoint. The fact that women tend to live longer than men should not be regarded as an obstacle but as a special opportunity to promote gender justice.

4. Gender or Age Differentiation?

Retirement pension schemes can give women more than men through two kinds of differentiation or discrimination – i.e., understood, descriptively, as differential treatment. One is to resort to explicit gender differentiation, as premise (5) does. It is possible to target people according to their sex/gender, for instance, by having women a) contribute less, b) retire earlier, or c) receive higher monthly benefits than men. These are straightforward strategies to give women more overall, but they are not the only ones. In line with what I have been arguing, note that “gender neutral” old-age pensions – for example, equal retirement age and monthly payments – also differentiate *de facto* in favour of women because of their automatic adjustment to age and longevity. But is this strategy more appealing than the alternative of explicit gender differentiation in pensions?

One serious worry about *age* differentiation is that it is, in one way, bad if women must wait until old age to get their due. There is a sense in which levelling the scales of justice only at the age of retirement is regrettable, especially bearing in mind that short-lived women will count among the worse-off women. We can grant that the best solution would clearly be to prevent the gender pension gap from arising in the first place. After all, it is generally better to prevent inequality than to correct or compensate for it afterwards. We can grant this without denying that there

can be a distinctive feminist case for old-age redistribution, too. The argument is not that feminists should advocate for shifting most resources towards old age, which would unfairly disadvantage the least well-off women who pass away at a younger age. The main idea here is that a society that solely direct resources towards younger ages would disproportionately disadvantage women in general by not taking into account the special challenges that women face with respect to old age. In that sense, there is a distinctive feminist case for old-age redistribution through pensions. So long as there is a gender pension gap, it is preferable to resort to age differentiation to correct it for the reasons I invoke below.

Many people think that age discrimination is *prima facie* more acceptable than gender discrimination. For instance, underage girls have less political power than middle-aged men. It is no doubt wrong if they have less political power due to their sex/gender, but not necessarily if it is due to their age. Unlike sex/gender, the fact that *we all age* means that age-based inequality can involve treating people equally over their lives (Gosseries 2014, Bidadanure 2017). Intuitively, we have reasons to prefer age to gender discrimination because the former seems more likely to be compatible with treating people equally in life. However, since both kinds of differentiation considered here are meant to promote lifetime equality to an equal extent, such an appeal cannot be the reason to justify preferring one over the other.

Still, there are four reasons for preferring age over gender differentiation in the case of pensions. The *first* is pragmatic. Not only is explicit gender discrimination more unpopular, but it is also more likely to be forbidden in many jurisdictions.⁴³ The fact that ageing societies increasingly support elderly-friendly policies could make the goal of gender justice much easier to achieve.

The *second* reason is that, unlike gender differentiation, age differentiation does not leave the poorest older men behind. Imagine that the world is such that older women are generally worse off than men but that a few old men are among the very worst-off elderly. Gender differentiation will do little for those men, as it will only focus on advancing women's claims. In contrast, age differentiation will benefit women more, but it will do so while also helping those worst-off men. This strategy will advance the claims of the worse-off among the elderly, thus of women, insofar as they are over-represented in that group. But it will not exclude worse-off elderly men, as explicit gender differentiation would do.

Thirdly, there is a similar concern about better-off women.⁴⁴ Gender differentiation will benefit women more than men, whatever their socioeconomic status. Yet, our distributive egalitarian reasons to assist women are grounded on their relative disadvantage over men. If so, these reasons lose strength, the better off women are. If a man and a woman are equally well off, the gender-based approach will want the woman to be better off than the man. Our argument for giving women more overall is grounded on them being worse off in life. With the age-based approach, redistribution stops when there is no longer female over-representation in the lowest old-age pensions. Unlike its gendered counterpart, age-based redistribution will vanish as all other gaps close. That is the point at which it is sensible for it to stop.

One final reason for preferring age discrimination in this case is that there is something attractive about the aim of genderlessness, understood as the hope to dissolve normatively backed gender differentiation in social roles; or, in short, gender norms.⁴⁵ The use of explicit gender differentiation always comes at some cost. The hope to build a world without gender norms

should, when possible, refrain from introducing new norms. If anything, that will make the pursuit of gender justice more robust against the fashionable criticism that we are not ending gender-based inequality but only replacing the gender of its victims. The possibility of age differentiation is not vulnerable to such worries. Of course, the best solution is sometimes, if not often, to introduce gender differentiation. But not always. At least in the case of retirement pensions, it may well be better, as a matter of gender justice, to introduce age differentiation by equalizing the monthly gender pension gap.

5. Conclusion

Is the gender pension gap fair? I examined (and rejected) two justifications for this inequality in this article. One is that women should receive less overall because they contribute less 'financially'. The other argument is that women should receive less monthly because they tend to live longer. Against this, I argued that the gender longevity gap should not be seen as a reason for giving women less but as an opportunity to improve their condition, all things considered. More positively, I argued that closing monthly pension gaps promotes all-things-considered equality between men and women, even if this opens a lifetime pension gap in favour of women, which is compatible with, if not required by, distributive equality. To the extent that the welfare state aims to protect the worse off more, it should have retirement pensions benefit women more than men. To this end, we should prefer age (to gender) differentiation, given how old-age retirement can contribute to further gender equality. There will be other arguments for gender pension gaps that I have not considered here.⁴⁶ But we can already conclude against the most critical and distinctive obstacles to greater equality between women and men in old age.

Acknowledgements: Earlier versions of this article were presented at the Université Catholique de Louvain, Leiden University, and Pompeu Fabra University. I am grateful to the audiences for their helpful remarks. A special thank you goes to Axel Gosseries, Serena Olsaretti, and Anca Gheaus for their valuable comments on previous drafts of the paper. I also appreciate the helpful conversations and insights from Kevin Hartmann, Vincent Vandenberghe, Philippe Van Parijs, and Paula Casal. Additionally, I thank the two anonymous referees for the *Journal of Applied Philosophy*, whose comments significantly improved the manuscript. This article was financially supported by the ARC research project "SAS Pensions" at UCLouvain and by the *Centre for Ethics, Politics and Society* at UMinho.

NOTES

¹ [The gender gap in pensions in the EU \(europa.eu\)](https://european-council.europa.eu/media/en/press-communications/infographic/Pages/infographic-gender-gap-pensions-2020.aspx).

² See e.g., European Commission (2020).

³ See e.g., Abatemarco *et al.* (2023).

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- ⁴ Although much of what has been written is on the gendered division of labour, one exception that focuses specifically on the gender pay gap is Olson (2012).
- ⁵ One exception is, for instance, a brief discussion by Schokkaert & Van Parijs (2003).
- ⁶ For evidence that women are consistently poorer in free time, with lone mothers as the least advantaged, see Goodin *et al.* (2008). See also Boll *et al.* (2017) on lifetime income and Sierminska *et al.* (2010) on wealth.
- ⁷ On liberal egalitarian gender justice, see e.g., Okin (1989) and Gheaus (2011).
- ⁸ See ft. 1, ft. 2 and Ginn & Arber (1996), Burkevica *et al.* (2015) and Frericks *et al.* (2009).
- ⁹ For a recent defence of the general principle against several objections, see Arneson (2013). For a criticism of applying the fairness principle to welfare benefits, see Bou-Habib & Olsaretti (2004).
- ¹⁰ See e.g., Richter (1983) on ability-to-pay and equal sacrifice.
- ¹¹ See e.g., Roemer (2017: 46) on more demanding conceptions of equal opportunity.
- ¹² See also Blanc and Meijers (2020: 15-9).
- ¹³ See ft. 7.
- ¹⁴ For more on Fair Equality of Opportunity, see [Overview | Equality of Opportunity and Education \(stanford.edu\)](#) [accessed 24/06/2004].
- ¹⁵ See e.g., Olson (2012).
- ¹⁶ See e.g., Bertrand *et al.* (2010).
- ¹⁷ The argument does not deny that there are differences in preferences between men and women. It only insists that the best explanation for consistent outcome inequality lies in different opportunities to thrive given their preferences.
- ¹⁸ Here, I follow Kmec *et al.* (2014) and Blanc and Meijers (2020: 15-8).
- ¹⁹ See e.g., Blanc & Meijers (2020: 16-7). This seems consistent with the idea that the gap exists because of the negative impacts of flexibility – e.g., the view that hours of work in many occupations are worth more when continuous (Goldin 2014). So long as employers *believe* that women are more likely to require more flexible schedules, this will have negative consequences on opportunity, even for those women who will never need such schedules.
- ²⁰ See e.g., Kmec *et al.* (2014: 457), Bertrand *et al.* (2010), Yabiku (2000) and Blanc & Meijers (2020: 17).
- ²¹ See Ahituv & Lerman (2007), Monin & Clark (2011), Yabiku (2000).
- ²² See Olson (2012) for a defence of this claim.
- ²³ See ft. 22.
- ²⁴ See, e.g., Folbre (1994) and Olsaretti (2013).
- ²⁵ Not all pension systems worldwide are financial reductionist. Some European pension systems, for instance, recently began introducing care credits (Vlachantoni 2008).
- ²⁶ See e.g., Pateman (1988) for a famous feminist critique of Hobbes' premise that we should think of individuals as springing up like mushrooms in the state of nature.
- ²⁷ See e.g., Burkevica *et al.* (2015).
- ²⁸ For a discussion of cost and intentions, see Olsaretti (2013: 241-7) in reply to Casal & Williams (1995).
- ²⁹ For a philosophical comparison of these strategies, see Gheaus (2020).
- ³⁰ See e.g., England *et al.* (2002).
- ³¹ See e.g., Gheaus (2020).
- ³² See, for instance, Ponthière (2023) and Valente (2023, 2024).
- ³³ Most notably, between Casal (2015a, 2015b) and Van Parijs (2015a, 2015b). For a reply to Keke, see Barclay (1999).
- ³⁴ See e.g., Schünemann *et al.* (2017) and Zarulli *et al.* (2018).
- ³⁵ For how biology could drive gender inequality in the labor market, see Cobb-Clark (2016).

³⁶ Van Parijs (2015b: 166-7) hints at this when discussing two attempts to hold men responsible for their shorter lives. On the so-called Scanlonian strategy, “if appropriate warnings are deemed sufficient to nullify the alleged injustice suffered by men as a result of their choices, the door is wide open for this sort of excessively easy justification of inequalities suffered by women.” On the second, “(...) as implied by Casal’s Dworkinian argument, it is true that one could no longer make sense of the injustice of a number of disadvantages suffered by men, but equally of many putatively unjust disadvantages suffered by women.”

³⁷ What Serena Olsaretti (2009) calls a principle of stakes.

³⁸ On health and longevity inequality, see Lippert-Rasmussen (2019).

³⁹ See ft. 32.

⁴⁰ The distinction between good-specific and all-things-considered accounts can be found in Brighouse & Swift (2006).

⁴¹ For evidence that women’s lifetime income share is almost half that of men, see Boll *et al.* (2017).

⁴² If women were to live for centuries longer than men, but men had only enjoyed a negligible advantage across life, then ATC might lead us to believe that, in this wild scenario, the prevailing arrangement would be unfair to men. I am grateful to a reviewer who pushed me to clarify this.

⁴³ See e.g., Howard (2006) in the case of EU law.

⁴⁴ See Gheaus (2020) on why the claims of disadvantaged women have priority over more advantaged women.

⁴⁵ See, for instance, Wright (2011) and Gheaus (2011).

⁴⁶ There might be worries related to incentives, for instance. I have assumed that closing the gender pension gap will benefit women’s position. One could insist that it will not have that consequence because the future reward of a higher pension income incentivizes the use of talents in a maximally socially beneficial fashion. However, I see no reason to incentivize this behaviour more in men than in women. It might tell us to incentivize certain kinds of contributions. A case against, but perhaps also for, rewarding care could then be found here. Yet, I do not think it weakens my general criticism of the contributory argument, especially in a Rawlsian setting, where appeals to fair equality of opportunity have lexical priority over maximin concerns with incentives.

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