

# AGEING AS EQUALS

Distributive Justice in Retirement Pensions



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# AGEING AS EQUALS

DISTRIBUTIVE JUSTICE IN RETIREMENT PENSIONS

*Doctoral Thesis in Philosophy*

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*To my parents*



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## Summary (EN)

Despite being increasingly available to us all, retirement pensions remain unequally distributed: between rich and poor, young and old, men and women, and possibly different generations. As this topic receives little attention in moral and political philosophy, the articles in this thesis aim to deliver an original account of justice in retirement pensions along liberal egalitarian lines.

The first part defends retirement pensions as a distribution of free time. It shows that including free time in the list of goods that liberal egalitarians prioritise is plausible and avoids problems that would otherwise arise with other candidates, most notably leisure. Retirement as free time is an essential feature of liberal egalitarian societies by (re)distributing the means to pursue any life project, and especially valuable for the poor who work and contribute the longest.

The second part makes a case for 'libertirement', a proposal to increase the freedom to enjoy free time across life, as a matter of justice between those who live long and those who die early. Specifically, I propose adding reverse pensions and sabbaticals on top of old-age retirement. Besides showing the importance of longevity for age-group justice, I also draw implications for distributing unconditional basic income and income taxes across life, which I suggest may offer alternative paths to libertirement.

Finally, the third part discusses the cases of pension inequality between genders and generations, pushing us to refine our account further.

I conclude that there is often a mismatch between liberal egalitarian justice and the design of retirement schemes. The solution is often but not always to reform these systems. Sometimes, we have reasons to revise our very own principles of justice.

## Résumé (FR)

Bien qu'elles soient de plus en plus accessibles à tous, les pensions de retraite restent inégalement réparties entre les classes, les âges, les genres et certainement les générations. L'attention portée à ce sujet reste limitée en philosophie morale et politique. Ainsi, les articles de cette thèse visent à délivrer un compte rendu de la justice des pensions en s'appuyant sur les lignes libérales égalitaires.

Au cours d'une première partie je défends les pensions de retraite comme une distribution de temps libre. Ceci démontre que l'inclusion du temps libre dans la liste des biens auxquels les libéraux égalitaires donnent la priorité est plausible, et, permet d'éviter les problèmes qui se poseraient avec d'autres candidats, notamment les loisirs. La retraite en tant que temps libre est une caractéristique essentielle des sociétés libérales égalitaire de par la (re)distribution des moyens de poursuivre tout projet de vie. Elle est particulièrement précieuse pour les classes précaires qui travaillent et cotisent le plus longtemps.

La seconde partie de cette thèse plaide en faveur d'une 'libertraite', une proposition visant à accroître la liberté de profiter du temps libre tout au long de la vie, dans un souci de justice entre les citoyens dont les durées de vies sont variables. Plus spécifiquement, je propose d'ajouter des pensions inversées et des congés sabbatiques à la retraite des personnes âgées. En plus de démontrer l'importance de la longévité pour la justice entre les groupes d'âge, j'établis également les répercussions de la distribution d'un revenu de base inconditionnel et de l'impôt sur le revenu tout au long de la vie, qui, selon moi, pourraient offrir des voies alternatives à la libertraite.

Enfin, la troisième partie de cette thèse est dédiée aux cas d'inégalités des retraites entre les genres et les générations, ce qui nous encourage à affiner davantage notre propos.

Au travers de tout ces points et en conclusion, nous pouvons relever le décalage entre la justice égalitaire libérale et la conception des régimes de retraite. La solution consiste souvent, mais pas toujours, en la réforme des systèmes de retraite. Parfois, nous avons des raisons de réviser nos propres principes de justice.

## Síntese (PT)

Embora cada vez mais acessíveis, as pensões de reforma permanecem distribuídas desigualmente: entre ricos e pobres, jovens e idosos, homens e mulheres, e possivelmente entre gerações. Dado que este tema recebe pouca atenção na filosofia moral e política, os artigos desta tese têm como objectivo apresentar uma teoria de justiça liberal igualitária quanto às pensões de reforma.

A primeira parte defende as pensões de reforma como uma distribuição de tempo livre. Mostra que a inclusão do tempo livre na lista de bens que os liberais igualitários dão prioridade é plausível, e evita problemas que surgiriam com outros candidatos, nomeadamente o lazer. A reforma enquanto tempo livre é algo essencial para uma sociedade liberal igualitária dado que (re)distribui os meios para prosseguir qualquer projecto de vida, sendo especialmente valioso para os pobres que trabalham e contribuem mais tempo.

A segunda parte defende a ‘livreforma’, uma proposta para aumentar a liberdade de usufruir tempo livre ao longo da vida, como justiça entre aqueles que vivem vidas longas e os que morrem cedo. Especificamente, proponho que pensões invertidas e licenças sabáticas complementem as reformas de velhice. Para além de mostrar a importância da longevidade para a justiça entre grupos etários, também retiro implicações sobre a distribuição do rendimento básico incondicional e de impostos sobre o rendimento ao longo da vida, sugerindo que estes possam constituir vias alternativas para a ‘livreforma’.

Finalmente, a terceira parte discute os casos de desigualdade de pensões entre géneros e gerações, empurrando-nos para um maior refinamento da nossa teoria.

Concluo que existe frequentemente um desencontro entre a justiça liberal igualitária e os sistemas de reforma. A solução é muitas vezes, mas nem sempre, reformar estes sistemas. Por vezes, temos razões para rever os nossos próprios princípios de justiça.

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My parents, I dedicate this thesis to them. That they brought me to life would have already been a good reason. But they did so with the most loving support. Like a retirement pension, I also have two essential pillars that I cannot dispense. It is no surprise that this thesis, like their son, is a fruit of my parent's love: my father's passion for Philosophy and my mother's devotion to ageing and retirement. Thank you for always being there and encouraging me to do what I love most. This is *it*.



## Introduction

Once a privilege of the few, the hope to retire is increasingly available to us all. Despite being so widespread, and often taking up the largest share of spending by the Welfare State,<sup>1</sup> retirement pensions remain unequally distributed: between rich and poor, young and old, men and women, and possibly different generations. This topic raises fascinating but complex questions in moral and political philosophy, many of which receive little attention. What, if any, is the role of retirement in a liberal society? Is it about redistributing resources from young to older stages of the same person's life, or is it a matter of equality between different lives? How fair is the longstanding marriage between retirement and old age? Can other policies, like basic income, ever replace retirement systems? Is it unfair that women earn much lower pensions than men? And may some generations pay more than what they will receive from their children?

This thesis collects the nine articles I wrote in the last few years on these (and other) questions. Together, they intend to develop an account of distributive justice in retirement pensions. In doing so, they ultimately formulate a general conception of what ageing as equals means and requires. The main aim of this thesis is to defend 'libertirement' (or 'freetirement'), which is a proposal to increase the freedom to enjoy free time across life through retirement policies. To this end, I first show that we should be receiving free time from retirement policies (rather than leisure or only wealth) and then argue that we should be freer to enjoy free time across life by having access to it early in life. Therefore, I propose that communities re-organise the economic life cycle of their members by letting them temporarily retire when they are young. While retirement schemes are the most likely candidate to promote my proposal, they do not exhaust the plateau of possible retirement policies. If properly designed, other schemes like unconditional basic income and income taxation may also offer alternative paths to libertirement.<sup>2</sup>

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<sup>1</sup> OECD (2019: 198-200).

<sup>2</sup> I shall only discuss justice-based reasons to choose between these different ways of arranging libertirement, leaving aside other considerations, such as, for instance, the different cultural attitudes we may have towards these fiscal policies.



## 1. Introducing Retirement Pensions

Before briefly introducing the reader to retirement pensions, I should clarify my object of study. Retirement and pensions are not the same. Most generally, retirement is an *act* of withdrawal or retreat from where one currently is (often related to the labour market),<sup>3</sup> whereas a pension is a *payment* with the goal of assistance. Whether retirement is a good or bad thing will depend on what you are retreating *from* and *to*. Perhaps bad if it is from a fulfilling working life, but not if it is from the mere necessity to work. At this stage, I would like to refer to retirement pensions as payments that people receive to support their withdrawal from where they currently are (in the labour market). Hence, they differ from *unemployment* benefits, whose purpose is to incentivise workers' *return* to the labour market. And from *disability* pensions, which aim to assist those unable to work. Disability can be a reason to retire, but it is undoubtedly not the only one — neither today nor throughout history.

### 1.1. HISTORY

The trend of making retirement widely accessible to all citizens is relatively recent. For most time, those who had enough resources could always choose when to give up working for an income (be it temporarily or permanently).<sup>4</sup> Meanwhile, the vast majority had to work for as long as possible. Sometimes by helping their families with what they could, other times by doing irregular and lower-paid jobs, given their declining earning abilities.<sup>5</sup> Back in Ancient Greece and Rome, the only exception was the military, who could already retire long before the system became widely accessible.<sup>6</sup> It was only much later, in the 18th century, that two prominent thinkers proposed what became the seed of what is today a retirement pension scheme (with only one year difference between their publication dates!). In 1795, the famous French thinker Nicolas de Condorcet came up with the following idea of contribution-based social insurance,<sup>7</sup>

‘Here then is a necessary cause of inequality, of dependence and even of misery, which ceaselessly threatens the most numerous and most

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<sup>3</sup> See ‘Retirement’ in the *Online Etymology Dictionary* (<https://www.etymonline.com/word/retirement>).

<sup>4</sup> Thane (2006: 34-5).

<sup>5</sup> *Ibid.*

<sup>6</sup> Finley (1981: 156).

<sup>7</sup> For the history of public assistance and social insurance more generally, see Van Parijs & Vanderborcht (2017: 51-69).

active class in our society. We shall point out how it can be in great part eradicated by guaranteeing people in old age a means of livelihood produced partly by their own savings and partly by the savings of others who make the same outlay, but who die before they need to reap the reward (...).<sup>8</sup>

Just one year later, in 1796, the American thinker Thomas Paine published 'Agrarian Justice', a pamphlet where he advocated for an estate tax to fund universal old-age and disability pensions and a fixed sum paid to all citizens upon reaching adulthood.<sup>9</sup> These ideas fueled the emerging voluntary associations of mutual aid that later sprang up in many European cities, which led labour movements to start asking for state-organised social insurance (similar to Condorcet's).<sup>10</sup> Employers increasingly granted these, sometimes as an act of generosity; other times, they were a convenient tool to remove those who became unfit to work.<sup>11</sup> In the 19th century, retirement pensions gained the most traction under the presence of German Chancellor Otto von Bismarck. Bismarck's motivation was not a concern with workers, but a strategy to reduce the risk of revolution under Marxism's increasing popularity. As he said in his Reichstag speech in 1889,

'I will consider it a great advantage when we have 700,000 small pensioners drawing their annuities from the State, especially if they belong to those classes who otherwise do not have much to lose by an upheaval and erroneously believe they can (...) gain much by it.'

From Bismarck onwards, social protection through retirement income was no longer a marginal State activity but became one of its core tasks. Today, we find social insurance in most advanced societies, for many of which this is the most significant item of social expenditure.<sup>12</sup>

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<sup>8</sup> Condorcet (1995).

<sup>9</sup> Paine (2004). His view is much more friendly to people who die early in life, as they receive a fixed lump-sum payment at the age of majority. Contrast this with Condorcet's idea of guaranteeing old-age retirement at the expense of the savings of those who die before they reap the reward.

<sup>10</sup> Van Parijs and Vanderborgh (2017: 65).

<sup>11</sup> Thane (2006: 35).

<sup>12</sup> See footnote 1, p.15.

### 1.2. PRESENT

Today, retirement schemes can be described as having three pillars, each with a distinct purpose.<sup>13</sup> In addition, there are two features that any such scheme has. One is that workers who rely on the State to retire can only do so when old, after having worked for a long time (say, a 40-year career).<sup>14</sup> The other is that, typically, people do not fully 'save' or 'fund' their own retirement. Instead, they often pay taxes that fund the pensions of current retirees with the expectation that the same will be done for them when they grow old. That is known as 'pay-as-you-go' funding (PAYG). Old-age requirements and PAYG funding are paradigmatic features of nearly all retirement schemes, and they are differently embedded in each of the three pillars that I shall now describe.

The *first* pillar is redistributive and consists of a 'basic pension' whose goal is to avoid old-age poverty.<sup>15</sup> This pillar is often 'non-contributory': it alleviates the elderly from poverty regardless of whether and how much they have contributed to the retirement scheme. This pillar is obviously tied to old age and is most often financed through PAYG (though it does not have to).

The *second* pillar plays an 'insurance role' as it guarantees that, upon retirement, we can live close to the living standards we enjoyed while working (through adequate replacement rates).<sup>16</sup> These replacement rates tend to be progressive, as the ratio of income replaced by the retirement scheme decreases as we move to higher socioeconomic brackets.<sup>17</sup> This pillar is often mandatory and contributory, so the benefits one receives will depend upon contributions (which, in turn, are sensitive to earnings). Yet, its contributory nature does not imply that it is funded by workers themselves rather than funded through PAYG. It can be financed in either way, if not

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<sup>13</sup> On the pillars, see Queisser & Whitehouse (2005) and, more famously, World Bank (1994). For a summary of the several objectives and types of pensions, see Barr & Diamond (2006: 16-9).

<sup>14</sup> For instance, the Social Protection Committee and the European Commission (2018: 166) define the standard pensionable age (SPA) as the earliest age at which an individual with a 40-year career can retire without any exit penalty.

<sup>15</sup> E.g., Queisser and Whitehouse (2005: 21-5).

<sup>16</sup> *Ibid.*

<sup>17</sup> E.g., OECD (2021: 144). For examples of this typical understanding of pension progressivity, see Fehr *et al.* (2013) and OECD (2013: 152).

both.<sup>18</sup> Typically, this pillar is also connected to old age, as only workers with long contributory careers tend to have access to such benefits.

Finally, a *third* voluntary pillar allows individuals to invest their savings further beyond the mandatory requirements.<sup>19</sup> It is flexible and usually serves as a supplement of benefits to higher-income groups. It is not funded through PAYG but by return on investments. It remains often attached to old age, though to a lesser extent than other pillars (as it depends on which investment each person chooses for themselves).

### 1.3. FUTURE

The future of our retirement schemes faces economic and demographic challenges.<sup>20</sup> Economic growth is slowing down, making promises once made to retirees increasingly hard to meet. Societies are also ageing, which means that the proportion of the elderly vis-à-vis working-age people is increasing. Population ageing is a consequence of lower levels of mortality and fertility. Because people live increasingly longer, the top enlarges with the increasing number of future recipients. Also, people have fewer children at the base, which reduces the number of future workers to pay for assistance.

There are (at least) two framings to this future challenge. One, the 'PAYG' way, directly shows the problem of having more future recipients but fewer contributors. As the ratio between elderly retirees and young workers grows, the burden placed on the latter can hardly meet the promises once made to the former. Many recent reforms have been pushing for moving away to a more funded system – a system where each individual (and generation) funds their own pension. But the transition is not easy, in significant part because it will require one generation to pay their parents' pensions while funding their own. And, we may ask, would the challenge disappear with fully funded pensions?

Not really, because there is a second way in which we can frame the problem. Generally, we should not overstate the difference between funded and unfunded systems since both involve building claims on future

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<sup>18</sup> The increasing mix of funding and PAYG in this pillar suggests dividing it into two tiers that separate the funded from the unfunded part. We would then have four pillars. See Holzmann (2013) for an excellent summary of these four pillars concerning worldwide trends.

<sup>19</sup> Queisser and Whitehouse (2005: 22) and Le Blanc (2011) for evidence of participation in this pillar across Europe.

<sup>20</sup> See Gonzalez-Eiras & Niepelt (2012) and Bielecki *et al.* (2016) on the demographic challenge and Schulz (2002) for the economic one.

production.<sup>21</sup> The ‘funding’ side to this challenge is that, as they live longer, people must either increase the funding of their pensions or accept to receive less.<sup>22</sup> In this self-funding model, the problem of having more future recipients and fewer contributors can also be seen through intra-personal lenses: as occurring inside a life that consists of life stages in which we work to ensure that we can retire at other ages.

The most popular answer to the ageing challenge has been to increase retirement ages – keeping constant the duration over which people benefit by getting them to contribute longer. Doing so increases the number of contributors by forcing us to work longer, at the same time that it shrinks the number of recipients by making us receive later. To many workers' discomfort, the future seems to head in the direction that people retire at increasingly later ages.<sup>23</sup> I say 'discomfort' because this solution is often met with fierce protests.<sup>24</sup> Also, many of our plans for retirement will only be feasible until a certain age and not for much longer. Implementing higher retirement ages without people feeling as if their retirement is taken away from them is possible with 'reverse retirement' policies. Reverse retirement holds that the young should receive a fixed sum of retirement income (similar to what Thomas Paine has proposed) that is deduced from old-age pensions.<sup>25</sup> It was once affordable to pay the pensions of the elderly when the demographic pyramid was suitable. Reverse retirement may be a counterpart when the pyramid reverses, and there are too few young for the elderly. Yet, complementing higher retirement ages with early retirement policies challenges the way we have been thinking about pensions for a long time. That is, as a transfer *only* to the old. A central claim of this thesis is that we should begin already contemplating the possibility of letting young people retire, even if only temporarily.

## 2. Five Issues

After this brief introduction to retirement pensions, I will now describe what I believe are the five main issues that any theory of justice in retirement

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<sup>21</sup> Heath (2013) and Barr (2021).

<sup>22</sup> As Niko Väänänen insightfully told me in conversation, the analogous challenge with decreasing fertility is that people who retire under such circumstances will have fewer people to sell their assets.

<sup>23</sup> Empirically, see Gonzalez-Eiras & Niepelt (2012) and Hofäcker (2015). For a philosophical defense, see Anton (2016).

<sup>24</sup> See e.g., Ortiz *et al.* (2019: 17-9) and Maltseva (2019).

<sup>25</sup> The proposal for reverse retirement has recently been put forward by Ponthière (2018, 2020, 2022).

pensions needs to address. The several articles included in this thesis are an attempt to deal with many, if not most, of these issues.

*Freedom.* The first issue concerns the relation between retirement and personal freedom, by which I mean the ability to do what one might want to do.<sup>26</sup> Workers are compelled to contribute to a pension and are not free to choose when to receive it. In many cases, receiving a retirement pension means they must leave the labour market (often known as mandatory retirement). In addition, retirees have little discretion in how they want to receive their pensions, as they must often earn them in regular instalments (known as annuities). So one crucial issue for distributive justice in retirement pensions is how much freedom people should have concerning when and how to retire, and how far that decision should interfere with their freedom to work. As the name '*libertirement*' indicates, the account of justice in retirement pensions I propose starts from a strong presumption for greater individual liberty, allowing for far more discretion in how we are to distribute free time across our life.

*Equality* is an issue that may require imposing limits on pension freedom, especially for more advantaged groups. As noted in the beginning, the distribution of retirement pensions is unequal between rich and poor, men and women, and people who live lives of unequal duration. It is essential to ask whether pensions should attenuate, perpetuate, or exacerbate inequalities between people (with the latter occurring, for instance, in the case of gender).<sup>27</sup> Of course, no answer to this question can dispense a view about whether such inequalities belong to a just society. But even if they do, there is an additional question about how retirement schemes should deal with them. I discuss three main inequalities within this issue: socioeconomic class, gender, and longevity.

*Age.* Since the beginning, the retirement of most citizens has been attached to old age. The longstanding marriage of retirement with old age may be the most evident and accepted case of age discrimination to this day.<sup>28</sup> Today, age is joining other more traditional discrimination grounds due to the increasing

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<sup>26</sup> See Van Parijs (1997) and 'The Principle of Liberty' in this introduction.

<sup>27</sup> See Article 7.

<sup>28</sup> I understand 'age discrimination' as age-based differential treatment that may or may not be justified. In this thesis, I disassociate discrimination from wrongfulness. So to say that there is discrimination is not necessarily to identify a wrong or an injustice. I refer to discrimination simply as a differential treatment based on socially salient features like age, gender or ethnicity.

attention it is receiving, as exemplified by the recent UN report on ageism.<sup>29</sup> It is doubtful that age discrimination has the same moral status as other traditional forms of discrimination, such as those based on ethnicity or gender. Unlike ethnicity and gender, the fact that *we all age* seems to make age discrimination compatible with respecting equality. That is so because although we may be treated unequally at different stages of life, no one is worse off than others over their life as a whole if we all live through those same life stages. For instance, the young might be unable to complain about old-age retirement if they will benefit from it later. However, if the point that we all age is relevant to the permissibility of age discrimination, the fact that some of us age for longer than others should also matter.<sup>30</sup> The existence of unequal longevity challenges the idea of old-age retirement as a benefit to *all* citizens, as it excludes the many of us who die before reaching old age.<sup>31</sup>

*Generations.* When taking 'generations' as birth cohorts – i.e., people born roughly in the same period – we realise that pensions also involve substantial intergenerational transfers.<sup>32</sup> This issue requires us to ask a new question on top of the more traditional intergenerational question of what we owe the next generation(s). This question is what each generation owes the preceding one. Or, more precisely, it is about the retirement pensions that we, children, owe our parents' generation.<sup>33</sup> Such inquiries become especially pressing as concerns grow that today's young generations will have paid a higher share of their incomes to their governments for a lower entitlement to services and benefits than their parent's generation.<sup>34</sup> If true, would that be unfair?

*Substitutability.* Finally, there is a question as to whether other fiscal schemes can perform the functions of the retirement system. For instance, an unconditional basic income set at the level that allows everyone to avoid poverty could replace the retirement function of combating old-age poverty. But can it replace the system as a whole? If so, societies must fully coordinate retirement schemes with other fiscal systems they seek to implement.

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<sup>29</sup> See the recent 'Global report on ageism'. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO.

<sup>30</sup> For more on this, see Articles 3 and 4.

<sup>31</sup> For instance, of all the deaths in Europe from 2015 to 2020, the percentage between 15 and 65 was 21% (UN 2019: 17).

<sup>32</sup> For the difference between taking generations as age groups and as birth cohorts, see e.g., Gosseries (2008) and Gosseries (2014: 74).

<sup>33</sup> See Article 8.

<sup>34</sup> Bidadanure (2021: 2) citing Diane Coyle (2011: 103).

These are the five main issues that any theory of justice in retirement pensions must address. As I said, the several articles included in this thesis attempt to deal with these issues. Since these issues raise normative questions, i.e., questions about what we *should* do, we will need some guiding principles. What follows is a brief presentation of the three principles guiding me in this thesis.

### 3. Three Principles for Ageing as Equals

Any serious discussion of justice in retirement pensions needs to clarify what justice is. There are many ways of understanding the idea of ‘justice’, and I will be referring to *distributive* justice more specifically.<sup>35</sup> Distributive justice is a topic in political philosophy devoted to the question of what is a just distribution of burdens and benefits in societies and which enforceable duties we have to one another. Answers will vary depending on our normative standpoint (e.g., Utilitarianism, Marxism, Libertarianism). This thesis does not aim to defend one stance against others but to choose one instead.

The lenses through which I study retirement pensions are those of *liberal egalitarianism*. Liberal equality is a family of markedly different views.<sup>36</sup> This ideal is plausible and widely endorsed in Western societies. The policies we defend are more likely to enjoy widespread support or at least serious consideration if they derive from principles that are themselves widely endorsed and that often guide the design of retirement schemes. This thesis adopts a relatively standard formulation of liberal egalitarian distributive justice, comprising three principles. The first is a *liberal* commitment to promoting people’s ability to pursue and revise their conception of the good life, whatever it may be. The second is an *egalitarian* idea of improving the position of those with the least resources to pursue their preferred conceptions of the good life. The third is the *sufficiency* principle, which requires everyone to command a minimum amount of resources at all times. These three principles are necessary to spell out what ageing as equals requires.

#### 3.1. THE PRINCIPLE OF LIBERTY

The first principle belonging to our normative standpoint is what I will call the principle of liberty, which I understand as follows.

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<sup>35</sup> For a philosophical introduction to ‘Justice’, see Miller (2021). More specifically on ‘Distributive Justice’, see Lamont and Favor (2017).

<sup>36</sup> For an introduction to Liberal Equality, see Kymlicka (2002: 53-101).



## Ageing as Equals

*The Liberty Principle*: a just society gives each person the freedom to choose, pursue and revise their life according to what they consider best *for them*, provided it does not interfere with the basic liberties of anyone else.

The standpoint is liberal in four distinct, albeit related, senses.

*First*, it is liberal in that it prioritises the equal protection of individual 'basic liberties'. The principle of equal basic liberties says that each person must have the most extensive basic liberties compatible with the equal liberty of all others. When John Rawls famously formulated this view on 'basic liberties', he understood these to include our freedom of thought and conscience, political liberties and freedom of association, and respect for the integrity of persons.<sup>37</sup>

*Second*, our standpoint does not rely on any specific conception of what constitutes a good life. Instead, it aims to respect equally the many conceptions of the good that inevitably emerge in pluralistic societies.<sup>38</sup> A just society preserves a degree of neutrality by intending to treat each person and the conceptions of the good life they form with equal concern and respect, such that each is free to choose how to make their lives best *for them* within the boundaries of morality.

*Thirdly*, while basic liberties are traditionally negative liberties, what I refer to as the freedom to choose, pursue and revise one's conception of the good life is not simply formal or negative. Famously, the formal or negative sense of liberty says that being at liberty to do X requires that one be *free from* external interference to do it.<sup>39</sup> That makes sense: I am only free to grab an apple from a tree if others do not prevent me from catching it. But this is not enough for our purposes. For my freedom to grab the apple also depends on whether I have the means and opportunity to reach it (e.g., I may need both a ladder and that the apple has not yet been grabbed by someone else).<sup>40</sup> Basic liberties aside, this freedom to be autonomous must be effective. And the absence of external interference does not guarantee this when means and opportunity are lacking.

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<sup>37</sup> See Rawls (1971, 2001). For a shorter description and overview of Rawls' work, see Wenar (2021).

<sup>38</sup> See e.g., Van Parijs (2011: 88) and, more generally on liberal neutrality, Caney (1996) and Patten (2012).

<sup>39</sup> See Berlin (2002) for the famous distinction between negative and positive liberty.

<sup>40</sup> See Van Parijs (1997: 21-4) and GA Cohen (2011: 166-99).

*Fourth*, our principle assumes a link between freedom and consequential responsibility.<sup>41</sup> It can sometimes be suitable for us to bear the costs of some situations ourselves so that others do not have to step in to relieve us from the consequences of these disadvantages. Under appropriate conditions, it is sensible to hold people responsible for some of the results of their choices. In some situations, it is inappropriate to do so. Suppose someone tells me, 'give me your money or your life'. That I give them the money does not make me liable for being poorer. Yet, if a rather strange thief comes to me and says, 'give me your money, your life, or none of those', then giving them money can be my responsibility. Intuitively, the difference between these cases is that the first lacks the acceptable alternative present in the second case.<sup>42</sup> It *can* be suitable to hold people responsible for decisions only under appropriate conditions, which include (but may not be limited to) the existence of a reasonable range of acceptable alternatives.

So understood, the liberty principle has implications for what ageing as equals requires. Throughout life, we can expect *a change in* conceptions of the good we come to endorse and our capacities to pursue these. For a long time, retirement existed to protect older persons against the inability to work (as productively) as they used to. That I become unable to work does not necessarily result in a change in my conception of the good, but it does signal a change in my capacity to pursue it. Nowadays, retirement is beyond insurance against losing our capacity to work since the right to a pension is no longer conditional on disability. It also enables those who have worked longer to pursue any conception of the good life, even if they can still work. Even if our ideas of the good life do not change at all, retirement can be a unique chance to pursue worthwhile projects we can only do when retired (such as long-term travel). Such systems have long contributed to guaranteeing that, as we age, we have the means to pursue and revise our ideas of what life is best for us, especially when age forces such changes upon us.<sup>43</sup>

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<sup>41</sup> I draw the following definition of consequential responsibility from Dworkin (2002a: 287).

<sup>42</sup> Olsaretti (1998).

<sup>43</sup> It also requires that we may be held responsible for the benefits and costs resulting from the choices we inevitably make as we age. For instance, if we wish to retire for longer than others, it may be permissible that we trade off the greater length of our retirement against a lower level of benefits.

### 3.2. THE PRINCIPLE OF DISTRIBUTIVE EQUALITY

The second principle of distributive equality calls for the equal distribution of *something*, which may be liberty, happiness, or some other good. I shall formulate this principle as follows.

*The Equality Principle:* a just society distributes inequalities so that the involuntarily worst off in life whose position we can improve are as well off as possible in terms of resources, even if doing so comes at the cost of increasing inequalities.

This formulation already answers three questions that any distributive principle must clarify. The first is *how* egalitarians should allocate goods (the pattern question). I assume they should do so by improving as much as they can the position of the worst off, even if doing so increases inequalities. There is a question about *what* to equalise (the metric question), which I assume are resources. Namely, primary social goods: goods that any rational person is presumed to need as a free and equal citizen over a complete life, regardless of their conception of the good life.<sup>44</sup> Finally, there is a question, vital for ageing as equals, about *when* to pursue equality (the temporal scope question). I argue that we should primarily care about inequalities over entire lives (rather than at specific times) and, therefore, focus on those who are worse off in life. Let me discuss each of these in turn.

#### 3.2.1. Pattern: Strict or Maximin?

I confine my discussion to two main ways for egalitarians to allocate resources in society. So I only consider those patterned principles that are egalitarian. As I understand it, a pattern is egalitarian if it identifies the worse off as those who fare worse *than others*, rather than those who fare badly irrespectively of how well others are. So equality depends upon comparing people to others. To illustrate this, consider the case by Derek Parfit (1995: 214), in which people at higher altitudes find it harder to breathe. Is that because they are higher up *than others*? Or would they find it just as hard to breathe if everyone were equally high up?<sup>45</sup> In this case, the 'yes' should go to the latter question. This thesis assumes that we are egalitarians in issues of distributive justice (unlike

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<sup>44</sup> Rawls (1971: xiii).

<sup>45</sup> I am excluding prioritarianism from this discussion, for instance, but I shall discuss it later, in p.37-8.

with mountains), by which I mean that our concern is with those who are worse off *than others*.

Here are the two egalitarian patterns that I will consider. One, the strict pattern, says that we should ensure equal amounts of the relevant good, despite how much of that good we have. The other, the maximin pattern, holds that the worst-off should have as much as possible of that good. Consider the following way of illustrating this distinction.

*Inequality.* It is bad that some people live in paradise while others live in hell. It would be in one way an improvement if all lived in hell, not to improve living conditions there, but *only* to take people away from paradise. Many would say this is absurd, if not monstrous.<sup>46</sup>

According to the strict pattern, it can be in one respect better if everyone lives in hell, as that promotes equality in living conditions despite how good these are. Yet, many of us have strong sentiments against this kind of ‘levelling-down’ equality, as it does not contribute to improving the lives of those living in hell. In contrast, maximin equality requires that the absolute position of the inhabitants in hell be as high as possible. Intuitively, we should pursue equality by taking people away from hell rather than taking the better off away from paradise.

We can restate this case for maximin by speaking of *Pareto improvements* instead of levelling down. Not only does strict equality accept equality that worsens the position of some to benefit no one. It also forbids inequality that improves everyone’s situation. For instance, we tend to think of income inequality as bringing forth greater productive effort, which increases the economy’s total wealth and, through redistribution, enhances the wealth of the worst off.<sup>47</sup> Whereas strict equality would oppose such incentives-inducing inequalities, the fact that maximin equality is concerned with the absolute position of the least advantaged allows us to welcome them if these are indeed necessary to improve their condition.<sup>48</sup>

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<sup>46</sup> This is a modification of the following famous case by Derek Parfit (1995): “It is bad, for example, that some people are sighted and others are blind. (...) [I]t would be in one way an improvement if we destroyed the eyes of the sighted, not to benefit the blind, but only to make the sighted blind. These implications can be more plausibly regarded as monstrous, or absurd.” I offer a different example because this one implicates strong intuitions we may have about bodily integrity.

<sup>47</sup> See e.g., Lamont and FAVOR (2017) and, more recently, Van Parijs (2021: 3).

<sup>48</sup> For a seminal critical discussion of the argument from incentives, see Cohen (2009).

This is only a very brief explanation of why I adopt a maximin pattern of equality.<sup>49</sup> I should also note that much of what I will defend pertains to distributive equality in general (especially in Part 3). Yet, for simplicity, I nevertheless stick to maximin equality for most of the thesis.

### 3.2.2. *Metric: Welfare or Resources?*

Many egalitarians agree with distributing *something* equally but disagree about *what* that is.<sup>50</sup> Nowadays, many would say any such metric must be sensitive to individual responsibility, focusing on equality of opportunity rather than on outcomes.<sup>51</sup> Such metrics seem necessary to accommodate the widespread intuition that inequality is unfair if some are involuntarily worse off than others but not *necessarily* unjust if inequality reflects people's choices (again, under appropriate conditions).<sup>52</sup> Known as luck egalitarianism, this view reconciles the political right's concern with individual responsibility with the left's commitment to eliminating involuntary disadvantage.<sup>53</sup> So whenever I speak of the worse off, it is the *involuntarily* worse off that I have in mind. This concern with responsibility harmonises our commitment to equality with the liberty principle stated earlier.

Still, responsibility sensitivity does not settle the metric question. There is an orthogonal debate about what matters: the resources we have or the well-being we achieve with them. Some egalitarians, like Arneson, defend equal opportunity for welfare.<sup>54</sup> Others, such as Rawls, Dworkin and Van Parijs, argue that we should be equal in resources, no matter how much welfare we derive from them. I cannot hope to go into the tricky complications of this debate, but I would like to illustrate the distinction with a simple case.

*The Grumpies.* In an imaginary world, the Grumpies have more resources than the Happies. Yet, the Grumpies cannot help but be

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<sup>49</sup> See Van Parijs (1997, 2003, 2021) for a more complete and precise explanation of how and why maximin can be the answer to unjust inequalities.

<sup>50</sup> Central contributions include, but are not limited to, Sen (1980), Dworkin (1981, 2002a), Cohen (1989), Arneson (1989).

<sup>51</sup> E.g., Van Parijs (2011: 88-9).

<sup>52</sup> The first famous formulation is attributed to Temkin (1993: 13). In different ways, these views were then followed by Dworkin (1982, 2022a), Arneson (1989) and Cohen (1989). Since then, many political theorists have endorsed this principle, later known as 'Luck Egalitarianism', even if some of these theorists' views were not 'luck egalitarian', properly speaking. For a recent essential discussion, see Lippert-Rasmussen (2016).

<sup>53</sup> As Cohen (1989) and Dworkin (2002a) famously noted.

<sup>54</sup> Arneson (2000) also defended other views later on, such as prioritarianism.

constantly unhappy and dissatisfied. In contrast, the Happies are constantly blessed with joy.<sup>55</sup>

The Happies have a *resource* deficiency: they have fewer resources than the Grumpies. The Grumpies have a *welfare* deficiency: they are much less happy than the Happies. Which one fares worse? Intuitively, the Happies are the worse off here, even if their life is abundant in welfare. Unlike welfarists, resourcists can justify giving more external resources to the Happies, to compensate for their resource deficiency. While we do not all need the same resources to reach the same level of advantage, resources are still a necessary indicator of advantage (though possibly not sufficient). The resourcist approach I adopt uses John Rawls' index of primary goods, which for Rawls are goods that persons need as free and equal citizens.<sup>56</sup> In the index, Rawls includes rights, opportunities, income, wealth, and the social bases of self-respect. Even though I shall focus on this index, most if not all of the conclusions I will reach in this thesis apply to these other metrics as well, such as welfare.

### 3.2.3. *Temporal Scope: Anytime or a Lifetime?*

When I say that, for Rawls, the worst-off are those with the least 'primary goods', which he defines as what we need as free and equal citizens, I am omitting that he adds 'over a complete life'.<sup>57</sup> When specifying what to distribute equally, we must also decide the temporal unit across which the distribution occurs.<sup>58</sup> The temporal scope informs what people born at different times owe to each other and what we owe to people as they age. The temporal scope question is crucial when spelling out what it means for people to age as equals.

John Rawls is not alone in taking the lifetime view as the default scope of distributive equality.<sup>59</sup> There has been considerable agreement among distributive egalitarians that, as Thomas Nagel (1995: 69) once wrote, "the subject of an egalitarian principle is not the distribution of particular rewards to individuals at some time, but the prospective quality of their lives as a whole". Later on, Rawls (2001: 174) continued to hold that "the claims of those

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<sup>55</sup> This example is a re-formulation of Cohen's famous 'Tiny Tim' case (1989).

<sup>56</sup> Rawls (1971: xiii).

<sup>57</sup> *Ibid.*

<sup>58</sup> E.g., Mckerlie (1989: 475-6).

<sup>59</sup> E.g., Mckerlie (1989, 2012: 22) and Holtug & Lippert-Rasmussen (2007).

in each phase [of life] derive from how we would reasonably balance those claims once we viewed ourselves as living through all phases of life...". Ronald Dworkin (2002: 94-5) too has specified equality of resources "as a matter of [equal] resources over an entire life".

But what does the lifetime view mean exactly? As I understand it, it says that whether two people have an unequal amount of some good is determined by how the relevant goods are distributed over their lives. To know whether two people are unequally well off (e.g., for Rawls, in terms of what amount of primary goods they have), we must look at the amount of goods they have over their lives as a whole. Proponents of the view essentially believe that inequalities at specific moments can be fair if they do not translate into inequalities over entire lives. What matters primarily is then how we fare over a complete life instead of at (specific) times.<sup>60</sup>

Here is an example. Typically, the income distribution across life is *hump-shaped*, with yearly income rising until middle age and declining afterwards.<sup>61</sup> The lifetime view says that the elderly would have no complaint against being poorer than the middle-aged if they themselves were once better off as middle-aged persons. The young may also have no objection if they will benefit later, and everyone has begun their life as a low-income earner. If we go through the same income distribution as we age, there might be inequality at different ages, but there will be equality over our entire lives.<sup>62</sup> This example seems to suggest that the lifetime view makes us indifferent to inequalities across ages. And it would be rather odd to adopt a conception of ageing as equals that is indifferent to how we treat people across ages, for then the label 'ageing as equals' would turn out to be vacuous.

### 3.2.4. Lifetime Equality and Age

It is sometimes said that lifetime equality is indifferent as to how we distribute goods across ages. For instance, in her recent book on age-group justice, Juliana Bidadanure (2021: 48) claims that it gives us no reasons to object to inequalities between age groups. For instance, consider two cases.

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<sup>60</sup> See e.g., Mckerlie (2012: 21-32) and Gosseries (2014: 66-67).

<sup>61</sup> E.g., Atkinson (2015: 41). This observation is robust across countries and levels of development (Lee *et al.* 2014). See also Article 6.

<sup>62</sup> See Gosseries (2014) on lifetime neutrality.



*Early Paradise*.<sup>63</sup> A society's older members have it rough, and its younger members are much better off, as the older member used to be when they were younger. If the younger members become older, they will have it rough as well.

*Late Paradise*.<sup>64</sup> A society's younger members have it rough, and its older members are much better off although they used to have it rough when they were younger. If the younger members become older, they will be much better off.

Unlike sex/gender or race/ethnicity, the fact that we all age means that age-group inequalities can be compatible with treating people equally in life.<sup>65</sup> The examples above comply with lifetime equality when we all live through the same distribution as we age (which implies that we all age equally). One can posit that overall lifetime resources would be the same in those cases, despite the high inequality between age groups. The young in *late paradise* cannot complain about having it rough now if they will benefit from paradise one day. Similarly, the elderly cannot also complaint about early paradise if they had enjoyed these same benefits when they were younger (while their parents had it rough). What makes lifetime equality indifferent to age group inequalities is the fact that, when we all age to an equal extent, we all take an equal turn at being disadvantaged and advantaged.<sup>66</sup>

Again, let me insist that if lifetime equality is indifferent to inequality across ages, it is not informing us of what it means to age as equals in any meaningful way. It would imply that *any* distribution of goods across life is compatible with ageing as equals, which seems implausible. Even though I stick to the lifetime view, I disagree that it delivers indifference. Instead, it offers a strong case for a *decreasing* distribution of resources across life (against late paradises). A decreasing distribution provides the young with more resources than the elderly. This is so for at least three reasons.

*Liberal Reasons*. People have different conceptions of what a good life is. I would say that decreasing distributions are maximally sensitive to such

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<sup>63</sup> I take this example from Meijers (2018: 4).

<sup>64</sup> This is a simplified version of the famous 'nursing home' case by Mckerlie (2012: 8). Mckerlie (1989) reminds us of other examples, such as when couples dominate each other in turns or in feudal societies where peasants and nobles exchange roles every ten years.

<sup>65</sup> Bidadanure (2017) and Gosseries (2014: 59).

<sup>66</sup> Gosseries (2007). For further elaboration of this issue, see also Article 3.



differences. They allow people to save resources for later, and enjoy an increasing distribution if they so wish. Yet, increasing allocations (like late paradise) do not allow us to consume resources in a decreasing fashion if we so wish (assuming, as we should, that capital markets are imperfect). Bluntly put, while increasing income forbids people from spreading it uniformly or decreasingly, a decreasing one allows them to spread resources across life as they would like. To that extent, the latter is more liberal.

Let me illustrate. People have their own ideas of what a good meal is: some prefer to begin with what they like the most while others save it for the end. Restaurants often give us the choice of when to eat what as soon as we arrive. For instance, if they were to force us to eat cheese only after the dessert, they could potentially please traditional British clients by disadvantaging French ones.<sup>67</sup> The best way of meeting the preferences of both clients would be to allow people to choose when they wish to eat cheese by giving them access to cheese as soon as the meal begins.

*Longevity Reasons.* A decreasing profile is also best for those who die young. That we do not live equally long will be an ongoing concern throughout this thesis (especially in Part 2). If age discrimination is unique because we all age, then it must also be relevant that some *age more* than others. Proponents of lifetime equality can oppose increasing profiles (like late paradises) out of a concern for fairness with those who die prematurely. The more we shift the best of life to older ages, the greater the extent to which we penalise shorter-lived people (who, on top of dying early, are also precluded from enjoying the best that life has to offer). Under unequal longevity, lifetime equality gives us reasons to worry about late paradise and to prefer decreasing profiles instead.<sup>68</sup>

Again, let me return to the meal case I just mentioned. Once a teacher of mine told me that, after doing military service, his father gained the habit of always beginning a meal with what he liked the most because he did not know when the siren would ring, and he would have to leave his plate to go to war. This response is appropriate when there is the risk of a meal being cut short.

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<sup>67</sup> The underlying stereotype is that the French serve the cheese course after the main course but before dessert, whereas the British serve it after.

<sup>68</sup> Fleurbaey *et al.* (2014). For more on lifetime equality and unequal longevity, see Article 3.

*Efficiency Reasons.* Concentrating goods early in the lifecycle can also make everyone's lives go better than they would otherwise go.<sup>69</sup> For instance, educational goods are a paradigmatic case: we tend to think that the earliest we enjoy this good, the better its impact on our life as a whole. Maximin egalitarians should keep this point in mind, and I will return to it soon.

Lifetime egalitarians can reject indifference in favour of a decreasing distribution of resources across life. The obvious problem with such proposals is that if the distribution is ever decreasing, it may eventually place those who live long enough under harsh circumstances. Yet, many would agree that a sensible conception of ageing as equals cannot tolerate, and must stand firmly against, the misery of its elderly members. There are several reasons against distributing resources so that the people eventually lack *enough* resources to live well in old age, including lifetime egalitarian ones. These bring us to our third and final desiderata: the principle of distributive *sufficiency*.

### 3.3. THE PRINCIPLE OF SUFFICIENCY

The sufficiency principle is the last addition to our conception of liberal maximin lifetime equality.

Principles of sufficiency require that we all have enough (at all times, I assume).<sup>70</sup> In this thesis, I shall understand it as follows.

*The Sufficiency Principle:* a just society must guarantee that its members have enough resources at any given point throughout their lives.

This principle explains why it is wrong when people end their lives in dire misery, even if they had equal shares over their lives. Therefore, it is a sensible addition to our egalitarian principles.<sup>71</sup> Such sufficiency-constrained egalitarianism forbids that lifetime equality ends up placing people below a threshold at any specific time.<sup>72</sup> I do not aim here to provide a detailed description of this idea but only to insist that liberal egalitarians can justify a commitment to distributive sufficiency. Several reasons can justify a

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<sup>69</sup> See Bidadanure (2021) and Daniels (1988) on lifespan efficiency.

<sup>70</sup> For a seminal description of the principle, see Frankfurt (1987). For an introductory overview of the sufficiency principle, see Shields (2019). For why we should adopt *time-specific* sufficiency, see Gosseries (2003, 2011) and Bou-Habib (2011).

<sup>71</sup> On why sufficiency should not be indifferent to inequalities above the threshold, and can be complemented by egalitarian or priority, see Casal (2007).

<sup>72</sup> See e.g., Gosseries (2003, 2011) and Bou-Habib (2011).

sufficiency threshold, and each of them might require setting the threshold at a different level. Let me illustrate this claim with the four main reasons for complementing lifetime equality with a sufficiency threshold.

*Dignity.* One reason for sufficiency at all times stems from two beliefs. One is that people must never lose their dignity. The other is that we lose our dignity as persons whenever we fall below a sufficiently low threshold of resources. If plausible, these beliefs lead us to conclude that people should always have enough to live with dignity at any given point in time.<sup>73</sup> This view sets the threshold at whatever level gives people enough to live with dignity. Interestingly, this level may not be the same across ages. For instance, it may be that elderly persons need more resources than young persons to reach the level that dignity requires. The notion of dignity will likely overlap with the view that we should relate to others as equals.

*Relational Equality.* The second justification of time-specific sufficiency I consider here appeals to the idea that people should relate to each other as equals at any given point in time.<sup>74</sup> Those with too few resources at any given time may quickly become victims of domination, exploitation, and other objectionable hierarchies. Egalitarian relations do not require distributive equality. Instead, they demand that people have enough to relate to each other as equals.<sup>75</sup> Here, the level of what constitutes ‘enough’ may be higher than the previous one. Unlike the dignity view, relational equality is also likely to demand an upper threshold – limit to inequality across life – rather than only a minimum absolute level of resources that people must reach.<sup>76</sup> To defend a decreasing profile within limits is to impose a floor below which the elderly must not fall and set up a level above which the young must not rise.

*Prudence.* A third justification of sufficiency at all times holds that this would be what prudent agents would have chosen were they placed behind a reasonably thick veil of ignorance. In such circumstances of intra-personal justice, they would be asked to decide how to distribute resources across life whilst not knowing their age. When Norman Daniels (1988) first proposed this view, he argued that such agents would at least choose to spread resources in such a way as to enjoy a good enough opportunity range

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<sup>73</sup> *Ibid.*

<sup>74</sup> Bidadanure (2016) and Lippert-Rasmussen (2018, 2019).

<sup>75</sup> See e.g., Anderson (1999: 320).

<sup>76</sup> Schemmel (2011).

continuously across life.<sup>77</sup> It is sensible to interpret this as requiring a commitment to distributive sufficiency that includes *two* minimum thresholds rather than only one, one equal for all ages and one specific to the age group in question.<sup>78</sup> The first threshold would aim to give everyone the necessary resources to live a life with dignity at any time. The second one would go beyond it. It would provide *different but adapted treatment* between individuals on the grounds of age. For instance, healthcare needs are likely to increase substantially with age. Even if it is true that a few young will need health resources and that they should enjoy priority over the elderly, it also remains prudent to devote more of total government spending on healthcare to elderly persons.<sup>79</sup>

*Benefiting the Short-lived.* In article 4, I propose a new justification for time-specific sufficiency. I show that protecting the elderly can benefit the short-lived in at least two ways. One is that if the elderly lived in misery, living a longer life would cease to be a privilege. This would, in turn, weaken our egalitarian reasons to compensate the short-lived on the grounds that they are worse off than the long-lived. The second reason is that it is better for the short-lived if they are not afraid of living long (as they do not know how long they will live). If there is a risk of falling into an old-age hell, the short-lived young have a reason to fear consuming resources early in life. And over-saving will make their lives worse than they would otherwise be. Unlike the previous views, this one shows that there are reasons from distributive equality between persons to justify protecting the elderly through a commitment to sufficiency at all times. It appeals neither to dignity, relational equality, nor to judgments of intrapersonal justice, as prudence does.

Again, each of these reasons for distributive sufficiency will justify setting the threshold at a different level, which will be relevant to how high the first basic pension pillar should be. In what follows, I shall take all of these reasons seriously, as they all head in the same direction of justifying a robust first pillar pension that always guarantees enough for the elderly.

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<sup>77</sup> Bidadanure (2021: 50-84, 123).

<sup>78</sup> Bidadanure (2021: 50-84, 123) distinguishes between two thresholds, one equal for all ages and one relative to the specific age groups to which it applies.

<sup>79</sup> Bidadanure (2021: 60-1).

## 4. Alternative Accounts of Age-Group Justice

With our three principles in mind, I should now say something about two alternative accounts of age-group justice. I must compare my conception of ageing as equals to these other views, which have offered famous answers to the worry that lifetime equality is indifferent to how we distribute goods across life. Even though lifetime equality is not vulnerable to the problem of indifference, these views may nevertheless bring further insights that we have not yet considered.

### 4.1. TIME-SPECIFIC EQUALITY (AND PRIORITY)

The first alternative account delivers a drastically different view from ours. It proposes that we equalise resources at any time so that the old and young always be equal in resources. The substantive difference between the view I proposed and time-specific equality is that the latter calls for a *constant* allocation of resources across life instead of the decreasing one I suggested. Time-specific equality requires a smooth distribution of resources across life because any time we are better off entails, by comparison, one in which we fare worse. For at least two reasons, this solution does not strike me as the correct reading of what distributive equality requires.

*Unity of persons.* This strategy fails to respect the ‘unity of persons’ – the view that we are the same being across life.<sup>80</sup> As Dworkin (2002a) once claimed, we may have to depart from equality at certain moments to be sensitive to people's projects, plans, and ambitions in life.<sup>81</sup> Suppose that we are equal in all other respects, except that you choose to save more for your old age than I do (say, that is part of your conception of the good life). It is unclear that this is unjust and that we should have the same at old age instead. Having reached old age, I can complain that this unequal outcome thwarts my opportunity from then on.<sup>82</sup> But I can only make this complaint if I ignore that *my past self* could have done otherwise but chose not to. Against the unity

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<sup>80</sup> On the connection between the lifetime views, unity of persons and separateness, see Lippert-Rasmussen (2019) and Bidadanure (2021).

<sup>81</sup> On the lifetime view and responsibility sensitive, see Mckerlie (1989); Bidadanure (2016, 2021); Bou-Habib (2011: 6-8); Lippert-Rasmussen (2019). Such theories might want to adopt a thinner time-slice to open the possibility of fresh starts (Fleurbaey 2002: 86).

<sup>82</sup> As Chambers (2009) & Sachs (2012) insightfully note, each opportunity turns into an outcome. So if equality requires us to start on equal footing at all times, our feet must be in a similar position at all points. So understood, equal opportunity at all times quickly collapses into equality of outcome. Not viewing equal opportunity as a claim we have to every day but over a more extended life period is, arguably, what allows egalitarians to accept some degree of outcome inequality.

of persons, I would have to reject consequential responsibility for my past self.<sup>83</sup>

*Separateness of Persons.* Distributive equality at all times does not take the distinction between persons seriously. Suppose there are two worlds. In  $\lambda$ , A always earns twice as much as B. In  $\pi$ , A receives twice as much as B in one year, but the situation reverses after. Our intuition tells us that  $\pi$  is more egalitarian than  $\lambda$ .<sup>84</sup> Unlike  $\pi$ ,  $\lambda$  always benefits the same person. Note, however, that inequality at each point in time is the *same* in both societies: at any given time, there is always a person having twice the opportunities as the other. If our aim is equality at each time, both worlds will be equally unfair (because they are equally unequal each time). If so, distributive equality at all times fails to distinguish between a world that always benefits the same person and one that does not. Put another way, if they could choose between the two worlds, time-specific egalitarians would be indifferent because both contain the same amount of inequality at specific times. However, intuitively, we should prefer world  $\pi$  to world  $\lambda$ .

The lifetime view is a unique position here since it maximises our respect for the unity of persons subject to the constraint that we cannot sacrifice some lives to benefit others. As Rawls famously noted, a problem with Utilitarianism was that it does not differentiate, except indirectly, whether the sum of satisfactions is distributed among different persons or among the same over time.<sup>85</sup> But a problem with treating interpersonal and intrapersonal judgments alike is that it opens us to the possibility of sacrificing some lives to benefit others.<sup>86</sup> A telling case is time-specific equality's indifference between constantly conferring benefits to A and advantaging A and B one after the other. It does not help us decide between benefitting A or B in the second period, implying that distributing among different persons or the same person over time is the same from the point of view of equality. That would be to disrespect the separateness of (unified) persons.

Before proceeding, I must take a quick detour to discuss the alternative of time-specific *prioritarianism* proposed by Mckerlie (1997). According to priority, the moral value of benefitting someone is greater, the worse off in

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<sup>83</sup> On the interaction between personal identity, responsibility and egalitarianism, see e.g., Tomlin (2013).

<sup>84</sup> Hortug & Lippert-Rasmussen (2007)

<sup>85</sup> Rawls (1971: 23-24).

<sup>86</sup> Bidanure (2021).

absolute terms that person is before receiving that benefit. It has a different starting point from maximin equality.<sup>87</sup> Whereas priority departs from Utilitarianism, maximin equality originates in Egalitarianism. Like Utilitarianism, priority tells us to maximise the sum of happiness. But unlike many utilitarian views, it does not give everyone's welfare an equal weight when calculating this sum. Depending on where they fall in the distribution, prioritarianism attributes more or less weight to people (specifically, the weight is greater, the worse off one is). It is more nuanced than the typical maximin/leximin view, which gives *absolute* priority to the worst off.<sup>88</sup> Thus, the substantive difference is in the weights assigned to the worst-off. The egalitarian view I follow in this thesis is, in fact, quite close to priority in that it attributes strong (rather than absolute) priority to the worst-off. And it also cares about those who are better off than the least advantaged, provided there is nothing we can do to improve the latter's position (in leximin fashion).<sup>89</sup>

McKerlie (1997) defends a conception of priority that applies twice: to lives as a whole and parts of those lives.<sup>90</sup> Even if we are equal over our lives as a whole, it still matters how badly off we fare at specific times throughout our lives. Suppose that the young consistently have more than the elderly but that the elderly have enough to live a life in full dignity. McKerlie will not be satisfied with this world if we can somehow make the situation better for the elderly. We may even stipulate that so doing must not bring about lifetime inequalities. But we can also suppose that each person is individually responsible for how they lead their lives and that some conceptions of the good life may require that we sometimes be worse off and other times better off. This view faces problems similar to time-specific equality by failing to accommodate the responsibility considerations that stem from respecting liberty, both of which presuppose the unity of persons.<sup>91</sup> Each time I fare better than my other selves is a matter of concern for time-specific prioritarrians. In any such moment, we should do our best to improve the

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<sup>87</sup> For a general and brief comparison of priority with equality, see Arneson (2013).

<sup>88</sup> See Tännsjö (2019: 44-53) on the difference between maximin(/leximin) and prioritarianism.

<sup>89</sup> See Tännsjö (2019: 22-8) on the difference between maximin and leximin. See also Sen (1980).

<sup>90</sup> Bou-Habib (2011).

<sup>91</sup> *Ibid.*

condition of these other selves, which imposes stringent limitations on our plans and ambitions in life (and more so the poorer we are).<sup>92</sup>

#### 4.2. THE PRUDENTIAL LIFESPAN ACCOUNT

A more famous account of age-group justice is the prudential approach by Norman Daniels (1988). Proponents of this account would argue equality over whole lives is necessary but not sufficient for a just distribution.<sup>93</sup> One must also ask which allocation of resources within a life it would be prudent to choose behind a reasonably thick veil of ignorance. Once the question of *interpersonal* equality is resolved, the prudential account asks which *intra*-personal distribution one would choose. We might disagree about the meaning and outcome of the prudential lifespan account. On the outcome, a strong view would insist that prudent agents would have selected a stable profile to be equal across life. If it were true that prudence forbids inequality across ages, which is unlikely, then we would be back to time-specific equality and the objections we have just made against it.

A more plausible (but weaker) interpretation of the prudential account by Daniels (1988) is to say that it delivers two rules of age-group justice: lifespan efficiency and lifespan sufficiency.<sup>94</sup> But do these prudential rules offer a distinctive component that we do not yet have? While I think the prudential account yields plausible desiderata, I am convinced that we have already included these rules in our account of ageing as equals. While prudential views offer a sensible conception of age-group justice, it will not be necessary for our purposes to rely on prudence. Let us consider the two prudential rules in turn.

*Lifespan Efficiency.* Daniels (1988) recognises that differential treatment across life can make our lives go better than otherwise. For instance, this is the case of educational opportunities since people benefit more by accessing them at a younger age. The rule would then be to give more to the young if, and only if, that increases their lifetime utility or well-being. My question is whether we need prudence to justify this substantive rule. I do not think we do. Lifetime maximin equality should welcome rules and time-specific constraints that make everyone's lives go better and worsen the situation of

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<sup>92</sup> Bou-Habib (2011). On equality versus priority with respect to the unity and separateness of persons, see Otsuka & Voorhoeve (2018).

<sup>93</sup> Meijers (2018: 4).

<sup>94</sup> Bidadanure (2021: 50-84, 123).



no one.<sup>95</sup> Indeed, I appealed to this when I rejected the ‘indifference’ objection against lifetime equality. We did not need to rely on prudential judgments to convince maximin egalitarians of the importance of lifespan efficiency when distributing goods across life. While I fully agree with Daniels, maximin equality can justify a commitment to lifespan efficiency, regardless of the place that prudence holds in such a conception.

To the extent that prudence is about lifespan efficiency, it may not yet show why a decreasing profile and early paradises that leave few, if any, resources to the elderly would be objectionable. Instead, it may be that our lives would improve if we receive all resources at a young age.<sup>96</sup> The second rule, of lifespan sufficiency, forbids this. Instead, it requires that all of us enjoy a normal opportunity range across life, independently of whether doing so improves our lives as a whole.<sup>97</sup> I agree with Daniels (1988) that young persons should not appropriate all resources when they are young, leaving none to the elderly. Doing so is imprudent because there is a high chance that the young will one day grow old and end up living in poverty. Since prudence gives a rationale for the principle of sufficiency adopted earlier, it ought to reject those early paradises that leave the elderly with too few resources to live well. It imposes the constraint that decreasing distributions of resources can only fall *within limits*, ensuring an adequate range of opportunities throughout our lives.<sup>98</sup> So I have no substantive disagreement with Daniels. The point is, instead, that we do not need to appeal to prudence to defend the substantive rules that Daniels (rightly) puts forward. We need not ask what a hypothetical prudent agent would have chosen once placed in appropriate circumstances of ignorance.

## 5. Overview of the Thesis

After discussing our normative standpoint, an overview of the dissertation is now in order. Before briefly describing each article, two clarifications will be essential to understand better what this thesis will be doing.

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<sup>95</sup> As I will argue in Article 3, we need to be careful to interpret lifespan efficiency in a way that does not worsen the situation of the short-lived.

<sup>96</sup> None of this precludes people from transferring the resources they receive early in life to later if that is what their conception of the good life dictates. On this, see also article 3.

<sup>97</sup> See Bidadanure (2021: 123) on how lifespan sufficiency may involve two distinct thresholds.

<sup>98</sup> See Articles 5 and 6 for applications of this decreasing profile within limits to basic income and income taxation, respectively.

The first point of clarification concerns the background assumptions I will be making. In general, the thesis moves further away from ideal background conditions as it proceeds. The first article operates under fully ideal background conditions. Then, I gradually introduce a different inequality to our discussion: first in socioeconomic class, then in longevity, gender, and finally, between generations. I shall start with 'ideal theory' and then drop some idealised assumptions as I proceed. While the thesis will become increasingly realistic with each article, it remains ideal in that it always assumes that all relevant agents comply with the demands of justice applying to them and that they live in a sufficiently developed society to fulfil the demands of justice.<sup>99</sup>

The second clarification is that I will pursue a reflective equilibrium exercise that seeks coherence among general principles and particular judgements. I will sometimes move between principles and intuitions and refine some of the principles described in Section 3. In particular, I shall do so to make room for two convictions I have and, I hope, many of us share.

One appears in Article 2, where I attempt to make sense of a widespread belief among egalitarians and otherwise.<sup>100</sup> The conviction is that justice requires distributing more benefits to those working or contributing longer, other things being equal (such as overall savings, total income or lifetime wealth).<sup>101</sup> At first, it may appear that I must add principles other than egalitarianism to make sense of it. For instance, one could appeal to a desertist conception of contributory justice, stating that those who contribute more should receive more benefits because that is what they deserve. But that is not the strategy I will pursue. Instead, I will endogenise this conviction in the egalitarian principle I described. I argue that this conviction is justified based on our egalitarian obligations towards the worst-off.

Another conviction I discuss (in Article 8) is that we should value the stability of pension transfers on top of whatever liberal egalitarian justice may require. The non-retired population is under certain obligations towards retirees to ensure that the promises made to them and their pensions are stable by protecting their purchasing power against inflation, ensuring their savings

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<sup>99</sup> For a conceptual map of ideal vs. non-ideal theory, see Valentini (2012).

<sup>100</sup> See Olson (2020: 80) for evidence of this intuition among political philosophers.

<sup>101</sup> I shall assume that the retirement system is a prime candidate for fulfilling the obligation of rewarding those with longer careers.

are of value, or even paying their pensions. Hence, I will prefer more stable schemes whenever this is compatible with the justice principles I have described.

When these two convictions are at stake, I will respond to the mismatch between our principles of justice and our convictions about retirement pensions by refining our principles instead of defending a change in the retirement pension scheme. With this methodological overview of the thesis in mind, let us now describe each chapter in greater detail.

The **first** part, *Retirement as Free Time*, includes two articles. **Article 1** argues that the seemingly trivial distinction between leisure and free time matters for the liberal value of retirement. Unlike leisure, free time is central to liberal societies by giving us the means to pursue any life project (even those involving work). We can vindicate the liberal value of retirement as free time on non-perfectionistic premises by showing that free time has a place in the list of social primary goods. I derive two implications from this account: free time must be available in years, and such years must be available early in life rather than only at old age.

**Article 2** offers an *egalitarian* account of the value of retirement. As first formulated by John Rawls, the principle of maximin equality is not equipped to justify our earlier conviction that we should benefit more those who work and contribute longer in life. It is necessary to revise the index of primary goods to accommodate this conviction. I argue that, so far, none of the proposed revisions – leisure and wealth – offers an entirely plausible justification. I defend the not yet considered solution of inserting free time in the index, which consists in adding time to wealth. This revision explains why retirement pensions have a unique role in egalitarian redistribution.

The **second** part, *Age, Longevity, and Retirement Policies*, consists of four essays. It defends a view called 'libertirement' (or 'freetirement'), a proposal to increase the freedom to enjoy free time across life, as a matter of justice between longevity groups. **Article 3** discusses longevity's role in the most prominent accounts of age-group justice. It shows that thinking of justice between the young and the old should not dispense with a conception of justice between longevity groups. **Articles 4, 5, and 6** draw implications of this view for how we distribute three possible retirement policies across life, namely retirement income, unconditional basic income and income taxes.

**Article 4** questions whether societies should tie retirement to old age, given that some of us die before reaching old age. It proposes adding reverse pensions and sabbaticals on top of old-age retirement: these, I suggest, are the three pillars of libertirement. The solution to reverse pensions towards the young, in fairness to the short-lived among us, is robust across various indexes of primary goods. I also find that adequate old-age retirement can make all longevity groups better off than they would be under reverse retirement only. Finally, I defend sabbatical retirement as a temporary withdrawal that liberal egalitarian justice requires on behalf of those among the short-lived who live and contribute longer.

**Articles 5 and 6** apply a similar strategy to unconditional basic income and income taxation. In **Article 5**, I argue that while a stable basic income across life is unfair to shorter-lived persons, a basic capital solution (a one-off grant to the young) mistreats long-lived persons. The middle ground I propose is a net basic income of decreasing magnitude until a specific age, after which the payment is constant. **Article 6** compares two types of age-sensitive taxation - cumulative income taxation and age-differentiated taxes - to protect the young short-lived and the long-lived elderly. While cumulative income taxation can benefit the young, age-differentiated taxes seem necessary to assist the elderly.

**Part III, Gender, Generations, and Inequality**, is about pension inequality between genders and generations. **Article 7** considers two arguments for the gender pension gap. The first says that women should receive less overall because they contribute less 'in-cash'. The second holds that they ought to receive less monthly because they tend to live longer. Distributive equality justifies rejecting these arguments. It suggests that we may close the monthly gap with women receiving more overall instead. To this end, egalitarians should prefer age (to gender) differentiation, given how progressive old-age retirement can contribute to further gender equality.

**Article 8** discusses the pensions we owe paying our parents' generation through PAYG in case we follow not only a concern with distributive equality but also with stability. I examine three accounts of such obligations: ascending reciprocity, intergenerational equality and double reciprocity. While the first delivers a stable justification of PAYG, it is highly insensitive to inequality between generations. I argue that intergenerational equality is not satisfactory either, as it offers quite an unstable justification for PAYG transfers

## Ageing as Equals

(contradicting our earlier conviction about the value of stability). Finally, I claim that double reciprocity – the view that children owe their parents at least as much as they receive from them – offers the stability of reciprocity without inequality. With this, I conclude the essays on justice in retirement pensions.

The last essay, **Article 9**, is not on retirement pensions, but it remains relevant for ageing as equals because it deals with the distribution of voting power across life. Political equality is often understood as equality at specific times, as in ‘one election, one vote’. Yet, this is incompatible with distributing power proportionally to the stakes voters have at different elections, as in ‘one stake, one vote’. This article argues that a system of storable voting achieves proportionality without inequality because it changes the temporal scope ascribed to political equality, from specific moments of democratic decision-making to complete lives.

All nine in this thesis articles follow the idea of ageing as equals as described in this section, which comprises three necessary principles for a just society. *The Liberty Principle*, according to which a just society gives each person the real freedom to choose, pursue and revise their life according to what they consider best *for them*, provided it does not interfere with the basic liberties of anyone else. *The Equality Principle*, which defends distributing inequalities so that those who are involuntarily worst off in life have as many resources as possible, even if doing so comes at the cost of increasing inequalities. Finally yet importantly, there is *the Sufficiency Principle*, which requires guaranteeing that everyone has enough resources throughout their lives. Unfortunately, I will not say much about the lexical order of these principles - that is, which one should have priority when they conflict. But fortunately, I will develop a view that does its best to render these three principles compatible, even when they appear to clash.

## PART I

# Retirement as Free Time

The first part of this thesis consists of two articles. These essays argue that retirement is central to a liberal egalitarian society when it (re)distributes free time rather than leisure or wealth only. The apparently trivial distinction between the concepts of leisure, free time, and wealth makes a big difference in retirement's importance to our lives. In stressing this, each article contributes to liberal egalitarian thought on retirement pensions.

The first essay focuses on *liberal* reasons for taking retirement as free time, whereas the second intends to convince *egalitarians* of this same conclusion. Naturally, this point is especially relevant for liberal egalitarians. I argue that revising the index of primary goods to include free time shows that retirement is a central tenet of a just society, which does not necessarily follow if we take retirement as leisure or as wealth.

There are four novel contributions in this part. The first one is to the normative literature on free time, which has thus far mainly focused on the amount of free time we have per day, week, or month, neglecting the *years* of free time that retirement can bring.<sup>1</sup>

Second, I also contribute to our conceptualization of retirement, which is often attached to leisure. One significant evidence of such association comes from our understanding of mandatory retirement as forcing retirees to stop working, a policy best described as compulsory *leisure*. Alternatively, consider the relatively common case of persons who do not want to retire because they want to keep working. The association of retirement with leisure – where leisure stands in direct opposition to working – is embedded in how most of us see retirement. Clarifying the conceptual confusion between free time and leisure is valuable, especially given its implications for how we are to design our retirement institutions in the name of a just society.

That leads me to two additional contributions. One comes in the first essay, which argues that *liberals* should take the distinction between free time

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<sup>1</sup> In contemporary political theory, the most notable contributions come from Goodin (2005, 2008, 2010, 2017) and Rose (2014, 2016a, 2016b).

## Ageing as Equals

and leisure most seriously. I am not the first to make this point,<sup>2</sup> but it remains relatively neglected in contemporary liberal thought.

Finally, the second article argues that *egalitarians* should show special concern with inequalities of free time. Again, I am not the first to defend this position.<sup>3</sup> Yet, I attempt to show how free time can shed light on a famous longstanding disagreement between John Rawls, Richard Musgrave, and Philippe Van Parijs.

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<sup>2</sup> See e.g., Rose (2016a).

<sup>3</sup> Goodin (2010).

## §1. The Liberal Value in Retirement

**Abstract** Many see retirement as providing citizens with years of leisure (usually at old age). However, this take on retirement is problematic from a liberal standpoint. It suggests that working defeats the point of retirement and, consequently, associates mandatory retirement with expulsion from the labour market. That makes it difficult for liberals to explain why retirement is valuable for all, namely those whose conception of the good life involves working all along life. I show that the seemingly trivial distinction between leisure and free time dramatically affects the liberal value of retirement. Unlike leisure, a concern with free time justifies protecting retirees' freedom to work. Free time avoids the above problems, showing that retirement is a central tenet of a liberal society by distributing the means to pursue and revise any conception of the good life. One can vindicate the value of such retirement on non-perfectionistic premises, even if it is compulsory, by showing that it is sensible to include free time in the list of primary goods that liberals prioritise. Finally, this account produces the twofold implication that while liberals may continue to ensure that retirement is available in years, it should not necessarily only be available at old age. It should also be available early in life.

**Keywords** retirement © free time © leisure © Liberalism



## Working Retirees

In Belgium, more and more retirees are reentering the workforce.<sup>1</sup> Many cite happiness as the main reason for remaining employed, followed by a desire for additional income, to contribute to society and, finally, the need to feel valued.<sup>2</sup> Meanwhile, employers claim to seek retirees for their expertise, flexibility and reliability.<sup>3</sup> While there is something attractive to the pursuit of an 'active retirement', it is common to think of work as defeating the value of retirement. The tendency is to think of this issue in either/or terms: either you retire, in which case you stop working for a salary, or you work for a salary, in which case you are not retired. Call this *the leisure view* of retirement, the view that retirement is about paying citizens to not work during some years - that is, years of paid leisure.

In this article, I argue that this take on retirement is problematic from a liberal standpoint. I defend replacing years of paid leisure with years of paid free time, i.e., years that are free from necessity and which may (or not) be spent working. The slogan of free time is, if you will, 'time for what we will'. It is time we can devote to doing whatever we might want to do. The crucial claim of this paper is that the liberal argument for the right to retire should appeal to free time and, in virtue thereof, be an argument for the right to join retirement with work.

Working retirees press on an often neglected but essential question about the value of retirement. The question is whether retirement time should be giving us the right to enjoy *leisure time* or *free time*. I defend the view that retirement is of greater, and indeed central, value in a liberal society if it provides us with free time. This apparently trivial distinction between leisure and free time is not only inducing a change of perspective – that we see retirement as doing something different than we thought it did. It is also about how such systems should be set up, with implications for when we may retire and what we may do with our retirement pensions. If I succeed, the notion of working retirees is not contradictory. They are not making less use of their

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<sup>1</sup> Lyons H (2022, 02 22). More and more retirees are reentering the workforce in Belgium. The Bulletin: <https://www.thebulletin.be/more-and-more-retirees-are-reentering-workforce-belgium> based on Munster JF (2022, 02 22). De plus en plus de pensionnés au travail. Le Soir : <https://www.lesoir.be/425534/article/2022-02-22/de-plus-en-plus-de-pensionnes-au-travail>.

<sup>2</sup> *Ibid.*

<sup>3</sup> *Ibid.*

opportunity to retire than those who sit at home all day watching TV, despite their retirement being filled with leisure.

I want to begin by asking the reader to look at the Universal Declaration of Human Rights and decide in which article (s)he would place retirement.<sup>4</sup>

**Article 22:** "Everyone (...) has the right to social security and is entitled to realization, (...) of the economic, social and cultural rights *indispensable for his dignity and the free development of his personality.*"

**Article 24:** "Everyone has *the right to rest and leisure*, including reasonable limitation of working hours and periodic holidays with pay.

Retirement may be about rest and leisure (art.24) or about whatever we need to freely develop our personality (art.22), which I refer to as *free time* (which could also be called 'autonomous time' or 'discretionary time'). The distinction is crucial to account for the value of retirement pensions. But do we need such an account in the first place? We do, and not only to make up our minds on working retirees. Retirement is increasingly expensive to finance, so we expect to sacrifice more over time to maintain existing retirement systems. Without an account of what makes retirement valuable, we do not know how much communities should pay to sustain it. Nor do we know the extent to which retirement is good for us as individuals. That would make retirement schemes vulnerable to thoughts that it is bad for us, and that it would be better to abolish retirement.<sup>5</sup>

The article proceeds as follows. I begin by distinguishing between rest, leisure, and free time (§1). I then motivate the case for seeing retirement as a matter of free time rather than leisure (§2). I show that doing so allows liberals to vindicate the value of retirement on non-perfectionistic premises because free time is something that any rational person should want, whatever her aims (§3). It then makes sense to include it in the index of primary goods that liberals prioritise (§4). I draw two implications from this account: firstly, that free time must be available in years, and secondly, that such years must be available early in life also, rather than only at old age (§6).

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<sup>4</sup> I am excluding another potential candidate, Article 25, which holds everyone has "the right to a standard of living adequate for the (...) well-being of himself and of his family, including (...) the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood (...). I put it aside because I do not think that anyone can be said to enjoy the right to rest, leisure or free time unless one is always guaranteed a sufficient standard of living. In other words, Article 25 is a background assumption throughout.

<sup>5</sup> Examples of retirement abolitionists would include Wickham (2008), McGee (2004), Dychtwald et al. (2004).

## 1. Leisure versus...

This section distinguishes leisure from rest, work and free time. I begin by taking for granted the most common definition of leisure among economists, which is that 'leisure' is whatever 'work' is not and that 'work' means 'paid employment'.<sup>6</sup> In what follows, I will revise this definition to avoid some problematic shortcomings. More specifically, I agree with the *first* part – that leisure is opposed to work – but not with the *second* one, which equates work with paid employment.

### 1.1. REST

Article 24 does not conflate rest with leisure, stating, “everyone has the right to rest *and* leisure” [emphasis added]. One way of differentiating rest and leisure is to say that rest is not to work, while leisure is not to work in *paid* employment. If so, one would only have leisure without rest when doing unpaid work. But such a distinction between rest and leisure remains problematic for two reasons.

The first reason is that leisure seems *narrower* than not doing paid work. It is odd to say that it is leisure when a child is in school simply because she earns no income from it. Instead, we ought to say that leisure begins when the child finishes the school day and ceases to work, independently of whether the work in question is paid.<sup>7</sup>

Associating leisure with unpaid work also implies, problematically, that women who stayed at home taking care of the household for many centuries were enjoying leisure simply because they were not paid for their labour. It is much more suitable to think of leisure as not working, rather than not doing *paid* work.

Second, it is also intuitive to say that rest is *narrower* than the absence of work. We do not seem to be working when we do sports, hike, or cook. Meanwhile, these activities are better labelled as leisure rather than as rest. It would be more plausible to insist that 'rest' is leisure with the specific purpose

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<sup>6</sup> See Osberg (2008). A notable exception is Voss (1967) who defends taking leisure as discretionary time (Enke 1968: 438).

<sup>7</sup> Note that there is also some moral arbitrariness in being paid. I might be the only student in the classroom who receives a scholarship, maybe because of my low socioeconomic status. This fact does little to establish that I am the only one who works in the classroom.

of relaxing, sleeping, or recovering strength.<sup>8</sup> Hence, rest is a specific subset of leisure. While the opportunity for rest is definitely among the goods that retirement must bring, it cannot explain the value of 'active' retirement. Most would agree that retirees who choose to be 'active' are *not* wasting the opportunity to enjoy a broader range of options conceded by retirement. This means that, at the very least, retirement is valuable as a right to leisure (defined as time not spent working).

### 1.2. WORK

Understanding leisure as a time not spent working raises the (tricky) question of what work is.<sup>9</sup>

I shall take 'work' as an activity whose distribution of burdens and benefits raises questions of justice and which involves considerable effort directed toward a goal beyond enjoyment.<sup>10</sup> This definition of work is plausible for at least *three* reasons.

*First*, the definition does not assume that work needs to be paid. Therefore, it does not commit us to exclude studying and caregiving as types of 'work'. Indeed, these activities require effort for reasons other than enjoyment, regardless of income payments. And they certainly raise questions of justice in the distribution of burdens and benefits. For instance, both invite questions of 'fair pay' since a student can claim to have received an unfair grade, and caregivers can make similar assertions regarding their (lack of) remuneration.

*Second*, there is no condition stating that work must be to the benefit of someone other than the person working.<sup>11</sup> Suppose I live alone in the wilderness, where I put effort into building a house and growing food. Since I am the only one who lives in the house and eats the food, no one else likely

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<sup>8</sup> Cambridge Dictionary defines 'rest' as "to (cause someone or something to) stop doing a particular activity or stop being active for a period of time in order to relax and get back your strength" (<https://dictionary.cambridge.org/dictionary/english/rest>).

<sup>9</sup> Tricky conceptual and practical difficulties make it difficult to reach a workable but plausible definition of work. See e.g., Grint (2005: 6-36), Van Parijs (1991:110-1) & Cappelli (1997). The same can apply to related concepts, such as profession (Cogan 1955).

<sup>10</sup> I borrow the first part of this definition of work from Arneson 'Work, Philosophy of', in Routledge Encyclopedia of Philosophy (<https://www.rep.routledge.com/articles/thematic/work-philosophy-of/v-1/sections/work-versus-play-work-versus-leisure>). We could of course further qualify this simple definition, for instance, that work must also be socially organized (e.g., Gomberg 2016). I do not think any such qualification would weaken my argument here.

<sup>11</sup> I want to thank Serena Olsaretti, Anca Gheaus, Jens Tyssedal, and Luisa de Freitas for helping me clarify this paragraph.

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benefits from my efforts. Yet, it would be odd to deny that I work in the wilderness. Meanwhile, we want to avoid calling it 'work' when one is cooking for oneself or even doing sports one hates doing to stay healthy. But what, if any, is the difference between bodybuilding and housebuilding? The difference is that I can have a claim of justice over the house should an intruder come, and the intruder could come to have a claim to this house should (s)he help me out. But nothing like this can happen with my health: there is no claim of justice anyone else could have over my health. Nor could I complain that I worked too hard in the gym for too little reward. The right to derive health benefits from my 'workout' seems to raise a question of 'fair pay' whose biological relevance has no bearing on what we owe each other. But even if I were mistaken to say that work must involve questions of justice, which I doubt, this claim would not distort any of the conclusions I reach since I shall only discuss work in the light of (distributive) justice.

*Third*, this definition does not assume that it ceases to be work when one enjoys the activity. It is implausible to set work against enjoyment. For instance, that would mean that students who enjoy school do not work as much as those who like it less. Our definition of work does not entail such conclusions because it only states that the reason to work cannot be enjoyment *only*. It must include another reason. So the student might enjoy school or not, but the reason why the student attends school is, we can suppose, independent from his or her personal enjoyment. The upshot is that enjoyment can be a reason to work, but it cannot be the only one.

With this in mind, it is likely that *no* plausible definition of work will make it easy to draw a clear line between leisure and work in practice. It is hard to discern how much effort some activity requires and how far something is done solely for enjoyment purposes. If I dislike my high-paying job, but my sole source of personal enjoyment is a good income, does it follow that personal enjoyment is my only reason to work? Those wishing to differentiate work from leisure must grapple with these difficult questions. But I set these difficulties aside and deal with them only when necessary. It is not evident that we should deal with them because it seems to me that the distinction between work and leisure is no longer necessary if we turn our attention to free time.

### 1.3. FREE TIME

It is common to use the terms 'free time' and 'leisure' interchangeably, but they do not mean the same.<sup>12</sup> Free time is what Goodin *et al.* (2008) and later Rose (2016a) call *discretionary time*.<sup>13</sup> This is time for what we will: time that we control and need not devote to life's pressing necessities, namely paid labour, household labour, personal care and the meeting of our moral obligations.<sup>14</sup> Free time is whatever time is left after we discount the time necessary to spend with the above dimensions.<sup>15</sup> We can use our free time to do things other than leisure, like rest and work, provided we are neither physically required nor morally obliged to do so. Instead, they are activities that result from us having time for whatever we might want to do. Free time is time for what we will, whereas leisure is time spent not working.

A helpful way to frame the distinction between free time and leisure time is to say that free time is needs-free - time free from necessity or compulsion - whereas leisure time is time free from work. *First*, some of our leisure time is compulsory; hence, it is not free. The most paradigmatic case of this is sleeping and eating, two of life's primary necessities. It may seem odd to say that attending to these 'needs' is a form of leisure. But it is provided this is not time spent working. We all need to do these activities to survive, and we must be free from work to do them. But they are not free time because this kind of leisure belongs to the realm of necessity. Compulsory leisure time is not free time because it is not time for what we will but for what we must.

The *second* difference, more important for our present purposes, is that some of our free time is not leisure time. This is the case of *working retirees*, who use their free time to work. The time of working retirees is free because they are under no physical, legal or moral obligation to work. Nor are they forced to work to meet needs. Instead, they simply want to work. It ceases to be leisure when one chooses to work, which explains the apparent contradiction in the very notion of working retirees. Leisure precludes us from working, whereas free time does not.

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<sup>12</sup> For instance, Wikipedia mistakes the two (<https://en.wikipedia.org/wiki/Leisure>).

<sup>13</sup> As Goodin (2017: 3) recognizes this in reply to Rose (2016a).

<sup>14</sup> *Ibid.* See Tyssedal (2021: 186) for why time devoted to meeting our moral obligations (e.g., aiding strangers) matters for free time.

<sup>15</sup> Goodin *et al.* (2005). The term 'necessary' is used to avoid the conclusion that people who spend much more time than needed doing these activities, like those who sleep ten hours a day, are not having less free time in virtue thereof.

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Note that it would not be possible to have free time primarily via work that would be entirely voluntary, with the labour market constantly offering countless options that only contribute to people's personal development. Of course, having more occupational choices makes our time freer than it would otherwise. But free time also requires that people be free not to work but to enjoy leisure instead. It is freedom from the compulsion to both work and leisure.

Let us note that directing our attention to free time already has the advantage of not forcing us to distinguish between work and leisure. It requires that we are free to enjoy either, but the actual outcome of our choice is not what is ultimately relevant. That is why I think that free time avoids the above difficulties of drawing a clear line between leisure and work. Yet, it is possible to be pessimistic about the tendency of free time to neglect the outcome of our choices between leisure and work. For instance, consider the following passages from James Walvin (1995),

“Slaves who were granted free time and who were able to enjoy themselves as they saw fit, without the dictates of their owners, were better suited to the inevitable return to work.” (p.4).

“The central problem in assessing slaves' free time is the fact that much of that free time was granted to allow them to work, in their gardens and provision grounds. The produce of that labour was in effect money saved for the slave owners. This scarcely seems like leisure. (...) [A] great deal of slave time freed from the planters' scrutiny was, nonetheless, destined for work. The freedom to work (in order to eat) sits uneasily with most accepted definitions of leisure.” (p.5)

“In societies where masters expected a great deal of the slaves' freetime to be put to fruitful use, to the benefit of both master and slaves, it is hard to see how slaves' free time can readily be equated with leisure. Only in the sense that it was time at the slaves' own disposal does it come close to leisure time.” (p.11).

Both leisure and free time require that we be *free not to work*.<sup>16</sup> But because free time also includes the *freedom to work*, it 'sits uneasily with leisure' when

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<sup>16</sup> Whereas leisure forces people not to work, free time allows them to. The freedom that leisure removes is the freedom *to* work, not the freedom not to work. The student who is expelled from school is free not to go to school.



retirees put their free time to productive use by engaging in the labour market. So we may take the examples to mean that what workers need is leisure, because free time is open to abuse. This is the same reason why trade unions are not enthusiastic about working retirees, as they believe that retirees must continue working because their pensions are not enough to sustain their living standards.<sup>17</sup> If so, this is not free time. Another way of reading the example above is to say that enslaved people lacked free time because they were forced to work in their gardens after a working day. Similarly, the problem is not with working retirees but with retirees having to continue working out of necessity, which means their time remains unfree. It is not free time if the retirees in question need to work in order to maintain a decent standard of living. Arguably, the problem here is not with free time in itself but with understanding it as mere freedom from external interference instead of having the real capacity not to work.<sup>18</sup> The pessimistic description of free time above is due to enslaved people having formal (or negative) free time, not real (or positive) free time.

### 2. Retirement to Leisure or Free Time?

Is the retirement of working retirees valuable? Or, is it better seen as a waste of the opportunity to retire? The answer will tell if it is free time or leisure accounting for the value in retirement. In this section, I seek to motivate the case for seeing retirement as free time by showing that the retirement of working retirees can be as valuable as that of non-working retirees. Consider the following example,

*Filipa* dreamt of working with refugees and advocating for their rights. But because she never managed to be paid for it, she had to take another job during her life. The income she earned was enough to never risk falling into poverty. Yet, her interest in refugees remained. So *Filipa* decides to use her retirement to fulfil her lifelong dream of working with refugees.

It is appropriate to say that *Filipa* is using her retirement to work, not *leisure*.<sup>19</sup> Yet, her retirement is valuable because it offers her the ability to

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The freedom that expulsion removes is the freedom *to go to school*. I am here following G.A. Cohen (2011: 147), and his view that freedom not to X (work) is compatible with being forced not to do X (work).

<sup>17</sup> See footnote 1, p.48.

<sup>18</sup> See Introduction, p.24.

<sup>19</sup> *Filipa* does expend significant effort directed toward a goal beyond her enjoyment. We have seen that *Filipa* does not need to be paid to be working (though nothing excludes her from earning something). *Filipa* enjoys what



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do *something* she has never been able to do before. Filipa's dream is not fundamentally different from that of other retirees, who dream of pursuing activities closer to leisure. A recent American study shows that nine out of ten retirees say retirement increases their freedom to do whatever they want and do so on their terms.<sup>20</sup> They mention the ability to "create their own schedules, open a business, sleep in, exercise more, spend time with their grandchildren, fall in love again, travel, read more, unplug, volunteer, learn a new skill, and try other things that they could previously only dream about".<sup>21</sup> All of these can equally contribute to a valuable retirement, regardless of whether they fall under the category of leisure. Thus conceived, retirement is arguably more valuable for those whose jobs did not offer them the opportunity to do what they wanted earlier on. I suspect that our assessment of the value of retirement should be sensitive to what are likely to be, in part, class-based differences between the reasons people have to retire. I address the issue of socioeconomic inequality in the next article. The argument made here needs not to assume any unjust background conditions.

If retirement is valuable as time free from necessity, which includes time for non-leisure activities, then it is not only beneficial to the extent that it provides us with a right to leisure. For instance, it is valuable for Filipa to use her retirement to work in talents that have not thus far been productive for her in the labour market. Seeing retirement as leisure does not explain why the retirement of Filipa is valuable. I hope this case motivates us to think of retirement as a right to free time which, of course, comes with responsibility for how we use our time. If Filipa spends her whole retirement working, she cannot complain about not having enjoyed leisure. While she has indeed enjoyed a low share of leisure, but was not lacking free time.

To illustrate the thought more clearly, we can say that Filipa would be entitled to the standard pension plan *plus* the (negative) freedom to do what she likes with her pension-paid time, including working in the paid job

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she does, but this is not the only reason for her pursuits. She also considers refugees to be a priority in a humane society. Thus, she puts such effort into it and commits to a somewhat regular schedule at the expense of spending more time with her partner. Indeed, Filipa does not have to do what she does. Nevertheless, many people do work despite not having to do what they do or do anything, as is the case of wealthy people (Stanzyck 2017). Like them, Filipa uses her free time to work. That is not to deny that she is working.

<sup>20</sup> See 'Leisure in Retirement: Beyond the Bucket List', A Merrill Lynch RETIREMENT STUDY conducted in partnership with Age Wave (<https://agewave.com/wp-content/uploads/2016/05/2016-Leisure-in-Retirement-Beyond-the-Bucket-List.pdf>).

<sup>21</sup> *Ibid.*

market. This "plus" is the main difference from existing pension arrangements. Saying that Filipa may do what she wills with her retirement pension does not necessarily imply that she has the right to the same economic rewards as non-retired workers. Employers must pay for working retirees for the latter to not be regarded as 'free workers', gaining an (unfair) competitive advantage over other workers. But one might question whether retired workers have a full right to receive that income. Indeed, a good reason a retiree works is that she wants additional income. Yet, one may worry if working retirees receive much more than non-retired workers (labour-market income plus retirement benefits). To this end, one might want to tax working retirees more heavily and use such fiscal revenues for other purposes (e.g., increasing the buffer of pension schemes or minimum wages).

Appealing as they are, these are not *liberal* reasons for treating working retirees differently from non-retired workers. And accepting these non-liberal reasons comes at a cost for retirees, such as being taxed at higher rates than others. But, then, it is no longer true that retirement as free time would merely be an expansion in people's option sets if there is a change in their entitlements to earn (because they are taxed more) or to work (say, because employers may then fire them whenever they please). This would raise liberal complaints about mandatory free time. Setting aside non-liberal concerns (e.g., competitive justice), there are liberal reasons to treat non-retirees and retirees alike.

So far, I have motivated the reader to think of retirement as free time rather than leisure. I have not yet shown that retirement is particularly valuable from a *liberal* standpoint. That depends on what liberals should think of free time, in general, and compared to the alternative of leisure.

### **3. Free Time, Liberal Justification and Neutrality**

Having described the appeal of taking retirement as free time, we now need to examine the place of free time in a liberal society. How strong is the case for such retirement when engaged in liberal justification? It may be that retirement presupposes a particular view of the good life. In that case, appealing to the value of retirement is inconsistent with liberal neutrality.

In a recent book, Martin Hyde and Rory Shand (2017: 98) suggest that it is difficult to sustain the argument that retirement is an inherent feature of the good life. For instance, they view mandatory retirement as being 'profoundly

coercive', as it characteristically forces workers to disengage from economic activity. They take the same liberal stance as I do, as they abide by the liberal requirement that people be able to pursue their conception of the good, which may include work participation. I agree with them about defending the right to work against the obligation to cease economic activity and that there are liberal reasons supporting this presumption.<sup>22</sup> But they take this point to speak in favour of *voluntary* retirement. If exercising the right to retire is to forego the right to work, the liberal thing to do is, it seems, to make retirement voluntary. But, again, we may want to use the right to retire and the right to work simultaneously. People like Filipa benefit from exercising both rights at the same time. These may even reinforce each other since Filipa may want to retire if, and *only if*, she can do so to pursue her dreams. It is unclear why retirement must be profoundly coercive, such that we need to make it voluntary. If we look at retirement as free time rather than leisure, it is certainly not difficult to sustain that retirement is an inherent feature of the good life. And liberals can make such appeals in full respect of liberal neutrality.

Some liberals do not commit to liberal neutrality. They are called 'perfectionists' because they rely on a *thick* theory of the good: their political principles are built upon controversial metaphysical and ethical doctrines concerning the nature of value and the good life.<sup>23</sup> Perfectionist liberals can defend retirement as free time, provided people use their time 'correctly'. The same goes for retirement as leisure. One example of a perfectionist account of leisure comes from Aristotle, who saw leisure as the cultivation of mind, spirit, and character, which was "the goal of all human behaviour, the end toward which all action is directed".<sup>24</sup> Aristotle was a perfectionist in that he had a specific idea about how people should spend their leisure time and still thought leisure was of great importance. But given such views as to why leisure is valuable, I suspect that perfectionist liberals would prefer free time when contrasted with leisure. Free time preserves all of the benefits of leisure, with the further condition that people can work. That condition appears more suitable to advance the cultivation of a free mind, spirit, and character with which Aristotle was concerned. The liberal standpoint I adopt is non-

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<sup>22</sup> Hyde & Shand (2017: 101-2).

<sup>23</sup> Nussbaum (2011: 3). See also Meijers' (2020) analogous discussion on the value of procreation.

<sup>24</sup> Bammel & Burrus-Bammel (1992: 187).

perfectionist, but insofar as liberal perfectionists value *work*, they have reasons to prefer retirement as free time to retirement as leisure.

Let us now turn those liberal non-perfectionists who commit to liberal neutrality. They differ from perfectionists in that they do not take a position on what a good life consists of.<sup>25</sup> Such liberals rely on a *thin* theory of the good, which identifies goods that one needs for whatever plan in life one has. Such liberals want people to have the capacity and the means to formulate, act and revise their conception of the good, whatever these might be. These means are what Rawls calls ‘primary goods’: things that any rational person is presumed to need more of over a complete life, regardless of her conception of the good life.<sup>26</sup> For instance, wealth is something that any rational person living under capitalism should want more of whatever her aims. We can appeal to the importance of possessing it without presupposing a particular conception of the good life.

The same holds for free time. It gives us access to essential goods to realise a broad range of conceptions of the good (Rose 2016a). By providing people years of paid free time, retirement allows people to pursue *any* life, whatever it may be, by freeing them from the need to work. Even if one adopts an entirely neutral theory that relies on *no* conception of the good whatsoever, there is no way in which retirement as free time violates liberal neutrality.<sup>27</sup> Liberal views can then appeal to the value of retirement as free time when engaged in liberal justification. While this point concerns the implications of liberal views on how we should view retirement, it also contributes to foundational questions about what people have claims of justice to, as a matter of liberal justice.

Free time makes it easy for us to think of retirement as an inherent feature of the good life. Again, Hyde & Shand (2017: 98) believe this task is difficult because they associate retirement with leisure, implying that workers disengage from economic activities. Retirement as leisure cannot be an inherent feature of the good life because it allows foreclosing a range of conceptions of the good life that involve working throughout an entire life, namely using one’s retirement benefits to work. Now, the extent to which

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<sup>25</sup> E.g., Rawls (1971: 380).

<sup>26</sup> Rawls (1971: xiii).

<sup>27</sup> This point also holds for those defending full neutralism (e.g., Quong 2006, 2011). On this, see Caney (1996) as well.

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such retirement is bad from a liberal point of view depends on how loosely we define work. But on any definition of work we adopt, provided it counts some activities as work, retirement as leisure will *never* be as liberal as retirement as free time. The latter can never be bad from a liberal standpoint because it does not force a different conception of the good life upon people. It can only be bad by allowing us to use this liberty to harm ourselves. But, from a *liberal* point of view, the only harm that justifiably constrains freedom is that which is done to others, not to ourselves.<sup>28</sup>

This point leads us to the first implication of our account for the design of retirement systems. If retirement cannot be bad, it is unlikely that *compulsory* retirement can be bad. Compulsory retirement is mandatory free time, so it does not entail forcing people out of the labour market. It is compulsory because it forces workers to receive a boost in their income. Insofar as it does not affect people's rights to stay in the same employment or their rights to income but instead only forces workers to get retirement pensions, it is not clear how receiving benefits can ever be bad. Forced leisure is different, for it implies excluding people from the labour market. To do so would preclude people from conceptions of the good life that involve work, which is *pro tanto* impermissible on liberal grounds. This point leads us to the first implication of our account for the design of retirement systems.

What I am defending here entails that, if employers agree, retirees should be able to either remain in the same occupation they held before retirement or work for another employer. The claim is not that employers are *obliged* to let the person continue to work as before. Generally, employers' right to no longer require a worker's services is consistent with that worker's right to work. Still, we may doubt that my proposal is different from the voluntary retirement system Hyde & Shand (2017) and others propose. I am confident it is because voluntary retirement only gives us a choice between working and retiring, and my proposal demands no such decision. Voluntary retirement is unhelpful to those who wish to retire to work in jobs other than they do. But it also makes a meaningful difference for retirees who want to remain in the same occupation (though to a lesser extent). The difference is between doing a job to make ends meet and doing that same job simply because that is what one wants to do. One may retire and continue doing the same work as before,

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<sup>28</sup> I am referring here to the Harm principle made famous by John Stuart Mill (1962).

but the key difference is that one does not have to do it. That is the benefit of having free time.

In this section, I argued that liberals should find great value in retirement as free time (more so than as leisure) because it gives us access to crucial goods for realising any conception of life. Conceiving retirement schemes in this way implies, among other things, that retirement can never be bad for us, even when it is compulsory. What is bad, and we have free-time reasons to oppose, is when retirement forces people out of the labour market.

#### 4. Free Time as a Social Primary Good

If free time is something that any rational person should want, whatever her final aims, it is worth asking if it is a plausible candidate for being added to the list of social primary goods that liberal theories of justice prioritise. This list can be described as follows.

“(a) First, the basic liberties as given by a list, for example: freedom of thought and liberty of conscience; freedom of association; and the freedom defined by the liberty and integrity of the person, as well as by the rule of law; and finally the political liberties; (b) Second, freedom of movement and choice of occupation against a background of diverse opportunities; (c) Third, powers and prerogatives of offices and positions of responsibility, particularly those in the main political and economic institutions; (d) Fourth, income and wealth; (e) Finally, the social bases of self-respect”.<sup>29</sup>

John Rawls first proposed this list, and he later suggested adding *leisure*.<sup>30</sup> He did so not because he believed in the great value of leisure, I suppose, but in reply to a famous criticism made by Richard Musgrave.<sup>31</sup> For Musgrave, applying the ‘maximin’ principle only to income and wealth was to the advantage of those who choose not to work, who will earn less than others. Rawls proposes to add leisure to ensure that those who end up earning less due to consuming more leisure lose priority in redistributive transfers.<sup>32</sup> In the next article, I argue that Rawls could have avoided many of the objections he

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<sup>29</sup> Follesdal (2014). Not all social primary goods have the same priority. For instance, basic liberties have priority over other primary goods.

<sup>30</sup> Rawls (1974: 654; 1988: 257).

<sup>31</sup> Rawls (1974: 632).

<sup>32</sup> As Van Parijs (1991) pointed out and disagreed. I return to this issue in Article 2.

faced concerning the inclusion of leisure if he proposed including free time in the index instead. But leaving this debate for later, I now want to show that there is overall value in adding free time to the list.

### 4.1. BASIC LIBERTIES

Of all goods in this list, basic liberties have the highest priority. For Rawls, something is a basic liberty if it is necessary to protect peoples' agential capacities to form, pursue and revise their plans in life.<sup>33</sup> As seen in the list, Rawls takes freedom of conscience, free speech, and freedom of association to be necessary for people to develop such capacities. The question is whether free time could, like these others freedoms, also be considered a basic liberty.

There is something to be said *for* including free time in the list of basic liberties. For instance, many would agree that lacking daily and weekly free time would seriously undermine most people's capacities to pursue their views of the good. But that is also true of income and wealth. All primary social goods have this function. Perhaps free time gets closer to basic liberty if there is reason to oppose such measures regardless of whether they would render us wealthier. Because for Rawls, a defining feature of a basic liberty is that we cannot sacrifice it for further material advantages.<sup>34</sup> Surely, society should not undercut freedom of speech or association for additional material advantage. The same is likely to hold for weekends, but maybe not for retirement. I suspect there is a significant difference between *days* and *years* of free time, which explains why retirement may not have a place in the list of basic liberties.

The best reason to exclude years of free time from the list of basic liberties is, I think, the equal co-enjoyment condition that all fundamental liberties must satisfy.<sup>35</sup> The requirement is that freedom can only be classifiable as basic if we can all equally enjoy it simultaneously. Traditional fundamental freedoms, like freedom of speech, can meet the requirement provided it does not entail we can all speak simultaneously. There must be rules of order in debate, restricting the liberty to communicate when we please. It is sensible to say that freedom of speech is only valuable under such regulations. With this in mind, one could say the same holds for days of free time, like Sundays,

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<sup>33</sup> Rawls (1982: 15-6).

<sup>34</sup> Meijers (2020) on Rawls (1971: 55).

<sup>35</sup> Pettit (2008).

and perhaps even for years of free time. One could say that we all have the basic liberty to retire, provided we follow a particular order in which we first work to support the retirement of others. There may be similar speech rules, dictating that we listen to others speaking before we talk. Yet, such speech rules remain consistent with us speaking roughly simultaneously (instead of strictly at the same time). But I do not think we can say this of years of free time because we can only retire for a long time if others continue to produce, at least for a couple of years. Unlike with speech, I doubt the label 'co-enjoy' applies in the case of retirement. If this is true, years of free time will likely fail the equal co-enjoyment test, a test that (unfortunately) retirement pension schemes rarely aim at satisfying. That is, I think, the best reason to exclude years of free time from the list of basic liberties. It is not a decisive reason, as this requirement may have looser interpretations.<sup>36</sup>

Maybe years of free time are not themselves fundamental liberties. Still, they can nonetheless help secure other basic liberties. For instance, Julie Rose (2016b) argues that shared days of free time are essential to ensure adequate access to freedom of association. Similarly, we may need retirement to form a political association or run a political campaign, especially those who lack the resources to do so at their own expense. While there may be reasons not to include retirement in the list of basic liberties, its provision can enhance the protection of others included in this list.

#### **4.2. OCCUPATIONAL CHOICE AND FREEDOM OF MOVEMENT**

Years of free time also promote access to goods that are not fundamental liberties but are still crucial for how well people's lives go. When we turn our attention to the second part of the list of social primary goods (b), we notice that it mentions freedom of movement and occupational choice. There is a strong relationship between retirement and freedom of occupational choice. Discretionary time helps workers, especially those worst off, to revise their career paths, pursue paths with high entry costs, or make additional educational investments. The free time brought by retirement enhances the range of options that define one's occupational choice. With this aim in mind, retirement is more valuable for those who wish to change their previous

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<sup>36</sup> Pettit (2008).



occupation, which may be why we may not forbid retirees to work, provided they also do not remain in their last employment.

Interestingly, there is also a connection between retirement as free time and free movement. The verb 'to retire' is, by its etymology, intimately connected to the idea of withdrawing from somewhere, initially to a *place* of privacy and seclusion. The connection is metaphorical because retirement permits moving between positions in and outside the labour market. Even if some forms of retirement boil down to isolation and disconnection, free time still increases the choice of occupations that involve seclusion, apart from the rest of society. But the link between free time and freedom of movement is also literal due to the mobility chance provided by the former. It is not surprising that those aged between 60 and 74 travel more intensively and for longer, given the years of free time available to them. Free time enhances access to the freedoms of occupational choice and movement.

### 4.3. INCOME AND WEALTH

People who have more money tend to have more free time available. One question remains: Why identify free time as an extra primary social good if it is possible to stipulate that individuals can 'buy' it? If that would be possible, we could respect people's different preferences concerning how much free time they have by just distributing income and wealth. But there are also reasons for thinking that the role of free time is not reducible to that of income and wealth.

Recently, Rose (2014) has argued for this by pointing out that workers cannot constantly adjust income and wealth levels to their desired level of free time, at least in the short run. For instance, workers may not always be able to trade a lower income for more free time, and vice-versa, because their labour is not perfectly divisible. This may be true of days or weeks of free time, but I suspect it is not so when we talk about years of free time. It seems easier to adjust wealth and income to our desired level of free time in the long run. A second reason Rose (2014) mentions is that it is morally impermissible to purchase some activities that subtract from our free time, like sleep and eating. It is unclear what liberals should think of this somewhat perfectionist reason.

In the following article, I will present another reason for thinking that the role of free time is not reducible to that of income and wealth. Briefly, the idea

is that money is necessary but not sufficient to capture free time. In other words, the measurement of free time is incomplete unless it includes the time we took to accumulate money. Two people with equal monetary resources have the same amount of *forward-looking* free time from then onwards. But if one had to sacrifice more time to be on par with the other, the former has less *backwards-looking* free time. A sole concern with income and wealth does not guarantee that people take the same time to accumulate the same resources. In this sense, I believe that the place of free time cannot be replaced by having income and wealth in the index of primary goods. Or so I will argue in article 2.

#### 4.4. THE SOCIAL BASES OF SELF-RESPECT

For Rawls, the social bases of self-respect are crucial because they make us feel that our plans are of value and worth striving for.<sup>37</sup> As self-respect, Rawls “includes a person’s sense of his value, his secure conviction that his conception of his good, his plan of life, is worth carrying out”, and the “confidence in one’s ability, so far as it is within one’s power, to fulfil one’s intentions”.<sup>38</sup> Once again, free time promotes our sense of self-respect as individuals by providing us with the means to carry out any plan in life. Many must carry out a life plan in which they first do paid work and enjoy paid leisure afterwards. But some projects are worth carrying out, even if they belong to neither paid work nor leisure. That is the case of Filipa's dream of working with refugees. Filipa's retirement is an opportunity to do something she loves, for which she would not otherwise be paid, but still counts as work. Giving us the means to carry out such plans in life (indeed, any plan) assumes and signals that our goals are of value and worth carrying out. It is sensible to say that free time contributes to strengthening the social bases of self-respect.

Even if we may be unable to go as far as to say that it is a basic liberty, free time is nevertheless a plausible candidate to include in the list of primary goods that liberals see the distribution of as a central concern of justice. Like others, it is a good that we need as free and equal citizens over a complete life. So far, I have been mentioning *liberal* reasons to include free time in the list – reasons related to enabling people to pursue whatever conception of the good life they endorse for themselves. The next article will supplement this

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<sup>37</sup> Rawls (1971: 386).

<sup>38</sup> *Ibid.*

argument with *egalitarian* reasons for including free time in this list. But before doing so, I should spell out two implications that follow from this account of the value of retirement. One concerns trading days or weeks of free time for years of free time (and vice-versa). The second has to do with the relationship between the value in retirement and old age.

### 5. The Fisherman Story

Once, an American saw a fisherman in a small boat and asked him how long it took to catch several fish inside the boat.<sup>39</sup> 'Only a little while', said the fisherman. Curious, the American asks, 'why did you not stay longer and catch more fish?'. The angler replied that he spends time with his family, drinks some wine, and plays the guitar with his 'amigos' as soon as he has enough fish. The American then suggests that the fisherman could use this time to catch even more fish and earn more money. When hearing this, the fisherman became curious about what the American would do with that extra cash. The American said, 'Well, eventually, you retire, and you can then fish, spend time with your family, drink some wine, and play the guitar with your 'amigos'.

This story illustrates a, perhaps cruel, truth about retirement. The truth is that retirement may not increase our overall free time. Instead, it may be simply exchanging one kind of free time for another. The angler can only retire for some years by sacrificing much of his daily free time. When realising this, some of us may prefer to have more daily and weekly free time. That is a reasonable conception of the good life. If so, why should liberals be specifically concerned with years of free time? Should they not want people to have free time they can convert however they wish?

It is sensible to say that the free time we have is most valuable if available in both hours, days, weeks and *years*. Each type of these is essential and, therefore, not *fully* substitutable with others. Substitutability enables us to adjust our free time to the conception of the good life we want to pursue. When political philosophers defend some kind of free time, like weekends, they tend to neglect that protecting it reduces our access to other kinds of free

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<sup>39</sup> Known as 'The Mexican Fisherman' Parable or 'The Story of a Fisherman', it dates back to the story "Anekdote zur Senkung der Arbeitsmoral" ("Anecdote concerning the Lowering of Productivity") written by Heinrich Böll, in 1963. See Böll (1986).

time, like holidays.<sup>40</sup> The idea here is that each of us could be entitled to an equivalent amount of free time, which each can take as (s)he prefers, be it in years, months, days, or a combination of these. Since the best temporal unit for free time depends on the conceptions of the good life that persons set for themselves, there is a liberal case *for* permitting temporal trade-offs.

Should there be a limit to such trade-offs? Or may we trade one kind of free time for another in its entirety? If so, people who prefer weekends to retirement could give up entirely on the latter to get more of the former.

I agree that there is a presumption in favour of allowing such trade-offs. Still, I would insist that there are liberal reasons for limiting trade-offs, which we can defend without appealing to a particular conception of the good. From a liberal standpoint, *limited trade-offs* are justified if we conceive of free persons as beings who preserve and maintain their liberty so that they can revise and alter their ends. The reason is that it is likely that, at some point in their life, people will become unable to work for the rest of it. Or, at least, if still able to work, their productivity in the labour market would decrease to such an extent that it would become difficult for them to maintain their liberty without state assistance. Defenders of retirement as leisure can make this point by saying that there is a point in life after which people *need* leisure. But retirement as free time can also make the same case based on protecting people from the realm of necessity, be it the need to work or leisure. On a realistic view of what old age or disability entails for human beings, it is appropriate for the State to guarantee that people have guaranteed years of free time in case such risks materialise.

What is problematic with the Fisherman Story, we may say, is that it fails to protect us against the (likely) risk that old age or disability will render one unable to catch the several large fish one once could. The view that the Fisherman should preserve its liberty across life entails limiting such trade-offs to guarantee a substantial chunk of free time. That would be to ensure that, if it becomes difficult for the Fisherman to work, this person would have free time available to them. But, of course, the kind of free time that makes sense to secure in this critical case has to be in years rather than days or months.

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<sup>40</sup> That is not to say that such days of free time do not include some necessary personal care time and rest time, specifically.

## 6. Age

The liberal account of the value in retirement developed here has implications for the age at which one may retire. Most people who rely on the State to retire can only do so when they are old, after doing lengthy work. Simply put, societies tend to shift retirement to old age. An egalitarian problem with old-age pensions, which I discuss in article 4, is that it seems unfair to people who do not reach old age.<sup>41</sup> Yet, there can also be a liberal argument against only allowing workers to retire when old.

The reason is straightforward: only permitting that people take years of free time at old age is to presuppose a conception of the good life in which they only value free time (and leisure, for that matter) when old. One thing is to claim that we *must* value free time in old age. That seems true since older people are likely to find themselves too tired and weak to continue working (as productively) as before. This risk affects us all, and people need free time when it materialises. Those who cannot work or whose talents are no longer productive are in greatest need to be free not to work. The elderly benefit significantly from having free time. If they could not retire, much of old age would be solitary, poor, if not nasty, brutish, and short. Another thing is to claim that we *must only* value free time in old age. Consider, for instance,

*The Great Resignation* approaches as millions of American workers say ‘I Quit’ to their employers.<sup>42</sup> Many must rethink life after the pandemic and thus need time to pursue and revise their conception of the good life. Since governments do not typically fund voluntary unemployment, workers have to finance their resignations at their own expense.

Even under fully just background conditions, it is not only at old age that people need substantial time to pursue or revise their conceptions of the good life. Indeed, not only in the circumstances of a pandemic. At some point or another in our lives, we might need resources to redesign the life we have thus far been pursuing. Only enabling people to rethink their lives at old age imposes a particular conception of the good life upon them. There is liberal reason to believe that retirement should be available at old age but also

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<sup>41</sup> See Ponthière (2018, 2020, 2022).

<sup>42</sup> Hsu A (2021, 06 24). As the Pandemic Recedes, Millions of Workers are Saying ‘I Quit’. NPR: <https://www.npr.org/2021/06/24/1007914455/as-the-pandemic-recedes-millions-of-workers-are-saying-i-quit?T=163446596626>; and Thompson D (2021, 10 15). The Great Resignation is Accelerating. The Atlantic: <https://www.theatlantic.com/ideas/archive/2021/10/great-resignation-accelerating/620382/>.

beforehand. Even if we live equally long, we will have conceptions of the good life change at different paces or face various changes in our capacities to fulfil them along with our lives. In both cases, liberals have reasons to believe that it is regrettable if workers can only retire at old age instead of being able to decide when to retire based on their needs to pursue their favoured ideas of the good life.

This liberal case for the possibility of early retirement does not rely on the fact that some of us live shorter lives. Here, I am only contemplating the opportunity that workers be temporarily able to retire early in life by paying the price of such early retirement by working until later in life, in proportion to how much they have retired early. There are liberal reasons to defend 'libtirement', the proposal to increase the freedom to enjoy *years of free time* across life. Not only through the ability to enjoy free time earlier but also by receiving years of *free time* rather than years of leisure from the retirement pension system.

## 7. Conclusion

The seemingly trivial distinction between leisure and free time makes a significant difference in how liberals should think about the value of retirement. There is a liberal case for preferring free time to leisure because free time allows people to pursue and revise any conception of the good life (indeed, any). So understood, retirement deserves a central place in liberal societies that commit to people's ability to form their conception of the good life, to pursue plans that they endorse (within the limits of what is reasonable). From this account, it follows that free time must be available in years as through retirement, and that there are liberal reasons to make retirement available early in life, rather than only at old age. Retirement gives us the ability to rethink and pursue a new life, which is something that any person has reason to want at some point or another in their life. The only problem is that, without state assistance, the poorest among us will lack time for the good life, for many cannot bear the costs of leaving the labour market by themselves. Our normative standpoint is liberal *egalitarian*, so we must care about inequalities of free time. The next article will turn our attention to these.



## §2. The Egalitarian Value in Retirement

**Abstract** Many believe that justice requires, or at least allows for, a public retirement system that distributes more state benefits to those who work or contribute longer. Two famous conceptions of pension fairness – actuarial and maximin fairness – might justify this conviction. The first requires matching contributions and benefits, but it does little for interpersonal equality because it forbids (fair) redistribution. The alternative of maximin fairness is not straightforward either. Its original formulation does not justify that we privilege those working and contributing longer. It is necessary to revise the maximin principle to accommodate this conviction. I argue that, so far, none of the proposed revisions – leisure and wealth – offers an entirely plausible account for this conviction. I suggest the not yet considered solution of free time: more specifically, adding time to wealth justifies rewarding longer careers while avoiding the problems with leisure and wealth. This revision explains why introducing unconditional basic income cannot justify dismantling retirement schemes since these have a unique role in egalitarian redistribution.

**Keywords** maximin ⊗ leisure ⊗ free time ⊗ wealth ⊗ work ⊗ primary goods



## Pension Fairness: Actuarial or Maximin?

Imagine the society you live in supports people of all ages, so they are never at risk of poverty.<sup>1</sup> If you believe the goal of a retirement scheme is solely to avoid old-age poverty, you might well conclude that this society no longer needs a retirement scheme. In that case, the implementation of an universal basic income could be a reason to dismantle systems of retirement provision.<sup>2</sup> I suspect many people would resist this conclusion. Many would, I think, insist that justice still requires, or at least permits, a public retirement system that distributes more state benefits to those who work or contribute longer, even if all have enough across life. Unlike UBI, retirement schemes benefit people in proportion to how long they have worked or contributed. How, if at all, should egalitarians justify such redistributive transfers?

Retirement provision contributed to egalitarian justice when it opened up to the working class a way of life thus far reserved for the wealthy. The initial reasons for retirement provision did not invoke distributive justice but, instead, the risk of Marxist upheaval.<sup>3</sup> Today, many of us see retirement as more than a political strategy. It is now something *distributive justice requires* despite its political consequences. Namely, it fulfils a requirement of justice by transferring more benefits to those who work and contribute longer in life. We can try to explain these transfers by appealing to two notable accounts of pension fairness: actuarial fairness and maximin fairness.

Typically associated with the ideas of William Beveridge, *maximin fairness* holds the aim of pension fairness to be the (maximal) improvement of the situation of the worst-off in life.<sup>4</sup> Justifying pension redistribution from this perspective requires us to explain why those who work or contribute longer are worse off than people with short careers. This is no easy task because longer contributory or working careers generally bring about more resources in life than short ones (when measured by their respective shares of income and wealth).

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<sup>1</sup> I thank Philippe Van Parijs for suggesting framing the introduction in this way.

<sup>2</sup> See e.g., Murray (2016).

<sup>3</sup> See Introduction, p.17.

<sup>4</sup> See e.g., Cremer H & Pestieau P (2003) and Schokkaert & Van Parijs (2003a: 255). The standard Beveridgean proposal holds that people should receive equal benefits, irrespectively of differences in earnings and contributions. I adopt the maximin variant of this principle.

## §2. The Egalitarian Value in Retirement

Often associated with Otto Van Bismarck, *actuarial fairness* takes pension fairness to require matching contributions and benefits.<sup>5</sup> It echoes the socialist principle of giving *each according to his contribution*: “each receives back from society – after the deductions have been made – exactly what (s)he gives to it”.<sup>6</sup> Yet, this view defines contribution differently from how a socialist would have. For instance, it may not give special primacy to the duration and intensity of labour. Instead, what it takes as contributions are total *de facto* in-cash transfers. So understood, it favours those who contribute with more financial resources due to their higher socioeconomic status.

We may describe these famous views of distributive justice in retirement pensions as follows:

*Mf.* Maximin fairness requires benefitting as much as possible those earning the least in life.

*Af.* Actuarial fairness requires matching contributions and benefits as closely as possible.

Essentially, each refers to a core function of modern welfare states. Maximin fairness takes the place of *inter*-personal redistribution across socio-economic groups (what is sometimes called the ‘Robin Hood’ function). Actuarial fairness takes the form of *intra*-personal transfers across the same person’s lifecycle (known as the ‘Piggy Bank’ function). Today, these functions do not enjoy the same relative importance. Recently, Vanhuyse *et al.* (2021) have shown that Piggy Banks are thwarting Robin Hoods, meaning that the modern welfare state has been more about actuarial fairness than egalitarian (maximin) fairness. Should egalitarians welcome this result?

Perhaps there is value in both aims, so we may want to endorse *both*. To some extent, they are compatible. Though this depends on the specific context, a key example is that increasing contribution sensitivity may enhance the lowest pensions by persuading higher earners to become more ‘pro-pensions’, and channel more resources to a public pension system.<sup>7</sup> Or it may induce people to work more generally, bringing positive spillovers on an economy and its worst-off. However, there are times when such aims stand in tension

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<sup>5</sup> See e.g., Schokkaert & Van Parijs (2003a: 255).

<sup>6</sup> See Marx (2008: 28-30). There is, of course, a significant discrepancy in how to understand ‘contribution’, if as labour or as financial transfers. Marx’s description of the socialist principle suggests that a socialist would endorse what I shall later call leisure-sensitive retirement.

<sup>7</sup> On this, see Van Parijs and Schokkaert (2003a) and Blackburn (2002: 56-8).

with one another. At some point, the more is given to those earning the least, the fewer the resources that will be available to match the contributions of those earning the most, and vice-versa. In these cases, there is a choice as to which aim takes precedence. Even if we endorse both, we must still decide on the *primary* objective of pension fairness.

Let me remind the reader that our standpoint of egalitarian justice is maximin, so the choice is already biased in favour of *Mf*. According to this criterion, a distribution is fair if it maximises the position of the involuntarily worst off in life compared to any other alternative set of rules, even if doing comes at the cost of increasing inequalities. The essay begins with an egalitarian objection against actuarial fairness (§1). Yet, and more surprisingly, I show that maximin fairness is not immediately satisfactory either because it fails to account for the intuition of retirement as a reward for longer careers (§2). Justifying this feature of pension redistribution forces maximin egalitarians to revise the original index of primary goods first proposed by John Rawls. I argue that, so far, none of the proposed revisions – leisure (§3) and wealth (§4) – offers an entirely plausible justification. I suggest the not yet considered solution of free time: more specifically, adding time to wealth justifies rewarding longer careers while avoiding the problems with leisure and wealth (§5). Such a revision implies that introducing universal basic income cannot justify dismantling retirement schemes, as these have a unique role in egalitarian redistribution (§6).

### 1. The Egalitarian Case against Actuarial Fairness

This section argues that egalitarians should prefer maximin to actuarial fairness.<sup>8</sup> That is because the latter forbids *fair redistribution*, which I conceive of as redistribution required as a matter of maximin egalitarian justice.<sup>9</sup> In reality, we must note that this argument is only a criticism of real-life actuarial fairness if, and only if, the society we live in is unequal such that justice requires redistribution. If it is not, and justice requires no redistribution,

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<sup>8</sup> See Queisser and Whitehouse (2006) on two actuarial conceptions in pension design, namely actuarial fairness and actuarial neutrality.

<sup>9</sup> There may be a desert-based appeal to actuarial fairness, as the view that justice is done when each “receives back by way of reward an equivalent to the contribution he makes” (Miller 1999: 28). My egalitarian account does not exclude us from being pluralists by making additional appeals to desert (though it does not also necessitate it). As Brouwer & Mulligan (2019) suggest, there may be strong reasons to supplement egalitarian theories with desert considerations. Yet, I shall assume that distributive equality constrains any plausible theory of desert. Thus, actuarial fairness still has to respond to the demands of egalitarian justice, over and above the appeal to desert.

egalitarians should permit, if not require, actuarial fairness. In the end, the egalitarian case against actuarial fairness assumes unjust background conditions of socioeconomic inequality that tend to exist in our societies.

Before proceeding, I should clarify *three* things that I implicitly assume about 'redistribution'. First, I consider redistribution to be a transfer from some persons to others. It is a transfer between *different* people, what some theories call *vertical* redistribution.<sup>10</sup> It goes by 'vertical' because it involves transfers across higher and lower socioeconomic brackets. In contrast, redistribution is horizontal if it occurs inside one person's life; say, from her youth to her old age. Many of us may see pensions as horizontal, rather than vertical, redistribution. This is precisely our focus here, to see whether pensions are a matter of equality between different persons (in *Mf* fashion) or of equality between different parts of the same life (as *Af* recommends). For simplicity, I use the concept of redistribution in the 'Robin Hood' (vertical) sense.

The second point to highlight is that redistributive transfers may occur between anyone. Redistribution is typically *downward*, from the better to the worse off. It can also move *upwards*, from the worse to the better off. Henceforth, when I speak of redistribution, I shall be referring more specifically to downward redistribution.

Finally, redistribution necessarily involves a net transfer. A net transfer deduces what an individual pays from what (s)he receives. It is net positive if one gets more than one contributed and net negative when one contributes more than one receives. It is not redistribution, but exchange, if you give me back the same as what I gave you (as when I hand you a slice of my pizza to receive one of yours). In our case, redistribution to the poor cannot be such that the better off have the right to receive back everything paid out in transfers. Redistribution is a net transfer, be it upward or downward. With this in mind, let us proceed to the egalitarian case against actuarial fairness.

**P1.** Equality requires net transfers (contributions  $\neq$  benefits) *from* the better *to* the worst off.

**P2.** Actuarial fairness requires *zero* net transfers (benefits = contributions).

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<sup>10</sup> I draw this distinction from Esping-Andersen & Myles (2018).

The tension between these claims is evident. Actuarial fairness embodies a form of reciprocity in which each receives as much as (s)he has contributed, where 'contribution' typically refers to how large a financial pension contribution one makes.<sup>11</sup> Since equality aims at inequality-diminishing net transfers, it requires the worse-off to receive more than they contribute, with the better-off getting back less than what they transfer. The very definition of a net transfer, be it upward or downward, implies that we do not receive the same as we have contributed, which contradicts the aim of actuarial fairness.

The objection is that actuarial fairness forbids redistribution. But the kind of redistribution it forbids depends on when we believe actuarial fairness should apply. Let me explain. In general, there are two kinds of fairness: *ex-ante* or *ex-post*.<sup>12</sup> The *ex-post* context says that, at the end of every life, each person is to enjoy as many pension benefits as they contributed. This *ex-post* approach may be too demanding because it requires that we get precisely as much we put in. It has been more common to adopt an *ex-ante* stance. The latter only demands that each person expects to consume as much as she contributes. Unlike the *ex-post* view, this one allows some people to consume more than they contribute. For instance, if we are all equally likely to live to 80 years old, each expects to consume as much as (s)he contributes. But this is only an expectation, meaning that those who live to 85 years old receive a positive net transfer of 5 years, and those dying at 75 years old end up paying a negative net transfer of the same amount, *ex-post*.

When I say that actuarial fairness forbids redistribution, I do not claim that the *ex-ante* stance prohibits *ex-post* net transfers. Nor do I mean that the *ex-post* approach is at odds with *ex-ante* redistribution. What I mean is that *ex-ante* actuarial fairness forbids *ex-ante* redistribution. It prevents those who expect to fare worse in life from receiving more than they expect to contribute. For instance, I may be a young person suffering from a disease that will make me unable to work and contribute in the coming years. If society expects me to contribute much less than others, it will tell me that I should expect to

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<sup>11</sup> On reciprocity, see Gosseries (2017). Note that the tension might weaken if only the number of years, rather than the yearly and total amount, counts as 'contribution' (and the worst-off are those who tend to work more). Actuarial fairness usually includes yearly and total contributions, which benefits the better off. But, even if actuarial fairness were only about the number of year contributions, it would again forbid redistribution among people who have contributed the same amount of years, bringing back a similar tension.

<sup>12</sup> For a discussion of the comparison of *ex-ante* and *ex-post* in the context of retirement pensions, see Ponthière (2020).

receive less than others as a matter of actuarial fairness. But it should strike us as counterintuitive that I do not receive an ex-ante net benefit if I expect to be worse off.

It could be that ex-ante actuarial fairness would go against its spirit and make an exception for disability. But the problem will pertain to unequally talented people more generally. The inequality in talents might be natural - consider the case of a highly gifted person and that of an average person. Or it might be social: that of someone born in a high-class family and one born in a poor neighbourhood. In either case, it is realistic to expect the former to transfer more resources to the State than the latter throughout their life. This expectation comes before we know how much effort people will put into their lives (ex-ante). It might be that efforts proved our expectations wrong, ex-post. But, in any case, we can see that actuarial fairness will not seek to redistribute the inequality between the former and the latter group. And this will likely be an inequality that the egalitarian should want to redistribute.

Actuarial fairness does little for redistribution in the above-stated sense. Note, however, that this is a criticism of real-life actuarial fairness if, and only if, the society we live in is unequal such that justice requires redistribution. Inequality will likely be pervasive; for instance, there will always be people with debilitating diseases or less valuable talents to justify redistribution. Even if unrealistic, it is nevertheless an essential theoretical point that egalitarians only defend redistribution in cases of (unfair) inequality. Otherwise, they can allow, if not require, zero net transfers to avoid upsetting existent equality. In so many words, there is *no* egalitarian objection to actuarial fairness in an ideal society. In reality, our standpoint asks if it is possible to improve the situation of those who find themselves worse off through no fault, or choice, of their own. Who we include in this group depends on the more precise formulation of the index of primary goods that I shall now discuss. Yet, any such index will identify involuntarily worse off people whose situation we can improve. If so, the then prohibition of redistribution is a problem for those defending actuarial fairness in the real world.

I do not deny that we may have maximin reasons to endorse actuarial fairness to some extent. As mentioned earlier, contribution sensitivity may enhance the lowest pensions by persuading higher earners to become more

‘pro-pensions’, and channel more resources to the public pension system.<sup>13</sup> There is evidence that people are willing to pay higher taxes when they perceive a link between contributions and benefits, which is vital for pension redistribution to obtain political support from better-off voters, who also tend to have more political influence opportunities.<sup>14</sup> To that extent, contribution sensitivity can have maximin fairness at heart.

## 2. Pension Redistribution and Maximin Fairness

As expected, our standpoint is more likely to aim at maximin rather than actuarial fairness. Following Rawls’ original formulation of the index of primary goods, which includes income and wealth, pension redistribution must be such that those with the least income and wealth in life be as well off as possible.<sup>15</sup> But the original formulation of maximin fairness is not suited to justify benefitting more those who work and contribute longer, which is a notable feature of pension redistribution.

Pension redistribution typically involves *two* features. I call the first *wage sensitivity* (or *W*) since it favours those earning the least. It does so by either replacing the income of low-income earners at higher rates or allowing them to retire at an earlier age than their contributions would otherwise allow. The second feature benefits those who contribute or work the longest. I call this second pillar *time sensitivity*, or *T*. Here, working or contributing ‘longer’ can be in years, months, days, or even hours. Together, these two features justify privileging those who earn the least (*W*) for the longest time (*T*). These are the worst-off whose position improves with pension redistribution. I shall now argue that the original formulation of maximin fairness can only justify the first feature of pension redistribution, not the second one.

*Wage Sensitivity* (*W*) enters retirement schemes through ‘progressive replacement rates’. Replacement rates link pre-retirement earnings with retirement benefits so that disposable income in retirement reflects what we earned while working.<sup>16</sup> The rate is proportional if the retirement scheme replaces the same percentage for all income brackets regardless of economic

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<sup>13</sup> On this, see Van Parijs and Schokkaert (2003) and Blackburn (2002: 56-8).

<sup>14</sup> See e.g., Casamatta *et al.* (2000), Montgomery *et al.* (1990), Ooghe *et al.* (2003), Summers *et al.* (1993). The importance of persuading higher earners is not only that the worst-off are a minority, but also that money unavoidably begets politics. The empirical evidence on this is quite extensive; see e.g., Bartels (2009) and Gilens (2012).

<sup>15</sup> Rawls (1971: xiii).

<sup>16</sup> See e.g., OECD (2021: 144).



class. In contrast, progressive replacement rates set the ratio of income returned by the retirement scheme to decrease as we move to higher income brackets. The name 'progressive' might be misleading since such rates are still regressive in that higher socioeconomic brackets derive more overall benefits. They are progressive in the weaker sense that they favour those who earn the least with higher benefits than their contributions would otherwise allow (not with more overall benefits than people in higher socioeconomic brackets). This is the kind of progressivity typically associated with pension redistribution.<sup>17</sup>

The original specification of maximin fairness justifies wage sensitivity. The concern with those who earn the least justifies replacing incomes at higher rates the lower these are. Whether egalitarians should support rates higher or lower than the existing ones depends on how such changes will affect the tax revenue for the worst-off.<sup>18</sup> There is often a hump-shaped relationship between tax rates and revenue, the so-called 'Laffer Curve'.<sup>19</sup> Applied to our case, it predicts that too much progressivity can be harmful to the worst off as it might dissuade higher earners from working (and contributing) as much. Conversely, a low level of progressivity incentivises higher earners to work more and contribute more. Yet, many such extra gains that could increase the lowest pensions go untaxed. The ideal rate of taxation for an economy will fall right at the top of the inverted-U relationship between tax rates and revenue. This is the optimal level of wage sensitivity from a maximin egalitarian perspective because, as we have seen in the Introduction, the latter is sensitive to the effects of redistribution on material incentives.<sup>20</sup>

The second feature of pension redistribution has interesting implications for maximin fairness. *Time Sensitivity (T)* appears through contribution or career length requirements. When it comes to earnings-related pensions, there are often conditions related to career length to determine whether one is

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<sup>17</sup> For examples of this understanding of pension progressivity, see Fehr et al. (2013) and OECD (2013: 152).

<sup>18</sup> As Van Parijs and Schokkaert (2003a) point out, this is likely to vary with the circumstances and culture of the country at hand. For instance, it will depend on how workers' incentives to produce respond to changes in redistribution. Countries with more egalitarian ethos are likely to maximise the lowest pensions at a higher degree of redistribution. For a seminal discussion of the egalitarian ethos, see Cohen (2009).

<sup>19</sup> See e.g., Trabandt & Uhlig (2011).

<sup>20</sup> For a brief discussion of maximin equality and incentives, see Van Parijs (2021). See Cohen (2009) for a famous critical discussion of the famous the incentives-based argument by Rawls (1971).



entitled to a full retirement pension.<sup>21</sup> The basis for the normal retirement age is sometimes not even a concern with age in itself but a career length requirement with implicit implications for age.<sup>22</sup> Indeed, age also matters. The younger I am when I retire, the more years I am likely to be living on a pension. Indirectly, time sensitivity can induce higher earners to work and contribute longer by reducing the length of their retirement. And the taxation of such contributions yields specific benefits to the *long-working* poor. This second feature transforms retirement into a transfer from shorter to longer careers, both at the top and bottom of the socioeconomic ladder. However well off we are, the retirement benefits we receive are highly sensitive to the length of our contributory life. In practice, time sensitivity can be *threshold-based* and only be concerned with sufficiently long careers or *proportional*, distributing benefits in proportion to career length.

Interestingly, the original maximin principle that only includes income and wealth fails to justify time sensitivity. Insofar as it prioritises those earning the least overall income and wealth in life, it favours those who work and contribute less. The reason is that those who work and contribute more in life will likely earn *more* than those who work less, so their lifetime income and wealth will be higher. As it stands, the index does not distinguish between those working *longer at a lower* yearly wage from those working *fewer years at a higher* salary, provided lifetime earnings are the same. It prioritises those who have the least, regardless of the time they took to have what they have. Amongst two individuals earning the same hourly wage, the original formulation of maximin equality will favour the one making less (measured in hours, days, weeks, months or years). As Richard Musgrave (1974: 632) predicted, the “implementation of maximin thus leads to a redistributive system that, among individuals with equal earnings ability, favours those with a high preference for leisure. It is to the advantage of recluses, saints, and (nonconsulting) scholars who earn but little and hence will not have to contribute greatly to redistribution” (Musgrave 1974: 632).<sup>23</sup> Here is a concise formulation of what I take Musgrave’s objection to be,

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<sup>21</sup> On average across the OECD countries that have contribution-related basic pensions 34 years are required for a full pension and 13 years for initial eligibility (OECD 2021: 126-131).

<sup>22</sup> OECD (2012: 131). See OECD (2015: 73-109) on how incomplete careers affect pension entitlements.

<sup>23</sup> Musgrave (1974) proposes to equalize (or maximin) “potential welfare” instead. On this, see also Van Parijs (1991: 108-9).

*Musgrave's Objection:* Among people with equal earnings ability, the maximin principle should not favour, or transfer more, to those who work or contribute less.

The maximin principle faces this objection because the original index of primary goods consists only of income and wealth. As we shall see, Rawls' response was to propose adding leisure to the index. But before examining Rawls' reply, we should note that, as stated, our principle does not justify time sensitivity. To this, the egalitarian can react in two ways. One is to accept dismantling this feature of retirement. An alternative reaction is to propose a revision of maximin fairness that accounts for this feature. I hope to convince the reader that this second feature is sensible and that we should include those earning the least for the longest amongst the worst-off. This forces us to revise the metric that identifies the worst-off positions.<sup>24</sup> In the Rawlsian framework, it involves changing the index of goods that, so far, includes income and wealth.

### 3. Revision I: Leisure Sensitivity

Not everyone agreed with Rawls' original proposal to measure economic advantage via our share of income and wealth in life. Later on, one could say not even Rawls himself. The criticism by Musgrave (1974: 632) persuaded Rawls, for he also did not want to privilege those who have the least because they work less than others. Rawls thus proposed to add *leisure* to the index, understanding leisure as time spent *not working*. In his words, "twenty-four hours less a standard working day might be included in the index as leisure".<sup>25</sup> Despite his proposal, Rawls did not seem to think that the goods he thought of were all one could add to the index,<sup>26</sup> nor did he seem sure that adding leisure had to be the right solution to *Musgrave's Objection*.<sup>27</sup>

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<sup>24</sup> As Philippe Van Parijs helpfully pointed out, we are not talking of fixed persons or identities when working on a maximin principle. Generally, we are speaking of worst-off positions, not people. So we should not be misled whenever I shall refer to cases like that of Ant and Grasshopper, which do not necessarily mean people or animals. In such examples, we should have Ant-like and Grasshopper-like positions in mind while recalling that people might move across such positions. This should not change the substance of the argument put forward.

<sup>25</sup> See Rawls (1974: 654; 1988: 257).

<sup>26</sup> Rawls (1988: 257) writes, "Thus the idea is to find a practicable public basis of interpersonal comparisons in terms of objective features of citizens' social circumstances open to view. Provided due precautions are taken, however, we can in principle expand the list to include other goods, for example, leisure time, and even certain mental states such as the absence of physical pain."

<sup>27</sup> Rawls (1974: 654) writes, "While the notion of leisure seems to me to call for clarification, there may be good reasons for including it among the primary goods and therefore in the index as Musgrave proposes, and doing

## Ageing as Equals

In Article 1, I offered liberal reasons for including free time instead of leisure. I will now defend the same conclusion, but this time on egalitarian grounds. For a moment, I will ignore the progress made in the preceding article, as I mean to show that there are distinct egalitarian reasons against the revision that Rawls proposed. The distinction between free time and leisure can also illuminate the debate between Musgrave and Rawls, or so I will argue. The solution of adding leisure brings significant consequences for the principle of maximin fairness: whatever we now earn is measured against the leisure we expend. *Ceteris paribus*, workers who consume less leisure gain priority in redistribution in proportion to how long they work.<sup>28</sup> The addition of leisure justifies transfers in proportion to working time because of what I shall call the *zero-sum view*,

***The Zero-Sum View:*** If A enjoys more leisure than B, A works comparatively less than B.<sup>29</sup>

The view implies that people who work longer enjoy less leisure. It thus explains why applying the maximin principle to leisure benefits workers relative to *how long* they work. The conviction that those who work more against a background of equal talents should earn more has considerable support among egalitarians.<sup>30</sup> Note that this solution justifies time sensitivity in pension redistribution because it demands higher rewards for those working longer. As I conceive of it, leisure-sensitive retirement holds that pension redistribution should benefit more those who earn the least and, at the same time, enjoy the least leisure in life. Is this a sensible justification for rewarding longer careers?

Philippe Van Parijs (1991) famously argued that it was not. He had two reasons to oppose Rawls' proposal to include leisure in the index. To these, I will add a third one. The *first* reason he mentions is the difficulty of distinguishing between leisure and work. In Article 1, I defined leisure time as the time during which we are not working.<sup>31</sup> Given the connection between leisure and work, leisure-sensitive retirement must find a way of measuring how hard and long people work. But as we have seen earlier, it is not easy to

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this may be compatible with the basic liberties. Whether leisure should be included among the primary goods depends on a better understanding of these goods and the feasibility of counting leisure among them".

<sup>28</sup> Van Parijs (1991: 109-10).

<sup>29</sup> As I shall argue in Article 4, the zero-sum view does not hold in the context of differential longevity.

<sup>30</sup> E.g., Olson (2020: 80).

<sup>31</sup> See Article 1, p.51-2.

draw a clear line between working time and leisure time. Is a person who goes home still thinking about work doing more than others? Do people who live further away from their office work longer because they endure a longer commute? And how should we compare people who work longer in easier jobs with those working for shorter periods in harder ones? There might be an answer to these questions, but they suggest that it can be challenging to implement leisure-sensitive transfers.

The *second* criticism of the inclusion of leisure is more serious, and it is, in fact, central to Van Parijs' defence of basic income. The complaint is that adding leisure introduces an illiberal bias favouring workers. The liberal objection against including leisure in the index challenges the assumption that, other things being equal, people are worse off insofar as they work more. Against the demands of liberal neutrality, this revision induces a preference for conceptions of the good life that involve working more rather than less. It supposes that working is necessarily a source of disadvantage. But this may not be true in societies where jobs are scarce, and involuntary unemployment exists. In those, working may be a source of advantage.

In general, this revision discriminates against those who spend less time working. It, for instance, implies that we should distribute any productive gain shared by society only among those who work in proportion to how much they work.<sup>32</sup> This proposal sets equal the position of those who earn no income and do not work at all to that of least advantaged full-time workers.<sup>33</sup> But suppose the latter's position improves, for instance, due to some positive exogenous change. If the stipulation is that those who earn no income and do not work are equal to the least advantaged full-time workers, the former's position has also improved. But it did not, argues Van Parijs. In absolute terms, those who earn no income and work remain as they were before, and the least advantaged full-time workers get the whole exogenous gain. In relative terms, the index postulates that they are equal. Based on this revision, there is no reason why the incomeless who do not work could also claim part of this exogenously generated benefit. Van Parijs argues that this cannot be our conclusion if we are moved by a nondiscriminatory concern with the real

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<sup>32</sup> Van Parijs (1991: 111).

<sup>33</sup> *Ibid.*

freedom of the least advantaged.<sup>34</sup> By giving such strong priority to workers, leisure sensitivity fails to treat disadvantaged 'leisurers' with equal concern.

On top of these two objections, there is a third one. Adding leisure to the index does not explain why the involuntarily unemployed (i.e., those forced to consume leisure) are worse off. We tend to regard such people as victims of *bad* luck, as victims of a disadvantage. Yet, it is far from clear how the involuntary consumption of a primary good can be bad. One could point out that leisure is valuable when and because it is chosen. But this response seems to suggest that the value of leisure is conditional on those conceptions of the good life that involve choosing it. That does not fit neatly with the description of a primary good as something a free and equal person is presumed to need *whatever* their aims in life. That is clear in the case of other primary goods. People who have more income, wealth, and self-respect than others through no fault or choice of their own are lucky. But we do not seem to have the same intuition about leisure. Even if the involuntarily unemployed were not faring worse in other respects, especially economically, we would still feel sorry for them. What explains the different intuition between leisure and other primary goods is, I suspect, that leisure (i.e., time not spent working) is *not* a primary good. As seen in article 1, it is not something that any rational person needs more of, whatever her aims in life. As expected, free time (i.e., time free from compulsion) offers a better explanation of why the involuntary unemployed are victims of bad luck: the inability to work makes their time less free than it would otherwise be. Explaining why the involuntary unemployed are victims of bad luck is crucial. If we are assisting the elderly who cannot work, we must explain why they are worse off in a way that justifies redistribution to their benefit.

Leisure-sensitive retirement justifies time sensitivity, but it also faces significant problems. It requires distinguishing between leisure and work, which is not easy. It introduces a bias that risks not treating those who consume leisure and workers with equal concern. Finally, it cannot explain why people who find themselves unable to work are victims of bad rather than good luck. Even though this solution justifies rewarding longer careers, it is not entirely satisfactory. We must search elsewhere.

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<sup>34</sup> *Ibid.*

#### 4. Revision II: Wealth Sensitivity

With these objections in mind, Van Parijs (1991: 112-3) proposes the solution of removing income instead of adding leisure. Leaving only wealth in the index of primary goods avoids the objections mentioned above. Measuring wealth does not require distinguishing between work and leisure. It is also 'neutral' concerning workers' preferences for work and leisure. It proposes giving equal external endowments to all regardless of whether their conceptions of the good life involve more leisure.<sup>35</sup> Finally, wealth can also explain why those unable to work are victims of bad luck since the inability to work lowers workers' ability to accumulate the primary good of wealth. Van Parijs' proposal is robust across the above criticisms. But does it justify time-sensitivity?

Van Parijs' solution fails to justify time sensitivity, bringing us back to our initial problem. Insofar as those with the least wealth in life are to receive as much as possible, we must again be insensitive to career or contribution length.<sup>36</sup> Other things being equal, we can expect people that work and contribute fewer years to accumulate less lifetime wealth than others. Yearly wealth varies with age, but the amount of wealth we obtain every year we live is typically related to how long we work for any given consumption level.<sup>37</sup> If so, then those who work longer during more years will have more wealth in life than others with the same pay jobs. Benefitting those with the least wealth in life will then require policies to assist those who work and contribute the least, as UBI does. However, it does not justify redistribution that provides higher benefits to workers with longer contributory careers, as the second feature of pension redistribution suggests.

Those who stick to Van Parijs' solution may consider giving up on time sensitivity. Among other things, this revision opens us to the possibility of dismantling a retirement scheme once there is an unconditional basic scheme at the highest sustainable level. If we look at this closely, we find somewhat of ambiguity among some proponents of the UBI. On the one hand, many distance themselves from the so-called 'right-wing' proponents of basic

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<sup>35</sup> Much of this discussion assumes equality in natural talents or internal endowments (e.g., Van Parijs 1991: 113). So our arguments for, or against, any such revision should not appeal to any disparities in internal resources.

<sup>36</sup> Van Parijs' discussion in this debate is precisely to defend an unconditional basic income to be paid at the highest sustainable level, which is famous for not being directly sensitive to contribution and career length.

<sup>37</sup> To be sure, I am not suggesting that Van Parijs thinks otherwise or that this would be a problem.

income, claiming that the UBI should exist to complement rather than replace other Welfare State policies.<sup>38</sup> On the other hand, it is not always clear why justice would require such policies. I think that retirement is necessary for a just society to maximise the free time of those who have been the poorest for the longest time (as I will argue in the next section). But to explain this, we must first say that basic income is necessary but insufficient for a just society. Insofar as we can fully realise the wealth-based index through the provision of unconditional benefits, then the intuition that these benefits are not all there is to redistribution suggests that this revision is incomplete. That is the position I shall now defend.

While it seems correct to propose replacing income and leisure with wealth, I disagree that wealth should stand there alone. Let us recall that egalitarians claim that we should be *equally well off* but disagree about *what* renders people equally well off.<sup>39</sup> In the Rawlsian framework, what determines levels of advantage is one's share of primary goods over a complete life. Leaving only wealth in the equalisandum implies, *ceteris paribus*, that we are equally well off when levels of wealth over a whole life are equal. But there are cases where (in)equality of lifetime wealth does not track differential advantage.<sup>40</sup> If so, wealth is not sufficient to explain what renders people equally well off. It will be easier to judge these cases by comparing them with the alternative I propose, which adds *time* to the index on top of wealth. A sole concern with wealth fails to consider how much of our (life)*time* we spend to obtain a certain level of external wealth. Such differences in (life)*time* seem normatively relevant to assessing egalitarian claims. Consider,

#1 *Grasshopper and Ant are unequally wealthy.* They both earn 10 euros per working day, but Grasshopper works one day a week whereas Ant works five days a week. If they consume the same, Ant will be five times wealthier than Grasshopper when the weekend arrives.

Are Grasshopper and Ant unequal? Many of us would say No. For #1 seems fair despite the unequal distribution of wealth. I suspect this is because the distribution of time is *unequal*: each unit of wealth that Ant has more than

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<sup>38</sup> E.g., Van Parijs (1997: 34-5). There are exceptions of course, like Murray (2016).

<sup>39</sup> See Introduction B: 'Metric: Welfare or Resources?'

<sup>40</sup> This is a point with which I think defenders of UBI for whom this policy does not solve all distributive inequalities would agree, including Van Parijs.



## §2. The Egalitarian Value in Retirement

Grasshopper corresponds to a unit of time that Grasshopper has more than Ant. I submit that we think this case is fair because wealth gains amount to time losses. So Grasshopper and Ant are equally well off because the more wealth and less time one has is equal to the less wealth and more time the other possesses. To deliver this judgment, we must add *time* to the index of primary goods (where 'free time' is the combination of wealth plus time in the index). If this is correct, unequal distributions of wealth do not translate into inequality between people if the opportunity cost measured in time is the same.

Perhaps we need not add time to explain this case, one could say. Maybe this inequality between Grasshopper and Ant is permissible because it reflects their choices of how much to work. If Grasshopper is worse off, that is because (s)he chooses to spend less time working. What is wrong with that? Nothing, I think. Yet, the intuition that there is no egalitarian injustice here is not due to Grasshopper being responsible for being worse off, i.e., *voluntarily* disadvantaged. Instead, I think it is that Grasshopper is not disadvantaged at all. Note that the example says nothing regarding their preferences and choices for work. They may both be forced to work the amounts they do, so the 'choice' condition would no longer be met for either Grasshopper or Ant. Would we then believe that Grasshopper fares worse than Ant through no fault of her own? If Ant and Grasshopper are forced to work the number of hours they do, it is clear that they are both worse off. But it is not immediately apparent that one is worse off than the other. Their share of free time is *prima facie* equal. Of course, it may be that both Ant and Grasshopper would like to spend less time working and that only Grasshopper happens to get what she wants. But it also may be that they both want as much wealth or work as possible, in which case Ant gets what she wants. Perhaps in these cases, we could say that one enjoys an involuntary *advantage* over the other. But without such information, there is no reason to assume that they are unequal in the first place. This situation seems fair, but not because they are responsible for it. Instead, the reason is that, without further information, we have no reason to assume that Ant is better off than Grasshopper. It will be easier to grasp this point when comparing the situation of equally wealthy people. In that case, the Index (wealth) insists that no one is (involuntarily) *worse off* than another. Consider,



## Ageing as Equals

#2 *Grasshopper and Ant are equally wealthy.* Grasshopper works one day a week, earning fifty euros a day. The Ant works five days a week at ten euros a day. If they consume the same, Grasshopper and Ant both have the same 50 euros to spend when the weekend arrives.

Are Grasshopper and Ant unequal? Many would answer Yes, that they are unequal even though wealth is equally distributed. I suspect this is because the distribution of time is *unequal*: it costs them an unequal amount of time to reach the same level of wealth. Ant needs to sacrifice more time than Grasshopper for the same units of wealth. Including time in the index explains why Ant seems to fare worse than Grasshopper because their wealth gains do not correspond to time losses. Wealth is generally insensitive to the *time spent* accumulating it. In the limit, we can appeal to a simpler case.

*The Simplest Case:* Grasshopper inherits one million at birth, allowing her to live without working. On the other hand, Ant had to do time-consuming work to earn the same million.

Grasshopper and Ant may end up equally wealthy in life but not equally well off. Grasshopper is much better off than Ant. Grasshopper and Ant are similarly rich in their lives but still differ in their privilege. The difference is the time that it takes Ant to accumulate, in her life, the resources Grasshopper has. It takes one of them a day what takes the other a lifetime to get. A concern with the worst-off requires distinguishing between them, a difference that wealth does not alone explain. Both #2 and *the simplest case* show that wealth is not sufficient to capture discrepancies in earnings ability unless we include time on top of wealth.

Now, suppose that Ant and Grasshopper have equal talents, yet they *choose* unequally productive, and therefore unequally paid, jobs. Do they count as having unequal free time? Yes, they would if one earns more than the other for the same time spent on the job. However, note that this is not to say that this inequality is unfair. One might well say that this inequality is nonetheless fair because it results from people's free choices. That depends on how responsibility-sensitive our theory is regarding inequalities in primary goods. It is not, I would insist, a reason against having free time on the list of such goods.

At this stage, one could say that this criticism requires adding income again to the index since the higher the wage rate, the less time we must spend

in paid labour to get a given sum of wealth.<sup>41</sup> Income is a good indicator of how much time we need to reach a certain amount of money. And, in real-world public policy, hourly wages might be a relatively easy tool to assess people's shares of free time (as wealth plus time). While this is true, as usually understood, income is not all there is to our free time. For instance, it does not account for *the simplest case*. The simplest case shows that the wage rate is only *one* factor (among others) affecting the necessary time each of us must spend doing paid labour. Since wealth takes a more comprehensive view of what we earn, which is not exclusive to that which stems from paid work, there is reason to prefer wealth to income still. As the case of lottery winners (or inheritors) like Grasshopper shows, one can earn no income and be wealthy enough to spend no time in paid labour.<sup>42</sup>

Including time in the index of primary goods helps wealth address the above criticism. Also, in general, there is reason to believe that time is something any rational person is presumed to need more of, whatever is her conception of the good life. It is, in other words, a social primary good. I shall now suggest that a revision of adding time to wealth delivers free time-sensitive retirement (for simplicity, free time is the combination of the time we have with the wealth we have). This conception helps the principle of maximin fairness explain time-sensitivity while avoiding the previous problems with the inclusion of leisure, or so I argue.

### 5. Revision III: Free Time Sensitivity

I submit that an index of primary goods that includes both wealth and time is tracking free time.<sup>43</sup> Whereas leisure is time not spent working, free time is discretionary control over our time, namely time free from various needs,

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<sup>41</sup> Goodin (2010: 13).

<sup>42</sup> I do not deny that we can replicate an income scheme that abides by our solution, for instance, by taking the most comprehensive view of income we can (by including bequests, gifts, etc.) and measuring the hours that people need to obtain those resources. For such proposals, see Bamford (2015) and Article 6. But that redistributing income to equalise free time (as wealth plus time) is a promising avenue for policy purposes does not show that we should include income in the index of primary goods. The same is true of Van Parijs, who defends unconditional *income* from his wealth proposal.

<sup>43</sup> Like Tyssedal (2021), I think that all of 'time' is a resource, and time differs in its use value, depending on what we can do and be with it. The view I propose here takes wealth to be what gives time use value. Unlike Tyssedal (2021), however, I do not think this speaks against the relevance of free time. Instead, it spells out what free time is plausibly about in capitalist societies, which is the possession of time and wealth.

such as the need to do paid labour.<sup>44</sup> There is an obvious sense in which wealth brings us years of free time: the wealthier one is, the more time during which one can avoid paid labour. For instance, some of the wealthiest people in the world have enough to stop working for a century, if not more. In this sense, wealth tracks free time. But the measurement of free time is incomplete unless it includes the time we took to accumulate that wealth. Again, recall the case in which Grasshopper inherits at birth this million, whereas Ant had to do time-consuming work to earn the same. They have the same amount of *forward-looking free time* from then onwards. But since Ant had to sacrifice more time to be on par with Grasshopper, Ant has less *backwards-looking free time*. Joining these two together means that two well-off people may have enough to cease working for a century, but if it took one ten years to reach that level and the other sixty years, the former has more free time over her life. This is a very important point.

With it in mind, freetime-sensitive retirement explains why redistribution should benefit more those who earn the least ( $W$ ) for the longest time ( $T$ ). As seen in Section 2, these are the worst-off whose position typically improves with pension redistribution. Once we revise the principle of maximin fairness to include time and wealth, we can explain the intuition behind rewards for longer careers. The underlying intuition is that those who have been poor for a long time are worse off than those who have been wealthy for a short time and stopped accumulating resources ever since. Retirement as free time requires us to distinguish those who have little lifetime wealth because they have in a way already retired (because they worked and contributed little) from those who are equally poor despite never having retired but, instead, contributed at their maximum earning capacity. The only remaining question is whether including free time is as problematic as inserting leisure. Answering this will clarify the difference between free time and leisure, showing that the former is more plausible.

Recall the *first* objection, according to which leisure was vulnerable to the difficulty of tracking working time. Free time is different because it focuses on the freedom from the compulsion to spend time working or in leisure rather than the actual amounts of work and leisure one does. Wealthy people

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<sup>44</sup> See Goodin (2005, 2010). Here, I am assuming away the need for household labour and personal care as constraints of our access to years of free time, as it is likely that these two only affect the hours (or days) of free time we have, not years thereof.

do not lose discretionary power over their time when they work too much. They should be regarded as using their free time rather than lacking it.<sup>45</sup> Indeed, many such persons are highly talented, meaning their time is much freer in that they do not need to spend as much time in the labour market to reach the resource level of their less talented peers. And this is independent of how much work such gifted persons end up doing. But while free time escapes the difficulty of tracking working time, it is also subject to different challenges. The obvious challenge is measuring *the time* people take to accumulate wealth. It requires measuring earnings and other transfers we come to receive throughout life, such as bequests. There is no reason to believe that it is unfeasible to examine how wealth evolves with time and how long it takes one to reach some level of wealth.<sup>46</sup> But such examination may not be easy, though it is also not tricky in the exact same way that leisure is.

The *second* criticism was that adding leisure introduced an illiberal bias to the advantage of workers. It implied that a full-time worker is as well off as a person who does not work and earns no income, which seemed implausible.<sup>47</sup> Free time has no such implication because it does not rely on *the zero-sum view*: one can enjoy more free time than another while working more. A full-time worker *can* be as well off as a person who does not work if the inequality reflects only the different times they spent accumulating wealth. In case #2, Grasshopper and Ant were equally well off, even if Ant worked full time and Grasshopper was working less. But a full-time worker can also fare worse or better than a person who does not work. *The Simplest Case* shows that a full-time worker like Ant can fare *worse* than those working less. Finally, Ant can also fare *better* than a person who does not work if the latter needs more time than Ant to accumulate the same amount of wealth. This is often the case for women, who lack free time compared to men.<sup>48</sup> The reason for their lower free time is, arguably, that the activities they engage in pay much less, if anything. In virtue of that, they need much more time to get to the same level of wealth as men. Whether this inequality in free time is unjust depends on the standard

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<sup>45</sup> On this, see Stanczyk (2017).

<sup>46</sup> For a proposal to measure free time, see Goodin *et al.* (2008). While they focus little on *years* of free time, there is no reason to suspect that a plausible transposition to our focus is unfeasible. For Goodin *et al.* (2008: 31), calculating 'discretionary time' requires us to know how long it takes people in the household to secure at least a specific income (just like I propose), be it through paid labour or otherwise.

<sup>47</sup> Van Parijs (1991: 111).

<sup>48</sup> Especially lone mothers, see Goodin *et al.* (2008).

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of justice in pay we adopt (e.g., how sensitive to responsibility it is). Nevertheless, that is not to deny that there is an inequality in free time in need of justification. Unlike leisure, free time does not *imply* that a full-time worker is as well off as a workless person with no wage, though it does not exclude that possibility.

Free time does not rely on the zero-sum view, so it is not true that the more we work, the less free time we have. Since our free time is, in principle, detached from the amount of work we do, including free time in the index of primary goods does not necessarily recommend distributing productive gains in proportion to how long people work. Instead, it suggests that society should share any such growth among those with the least capacity to obtain resources. Only in a weak sense is this connected to how long people work. Ant might inherit a vast sum of money and work for a long time for no income. She is no worse off than Grasshopper, who inherits the same but chooses instead not to work at all. Free time recommends that Ant and Grasshopper benefit equally from the productive gain, even if one works much more. Whereas leisure implies that Ant has greater priority than Grasshopper, free time is neutral concerning people's preferences for work and leisure.

Perhaps this proposal contradicts the demands of liberal neutrality, as it supports thinking that people with short careers are better off than people who work longer for lower pay, provided pay is equal over their entire careers.<sup>49</sup> Is this favouring one conception of the good life over another? I do not think so. If these jobs pay equally well over the career, less time-consuming ones will have to be paid at a higher yearly wage rate, allowing us to get wealthy more quickly. Getting rich *fast* is something that any person has reason to want, whatever her aims in life. It is not to favour one view of the good life over another.

The *third* and final criticism against leisure was that those forced to consume it seem to be victims of bad, rather than good, luck. But if any rational person is presumed to need more leisure rather than less, how can compulsory leisure be bad? Intuitively, the inability to work is alarming

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<sup>49</sup> It may be that those with longer careers *chose* to work longer for lower pay, in which responsibility-sensitive egalitarians can say that they are worse off through their own choice or fault. As I mentioned earlier, this point applies regardless of whether we work 'longer' in years (until later in life), months (as having fewer holidays), days (less frequent weekends), and so on.

because it makes us unfree to use time as we please, not because work is in itself bad. Recall that free time is time for what we will, despite whether or not that involves working. While free time explains why forced leisure and forced work can be bad, leisure can only stand against forced labour. That is because it assumes, in a perfectionist fashion, that work is something that people should want less of rather than more. That seems implausible. More plausible would be to insist that the bad luck in question stems from the *compulsion* to do something in particular. We may say that the only compulsion we have reason to want is obligatory free time, which forces us to neither take on leisure nor work. Unlike leisure, free time can be considered something that any rational person is presumed to need more of rather than less, even if it is compulsory. This point only makes it more suitable to call it a primary social good.

I conclude that free time differs from the proposal to add leisure. Free time justifies the second feature of redistribution without being vulnerable to criticisms once made against the inclusion of leisure. For that reason, it would be most plausible to apply a maximin conception of pension fairness to free time rather than leisure or wealth alone.

### **6. Revising Maximin Fairness**

Justifying pension redistribution requires revising the index of primary goods. The original proposal to have income and wealth does not justify our conviction that we should benefit more workers with longer careers. Rawls' solution to add leisure does, but it brings many problems that free time avoids. Free time appears to be a plausible candidate by showing concern for those who have the least for the longest time. The free-time sensitive retirement I propose suggests taxing those whose wealth comes faster at higher rates and distributing such revenues to privilege those who have been the poorest for the longest time. If they take on this role, retirement schemes have a reason to continue being sensitive to the number of contributive years it takes us to accumulate a certain amount of savings in our pension accounts.

If the time ever comes to implement an unconditional basic income at the highest sustainable level, that is not a reason to then dismantle retirement schemes. Appealing as it is, and however much it avoids the risk of old-age poverty, UBI remains insufficient to offset inequalities of free time between citizens. As a substantial redistributive measure to address disparities in free

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time, UBI sees no problem in some people retiring for much longer, indeed at any time, when others need much longer to accumulate the resources necessary to be on par with the rest. If I am right, the redistributive aim of retirement income cannot only be to avoid old-age poverty. It should also be some form of equality of free time between citizens, be it between rich and poor, men and women, short- and long-lived persons, and different generations.

I am not the first one, and I hope not to be the last, to suggest free time as a suitable currency of egalitarian concern.<sup>50</sup> Free time could concern many other currencies left aside here, not only the Rawlsian primary goods metric. But as far as we are concerned with the latter, it is apparent that free time strikes an excellent balance to the disagreements between Rawls, Musgrave and Van Parijs while at the same time showing that retirement is of indispensable egalitarian value.

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<sup>50</sup> Goodin (2010).

## PART II

# Age, Longevity, and Retirement Policies

The second part of this thesis consists of four articles. These defend a view called 'libertirement', which, as I formulate it, is a proposal to increase the freedom to enjoy free time across life through the provision of retirement policies. This part defends libertirement as a matter of justice between longevity groups. The first essay is the most theoretical one. It discusses longevity's role in the most prominent accounts of age-group justice – complete-lives equality, relational equality, and prudence. It argues that a conception of justice between longevity groups is necessary when thinking of justice across ages. If I am correct, the first essay shows that public policies aiming to treat the young and old as equals must incorporate concerns about unequal longevity.

After setting this stage, I look at how the fact that some of us live longer than others bears on the distribution of income across ages. Articles 4, 5, and 6 examine three income policies: retirement income, unconditional basic income, and labour-market income. They all advocate for a greater concentration of goods early in life to promote distributive equality between the short- and long-lived. I establish a *pro tanto* case for re-organising the economic life cycle of workers so that they are free to enjoy years of free time for some time when younger. Retirement provision is the most likely candidate to introduce these changes due to its insurance function against longevity risks. But the other two policies (unconditional basic income and age-sensitive income taxation) can potentially achieve the same objective. That is why I label these three policies as 'retirement policies'. Even if we do not currently think of them as such, I suggest that we could. Hence, we do not have to be isolationist about our policies. Maybe retirement schemes do not need to compensate the short-lived if other policies adjust accordingly. My aim here is to show that egalitarians should take how long people live seriously, and doing so has vital consequences for how we ought to distribute goods across ages.

Before moving on, I should emphasise what is new in this second part. I would say that Article 3 contributes to the literature by arguing that we cannot detach longevity justice from age-group justice. It challenges what some of the



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most prominent theorists on these issues think: specifically, that lifetime equality is indifferent to how we distribute goods across life, that social and relational equality is silent on longevity, and that we should think of prudence across life assuming that we live equally long.<sup>1</sup> The discussion on how we should distribute unconditional basic income and income taxes between different age groups is also original. These issues have been addressed, but not yet from the point of view of differential longevity. Finally, this part also offers a fresh take on the connection between old-age retirement and premature death. This literature remains relatively small and misses some promising proposals, like that of sabbaticals.

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<sup>1</sup> See, e.g., Mckerlie (2012), Bidadanure (2021), and Daniels (1988), respectively.

### §3. Longevity and Age-Group Justice

**Abstract** *Justice Across Ages* offers an attractive account of age-group justice that brings together three notable principles: complete-lives equality, relational equality, and prudence. Yet, the book says little about the fact that many of us live longer than others, and the little it does say casts doubt on whether lifespan inequality threatens justice as construed by the three principles. This essay argues, instead, that theories of justice between the young and the old should not dispense with a conception of justice between different longevity groups. It concludes that we must be sensitive to lifespan variations when designing policies to promote justice across age groups.

**Keywords** longevity © age-group justice © prudence © relational equality © complete-lives equality

## Introduction

Juliana Bidadanure's book *Justice Across Ages* offers a hybrid account of justice between the young and the old that brings together three notable principles of age-group justice: *complete-lives equality*, *relational equality*, and *prudence*.<sup>1</sup> In combination, these principles have considerable plausibility. Yet, the book says little about the fact that some of us live longer than others. Moreover, the little it does say casts doubt on whether lifespan variation matters for the principles proposed in this book. Bidadanure thinks, for example, that 'it is a misunderstanding of the point of age-group justice to turn it into a matter of longevity justice' (2021: 71). Surely, longevity and age might not have identical aims in theories of justice. But assuming that justice across age groups involves satisfying the three principles Bidadanure affirms, this article attempts to show that theories of age-group justice cannot dispense with a conception of justice between longevity groups.

After clarifying the connection between longevity and age, I defend three claims about the role of longevity in age-group justice, each drawing on one of the three principles. First, I show that unequal longevity justifies that complete-lives egalitarians oppose age-group inequality. I then argue that lifespan inequality can be a source of social or relational inequality. Finally, I claim that Bidadanure's formulation of prudential fairness must involve some conception of justice between longevity groups. There is, then, much in her theory that supports the conviction that justice between people with unequally long lives is necessary for age-group justice, and nothing that undermines it.

### 1. Longevity and Age

Political philosophers devote little attention to variation in lifespan. Unlike social class, gender, ethnicity, and even age, longevity is not among these other worrying inequalities, despite the relatively high number of short-lived people. Of all the deaths in Europe from 2015 to 2020, the percentage of deaths between 15 and 65 was one in five lives (21%).<sup>2</sup> Lifespan inequality is also high (and increasing) among those who live beyond 65 years old.<sup>3</sup> And, in all this,

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<sup>1</sup> Bidadanure (2021: 123).

<sup>2</sup> UN (2019: 17).

<sup>3</sup> See Permyner & Scholl (2019). Even though some specific longevity gaps may be closing down, such as the gender one.

the poor and other disadvantaged groups are persistently and predictably more likely to die earlier.<sup>4</sup>

We might think of justice between longevity groups (or 'longevity justice' in short) as detached from normative debates on age. However, I suspect this attempt would be futile, given how strongly intertwined longevity and age are with each other. They are so in at least two ways. First, length of life determines how many (and which) chronological ages we live through. Without longevity, we would not belong to any age group. The longer our lives, the more age groups we belong to (eventually reaching old age if we live long enough). Because those who die young will not live to old age, it is only early in life that we can most effectively benefit them while they are alive. While it may be possible to benefit people after they have died,<sup>5</sup> it likely remains preferable to fulfil our obligations of justice to people when they are still alive. That is possible in the case of the short-lived since we can benefit them while they are young.

Secondly, age also tells us about longevity. Age is a better indicator of longevity at older ages. We can safely assume that the elderly are long-lived, even if we do not know precisely to what extent. Yet we do not know the actual length of life of the young. We are ignorant about whether a young person will live long or short. Though we know that some groups have a lower life expectancy, such as lower socioeconomic classes, any such group includes presently unidentifiable shorter-lived people who will have less in life, other things being equal. The short-lived we cannot identify *ex-ante* are only able to benefit (while they are alive) from policies that shift goods to *all* young people.<sup>6</sup> If so, it is possible to devise policies that assist only the long-lived by making them available *only* at old age (as often happens with retirement schemes). Yet, it is *impossible* to devise policies that assist only the short-lived. Enhancing resources or welfare early in life distributes equal benefits to both short- and long-lived, as both live through young ages.<sup>7</sup> Assisting the short-lived is in one respect *prima facie* more egalitarian than helping the long-lived because while the long-lived necessarily benefit from assistance to the short-lived, the reverse is not true.

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<sup>4</sup> E.g., Chetty *et al.* (2016).

<sup>5</sup> Stemplowska (2020) and Boonin (2019).

<sup>6</sup> Fleurbaey *et al.* (2014).

<sup>7</sup> Of course, the distribution of costs may still be unequal, as the long-lived will likely pay more for the scheme.

Longevity determines how much we age, and age is a better indicator of longevity at older ages. This strong connection between longevity and age should already make us somewhat suspicious of attempts to exclude the former from debates on the latter. In response, one could doubt whether we should let longevity affect considerations of age-group justice right from the start. Perhaps one could think of age groups first and later about justice between longevity groups. After all, Bidadanure bracketed somewhat questions of gender justice, reproductive justice, climate justice, and global justice. But I would insist that this is not something one can do with longevity. This section aims to show that the connection between longevity and age is unlike others. That contrary to gender or nations, we cannot speak of 'age' without necessarily assuming longevity considerations in the background.

## 2. Complete-lives Equality

The first principle proposed by Bidadanure – complete-lives equality – states that we can object to inequalities between individuals at specific moments whenever and because these accumulate into inequalities between the entire lives of those individuals.<sup>8</sup> Bidadanure uses this principle to distinguish age from other discriminatory grounds. For instance, people generally feel more at ease with age discrimination than with sex/gender or racial/ethnic inequality (or discrimination). The familiar 'complete-lives' justification for this is that, because *we all age*, age is not expected to accumulate into complete-lives inequality between people (unlike other grounds).<sup>9</sup>

"We live our lives expecting to pass through the various stages, and old age is a club we know we will most probably join one day. As we pass through the different age categories, burdens and benefits that once applied to those older than us become ours. Nothing like this typically happens for gender and race" (2021: 29).

Treating people unequally across ages will likely be consistent with treating them equally in life. But Bidadanure goes beyond the assertion that complete-lives equality justifies more leniency with age discrimination. Further, there

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<sup>8</sup> Gosseries (2014: 66-7).

<sup>9</sup> Bidadanure (2017), Gosseries (2014). As an anonymous reviewer noted, one can disagree with the complete-lives view of the specialness of age. For instance, one might insist that people would still be less opposed to age-involving inequality even if sex/gender and race/ethnicity would have the same 'position swapping' that age has.

is the suggestion that the principle is, in fact, entirely at ease with age-based inequalities that do not turn into inequalities between birth cohorts. For Bidadanure, complete-lives equality requires approximate equality between birth cohorts, against those inequalities between the young and the old that 'can reasonably be expected to translate into lifelong inequalities between birth cohorts' (2021: 47). Yet, Bidadanure underestimates the degree to which age can lead to lifelong inequalities within the same cohort. She writes that "once birth cohort equity is granted [understood as approximate cohort equality between birth cohorts], the complete lives view [on equality] gives us no reasons to object to inequalities between age groups".<sup>10</sup> Let us see why by considering two directions of age-based inequality.

*Early Paradise.*<sup>11</sup> A society's older members have it rough, and its younger members are much better off, as the older member used to be when they were younger. If the younger members become older, they will have it rough as well.

*Late Paradise.*<sup>12</sup> A society's younger members have it rough, and its older members are much better off although they used to have it rough when they were younger. If the younger members become older, they will be much better off.

These examples comply with complete-lives equality when we all live lives of the same length and each of us passes through the same sequence of situations. Presumably, the young in *late paradise* cannot complain about having it rough now if they will later benefit from heaven. Similarly, the elderly cannot also complain about *early paradise* if they had enjoyed these benefits when they were younger (while their parents had it rough). What makes complete-lives equality possibly indifferent to age group inequalities is that when we all age to an equal extent, we all take equal turns at being better and worse off.<sup>13</sup>

We all age, but not to an equal extent. Some of us will belong to more age groups due to living longer. If age-based inequality is *prima facie* more

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<sup>10</sup> Bidadanure (2021: 48).

<sup>11</sup> I take this example from Meijers (2018: 4).

<sup>12</sup> This is a simplified version of the famous 'nursing home' case by Mckerlie (2012: 8). Mckerlie (1989) reminds us of other examples, such as when couples dominate each other in turns or in feudal societies where peasants and nobles exchange roles every ten years.

<sup>13</sup> Gosseries (2007).

acceptable than gender/ethnic inequality because we all age, then the fact that some age more than others must matter for the acceptability of age-based differential treatment. That is why complete-lives egalitarians should consider unequal longevity when formulating complaints against age-group inequalities. It is not that a short-lived person is worse off because (the lack of) longevity is itself a source of (dis)advantage. Instead, that person would be worse off because she has access to fewer goods in life than her longer-lived peers. To illustrate this point, we must distinguish between two types of complete-lives egalitarianism. Because the strength with which we ought to oppose the paradises above will depend upon when we take equality to apply, if *ex-ante* or *ex-post*.

*Ex-ante* equality wants individuals to be equally situated *before* knowing the relevant risks (for instance, how long they will live). The chances that each person will have of living to some ages but not others will determine whether their expectations are equal and, thus, if *ex-ante* equality is achieved. While this strand of egalitarianism focuses on the distribution of expectations, the *ex-post* approach cares about realised outcomes. It seeks equality *after* uncertainty has disappeared, and we know the actual situation people lived through.<sup>14</sup> Quite straightforwardly, the latter perspective worries about the consequences of age-based inequality across longevity groups.

From an *ex post* complete-lives egalitarian perspective, we can say two things about the cases above. Firstly, we can say that the late paradise is *prima facie* less egalitarian and, therefore, more unjust than the early paradise. While the latter will exclude no one from the best life offers, the former will prevent some (short-lived) people from living in heaven. Under cohort equality, understood as unconstrained lifetime equality, *ex post* complete-lives equality already justifies complaints about *some* inequalities favouring the elderly.

The principle of *ex-post* complete-lives equality can also potentially explain why the early Paradise is unjust (even if not as much as the late Paradise). While late paradises benefit the long-lived more for no good reason, early heavens place more burdens on those who live longer, who will have to endure life outside of Paradise. Even if it would be better to live outside Paradise than be dead, complete-live egalitarians could oppose this arrangement. For instance, a complete-lives egalitarian might argue that

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<sup>14</sup> See Ponthière (2018, 2020) and Parr & Williams (2021: 88-98).

people should benefit from more time in heaven the more (labour) burdens they incur across life. The underlying intuition would be a) that those who face more burdens are worse off, other things being equal, and b) that people should be equal in benefits and burdens, or a ratio of these two. Egalitarians for whom benefits should attach to labour burdens can oppose early paradise for failing to provide the longer-lived with more time in heaven. Burden-sensitive compensation of those who die early tells in favour of sabbatical paradises, where each gets to live one year in paradise every  $X$  years (instead of early heavens).<sup>15</sup> Thus, differential longevity *can* justify a complete-lives egalitarian opposition to our two paradises, even if cohort equality is granted and birth cohorts are equal over their lives as a whole.

What is not as obvious is whether the ex-ante stance would ignite similar concerns. Maybe saying that the late paradise is less egalitarian than the early paradise was too quick. For if all have an equal life expectancy at birth, thus possessing the same odds of living through either heaven, there will be no inequality before people know how long they will live. Unaware of how (long) our life will play out, but knowing that we all have equal initial chances of dying early, we may be unable to say that one paradise treats us worse than the other, ex-ante. If so, it may seem that the argument I am putting forward applies only to the ex-post view. And, for many egalitarians, equality applies ex-ante.<sup>16</sup>

However, this line of reasoning is a little too quick. Albeit not the only one, we can respond by appealing to an influential instance of ex-ante egalitarianism - the 'fair insurance' approach.<sup>17</sup> Longevity is a circumstance that affects the capacity of individuals to pursue many of the reasonable ambitions they will come to have in life, even if they do not know how long they will live. If so, ex-ante egalitarians can sensibly offer, if feasible, fair insurance against the risk of premature death as an instance of bad (brute) luck. Where it is impossible to do this, 'fair insurance' contends that we have reasons to mimic the outcome that would have arisen had fair insurance been

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<sup>15</sup> Under identical longevity, one could defend that burden-incurring people should spend more time in paradise. However, this does not, in principle, give rise to an egalitarian complaint against early or late heavens. Of course, provided some can enter earlier in the late paradise or stay later in the early one (to compensate for differences in past or future burdens, respectively). Note that unequal longevity can give rise to such complaints.

<sup>16</sup> See, for instance, Dworkin's defence of the ex-ante approach (2002b: 120-5) and, more recently, Parr & Williams (2021).

<sup>17</sup> E.g., Dworkin (1981).



available. Behind a veil of ignorance, in which we are made unaware of the length of our lives, insurance against the chance of falling below (or above) the average life expectancy can be as suitable as purchasing insurance against the risk of falling below average earning abilities. Knowing the impact longevity can have on our life, we would all be worse off (ex-ante) if we began living unprotected against the risks of living longer and dying early.

Knowing this, proponents of ex-ante equality should want individuals to enjoy equal opportunities to purchase insurance against longevity risks. But it will likely be more difficult to insure against a short life than against a long one because individuals have more time and resources to protect themselves against the latter. At least, that is so as long as capital markets are imperfect, and we cannot borrow as much as we would like at early age from our older selves. Meanwhile, one will likely prefer young to late paradise because the first does not preclude the option of purchasing old-age insurance. The reverse is impossible with late heaven since we only receive goods when it is too late (and unnecessary) to buy insurance against the risk of premature death. In short, early paradises give fairly-situated individuals (ex-ante) more freedom to insure against the chances of a short and long life according to their values and attitudes to risks, giving people more control over the risks they are exposed to. Such considerations support the intuition that individuals will likely prefer insurance policies akin to early paradise, which mitigate the risk of premature death. And, on a plausible version of ex-ante equality, we should respect, within limits, the insurance decisions symmetrically situated individuals would make about the various risks they face.<sup>18</sup>

Early paradises might bring economic costs. For instance, concentrating goods early in life might have undesirable Carnegie effects in harming the recipient's later work efforts.<sup>19</sup> Fairly situated insurers would surely be sensitive to efficiency considerations when deciding which policies to favour. I shall discuss this further in section 4, 'prudential fairness', as it is in this principle that Bidanure includes considerations of efficiency. Nevertheless, I should say that I am open to an all-things-considered preference for late paradises because of additional considerations that outweigh our *pro tanto*

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<sup>18</sup> For a recent defence, see Parr & Williams (2021: 71-5, 88-98).

<sup>19</sup> On the Carnegie effect, and that the young may be more susceptible to it, see Bø et al. (2019).

reasons to prefer early paradises in fairness to the short-lived. With this section, I only want to conclude that complete-lives egalitarians should consider inequalities between longevity groups as raising issues of social justice for institutional designers. This, of course, is not to say that protecting short-lived individuals from unfairness overrides the many other reasons that govern their decision-making.

### 3. Social and Relational Equality

Even if the other principles proposed by Bidadanure were silent on the question of longevity, the first one would already have had much to say about it. But can we go as far as to say that longevity is also a matter of social and relational equality? Bidadanure (2021: 71) does not give a firm answer, but she hints at the idea that longevity justice “may not be a matter of social justice at all”. Instead, it is just an instance of cosmic justice. And as John Rawls once put it, “the natural distribution is neither just nor unjust (...) What is just and unjust is the way that institutions deal with these facts”.<sup>20</sup>

Social and relational conceptions of equality typically focus on actual relations (ex-post) rather than on expected ones (ex-ante). In the book, Bidadanure proposes an account of *synchronic* relational equality, which requires people to relate to each other as equals at any time they coexist. This synchronicity element could be why longevity is nothing to relational egalitarians. At least, one could insist upon this along Epicurean lines. Recall Epicurus' famous quote that death is nothing to us, “since while we exist, our death is not, and when our death occurs, we do not exist”.<sup>21</sup> One could say the same about longevity: it is nothing to synchronic relational egalitarians because as long as the short-lived exist, relations are equal, and once they die, they no longer stand in relations.

A possible criticism of this claim is to say it is implausible because there is no experience requirement on relational harms - that those alive can still relate as unequals with people who no longer, or not yet, exist.<sup>22</sup> But this is an objection against the synchronic view of relational equality. For the sake of argument, and because I am inclined to agree with Bidadanure, I will suppose

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<sup>20</sup> Rawls (1971: 87).

<sup>21</sup> On this, and Epicurus' philosophy more generally, see Konstan (2018).

<sup>22</sup> I want to thank an anonymous reviewer for pointing this out to me.

that the proper temporal scope of relational equality is synchronic, applying only to those who coexist.

I nevertheless think that longevity can be a source of social and relational inequality while longevity groups coexist. Not only because social factors, like education and socioeconomic status, separate people into different life expectancies.<sup>23</sup> But it is also worth emphasising that what short-lived people miss out on in life is essentially a result of social organisation. In particular, what is unjust about it is not the bare cosmic fact that some people die earlier than others but how societies treat the shorter- and longer-lived differently.<sup>24</sup>

Relational egalitarians care about inequalities in social status and status hierarchies because they lead to various social evils, such as social and political domination, exploitative exchange, social exclusion, and stigma.<sup>25</sup> Not all cases of relational inequality between age groups mentioned in the book involve longevity concerns (like infantilisation).<sup>26</sup> But at least four paradigmatic instances of relational inequality do, or so I will now argue. These are stigmatisation, marginalisation, exploitation (or exploitative exchange) and domination.

*Stigmatisation* is when one marks someone or something worthy of disgrace because of a personal attribute (s)he possesses.<sup>27</sup> We tend to think of stigmatisation as generally wrong but perhaps morally permissible if people are responsible for falling into disgraceful situations, such as when poor people are seen as accountable for their financial problems.<sup>28</sup> When persons die early, questions often arise about whether they are responsible for their early death. We are often quick to point fingers at those responsible for early death, assuming in the background that a person foregoes her right to be compensated for premature death if it is her fault she died young. Yet, no such questions are raised about long lives. Few of us would consider making old-age retirement available on the condition that the elderly are not responsible

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<sup>23</sup> See footnote 4, p.99.

<sup>24</sup> This is compatible with thinking that early death is also bad in itself, even if not unfair, because institutions did their best to alleviate it.

<sup>25</sup> Bidadanure (2021: 99).

<sup>26</sup> Bidadanure (2021: 105-7).

<sup>27</sup> See 'stigmatize' in the *Online Etymology Dictionary* (Accessed 18.07.2022). The Online Etymology Dictionary defines stigmatise as "to accuse or condemn or openly or formally or brand as disgraceful". Originally, it has figuratively meant "a mark of disgrace".

<sup>28</sup> For a recent qualitative study of *perceived* stigmatisation among Dutch people with a low socioeconomic position, see Simons *et al.* (2018).

for growing old.<sup>29</sup> It might even be that the availability of suicide makes growing old voluntary, at least to some extent. And yet, welfare-state institutions pay great attention to the unique claims of longer lives regardless of whether the length is voluntary, which is not what happens with short lives. Living under such stereotypes seems disrespectful to the short-lived because it appears to imply that those who live longer are superior in rights and opportunities to those who die early. The problem of unfairly attaching responsibility does not pertain to longevity groups only, but the length of life is undoubtedly a source by which it arises.

*Marginalisation* refers to the act of treating someone or something as if they are not important. It is a significant concern of today's society that people live longer on average than they did in the past, and much ink has been spilt on how to meet the needs of the longer-lived. I do not doubt this is an essential matter. The most adopted and 'consensual' solution has been to increase the retirement age, even though it excludes more longevity groups from retirement. The impacts that social and economic policies have on the shorter-lived longevity groups are rarely considered. Often, this group is ignored as if it were unimportant. Unfortunately, it is tempting to marginalise the short-lived because many of them are invisible to us: we know who they are only once they are already gone. In other words, they become visible to us only after they disappear.<sup>30</sup>

*Exploitation (or Exploitative Exchange)*. Longevity groups can also exploit one another. Consider the two Nic(h)olas case. First, take *Nicholas Vrousalis'* definition of exploitation: "A exploits B if and only if A and B are embedded in a systematic relationship in which (a) A instrumentalizes (b) B's vulnerability (c) to extract a net benefit from B".<sup>31</sup> Compare it now with a founding formulation of contribution-based social insurance by the famous French thinker *Nicolas de Condorcet*:

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<sup>29</sup> Note that we do not have to conclude that the elderly must be responsible for living longer simply because suicide is always available.

<sup>30</sup> One might doubt that we can marginalise or stigmatise the short-lived because we only know ex-post who they are. But, suppose I organised a dinner for six friends, with the plan of serving an expensive *plateau* of cheese and wine at midnight. Yet, I randomly select two people who must leave the party before midnight. There is no secrecy: everyone knows about the plateau, and that two must go approaching midnight (but we are all ignorant of who). Given the possibility of serving this plateau beforehand, I suspect I would be stigmatising or marginalising a specific group of my friends as soon as the party starts, namely one-third of them. Even if none of them feels specifically victimised before midnight, there is nevertheless a group of people who is, and that nobody knows exactly who will be.

<sup>31</sup> Vrousalis (2013: 132).

'We shall point out how (...) guaranteeing people in old age a means of livelihood produced partly by their own savings and partly by the savings of others who make the same outlay, but who die before they need to reap the reward (...).'<sup>32</sup>

Welfare states can instrumentalise the short-lived to extract a net benefit from them. I suspect exploitation may occur even if we do not know who exactly it is that we are exploiting. Otherwise, the short-lived could still exploit the long-lived since they know who they are (i.e., the elderly). While the long-lived can be victims of exploitation, I am interested here in the more complex case of exploitation of the short-lived. Here is how the exploitation may happen. As mentioned earlier, the young suffer from a specific vulnerability to premature death that the elderly do not face. It may be possible for the elderly to instrumentalise this particular vulnerability of the young by setting up a system that extracts a net benefit from the short-lived. The long-lived can exploit the short-lived by instrumentalising the young's exposure to the risk of premature death. Because we are all (only) vulnerable to premature death early in life, those who know they live long (the elderly) do not share the exposure of the young to an early death. I take this to match paradigmatic cases of synchronic exploitation, where the exploiter does not share the vulnerability of the exploitee.

The aim here is not to say that Nicolas de Condorcet was defending exploitation since living long is a vulnerability against which it is worth protecting people. Exploitation only arises if there is no exchange in risk pooling, and only some parties but not others get a fair share of protection against risks to which they are vulnerable. So it is not necessarily exploitation if the short-lived cover for the long-lived (for instance, ensuring that the latter have enough all along their lives). But it can be if transfers are unilateral, and the long-lived do not also safeguard the particular vulnerabilities of the short-lived. Insurance against premature death is a gamble typically not available to us. Exploitation does not arise when the short- and long-lived protect each other as equals, but it may if only one of them is covered at the expense of the other's transfers. It is possible, if not typical, for some longevity groups to

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<sup>32</sup> Condorcet (1995).

exploit others in this sense.<sup>33</sup> That is unless there is not only insurance against living longer but also against dying early.

*Domination.* Individuals might dominate each other because of how long they live. Because longer-lived groups live to older ages, they might come to possess characteristics that can be sources of interpersonal domination (such as when their 'greater life experience' justifies dominating younger people). Yet, I am more interested here in the social and political domination that arises between groups, namely longevity groups. Collective domination might have two sources that relate to longevity. One is about longevity as years lived: in virtue of having lived more years, the elderly have had more time to set up the system that best serves their interests. Insofar as this is a problematic relationship between age groups, the source of the problem has to do with a specific property attached to age, which is that the elderly have so far lived longer than the young. The source of this inequality lies in differences in years lived. It can stay just a case of domination between age groups if it so happens that we all live equally long. But it can also become domination between longevity groups if that is not the case. Now, there can also be domination between different age groups and longevity groups based on the population's demographic structure (that has to do with average longevity). The more people belong to one longevity group, the more likely a coalition will use its majoritarian power solely to advance its interests, leading to some form of *collective* domination.<sup>34</sup> As people live longer on average, we can find ourselves embedded in a systematic relationship where a coalition of long-lived people uses its majoritarian power in this way. This is increasingly likely as power-hungry parties seek to satisfy the median elector, an elector whose age has been rising steadily over the years.<sup>35</sup>

The worry of domination between longevity groups only adds to Bidanure's insightful concerns about the relative disenfranchisement of young people, with many injustices against the young being forgotten in ageing societies. Unfortunately, this translates into double invisibility for the short-lived. As we have seen, we know who they are only once they are

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<sup>33</sup> See Mulkeen (2021) for a (much) more detailed defence of the possibility of intergenerational exploitation. While her main concern is birth cohorts rather than age groups, some of her arguments could apply here.

<sup>34</sup> For Vrousalis (2013: 139), "A dominates B if A and B are embedded in a systematic relationship in which (f) A takes advantage of his power over B, or the power of a coalition of agents A belongs to, in a way that is (g) disrespectful to B".

<sup>35</sup> E.g., Van Parijs (1998: 296).

already gone (after which they become invisible). But the only chance of making them visible in our democracies is by strengthening the political power of the young. However, because the young are also often invisible in politics, the short-lived might never have the opportunity of visibility in politics. Domination between longevity groups is possible, if not likely.

Longevity may trigger social and relational justice concerns. Even if our longevity were decided by the 'cosmos', which it is not, it could still become a matter of social justice depending on how society is organised.<sup>36</sup> For instance, most of us would agree that the physically impaired can simultaneously be victims of cosmic and social justice if the communities they live in are built to suit the claims of only non-impaired persons. Similarly, it is a matter of social justice for the short-lived if there is a tendency to organise institutions to serve better, if not to serve only, the interests of long-lived persons (and vice-versa). Longevity groups can be victims of social and relational inequality, be that inequality directed against those who live long or short. If so, it is increasingly surprising that Bidadanure downplays the role of longevity in her theory of age-group justice.

### 4. Prudential Fairness

I turn now to the third principle of prudential fairness. Drawing on the seminal contribution by Norman Daniels (1988), the so-called prudential lifespan account is a device to help us decide how to distribute resources across ages by asking agents what prudent distribution of resources across life they would choose under a reasonably thick veil of ignorance.<sup>37</sup> Bidadanure suggests that, under these circumstances, prudent agents would decide on two rules. One, *lifespan sufficiency*, guarantees that all enjoy a normal opportunity range across life. The other, *lifespan efficiency*, holds that institutions should allocate resources earlier than later when such unequal treatment benefits us all and, therefore, worsens the position of no one.<sup>38</sup> Let us consider these in turn.

The first principle of lifespan sufficiency includes two thresholds, the second of which I set aside here. The first absolute threshold purports to give

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<sup>36</sup> On why society is responsible for converting a 'cosmic' into a social injustice, see e.g., Anderson (1999: 334) and Lippert-Rasmussen (2019: 3-4).

<sup>37</sup> Bidadanure (2021: 52).

<sup>38</sup> Bidadanure (2021: 123).

humans what they need to be free from non-comparative sources of deprivation, like hunger and disease.<sup>39</sup> Premature death could certainly join hunger and disease in the list of non-comparative sources of deprivation, one that only younger persons are vulnerable to. When considering people's plans in life, the lack of longevity can always be a potent cause of their frustration. Bidadanure's first principle does not seem to capture longevity because it commits to continuous sufficiency (sufficiency across our lives) instead of complete-lives sufficiency (sufficiency over entire lives). Making sure our lives go well enough entails a concern with the short-lived that we lack once we make sufficiency at specific times our sole aim. Given that premature death can be a non-comparative source of harm, we can question whether a sufficiency view designed to capture such harms can give up entirely on the lifetime view and remain silent on longevity.<sup>40</sup>

Let us now turn to *Lifespan Efficiency*, whose motivation is the idea that unequal treatment by age makes our lives go better than they would otherwise go.<sup>41</sup> Such unequal treatment is efficient insofar as it 'benefits us all' and does not worsen anyone's position. It is theoretically possible to integrate egalitarian concerns for lifespan efficiency with either ex-ante or ex-post approaches. While it is more common to do so in ex-ante terms (with prudential fairness being a case in point), both sides of the ex-ante/ex-post distinction can agree with the two potential sources of 'benefits to us all' that Bidadanure points out. One is (i) increasing the chance of living a life of normal length. The other is (ii) increasing diachronic returns made possible by early investments.<sup>42</sup>

(i) The commitment to increasing our chances of living a life of normal length expresses an explicit concern with longevity.<sup>43</sup> It shows that the prudential fairness account has a longevity norm at work, allowing us to say something about at least sufficient longevity (which the book refers to as 'a life of normal length'). In general, this puts further pressure on Bidadanure's dismissal of longevity's role in age-group justice.<sup>44</sup>

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<sup>39</sup> Bidadanure (2021: 60) and Casal (2007: 305).

<sup>40</sup> See Casal (2007: 314-5) for a discussion and a case of why sufficiency may be sensitive to the lifetime view.

<sup>41</sup> Bidadanure (2021: 52-3).

<sup>42</sup> Bidadanure (2021: 63).

<sup>43</sup> Bidadanure (2021: 63).

<sup>44</sup> Bidadanure (2021: 71).



However, an important question remains. Prudent planners would want to boost their chance of living reasonably long, but how should they deal with the possibility of *inevitable* early death? On top of *increasing the opportunities* of living long enough, it can also be prudent to *decrease the damage* from premature death. It is unclear how planners could justifiably care about the first but disregard the second. Indeed, as I suggested in section 2 on complete-lives equality, fairly situated individuals would have reasons to accept the existence of policies that protect them against the damage of early death.

(ii) The idea of increasing diachronic utility tells us to concentrate resources early in life when so doing increases diachronic returns. Bidadanure seems to understand 'diachronic returns' as future returns from an investment. For instance, having access to education early rather than later enhances diachronic returns by having us benefit from such educational investments for a longer time. Other things being equal, diachronic returns will increase with *return length*: the longer the return, the more we will be able to 'cash in' on early investments. If so, the concern with return length favours the long-lived, who have a longer future. In general, the longer-lived can be regarded as 'utility monsters' as they are more efficient than the short-lived at converting resources into lifetime welfare.<sup>45</sup> Interestingly, the commitment to increasing diachronic returns takes a stance on longevity justice, this time by showing greater concern with longer-lived persons (who are vulnerable to a higher return length).

For instance, consider Bidadanure's insightful worries about the scarring effects of youth unemployment. Imagine that two unemployed young people are equal in all respects, except that we know that one (Shorty) will die thirty years earlier than the other (Longie). Since Longie lives longer than Shorty, the scarring effects will be lower for Shorty. Increasing diachronic returns pushes us to prioritise Longie instead, for whom return length and scarring effects can be higher; for instance, by providing us with reasons to allocate scarce resources to Longie ahead of Shorty. If so, prudence has an implicit norm of longevity justice at work that prioritises longer-lived groups (who are more vulnerable to early investments' future impact).

One can justify shifting goods earlier in life to increase diachronic returns for longer-lived agents. But a question remains about what to do when

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<sup>45</sup> Leroux & Ponthiere (2013).

growing diachronic returns would ask us to concentrate goods later rather than early. Suppose, for instance, that the implementation of old-age retirement brings forth greater productive effort, thereby increasing the diachronic returns of workers, and more so the longer they work (and live).<sup>46</sup> Returning once again to the *ex-ante/ex-post* distinction here will be useful. Such incentives-inducing retirement will likely increase the economic prospects of us all *ex-ante*, i.e., before we know how long we will live. *Ex-post*, this policy may well leave the short-lived workers worse off compared to if society shifted part of this old-age retirement to earlier in life.<sup>47</sup> Note that transfers were efficient only because they did not worsen the position of anyone. So the acceptability of our incentives-inducing retirement will (again) depend on how we count people's situation as being worse, if *ex-ante* or *ex-post*. As expected, the *ex-post* will be more demanding than the *ex-ante* view when constraining how we may treat the short-lived. But this is not to say that *ex-ante* constraints will deliver a *carte blanche* to how we may deal with the prematurely dead.

Lifespan efficiency justifies policies that benefit longer-lived workers, provided these do not leave short-lived workers worse off than they would or could otherwise be. In economists' words, it pushes us to enhance returns for the longer-lived subject to the constraint that doing so does not disadvantage the short-lived. How binding this constraint is will ultimately depend on whether we adopt an *ex-ante* or *ex-post* approach, with the latter being more assertive than the former. So it is not simply a coincidence that increasing diachronic returns make us concentrate on resources earlier in life. Instead, it may be something that justice requires, not to worsen the position of those who (expect to) die prematurely. Bidanure's account of prudential fairness guarantees efficiency (understood as 'benefits to all') only if it adds a constraint protecting the short-lived on top of its concern with the diachronic returns of longer-lived workers.

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<sup>46</sup> See Halliday & Parr (2022) for a recent discussion of 'the argument from capped rewards' which supports mandatory (old-age) retirement as a way of structuring a worker's wages optimally throughout life to optimise worker's performance.

<sup>47</sup> While it leaves the short-lived worse off than they *could* otherwise be, one could say that it does not render them worse off than they *would* otherwise be. We can imagine the latter possibility if pension contributions are higher than the marginal wage increase brought by retirement-induced incentives. I would also doubt that efficiency should stop with what *would* otherwise benefit us all if there is something that *could* benefit us all even further.

In conclusion, the concern with longevity should appear when protecting people against non-comparative harms. And it is a concern that is already there when we seek to strengthen the opportunity to live long enough or to increase lifetime returns (with implicit benefits to the long-lived) without leaving anyone worse off (implicitly requiring that we protect the short-lived). I take this to vindicate further the role of longevity in thinking of age-group justice.

Much of this discussion on prudence assumes we were correct in our earlier assertion that fairly situated agents would purchase some insurance against premature death. Bidadanure (2021: 70-1) doubts this, suggesting that they might dismiss this risk because it is too unlikely. But I suspect this comes from Bidadanure thinking of the short-lived as those dying between 10 and 24 years old. If we broaden the group to include all who do not reach 65 years old, as I think we should, the probability of early death is no longer as small. Even if it were, prudent agents would still have reasons to purchase insurance against premature death if the damage is sufficiently significant to raise the expected value of the accident to a level one should take seriously.

### **5. Conclusion**

The book *Justice Across Ages* offers a compelling theory of age-group justice that gives little room to claims of justice between longevity groups. This essay suggests that this needs not, nor should, be the case. I did not explicitly show that *any* account of age-group justice must incorporate longevity considerations. But by discussing the most prominent theories of age-group justice, I take the significance of our conclusions to extend well beyond Bidadanure's work. So long as justice across ages must satisfy the principles of complete-lives equality, relational equality, and prudential fairness, no account of age-group justice can dispense with some conception of longevity justice. To be sure, I do not necessarily mean that Bidadanure must reinterpret all of her principles to accommodate longevity. We need not be isolationists about principles: each may pay special attention to some specific groups, provided others compensate for these biases. For instance, there may be no problem for prudential fairness to benefit long-lived persons more if

complete-lives equality takes the 'job' of protecting the short-lived.<sup>48</sup> Indeed, prudence will likely matter more the longer we live.<sup>49</sup> Therefore, my argument does not necessarily call for all of Bidanure's principles to step in to accommodate longevity concerns (though it does not also exclude that possibility). It says only that at least one of them should step in and that it can be either of the three.

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<sup>48</sup> During the first part of this book, Bidanure (2021: 68-71) only discusses differential longevity objection in the context of prudential lifespan account. In part, this article aims to show that she could have discussed it in either principle.

<sup>49</sup> E.g., Valente (2022).

## Ageing as Equals

## §4. Get Old or Die Trying: A Case for Libertirement

**Abstract** This article questions the view that we should only retire at old age. Of all criticisms of old-age retirement, the strongest one claims that old-age retirement is unfair for workers who die before reaching old age. The straightforward solution is to reverse retirement towards the young in fairness to the short-lived among us. In defence, I show that the maximin case for reverse pensions is robust across changes in the primary goods index. Yet, this reply to the disadvantage of early death inevitably reduces the resources available to protect the elderly. Liberal egalitarians have reasons to protect the elderly, which renders reverse pensions insufficient for fair retirement. I propose adding old-age retirement and sabbaticals on top of reverse pensions. To this end, I show how the implementation of old-age retirement can benefit us all, both short- and long-lived. I then defend sabbatical retirement as liberal egalitarian justice for workers who die closer to old age. Complementing reverse pensions with old-age and sabbatical retirement delivers what I call libertirement – the retirement scheme that treats longevity groups most fairly, or so I argue.

**Keywords** retirement © equality © freedom © age © differential longevity

## Introduction

Many people believe that we should only retire at old age. It is widely accepted that workers who rely on the State to retire can only do so when they are old, after working for a long time.<sup>1</sup> Old-age retirement imposes a division of labour upon the economic lifecycle of most workers, one in which they can only enjoy years of free time at old age. This essay argues that communities should re-organise the economic life cycle of their members, for these should be free to retire for some time when younger. The thought of retired young people may come across as a joke to many of us, but liberal egalitarian societies should nonetheless take such policies most seriously.

One criticism of old-age retirement appeals to the *age-group* inequality that arises when the elderly have a right that younger people lack. We could insist that such age discrimination is unacceptable if we are to free our societies from ageism.<sup>2</sup> This goal could have us doubt that retirement should only be available at old age. But that is not this line of criticism that I will be pursuing here. Of all possible complaints about age discrimination, the strongest one arises when such discrimination translates into inequality between *different lives*.<sup>3</sup> That is the case with old-age retirement since it favours workers who get old over those who die before reaching old age.

Because we do not all live equally long, some egalitarians argue that we should reverse retirement towards the young in fairness to the short-lived among us.<sup>4</sup> In this article, I hope to show that reverse retirement is necessary, but not sufficient, for a retirement scheme to treat the short- and the long-lived fairly. More specifically, I make a case for *libertirement* – a distribution of retirement that promotes three distinct freedoms. *Firstly*, it frees up some years of retirement early in life. *Secondly*, it ensures that we will be free to retire at older ages. *Thirdly*, it preserves our freedom to retire across life. I call

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<sup>1</sup> For instance, the Social Protection Committee and the European Commission (2018: 166) define the standard pensionable age (SPA) as the earliest age at which an individual with a 40-year career can retire without any exit penalty. Two notable exceptions to this rule are those who cannot work (as they are entitled to assistance earlier) and those who do not need to work for an income (who do not rely on the State for their retirement).

<sup>2</sup> For a public take against ageism, see the recent 'Global report on ageism'. Geneva: World Health Organization; 2021. Licence: CC BY-NC-SA 3.0 IGO.

<sup>3</sup> On reasons why age discrimination can be problematic and why lifetime equality may render age discrimination less problematic than other forms of discrimination, see e.g., Gosseries (2003, 2011), Bou-Habib (2011) and Bidadanure (2016).

<sup>4</sup> See Ponthière (2018, 2020, 2022).

'libertirement' any distribution of benefits that incorporates these three pillars.

Longevity-based criticisms of old-age retirement raise worries about *interpersonal* justice, of justice between separate lives, in what is otherwise a tendency to refer to *intrapersonal* justice, justice within lives.<sup>5</sup> Concerns with differential longevity also entail that age has a special place in retirement. The concept of age has always had a place as a *prospective* indicator of how long we expect to live still and, thus, of whether we have enough to retire.<sup>6</sup> But the place it occupies is now special since age is also a *retrospective* indicator of how long we have lived. Age is a criterion that can promote equality between the short- and the long-lived, as in healthcare settings.<sup>7</sup> The approach I follow here holds some age groups to have stronger claims to goods as a matter of justice between different (unequally long) lives.

Recall that our standpoint of fairness remains liberal egalitarian.<sup>8</sup> It is *liberal* in that it respects and promotes people's ability to pursue and revise their conceptions of the good life. It is *egalitarian* because it prioritises those with the lowest bundle of resources in life. According to the maximin criterion I adopt, a distribution is fair if it maximises the position of the involuntarily worst off in life compared to any alternative set of rules. Despite adopting this rule, this case for libertirement arguably follows from any other lifetime egalitarian principle one may endorse, be that principle concerned with equality of welfare, resources or capabilities.<sup>9</sup>

The article proceeds as follows. I first introduce the maximin case for reverse retirement (§1), which is robust across changes in the index of primary goods (§2). I then show that reverse pensions inevitably reduce the resources available to protect the elderly (§3). Reverse retirement is insufficient because liberal egalitarians have reasons to protect the elderly. To this end, I show how the implementation of old-age retirement can benefit us all, both short- and

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<sup>5</sup> See Lazenby (2011) on how differential longevity makes *intrapersonal* accounts of age-group justice *interpersonal*, such as Daniels' (1988). See also Jauch (2021) for a recent application of the prudential account of Daniels (1988) in the context of retirement.

<sup>6</sup> This reason motivates the postponement of our retirement ages since it is increasingly attractive to force those who live longer to work longer and maybe until later. E.g., OCED (2019) and Anton (2016). Note that working longer does not necessarily entail working until later (e.g., earlier entry).

<sup>7</sup> I have in mind the fair innings approach in healthcare settings. E.g., Bognar (2015).

<sup>8</sup> See Introduction.

<sup>9</sup> E.g., see Article 3, which uses a 'Fair Insurance' version of Dworkin's ambition-sensitive resourcist view to support this claim (p.102-4).



long-lived (§4). After, I defend sabbatical retirement as a matter of liberal egalitarian justice for those who live and contribute longer (§5). Section 6 concludes that supplementing reverse pensions with old-age and sabbatical retirement delivers libertirement – the retirement scheme that treats the short- and the long-lived most fairly.

## 1. Old-age Retirement and the Short-Lived

As we already know, John Rawls has so far provided the best-known formulation of the 'maximin' principle, with the worst-off being those who have the least of 'primary goods' over a complete life. The principle focuses on the worst-off in life, so we could believe it is indifferent to how retirement spreads across life.<sup>10</sup> If we all go through the same distribution as we age, inequality at different ages is consistent with equality over our entire lives, you may say. Indeed, if everyone lived equally long, old-age retirement would redistribute income only from earlier to later stages within the *same* life only, not *between* separate lives. While the age of retirement may be irrelevant under the assumption of equal longevity, it is undoubtedly not so once we drop this assumption.

Egalitarians devote little attention to inequalities in life duration. Unlike social class, wealth, gender, and ethnicity, longevity is not among the sources of inequality that worries them, despite the relatively high number of short-lived people. Of all the deaths in Europe from 2015 to 2020, the percentage between 15 and 65 was 21%.<sup>11</sup> Hence, setting the retirement age at 65 means that one in five persons cannot retire. In addition, it also benefits the elderly who live longer over the elderly who die earlier, an inequality that seems to be increasing.<sup>12</sup>

Unequal longevity forces egalitarians to differentiate between two separate sources of disadvantage in life. One can be *cash-poor* - and earn little in life because one has few resources per year (e.g., annual income is low). One can also be *short-lived* and have few resources, not because one earns little per year but because one lives fewer years due to early death. Old-age retirement benefits the cash-poor who live long. Yet, it does so by excluding those who fare worse concerning one of life's most precious resources: the

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<sup>10</sup> Again, see Introduction.

<sup>11</sup> UN (2019: 17).

<sup>12</sup> See Permyer & Schöll (2019).

#### §4. Get Old or Die Trying: A Case for Libertirement

length of life.<sup>13</sup> This is a problem, but not because longevity as such is an advantage.<sup>14</sup> Instead, the problem lies in the goods that lives of unequal length contain. Overall, longer lives have more goods such as leisure, free time, income and wealth. Worse, the cash-poor are also more likely to be short-lived.<sup>15</sup> Maximin egalitarians have then reasons to endorse,

*The Maximin Claim:* ceteris paribus, a state of affairs should benefit the short-lived to the extent that they are worse off in life through no fault, or choice, of their own.

Let us consider three natural objections we might be tempted to make against the maximin claim. One is to insist that the short-lived are *not* worse off in life. They indeed enjoy fewer resources *ex-post* after the lottery of life is drawn.<sup>16</sup> But they would not be worse off *ex-ante* if everyone were born with equal chances of dying early.<sup>17</sup> In Article 3, I pointed out that *ex-ante* egalitarians still have reasons to offer insurance against the risk of premature death as a matter of bad (brute) luck. Beyond a reasonably thick veil of ignorance, insurance against falling below the average life expectancy can be as suitable as purchasing insurance against the risk of falling below the average earning abilities. That is so regardless of how ambition-sensitive the veil of ignorance in question is.<sup>18</sup> Living a short life is a circumstance that hinders most, if not all, reasonable ambitions we may come to have in life. We can generally justify protection against such instances of bad (brute) luck on *ex-ante* grounds.<sup>19</sup> As insurance mechanisms against longevity risks, retirement pensions are a natural candidate for protecting us all against the risk of early death, and it is up to us to choose to take them up.

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<sup>13</sup> See Van Parijs (1997: 46), who makes the same point regarding the timing of unconditional basic income. As I argued in Article 3, concerns of longevity justice do not arise merely by dint of the fact that some live longer than others but also by how institutions deal with differential longevity.

<sup>14</sup> For a recent criticism of the view that life itself is good, see Lee (2022).

<sup>15</sup> E.g., Chetty *et al.* (2016) and Neumayer & Plümper (2016). This fact serve as a reason to provide more generous early retirement benefits for workers with low wages or physically demanding jobs. For such a proposal, see Alstott (2016).

<sup>16</sup> See Ponthière (2018, 2020, 2022).

<sup>17</sup> Note that *ex-ante* equality may weaken the reasons we have to protect the long-lived if, again, everyone has equal chances of dying late. While Ponthière (2020: 7-9) rejects *ex-ante* equality, it seems possible to reconstruct his argument in *ex-ante* terms (e.g., Ponthière, 2020: 15-8). For a recent defence of *ex-ante* equality, see Parr & Williams (2021).

<sup>18</sup> Quite famously, Dworkin (1981) has proposed a veil of ignorance that does not strip persons behind of veil of ignorance of their ambitions, but only of their circumstances. That is a much thinner veil of ignorance than that which Rawls (1971) relied upon.

<sup>19</sup> See e.g., Dworkin (1981).

A second natural objection to the maximin claim would be to point out that the badness of premature death is not an involuntary accident against which we should be insured. Instead, it is a consequence of how we choose to live. It is somewhat of a contentious claim to say that people are accountable for the duration of their lives.<sup>20</sup> But let us suppose they are. To the extent that responsibility for early death justifies excluding the short-lived from retirement, it is then hard to explain why those living longer may retire regardless of whether they age by 'accident' or 'choice'. One alternative is to hold short-lived people responsible for the badness of their short life instead of holding them accountable for how long their life lasts.<sup>21</sup> For instance, dying early may not be my fault. But it might be my fault that I have not protected myself against the risk of premature death by consuming as much as possible early in life. If capital markets were perfect, we could all protect ourselves against the risk of premature death by frontloading as many resources as we would like through unlimited debt acquisition. But since these markets are imperfect, the income that the young short-lived happen to have constrains their saving choices. It would also be rather odd for societies to refuse to compensate the short-lived because they have chosen not to indebt themselves as much as possible. To the extent that longevity is uncertain, it is reasonable to expect people to have hope in their future and, thus, not borrow as much as possible for their present.

The *third* and final criticism does not deny that the short-lived are involuntarily worst-off in life. Instead, it denies that redistribution of economic resources can benefit them. Premature death may seem so bad that we may believe there is nothing we can do to make it less harmful. But a quick look at the standard (comparativist) approach to the badness of death suggests the opposite.<sup>22</sup> Briefly put, it holds that death is bad to the extent that it precludes us from having goods we would have had if we remained alive. To the extent that access to retirement is good, a premature death without it

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<sup>20</sup> For instance, Christensen et al. (2006) find that genetic differences cause approximately a quarter of the variation in adult lifespan. Even longevity-reducing actions (e.g., drinking alcohol, smoking, etc.) often hide social determinants that raise doubts about whether the short-lived are responsible for many such decisions. See Preda & Voigt (2015) and Daniels (2015) on the social determinants of health.

<sup>21</sup> I thank Gregory Ponthière for pointing this out to me.

<sup>22</sup> See Nagel (1970) for a defence. For a review, see Luper (2019). Following McMahan (2002:165-85), I neither assume that this approach is all that matters for a death to be harmful, nor that the position holds equally for all ages, especially regarding the very young. The view I assume here is perhaps the closest to what Gamlund (2016) calls 'Deprivationism'.

is *worse* than one containing that possibility. Providing access to retirement to the short-lived would surely make their lives better than they would otherwise be.

In the end, a fundamental difficulty with benefiting the short-lived is practical. The problem is that we often do not know *ex-ante* who they are. Because we are aware that we are ignorant of how much time each of us has left on earth, it is in our interest to balance these considerations. We only know who the short-lived are once they die, after which, we assume, compensation is no longer possible. Simply put, the short-lived can neither be identified *ex-ante* nor be compensated *ex-post*.<sup>23</sup> Though we may predict that some groups live longer lives, any such group includes unidentifiable shorter-lived people who will come to have less in life, other things being equal. Since we cannot identify those who die young and can only compensate people while they are alive, we can only compensate the short-lived by concentrating goods early in the life cycle.<sup>24</sup> In the context of retirement, it means moving from old-age to reverse retirement.

## 2. Reverse Retirement and the Index of Primary Goods

Gregory Ponthière (2018, 2020, 2022) has recently defended the view that we should reverse retirement in fairness to the short-lived among us. Reverse pensions concentrate as much retirement income as possible at a young age, such that individuals retire when young and work when old. These transfers from the elderly to the young propose to reverse the traditional purpose of retirement. They are better for the short-lived in that they give equal retirement benefits to all, regardless of how long they live. The last section showed that applying the maximin criterion first proposed by Rawls justifies implementing policies like reverse retirement. Yet, we should also consider whether the 'maximin' case for reversing retirement is *robust* across changes in the index of primary goods adopted. It is essential to do so since not everyone agrees with Rawls' original index. Not even Rawls himself.

The controversy began when Richard Musgrave (1974: 632) showed that the original primary goods index would lead to "a redistributive system that, among individuals with equal earnings ability, favours those with a high preference for leisure (...)". The reason is that all else equal, those who work

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<sup>23</sup> Fleurbaey *et al.* (2014).

<sup>24</sup> *Ibid.*

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less have a lower level of income and wealth in life than those working longer. To avoid a bias against the working poor, Rawls replied to Musgrave's objection by suggesting that we add leisure to the index of primary goods: "twenty-four hours less a standard working day might be included in the index as leisure".<sup>25</sup> Such modification presumes that the more we work, the worse off we are. As noted by Philippe Van Parijs (1991: 109-10), it means that other things being equal, we should benefit people in *proportion to working time*.

The long-lived tend to work longer than the short-lived. So the revision appears to demand that we benefit long-lived *more* than the short-lived, rather than *equally* (as reverse retirement would). Rawls' new proposal may now be said to justify sabbatical instead of reverse retirement. Sabbatical retirement is a policy familiar to academics in which workers accrue pensions for  $\alpha$  years for every  $\beta$  years of work.<sup>26</sup> This policy is better for the long-lived and worse for the short-lived since we no longer receive the entirety of retirement pensions early in life. Again, not everyone agreed with Rawls' new index. In a famous article, Van Parijs (1991) criticized this modification and proposed another index of primary goods. Namely, one that excludes income and leisure, leaving only external wealth. Instead of taking a position in this debate, I want to ask whether the 'maximin' case for reverse retirement survives these revisions in the index.<sup>27</sup>

Let us start with Van Parijs' proposal to leave only wealth in the index. Reverse retirement survives this revision because lifetime wealth increases with age as long as people earn something per year they live. This result is consistent with Article 2, where I claimed that this revision supports benefiting those with shorter careers (which includes, but is not exclusive to, the short-lived).<sup>28</sup> Other things being equal, those who die younger will have less lifetime wealth than those living longer. Benefitting those with the least

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<sup>25</sup> See Rawls (1974: 654; 1988: 257).

<sup>26</sup> Even though the notion of 'Sabbatical Retirement' is often neglected and not considered except for academics, there has been one proposal to have a national sabbatical system by Melching & Broberg (1974). They propose that  $\alpha$  is one year and  $\beta$  is seven years - people have a right to rest for a year for every seven years of work. Often,  $\beta$  must be higher than  $\alpha$  - we get less than a year of leisure or free time per year of work. There are reasons to prefer lower values for  $\beta$ , and hence, for  $\alpha$ . One is that precarious positions and the absence of long-term contracts can make it difficult for many young people to satisfy  $\beta$  and retire early in life. It also smoothens the distribution of free time across life most neatly.

<sup>27</sup> See Article 2.

<sup>28</sup> In Article 2, I was assuming equal longevity.

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wealth in life justifies policies like reverse retirement, which concentrate goods early in life as a matter of justice to the short-lived. The case for reverse retirement is not contingent on income being in the index of primary goods, provided wealth is.

Let us turn to Rawls' proposal to add *leisure*, which he understands as time not spent working. The assumption here is that the less leisure time one consumes, the longer one works (be it at a job or not). The addition of leisure to the index justifies benefiting people in proportion to working time if, and only if, we assume that we have less leisure as we devote more time to work.<sup>29</sup> So the underlying assumption here is that any extra leisure subtracts from our working time, what I shall call *the zero-sum view* (see below). As I mentioned above, the fact that the long-lived tend to work longer than the short-lived seems to push us towards sabbatical instead of reverse retirement. However, this conclusion would be too quick because it is a mistake to rely on *the zero-sum view* in the case of unequal longevity. Consider,

*The Zero-Sum View:* If A enjoys more leisure than B, A works comparatively less than B.

The zero-sum view is most intuitive when it applies to a short temporal unit, such as a day or week. In fact, it holds for whatever stretch of time, provided it is assumed to be the same for A and B. If we divide the day into leisure and work, as economists tend to, leisure time is 24 hours minus time spent working. Since the duration of each day is the same for all of us, it follows that the more time we spend working, the less time we spend in leisure. The view can potentially apply to working lives, as it is also intuitive to assume that those who work the most in life enjoy the least leisure. This assumption holds whenever people live equally long lives, but it is no longer valid in the context of differential longevity.

Imagine two people, Shorty and Longie, who began working with the same age. Shorty lives to 30 years old, whereas Longie lives to 60. They are equal in all other respects. As he lived longer, Longie worked more than Shorty. But Longie also had more leisure than Shorty, which contradicts the zero-sum view. It does not follow that Shorty enjoys more leisure in life just because Longie has worked more. That Longie has worked for longer than Shorty does not entail that Longie had less leisure. To privilege workers in

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<sup>29</sup> Van Parijs (1991: 109-10).

proportion to working time benefits Longie. It does not benefit Shorty, who had less leisure over a complete life. Under differential longevity, reverse retirement is still the proposal that benefits those lacking the most leisure in life. The point here is that Shorty fares worse even if we add leisure to the index because (s)he has less income and leisure than Longie in life.

The same may be said of the 'free time' solution I defended in Article 2, which did not rely on the zero-sum view in the first place. So far, the 'maximin' case for reversing retirement is robust because it is not contingent upon the above changes in the index of primary goods. As egalitarians, we have reasons to endorse the first pillar of libertirement that frees up retirement early in life in fairness to the short-lived among us. But would that be enough to guarantee a fair distribution of retirement pensions across life?

### **3. Starting Gate Views and Differential Longevity**

The maximin criterion invites us to 'reverse retirement' and have as much of it early in life as possible. We can describe reverse retirement as a starting-gate theory of fairness in retirement. For Ronald Dworkin (1981: 309), starting gate views propose that people begin life with equal initial resources, followed by *laissez-faire* afterwards. Similarly, reverse retirement distributes retirement equally as soon as we either start working or reach maturity. It treats the short- and the long-lived equally to that extent. After this, reverse pensions cannot control whether we use benefits to surf in Nazaré or save them under the mattress for old age. It is *laissez-faire* in the specific sense that there is no redistribution of retirement benefits afterwards.

For Dworkin (1981: 309), the fundamental problem with starting-gate theories is that they rely on an arbitrary starting point. The point would be arbitrary because Dworkin thought no reason would justify redistribution at the outset of life but not later on. I agree with Dworkin that we should not only protect people against bad luck at the start of life but also do so later on. Dworkin's view is, I hope, compatible with giving individuals what they are entitled to earlier rather than later. For two reasons. The first has to do with ambition sensitivity. As they are given early in life, reverse retirement benefits are as sensitive to our ambitions as they can be since, again, people may use them as they see fit. Second, such a system is also insensitive to our longevity endowments. In the context of unequal longevity, it is no longer arbitrary to prefer concentrating redistribution at the beginning of life. Redistributing

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resources at an early age seems to be the best we can do for those whose endowments preclude them from accessing redistribution later on. Unequal longevity shows that the start of life is not an arbitrary starting point for redistribution. We cannot, therefore, reject starting-gate theories on those grounds. And a starting-gate view of fairness could then support frontloading, which redistributes to the short-lived while being most sensitive to one's ambitions regarding how to use one's initial endowment of resources.<sup>30</sup>

Because they abide by the demands of starting-gate theories, reverse retirement policies open individuals to some known risks. After giving the young the highest possible grant, it may not take long until they squander it. By itself, reverse retirement does not guarantee that the elderly can retire if needed, even if they may be physically or intellectually unable to earn an income after a certain age. But in general, there is the intuition that the welfare state should offer protection against various future risks, such as the risk of old-age poverty or changes in capabilities throughout life. Reverse pensions do not protect against most *future* uncertainties about how our personalities and abilities will change with age.<sup>31</sup> It only protects us against the risk of early death. But what aspect of our view could support the conviction that reverse retirement is insufficient? We should note that a dilemma arises once we realise that the best reply to the disadvantage of early death inevitably reduces the resources available to protect older people. Consider,

*Lil' Way* spends every dollar of his reverse retirement right away on 'living the good life'. He invests nothing in his future because he is afraid of dying prematurely.

How should the Welfare State treat people like *Lil' Way*? It is not clear. On the one hand, it seems as if social security schemes should incentivize *Lil' Way* to protect himself against the many future uncertainties that his future self faces. On the other hand, it seems better for the short-lived if we were all (a bit) more like *Lil' Way*. He is protecting himself the most against the damage of a short life. Our intuitions pull in different directions, giving to rise the following dilemma,

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<sup>30</sup> Even though he does not refer to differential longevity when discussing such views, see e.g., Schmidt (2017).

<sup>31</sup> As Schmidt (2017: 1425) suggests, "it pays no attention to uncertain interests of future versions of existing persons and does not prevent a person from abridging all those opportunities her future self might come to like or value" and "future possibilities for personal growth and development."



*The Dilemma.* The more protection there is for the young short-lived, the less protection is available for the long-lived elderly.<sup>32</sup>

The dilemma boils down to the idea that the more resources we transfer to protect the long lives of the poor, the fewer resources there will be to insure individuals against the risk of early death.<sup>33</sup> The more resources *Lil' Way* spends early on out of a worry about premature death, the less secure he is against the risk of future poverty. Consider another example. Suppose that, by postponing the retirement age, we free some resources for the young who will be short-lived. This policy is able to increase compensation for shorter lives by reducing the number of older persons receiving old-age insurance. To the extent that we concentrate resources early in life, fewer resources will be available to guarantee insurance later in life.

Striking a compromise between these two seemingly conflicting insurance goals is a significant challenge for welfare states. Many would say that a sensible solution cannot involve doing away with existing old-age insurance schemes. Even Ponthière agrees that the answer is to supplement them with 'some dose of insurance against premature death' instead of abolishing them altogether.<sup>34</sup> Thus, the case for reverse retirement includes a period of retirement for the very old when productivity becomes extremely low.<sup>35</sup> There would then be *two* retirement ages, one low to benefit the short-lived and one *high* protecting the long-lived. Appealing as this solution is, it is worth pausing to ask why egalitarians should want to preserve some protection in old age (as through old-age retirement) if it entails fewer resources for the worst-off short-lived. The following section purports to do just this: show that those who rely on distributive equality between persons can justify old-age retirement, even if (and because of) they give most priority to the short-lived.

### 4. How Old-Age Retirement Benefits the Short-lived

At first, it seems that the best we can do for the short-lived would be to implement a pure reverse retirement scheme. This section shows that this is not the case because old-age retirement benefits the short-lived. These are

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<sup>32</sup> The dilemma between these two insurance goals arises despite how pension schemes are funded: benefiting the short-lived reduces the resources individuals might save for their older selves or the current elderly (e.g., Gosseries 2019).

<sup>33</sup> Gosseries (2019: 48, 2022).

<sup>34</sup> Ponthière (2020: 25).

<sup>35</sup> Ponthière (2020: 4).

considerations of equality between different persons. They contrast with appeals to *sufficiency*, where old-age retirement would be necessary to ensure that the elderly have enough to live in dignity or relate to others as equals.<sup>36</sup> They also differ from *intrapersonal* claims (most notably, prudential ones) that people have obligations to themselves to accept old-age retirement.<sup>37</sup> These may be plausible avenues, but I wonder if lifetime egalitarians need them. Can *equality between different persons* also provide a sound justification for such a scheme?

This section argues that it can. Before, I suggested that lifetime equality is strongly inclined to benefit the short-lived as much as possible. I suspect the most promising avenue for lifetime egalitarians to justify robust protection of the elderly is to show that old-age retirement benefits the short-lived. This strategy softens the previous dilemma between the claims of short- and long-lived people by showing that these may not be as much at odds with each other as they seemed. If so, liberal egalitarians should not give up on old-age retirement, even if they are committed to giving most priority to the short-lived.

Again, reverse retirement assumes that concentrating as many resources as possible early in life is the best we can do for the short-lived. But there are two ways in which this may not be true. The absence of old-age retirement can be worse for the short-lived (and, obviously, for the long-lived). While introducing old-age retirement induces inequalities between longevity groups, such disparities may be justified by how they improve the position of the worst-off short-lived (in maximin fashion). How can old-age retirement benefit the short-lived?

Here is a way: the disappearance of old-age retirement undermines our reasons to compensate for short lives. If so, and those who die prematurely benefit from us having reasons to assist them, then doing away with old-age retirement renders the short-lived worse off than they would otherwise be with it. Recall that our reasons for compensating the short-lived depend on the assumption that this group is worse off in life. But this group is only worse

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<sup>36</sup> See Gosseries (2003) & Bou-Habib (2011) on dignity and Bidadanure (2021) & Lippert-Rasmussen (2019) on relational equality. See also Introduction.

<sup>37</sup> Daniels (1988) and Dworkin (1993) appeal to prudence to justify protecting our future selves. Jauch (2021) recently applied the prudential lifespan account to defend that we should frontload retirement. The argument I put forward is compatible but does not rely on appeals to prudence. As with most views on this topic, we could always reframe the interpersonal I shall offer in intrapersonal terms. But, again, we do not have to.

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off in life if those who live long are treated reasonably well. Consider the following example.

*Old-age Hell.* Imagine a society where people live beautiful lives during the first half of their existence. But as soon as the second half begins, they start being treated in horrible ways. Although the life of those who reach the second half is not short, it quickly becomes solitary, poor, nasty, and brutish.

Old-age hell does not seem to benefit the short-lived in any meaningful way, and it is worse for the long-lived. We may describe it as a levelling-down world because it makes some people worse off without improving anyone else's situation. But imagine there is a version of old-age hell in which the solitary, poor, nasty, and brutish life that the elderly long-lived face *causes* the young short-lived to live beautiful lives. That would no longer be a levelling-down situation since, we can assume, the hell some people live through would benefit others.

Even if the short-lived were to benefit from Old-age Hell, I doubt there would be *reasons* to assist them in such cases. Again, the motivation to benefit the short-lived stems from this group being worse off in life. Yet, it is not clear that they are so in Old-age Hell. Instead, it is more sensible to say that the long-lived are no longer better off if they live through the same kind of paradise as the short-lived, but the short-lived do not live through a hell similar to the one the long-lived go through. If people fall below a minimum threshold of adequate existence above a certain age, it is not sensible to regard their longevity beyond this age as a privilege. I would not need to go as far as to say that they would be worse off than the short-lived and, therefore, made better off by dying earlier. For my present purposes, I only need to claim that the short-lived would not be worse off in life than the long-lived, even if they may also not be better off.<sup>38</sup> The short-lived are not worse off than the long-lived people who cannot do anything of value with their longer lives. Longevity, as such, is not an advantage.<sup>39</sup> The source of (dis)advantage lies in the goods that lives of unequal length contain.

If so, the maximin claim I introduced in section 1 holds if, and only if, longer-lived persons live a reasonably good life after they outlive those who

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<sup>38</sup> This point is discussed in Fleurbaey et al. (2014) and Ponthière (2018).

<sup>39</sup> See footnote 14, p.121.

die earlier. Only then can we assume that living longer is a privilege that warrants redistribution. Thus, it is necessary to establish a minimum threshold below which those who live longer must not fall, set at the level allowing us to live an adequate existence (above old-age hell).<sup>40</sup> In securing that level of resources for the elderly, adequate old-age retirement would improve the situation of those who live longer and those who die early, who benefit from robust reasons to receive compensation.

There is another way old-age retirement can benefit the short-lived. It does not appeal to the reasons we have to assist the short-lived. Instead, assuming we have those reasons, it notes that adequate old-age retirement is necessary for the short-lived to be free from the fear of living long. The truth is that no one knows whether they live long. Since people do not know whether they will live long or die young, any one person can fear both.<sup>41</sup> If the short-lived fear early retirement because they fear ending a long life in poverty, the benefits they receive will only be a formality. It is not something they are likely to use to improve their lives. Consider,

*The Fearful Short-lived.* Suppose we all have a right to ten years of paid free time early in life, and this is all there is as far as our retirement goes. Since longevity is uncertain, one fears using the grant right away. Indeed, one could not enjoy it aware that one still risks poverty later in life. Thus, many short-lived put their reverse pensions aside and save them for old age instead.

Reverse retirement misses its egalitarian goal if workers put their reverse pensions aside because they are afraid of using them. Many of them will not feel free to enjoy reverse retirement unless they enjoy sufficient protection against the risk of living long, and it is rational that they do. They are rational fears for us to have, and we could argue that the only "freedom from fear" that we ought to seek is freedom from irrational fears. The point here is not that reverse retirement would be *worse* than the status quo for the short-lived. Instead, it is that, without old-age retirement, reverse pensions may not be *better* for the short-lived either. Old-age retirement can benefit the short-lived by promoting their real freedom to retire early with a clear conscience. In such

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<sup>40</sup> Note that this threshold of worthwhile existence will likely not coincide, but be below, the sufficiency principle of our normative standpoint.

<sup>41</sup> Fears might arise even when they know how long they live. One has reasons to fear living long even if (maybe, especially if) one knows one will live long. The same goes for short lives.

cases, 'maximin' egalitarians should not want to concentrate all retirement income at young ages. Instead, an egalitarian concern with the short-lived would require a threshold of economic security above which no one is afraid of growing old to ensure that those who die prematurely have no reasons to fear taking up benefits.<sup>42</sup> Guaranteeing adequate old-age retirement may thus contribute to real pension equality between people who fear old age but live unequally long.

At this stage, two questions remain. One is about people who do not fear old-age poverty, who might be willing to spend everything early. If high retirement ages purport to combat fears of old age, should they apply to those who lack them? I believe they should. A society that allows its members to spend everything early in life because they do not (yet) fear living longer gives its members reason to fear living long later on. Doing so does not contribute, and indeed undermines, the goal of freeing people from fears of ageing. In addition, and again, we may also say that we only have reason to free people from *irrational* fears.<sup>43</sup> Evidently, no misery-averse society can accept a crowd of elderly destitute paying a heavy price for not having saved for old age.<sup>44</sup> It is rational for people to fear this possibility. So while we have reason to free the short-lived from irrational fears of worrying too much about old age, we must only do so until the point in which they begin having good reasons to fear old age.

A second question is how to deal with those who *know* they will be short-lived. Some people can be sure they will die soon, but one can never be as confident to live long. Sudden death is always possible, but there is never a guarantee that one will live long. Must those who know they will die early still save for their old-age retirement? The answer depends on whether we take an ex-ante or ex-post perspective on equality. I suspect an ex-post view would not force savings in such cases. In contrast, I think the ex-ante equality

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<sup>42</sup> Gregory Ponthière pointed out to me that even if reverse retirement cannot alone fully ensure individuals against a short life, one may complement that device with fiscal policies or other policies against old age without questioning the reverse retirement system. But the same may be said of his proposal to reverse retirement. In the next articles, I consider alternative approaches to this end. For now, it is sensible to take retirement as the main scheme by which we protect individuals against longevity risks.

<sup>43</sup> For such a view and a rare philosophical discussion of freedom from fear, see Goodin & Jackson (2007).

<sup>44</sup> Van Parijs (1997: 30). In this case, one may force some prudent people to pay for the cost of other people's imprudent choices to spend all of their resources at once. The most intuitive and non-paternalistic solution to this dilemma would be to set up compulsory insurance against old-age poverty to preserve dignity at all times. On this, see Bou-Habib (2006).

would, insofar as people would agree with doing so when unaware of their condition (behind some veil of ignorance). I take no position on this issue, as I mean to show that my argument holds under both ex-ante and ex-post equality.

To sum up, old-age retirement can benefit the short-lived by strengthening our reasons to help the latter and ensuring that they can effectively use reverse pensions. Such justification of old-age pensions does not rely on the paternalistic assumption that people do not know their best interests (say, due to temporal myopia).<sup>45</sup> Nor does it appeal to conceptions of intrapersonal justice, in which we have obligations to our (future) selves.<sup>46</sup> Instead, it delivers a lifetime interpersonal egalitarian justification for adequate old-age retirement. We can join this one to the several other reasons we have to endorse the principle of sufficiency across life (e.g., relational equality, dignity). But note that the two ways in which old-age retirement benefits the short-lived will likely justify thresholds at different levels. The first one demands a level that secures a minimum adequate existence so that growing older remains worthwhile. The second is potentially more robust by being placed at the level that makes it no longer rational for us to fear living long. Against our initial intuitions, it benefits the short- and long-lived to have old-age retirement complementing reverse pensions, which softens our earlier dilemma. Together, reverse and old-age retirement make up two out of three pillars of libertirement.

## 5. Making a Difference with Sabbatical Retirement

There are liberal egalitarian reasons to distribute retirement benefits through two pillars, a 'reverse' pillar that frees up retirement benefits early in life and a 'standard' one ensuring old-age retirement. Despite being necessary, these two pillars might not yet be sufficient to guarantee fair retirement. In this section, I argue for implementing the third pillar of sabbatical retirement. By spreading more uniformly across life, sabbatical retirement guarantees that workers receive one year of free time set at their average lifetime income for every X years of work.<sup>47</sup> While those working longer usually accumulate more resources than those working fewer years, there are still *two* reasons for

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<sup>45</sup> For similar reasons as Bou-Habib (2006) presents in his defence of compulsory insurance without paternalism.

<sup>46</sup> See, again, Jauch (2021) on Daniels (1988).

<sup>47</sup> See footnote 26, p.124.

introducing a sabbatical retirement system. The egalitarian reason is that doing so treats those among the short-lived who contribute longer more adequately. The liberal reason is that this policy preserves people's ability to continuously revise their conception of the good life (for instance, by investing in talents that are not yet productive in the labour market).

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Egalitarians have *two* reasons for endorsing the degree of contribution sensitivity made possible by sabbatical retirement. Under sabbatical retirement, workers must contribute before they retire. Since there must be enough resources to finance retirement schemes, granting people a pension without any contribution can be problematic. The problem is not that the shortest lives obtain a 'free lunch' if they retire when alive and die before working. Instead, a more sensible reason is that many people believe that retirement is a reward for a long contributing or working career.

To the extent that the intuition of retirement as a reward for a long contributing career is valid, then those who earn the least for the longest time should benefit more. In Article 2, we have seen that egalitarians can justify the intuition behind such intuitions, provided they modify the principle of maximin fairness accordingly. Back then, I said nothing about how the argument bears on the decision between reverse, sabbatical, and old-age retirement.<sup>48</sup> Note, however, that not all short-lived live equally long. Some have done more to retire than others. Intuitively, a person contributing for a long time but who dies right before retiring should have benefitted more than one who died before starting to work, at least under the conviction of retirement as a reward for longer careers. The two pillars of 'reverse' and 'old-age' retirement fail to deal appropriately with those in between a short and long life: the *short-longer-lived*. Consider again,

*Shorty & Middy* began working at the same age. They can only retire when young and at 65. *Shorty* lives to 40 years old, whereas *Longie* lives to 60.

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<sup>48</sup> This is not to deny that considerations other than unequal longevity, such as ambition sensitivity, might tell in favour of a sabbatical retirement over standard old-age retirement. Yet, I am not sure such considerations of ambition sensitivity justify preferring sabbatical over reverse retirement, since the latter is more ambition sensitive.

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Middy is the short-longer-lived person in the example above. She is short-lived because she fails to reach the 'normal' retirement age of sixty-five years old, but she nevertheless lives longer than Shorty. Under retirement schemes that consist only of a 'reverse' and the 'standard' pillar, Shorty and Middy enjoy equal retirement time despite Middy working and contributing for much longer than Shorty. When two people live unequally long, but neither reaches the standard high retirement age, our two pillars fail to give the short-longer-lived more time to retire. Sabbatical retirement is necessary to track the unequal contribution time among short-lived people who live lives of different lengths. Those who agree that the retirement system should be sensitive to differential burdens must accept that reverse retirement is insufficient (because it does not provide Middy with more). So too is old-age retirement, since it also does not benefit anyone more than the other.<sup>49</sup> Here, the solution must be to introduce sabbatical retirement.

Of course, the extent to which sabbatical retirement solves the problem at hand depends on how long one must work to acquire sabbatical rights. If twenty years, we face the same issue between a person who dies in her second year of contribution and one who dies in the nineteenth year. The less time we need to work to obtain a sabbatical, the less likely this problem will arise.<sup>50</sup> Meanwhile, I do not want this to collapse into a justification of weekends (or holidays) if, say, the solution we adopt is to have people enjoy free time for one day for every six days of work. A reasonable middle-ground would be to retire for six months for every three and a half years they work. To be sure, people may save their sabbaticals for when they want to use them. It is as they wish. Giving them the *right* to retire is enough for our purposes since the focus is (and should be) on access to retirement by people who die prematurely, despite whether they choose to do so.

The *second* egalitarian reason for sabbatical retirement appeals to incentives.<sup>51</sup> The claim is not that we are entitled to receiving at least as much as we contributed as some form of reciprocity.<sup>52</sup> Instead, sensitivity to

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<sup>49</sup> This claim does not contradict the idea that it can benefit all short-lived equally, as I have defended in the previous section.

<sup>50</sup> See also footnote 26, p.124.

<sup>51</sup> This normative justification, which we can find in Schokkaert & Van Parijs (2003a), resonates with history. See e.g., Blackburn (2002: 56-8).

<sup>52</sup> See Gosseries (2017) and articles 2 and 8 of this thesis. Distributive egalitarians cannot appeal to egalitarian reciprocity because it forbids fair redistribution. It requires that the wealthy are entitled to receive as much as they have given to the poor through coercive taxation.



contribution time is an incentive benefiting the lowest retirement pensions. Because not only does it push people to work and contribute more than they would otherwise do. It can also increase the retirement pensions of the poor by persuading wealthier persons to become pro-pensions and channel more resources to a public pension system. There is empirical evidence suggesting that people are willing to pay higher taxes if they perceive a link between contributions and benefits.<sup>53</sup> It might be that the current size of our retirement systems would have been smaller if retirement pensions were not as sensitive to contribution. Otherwise, the wealthy would probably take advantage that money begets politics to shrink it.<sup>54</sup> These are two egalitarian reasons to welcome *contribution* sensitivity in the form of sabbaticals. One concerns fairness between those among the short-lived who are longer-lived. The other is about maximising the lowest pensions through work and contributory incentives.

### 5.2. FREEDOM TO REVISE CONCEPTIONS OF THE GOOD LIFE

A central tenet of liberalism is that people can form, pursue, and *revise* their conceptions of the good life. Under our two pillars, workers who spend their reverse retirement benefits must wait for old age to enjoy years of free time again. With the third sabbatical pillar, it is possible to ensure workers' continuous freedom to revise their conceptions of the good life. Again, by spreading more uniformly across life, sabbatical retirement preserves the freedom to change one's life, either to leisure, to work on non-productive talents, or to alter one's approach in the labour market. The most pertinent and recent example of this necessity is this,

*The Great Resignation* approaches as millions of American workers say 'I Quit' to their employers.<sup>55</sup> They feel the need to rethink their life after the pandemic and, thus, need time to revise their conception of the good life. Since governments do not typically fund voluntary unemployment, workers have to finance these resignations at their own expense.

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<sup>53</sup> E.g., Montgomery *et al.* (1992), Ooghe *et al.* (2003), and Summers *et al.* (1993).

<sup>54</sup> The empirical evidence on this is quite extensive; see e.g., Bartels (2009) and Gilens (2012).

<sup>55</sup> Hsu A (2021, 06 24). As The Pandemic Recedes, Millions Of Workers Are Saying 'I Quit'. NPR: (<https://www.npr.org/2021/06/24/1007914455/as-the-pandemic-recedes-millions-of-workers-are-saying-i-quit?t=1634465966267>) and Thompson D (2021, 10 15). The Great Resignation Is Accelerating. The Atlantic: <https://www.theatlantic.com/ideas/archive/2021/10/great-resignation-accelerating/620382/>

#### §4. Get Old or Die Trying: A Case for Libertirement

For various reasons, there comes a time when workers might need to leave the labour market for some time to re-orient their lives, acquire new skills, or some other reason. With age, our capacities to do what we want to do and our ideas of what to do change. Those who live longer age more, so they are more susceptible to the need to revise their conception of the good. Concentrating most retirement income early in life through reverse retirement does not guarantee that longer-lived workers can alter their lifestyle when they most need to. Whereas reverse pensions are necessary to secure our freedom to pursue *any* conception of the good life, sabbatical retirement offers better protection of our ability to revise it eventually, be it out of necessity or free choice.<sup>56</sup> Before permitting this, it is worth pausing again to ask what grounds we have for ensuring this ability to revise one's conception of the good life.

To justify adding the third pillar of sabbatical retirement, we only need to acknowledge that people are not like Benjamin Button. Their young selves are first-comers who may appropriate everything and leave their older selves with little if anything. It is necessary to constrain how much freedom young selves may appropriate if we are to conceive of persons as beings who preserve and maintain their liberty to revise and alter their ends.<sup>57</sup> Voluntary enslaved people are not free persons when they lack the freedom to 'reshuffle' their earlier choices. Unless we hold Liberalism to be compatible with instances of voluntary slavery, we should say that younger selves must save a reasonable degree of freedom for their older selves. There are situations in which we cannot reasonably place who we might one day become. The same is true of sabbatical retirement: free persons must preserve the freedom to retire to ensure they can be free when they most need to.<sup>58</sup> Those who reach old age could use old-age retirement to revise their conceptions of the good. This option is unavailable to those who live longer but not enough to get old unless we introduce the final, sabbatical, pillar of libertirement.

Can the objection to reverse pensions and in favour of sabbatical retirement be that it assumes, wrongly, that we are the same person across life? There is a case for sabbatical retirement if people are distinct persons throughout life. In such cases, one can insist that the retirement benefits that have been given to their younger selves have not been given to them since

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<sup>56</sup> In Article 5, I conclude with this same point about basic capital and basic income.

<sup>57</sup> E.g., Rawls (1971: 131).

<sup>58</sup> Note that this justification is, unlike the others, intrapersonal since it appeals to fairness to oneself.

they are no longer the same self.<sup>59</sup> For instance, the middle-aged could claim that a different self enjoyed their pensions because they are now fundamentally different from when they were younger. As mentioned in the Introduction, our standpoint assumes the 'unity of persons' across life. Recall that one reason for this assumption is that, otherwise, too little scope is left for individual freedom and responsibility. Under a 'changing selves' view, choosing one's future would potentially amount to the freedom to decide how another should live, which is impermissible on liberal grounds. Similarly, one can also always avoid taking responsibility for one's past by claiming that this action is not ours in the morally relevant sense. This criticism of reverse retirement has no place in our standpoint because our stance requires that it can be legitimate to have people decide their future and be able to be held responsible for their past.<sup>60</sup> And as I have just shown, we need not rely on the 'changing selves' view to add the third pillar of sabbatical retirement.

### **6. The Three Pillars of Libertirement**

This discussion led me to defend a three-tier retirement system that I call 'libertirement'. The first tier is a 'reverse' pension that frees up retirement early in life as a matter of justice to the short-lived. There is then an 'old age' feature, guaranteeing that workers can retire when old. Finally, it contains a 'sabbatical' component that ensures workers' freedom to retire across life. At this stage, there is an essential question about the normative criteria to manage trade-offs between these three pillars. Are they all equally important? The libertirement I defend here is compatible with attributing different weights to these pillars, provided each weight is above zero. As a three-tier conception of retirement, it is open to many views about how much priority each pillar is to have under resource scarcity. Their lexical ordering remains a question whose answer should be flexible, depending on how much importance we give to each argument in this article.

Libertirement is also flexible in that we can achieve it in various ways. Allow me to briefly describe some possibilities for realising this aim. One possibility is to raise the retirement age by, say, seven years. Three of those years would be given as gap years early in life, which the young could use

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<sup>59</sup> Van Parijs (1997: 47) also considers this possible reason for basic income and ends up rejecting it as well. See Parfit (1984) for a seminal defence of the 'changing selves' view. I also discuss this issue in Article 5.

<sup>60</sup> You may find the same claims on basic grants and personal identity in Valente (2022a).

#### §4. Get Old or Die Trying: A Case for Libertirement

however they please (including saving them for a later age). The four remaining years could be given every ten years, thus covering a forty years career. Using this illustration, we could defend more or less generosity with each pillar. Another possibility is to have time vouchers - a lifelong time budget which we can use whenever we want and have the money paid to use it. Following the reverse pillar, we could use some of this time immediately. As the sabbatical pillar recommends, an additional portion of time would be available every X years. And such time vouchers would be guaranteed after a certain advanced age, thus replicating old-age retirement. Aside from these possibilities, articles 5 and 6 discuss two additional paths to libertirement.

Libertirement adapts well to the fact that people are living longer on average. The standard reply to increasing longevity has been to stimulate employment among older workers.<sup>61</sup> Our conception of justice in retirement welcomes this solution with one condition. The condition is that we pursue increases in retirement age without penalising short-lived workers. It is possible to implement higher retirement ages without people feeling that pensions are 'taken away from their own eyes' through policies like reverse retirement. While libertirement contradicts how we traditionally think of pensions, it adapts well to our changing reality.

There is a link between libertirement and debates about annuitisation, a standard (implicit) feature of many public pension systems.<sup>62</sup> Under annuitisation, people receive assistance in the form of yearly instalments of constant magnitude from the moment they retire. Annuitisation is worse for shorter-lived retirees than if they could receive an upfront payment as soon as they retire or, more moderately, a grant of decreasing magnitude.<sup>63</sup> Libertirement generally welcomes the idea of de-annuitisation since the latter is a proposal to increase our freedom to enjoy free time across life as a matter of justice between the short- and long-lived. Yet, it is both a constraint and an expansion of this idea. It is a constraint in that de-annuitisation can only be partial: people must be guaranteed enough for their old age, which would not happen if they could spend their full retirement grant immediately. Meanwhile, libertirement expands the idea of partial (de)annuitisation by

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<sup>61</sup> E.g., OECD (2019).

<sup>62</sup> On de-annuitisation and differential longevity, see Vandenberghe (2021).

<sup>63</sup> See Article 5 for a comparison of the merits and drawbacks of decreasing instalments and a capital grant (in the case of UBI).

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broadening the age at which people may retire, expanding retirement pensions beyond those who live enough to reach retirement age. Instead, libertirement anticipates de-annuitisation to the beginning of life.

Finally, two questions remain unanswered. One is about *coordination*.<sup>64</sup> What happens if we all choose to retire at the same time? The possibility that people may withdraw simultaneously from the labour market is attractive if there is value in *shared* free time.<sup>65</sup> However, sustaining libertirement requires enough contributors to pay for pensions at any given time. It must then inevitably involve adopting several strategies to forbid workers from retiring simultaneously.

There are also questions about how the argument translates to non-affluent societies, where the elderly are unlikely to have enough but are also more likely to be short-lived. If the proportion of older adults in the population is too low, reallocating labour to old age will not produce sufficient resources to benefit the young short-lived. Again, this shows that it is sensible to make libertirement conditional on enough contributors. But it also suggests that reverse and sabbatical retirement policies can be increasingly attractive in ageing societies. And it is in ageing societies that it is most tempting to neglect those who were once visible when young but who died trying to grow older.

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<sup>64</sup> There can be coordination problems with sabbatical and reverse retirement so long as retirement systems allow people to store their retirement rights for when they wish to retire. Albeit regrettable, one solution to such problems would be not to allow for storable retirement rights.

<sup>65</sup> On the value of shared free time, see Rose (2016b).

## §5. Basic Income and Unequal Longevity<sup>1</sup>

**Abstract** Universal basic income proposes providing instalments of constant magnitude to all. One problem with a stable basic income across life is that it seems unfair to shorter-lived persons, who are worst-off due to premature death and receive less over their whole lives. Basic capital solves this problem by providing a one-off grant to the young, but I argue that it mistreats long-lived persons as it does not guarantee their real freedom across life. There is a dilemma between these proposals regarding their respective unfairness to the short- and long-lived. The solution I propose is a net basic income of decreasing magnitude until a specific age, after which the income is constant. This solution is compatible with constant income benefits across life, and it offers a fair answer to the problem of unequal longevity, a widely neglected but essential challenge in debates about basic income.

**Keywords** basic income © longevity © distributive justice © age

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<sup>1</sup> This essay is a modified summary of Valente (2022a).

## 1. Basic Income and the Short-Lived

Universal basic income (UBI) proposes providing everyone with monthly instalments of constant magnitude across life, meaning that younger and older persons receive the same amount.<sup>2</sup> When people of all ages receive the same, those who live longer collect more than those who die younger.<sup>3</sup> Under a UBI, short- and long-lived persons receive unequal amounts in life. The fact that not all of us live equally long challenges the egalitarian nature of UBI: either it is constant, and the long-lived receive more, or short- and long-lived persons collect the same payments in life, in which case the instalments can no longer be constant. Under unequal longevity, we must choose between spreading income *equally* across life stages and between different lives. It appears we cannot choose both. As Van Parijs (1997: 46) once noted,

“If the basic income takes the form of regular instalments of constant magnitude (...) those living to an older age get a larger total basic income than those dying earlier, and the distribution seems therefore bound to violate the leximin criterion”.

Basic income appears to protect those disadvantaged due to having little every year they live, but not those who are worse-off in life because they die prematurely. So basic income seems unfair to shorter-lived persons, who are worst-off due to premature death and receive less over their whole lives. Basic capital solves this problem by providing a one-off grant to the young, but I shall argue that it is also unfair to the long-lived (§2). There is then a dilemma between basic income and basic capital regarding their respective unfairness to the short- and long-lived (§3). I argue that the best solution to this dilemma is to have a net basic income of decreasing magnitude until a later age, after which the income is constant (§4).

## 2. Basic Capital and the Long-lived

The problem that a basic income across life raises for the short-lived invites us to consider the basic capital proposal instead. This proposal consists of a one-off grant to the young rather than constant streams across life, as Thomas Paine (2004) has once proposed.<sup>4</sup> An example of such a policy is the proposal

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<sup>2</sup> Bidadanure (2019).

<sup>3</sup> Van Parijs (1997: 46).

<sup>4</sup> Paine has also proposed an old-age component akin to traditional retirement. See also p.17.

made by Bruce Ackerman and Anne Alstott (1999) to give an unconditional sum of \$80,000 to anyone who reaches adulthood. With Article 4 in mind, we may describe basic capital as the 'reverse retirement' of basic income debates. Let us consider the main objections to this policy.

### 2.1. THE PERSONAL IDENTITY OBJECTION

One might say that the basic capital proposal fails to give us an *equal* income. The elderly could claim that, even though their earlier selves received an unconditional income, what has been given to their younger selves has not been given to them because they are no longer the same self.<sup>5</sup> This objection gains traction once we question the assumption that people preserve their identity over time and remain the *same* throughout life.<sup>6</sup> If people are distinct selves throughout life, a distribution that gives to the young *but not* the old may be unequal.

The 'changing selves' view about personal identity is controversial, but it is often closer to fiscal schemes than the 'unified selves' view. Many such schemes distribute burdens based on single-year income or consumption rather than a lifetime basis.<sup>7</sup> Yet, consistently with the Introduction, we have two reasons to resist the distributive implications of this objection.<sup>8</sup>

First, it does not take the distinction between persons seriously (the Separateness condition). Suppose there are two worlds. In  $\lambda$ , A always earns twice as much as B. In  $\pi$ , A receives twice as much as B in one year, but the situation reverses after. Intuitively, we would say that  $\pi$  is more egalitarian than  $\lambda$ .<sup>9</sup> But note that, despite always benefiting A,  $\pi$  has the same periodic inequality as  $\lambda$ . In both, one has twice the opportunities as the other at any given time. If selves last only one period, each world then consists of four, two of whom are *equally* disadvantaged. The periodic inequality is the *same* in either world, and the same is true of inequality between selves if they exist for only one period. Intuitively, egalitarian justice should not be indifferent between benefitting the same and different lives. That is what has been famously criticized about Utilitarianism.<sup>10</sup>

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<sup>5</sup> Van Parijs (1997: 47).

<sup>6</sup> For a seminal inquiry, see Parfit (1984).

<sup>7</sup> Zelenak (2008). This is less true of fiscal entitlements since a big part of them are old-age pensions that reflect people's lifetime earnings.

<sup>8</sup> See p.36-7.

<sup>9</sup> Hortug & Lippert-Rasmussen (2007).

<sup>10</sup> Rawls (1971: 23-24).



Second, it fails to treat people as unified entities (the Unity condition). Generally, the 'changing selves' view does not sit easily with the idea – to which many would subscribe – that people can decide their future or be held responsible for their past. First, it is unclear that people can be held responsible for their past choices under the 'changing selves' view. One could always claim that the results of one's projects and choices were not of their own volition but instead projects and conceptions imposed by one's earlier self (who is a different self). Second, it is hard to see why people should have the freedom to make decisions affecting their future. With 'changing selves', that amounts to the freedom to decide how another self should live, which is impermissible on liberal grounds. So this view does not fit the intuitive idea that people should be free to decide about their future and be responsible for their past. Let us consider another strategy.

### 2.2. THE PRUDENTIAL OBJECTION

Perhaps a more natural concern about basic capital is that it allows earlier and younger selves to be imprudent, or even to exploit, the fortunes of their later and older selves. Basic capital policies purporting to give a one-off grant at the age of majority allow the young to squander their one-off grant completely, and leave their older selves in destitution.<sup>11</sup> Since people are unlike Benjamin Button, i.e., are young *before* they are old, young selves are first-comers who may appropriate everything and leave their older selves with little (if anything). Older selves, who rely on inheritance from their young selves, may end up receiving nothing.

One problem with the basic capital proposal is that it does not protect the freedom of older selves against the weak will of younger ones.<sup>12</sup> It opens up the possibility of imprudence by allowing for a too unequal distribution of basic income across life.<sup>13</sup> Despite this being true, I do not think prudence fully captures what is wrong with the basic capital. Consider, for instance, the case of *sufficiently long lifespans*:

*Jane* receives a one-off grant of \$80,000 when she is 20, and she spreads her grant uniformly across her life, dividing the budget by the number of

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<sup>11</sup> Van Parijs (1997: 47).

<sup>12</sup> *Ibid.*

<sup>13</sup> Therefore, it is open to the possibility of imprudence. See Daniels (1988) on prudence, and Van Parijs (1997:47-8) on this worry about basic capital.

years she expects to live. If 30 years longer  $\approx 2.666,(6)/\text{year}$ ; if 60 years  $\approx 1.333,(3)/\text{year}$ . And so on.

Long-lived persons are more vulnerable to ‘imprudence’ because they go through more younger selves during life. Just by dint of living longer, they have more opportunities to squander their resources. But *despite* their prudence, people like Jane are not guaranteed enough per year if they live a sufficiently long life. Jane does not need to be long-lived. It suffices that she *expects* to live long. The longer she expects to live, the more basic capital she needs to save per year. There is a point at which basic capital no longer guarantees that sufficiently long-lived persons have enough freedom every year they live, no matter how prudent they are. In this context, no ‘prudent’ allocation of resources guarantees Jane’s freedom across life. So prudence is an insufficient diagnosis of what is wrong with basic grants.

Basic capital does not ensure that those who are (or expect to be) long-lived can provide for their basic needs. As with reverse retirement, by failing to protect people against the risk of a long life, basic capital may then provide only *Pro-forma* compensation to the short-lived. The latter might be afraid of enjoying these benefits if they fear growing old. This problem is essential when longevity is uncertain, as it may negatively affect the ‘take-up’ rate of early benefits.

### 2.3. THE SUFFICIENCY OBJECTION

It may seem strange to invoke the notion of sufficiency as a reason why egalitarians should prefer basic income to a basic capital. That is because the basic income the maximin or leximin standpoint justifies may fall short or exceed what is necessary for a decent or adequate existence.<sup>14</sup> Let us then refer to a threshold of sufficiency below which one cannot be said to *be free* at a given time – call it the BFR level. The higher the BFR level, the greater the extent to which basic capital fails to *secure* sufficient freedom across life, no matter how prudent one is.<sup>15</sup>

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<sup>14</sup> Van Parijs (1997: 35). Nevertheless, there are still reasons to believe that everyone should be paid a universal basic income *at a level sufficient for subsistence* (e.g., Van Parijs 2000).

<sup>15</sup> It suffices my purposes to say that basic capital does not ‘guarantee’ enough real freedom, whether or not it also ‘forces’ sufficiently long-lived persons to be below the threshold is unlikely, for unconditional income policies intend to be floors on which people can stand, but above which they can always earn extra income. If some people are denied extra income, say because they have been forced out of the labour market, it does follow that basic capital *forces* insufficient freedom on such individuals.

## Ageing as Equals

If people have needs they must satisfy to be free at a given time, and the longer-lived live through more 'times', the longer-lived need more resources to be free across life. Longer-lived persons inevitably need, for instance, to consume more water and pay more bills. Basic capital does not accommodate the long-lived's greater lifetime needs, as it treats people *as if* they were equally free with equal lifetime resources, regardless of how long they live. But it is not necessarily true that equal lifetime resources yield equal lifetime freedom. A policy that never secures BFR does not ensure that one is ever free, and it may fail to promote equal lifetime freedom. Consider:

*Jane and Stuart* receive a basic grant of \$80,000 when they turn 20 years old. Jane outlives Stuart: Stuart dies at 50, whereas Jane lives to 100. Stuart may spend \$2.667 per year, whereas Jane can only spend \$1,000. BFR is 2,000/year.

In this society, Jane and Stuart receive equal unconditional incomes in life. The grant maximises Stuart's lifetime freedom, but at the expense of not guaranteeing that Jane is ever free since Jane can always be below BFR. From our standpoint, Jane is penalised because the basic capital does not ever ensure that she has *positive* freedom per year if she lives long enough. But if the basic capital does not guarantee this after we reach adulthood, it fails to secure a significant degree of lifetime freedom for people like Jane. It is compatible with her being unfree throughout her life. Starting from a point in which the short-lived are worse off, we swung to a situation in which the long-lived are now owed compensation.

This point suggests that the short-lived are only entitled to compensation above the BFR. Our reasons to compensate Stuart relied on the assumption that he was less free than Jane, for which Jane needs to live a free life. But basic capital does not promise Jane that. There is then a connection between the claims of the short- and long-lived: our reasons to compensate the short-lived require that the long-lived are generally free per year they live by meeting the BFR level across life. Benefiting the short-lived through a basic capital only becomes a concern of egalitarian justice once the basic needs of the long-lived are generally covered all across their lives. One key implication is that only

affluent societies whose highest sustainable basic income exceeds the BFR have an obligation of egalitarian justice to compensate the short-lived.<sup>16</sup>

### 3. A Dilemma

A constant basic income across life fails to maximize the lifetime freedom of the short-lived. Basic capital maximizes the lifetime freedom of the prematurely dead but fails to guarantee that long-lived persons can avoid resource poverty. These contrasting views of distributing basic income across life bring us to a dilemma. Either we compensate for unequal longevity through a basic capital, which allows but does not guarantee *enough* freedom across life, or we distribute a basic income that can offer such guarantees but necessarily increases longevity inequality. As seen in Article 4, the general dilemma is that the more resources we shift to old age to protect the poor's long lives, the greater the inequality between the short- and the long-lived.<sup>17</sup>

One exit from this dilemma is to suggest that one extreme is worse than the other. For instance, the unfairness that basic capital commits against the long-lived may be greater than that which basic income commits against the short-lived. As I shall argue in the next section, I believe the best solution sits on *neither* extreme - basic capital *nor* basic income. A hybrid strategy can achieve the best balance between the claims of the poor in longevity, who stand to benefit from a basic capital, and the poor in resources that would otherwise benefit from a basic income across life.

I shall now compare the two best ways of addressing this problem, both of which echo the libertirement proposal. The first goes back to the proposal by Thomas Paine to implement basic capital at the beginning of adulthood together with an instalment at 'the age' of retirement.<sup>18</sup> The second is to have regular instalments of decreasing magnitude until a certain age, say 60 years old, with a constant basic income afterwards. Both strategies assume an age

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<sup>16</sup> According to this form of sufficiency-constrained egalitarianism, the pursuit of lifetime equality should not generally place people below a threshold at a given point in time (see Gosseries, 2003, 2011; Bou-Habib, 2011). I emphasise the word 'generally' to distinguish between never accepting insufficiency and doing so provided it benefits the person. The first view is vulnerable to counterintuitive implications. Consider the following example, similar to Schmidt (2017: 1433). Jane has to choose between a) 70 years of freedom and good health with a year of insufficient freedom and b) always having enough freedom but dying 30 years earlier. Intuitively, Jane should choose a) because its lifetime benefits clearly outweigh the year of insufficiency. If we never accept insufficiency, Jane must choose b). But a commitment to avoiding sufficiency and opting for b) will clearly make her life worse than it would otherwise be if she had chosen a). I use the word 'generally' because sufficiency at all times generally makes one's life go better, but there are cases (as Jane's) in which it may not.

<sup>17</sup> Gosseries (2019: 48, 2022). See also Articles 4 and 5.

<sup>18</sup> See Paine (2004). For a recent discussion, see Carter (2013).

at which our reasons to benefit people shifts,<sup>19</sup> after which the instalments become constant until the end of life. Yet, these proposals differ in how they benefit the short-lived.

#### 4. Which Solution?

Before comparing these strategies, let me mention what they have in common. Both compensate for early death while protecting everyone against the risk of old-age poverty (*at* the BFR level).<sup>20</sup> Thus, everyone (including the short-lived) can enjoy a higher income early in life without the fear of living long. As we have seen, a pure basic capital is just like pure reverse retirement in that the short lives may fear taking up early benefits due to the fear of old-age poverty. Since the solutions we consider guarantee old-age security, they induce no such concerns. Even though I take them to be better than pure basic income and a pure basic capital, there are *three* reasons to prefer a regular income instalment of decreasing magnitude to Paine's proposal.

*Firstly*, the regular decreasing instalment is better at avoiding problems of imprudence. The one-off grant maximises the compensation for those who die at the earliest ages. But it also opens up the possibility that our younger selves spend it all at some point in their lives, thus needing to wait for old age to receive further income assistance. Compared to Thomas Paine's proposal, the instalment of decreasing magnitude is better shielded against the problem of imprudence.

*Secondly*, decreasing regular instalments reflect better the badness of premature death across life, which decreases with age after reaching adulthood. Again, the standard approach to death's badness is comparativist: the badness of death compares to the welfare level one would have if one had not died.<sup>21</sup> Hence, death is bad for us partly because it deprives us of various goods we would have had if we had not died. Except for the very young, the account does entail that, typically, death is less bad the later the age it happens. The underlying idea is that the earlier it happens, the more a person

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<sup>19</sup> I borrow the idea from the 'shift thesis' by Liam Shields (2016), according to which our reasons to benefit people above a certain threshold change. In this case, the threshold is set in terms of age.

<sup>20</sup> Setting it above this level would fail to equalise as much as possible the lifetime resources of the short- and long-lived. Placing it below would not generally ensure a free life for the long-lived, undermining our reasons to benefit the short-lived. To be sure, the sufficiency level (BFR) can go beyond standard basic needs, and understand sufficient freedom as freedom to succeed in one's pursuit of one's conception of the good life, whatever it may be.

<sup>21</sup> See footnote 22, p.122.

is missing out on by dying early. Unlike the basic grant, the decreasing income reflects the decreasing badness of death across life more neatly.

At this stage, one might point out that we must not only consider how the badness of death changes with age. But also the distribution of these risks across life. That is at least what one type of egalitarianism, ex-ante egalitarianism, would say. The risk of death across life will likely be U-shaped. Hence, the opposite of the inverted U-curve of the badness of death. That may mean that our chance of dying is lower when it is, in fact, worse for us to die (and vice-versa). The expected value may then be roughly constant across life if changes in the probability of death compensate for variations in the badness of death. Considering these risks, one could argue, we should favour a constant stream of benefits across life, as opposed to a decreasing one. But this might be too quick. On an ambition-sensitive version of ex-ante equality, like the 'fair insurance' approach, people should have equal opportunity to purchase insurance against longevity risks.<sup>22</sup> Compared to a constant basic income across life, the decreasing grant gives fairly-situated individuals (ex-ante) more freedom to insure against the chances of a short and long life according to their values and attitudes to risks. Such considerations support the idea that individuals would prefer benefits that mitigate the risk of premature death, for these leave allow individuals to protect themselves against risks as they consider fit.

The *third* reason goes back to the libertirement proposal made in Article 4. If we look closely, Paine's proposal includes only two of its three pillars. The basic grant resembles the 'reverse' pillar, and the basic income later in life can coincide with the old-age retirement pillar. The sabbatical element is the only pillar of libertirement missing from Paine's proposal. As liberals, we can appeal to the greater need that the short-lived who live longer have to revise their conception of the good life. Again, not all short-lived live lives of equal length. Some might die right before age, and others die very early in life. The former will need more resources than the latter if we are to guarantee their ability to revise their conception of the good. And while Paine's proposal gives both the same grant, the decreasing proposal does not. It provides the short-longer-lived with more. This solution strikes a good balance between what is, on the one hand, the tendency of basic capital to increase people's freedom to

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<sup>22</sup> See p.102-4.

## Ageing as Equals

pursue any conception of the good life and, on the other hand, basic income's maximisation of our freedom to revise any such conception. Unlike Paine's proposal, the policy I propose here possesses the three pillars that make up for Libertirement.

With this said, one might now insist that my proposal is worse than Paine's in at least one way: it is more paternalistic. One might say it limits people's liberty or autonomy in their (supposedly) best interests. But why not give people all that they are entitled to when early in life and let them decide how to use them over time? It seems this would be optimal in terms of liberal neutrality, for instance. Earlier in the thesis, I offered independent considerations to secure sufficiency, such as dignity, relational equality and efficiency. But there is also a crucial reason liberals should also side with sufficiency. Or, better put, why some paternalism is integral to any liberal project that seeks to guarantee that people can revise their conceptions of the good life. Again, it seems that basic capital would increase people's freedom to *pursue* any view of the good life. But it does not ensure that people can revise such conceptions. In contrast, the basic income seems better at maximising people's freedom to *revise* their views. But it reduces individual discretion regarding how to allocate one's resources across life. My proposal is a middle ground between these two liberal concerns. It offers a better solution to a tension that, I would suggest, is internal to Liberalism.

The challenge that 'unequal longevity' presses against the universal basic income requires that egalitarians distribute basic income in decreasing fashion across life until a certain age. In echoing the libertirement proposal advanced earlier, this solution offers a fair answer to the problem of unequal longevity, a widely neglected but essential challenge in debates about basic income.<sup>23</sup> Many objections against basic capital considered here neglect that most people already enjoy adequate protection against old-age poverty. Insofar as welfare state policies tend to account for old-age poverty more than for the risk of premature death, the need for basic income to adjust to the problem of unequal longevity increases.

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<sup>23</sup> As with the wealth, what I propose is compatible with equal benefits across life, provided contributions to paying the basic income increase with age until a certain age. If it is the net distribution we care about (benefits – contributions), we can choose between decreasing benefits and increasing subsidies. These are two viable ways of achieving the net distribution of basic income. So we do not need to give up on instalments of constant magnitude to compensate for the short-lived if they are properly financed.

## §6. Two Types of Age-Sensitive Taxation<sup>1</sup>

**Abstract** This essay discusses what egalitarians should think about two types of age-sensitive taxation. One is a form of cumulative income taxation, which taxes yearly incomes considering all earlier income years instead of only the last one. The second is age-differentiated taxation, which taxes yearly incomes by adjusting the rate to the taxpayer's age. I first present the main reasons supporting cumulative income taxes. I proceed to look at how it affects fiscal obligations across life. Then, I suggest that egalitarians ought to aim at reforms that benefit the young and the elderly more than the middle-aged. Finally, I question whether cumulative income taxes can deliver this without resorting to age-differentiated taxes. I show that while cumulative income taxation can benefit the young, age-differentiated taxes are necessary to benefit the elderly.

**Keywords** lifetime taxation © longevity © age discrimination © lifetime income

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<sup>1</sup> This essay is a modified summary of Valente (forth.).



## Clement vs Obama

People's income-related fiscal obligations fluctuate with age because annual income tends to rise until middle age and decline afterwards.<sup>2</sup> In a hump-shaped income distribution, middle-aged people pay higher yearly income taxes than the young and the elderly. This essay discusses *two* strategies to make income taxation rates sensitive to age that may contribute to the earning trajectory that I have been defending in the previous articles.

The first is a form of cumulative income taxation, which considers *all* earlier fiscal years beyond the last one. It comes in two versions, a 'total' and an 'average' one. The former adjusts yearly tax rates to the total income a person earned until then, irrespectively of her age or the number of years she has worked. The latter adjusts yearly tax rates to the average annual income earned so far. Consider, for instance, Canadian politician Tony Clement's 2004 proposal to exempt from income taxation anyone who had not yet earned a total of \$250,000 in life.<sup>3</sup> This proposal belongs to the total version. It favours the young because total lifetime income increases as we grow older. Depending on how income evolves with age, this would not necessarily hold if we focused on average yearly income over people's lifetime instead.

The second type of age-sensitive tax relevant to us here is age-differentiated taxation. It adjusts the rate applicable to the previous year's income to the taxpayer's *age*. Like the previous, fiscal systems do not tend to include this proposal.<sup>4</sup> Yet, they could. In 2008, for instance, U.S. presidential candidate Barack Obama proposed to "exempt anybody aged 65 and older, and making no more than \$50,000 per household, from paying income taxes".<sup>5</sup> While cumulative income taxation is indirectly age-sensitive, age-differentiated taxation is explicitly so.

What (if anything) should maximin egalitarians think about these two types of age-sensitive taxes? I begin by presenting the main reasons supporting cumulative income taxation. I then look at how cumulative income taxes affect fiscal obligations across life. After, I put forward an egalitarian proposal for what the tax system should aim at when taxing income across life: that is, at benefiting the young and the elderly more than

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<sup>2</sup> E.g., Atkinson (2015: 41). This observation is robust across countries and levels of development (Lee *et al.* 2014).

<sup>3</sup> Clement (2004).

<sup>4</sup> Unlike fiscal obligations, fiscal entitlements are often explicitly age-based (e.g., statutory retirement benefits).

<sup>5</sup> Solomon (2008).

the middle-aged. Finally, I ask whether cumulative income taxation can deliver this without age differentiation. I conclude that while it can when benefitting the young, age-differentiated taxes remain necessary to benefit the elderly.

### 1. Justifications of Cumulative Taxation

Like ordinary taxation, cumulative income taxation also taxes the income from the previous year. However, in defining the *tax rate* applicable to it, it considers earlier income years instead of only the last one. This strategy has been defended on essentially three grounds.

i) *Addressing income volatility*. William Vickrey (1939; 1947) showed that progressive non-cumulative taxation has less impact on those with stable incomes than taxpayers with fluctuating ones. Progressive income taxes based only on last year's income disproportionately burdens those incurring high-income volatility. If low-income earners tend to have a more volatile income, egalitarians would have a first reason to support cumulative income taxation.<sup>6</sup>

ii) *Capturing lifetime circumstances*. Cumulative income taxes also convey a better picture of the taxpayer's lifetime circumstances.<sup>7</sup> Considering income through a greater time-lapse gathers more information about our economic life. In this regard, Levell *et al.* (2015: 5) provide a helpful analogy: identifying the better off through a snapshot of their yearly income is like deciding who the winning football team is based on who scored in the last five minutes. Such examples suggest that egalitarians should get closer to *the lifetime view* – that to assess the distribution of a good they need to know about the distribution of that good over the *lifetime* of those involved.<sup>8</sup> One is closest to identifying the lowest *lifetime* incomes if tax rates take into account *all* earlier income years beyond the last one.<sup>9</sup>

iii) *Reducing tax avoidance*. Vickrey (1939; 1947) offers a third reason against annual non-cumulative taxation. He suggests that cumulative income taxes prevent people from moving their income across accounting periods to reduce tax liability. Such time optimisation strategies may reduce tax yields, with negative consequences for the least well off. Assuming that high-income

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<sup>6</sup> See Batchelder (2003) for evidence of a significant and negative correlation between income volatility and income.

<sup>7</sup> E.g., Bamford (2014: 2) and Levell *et al.* (2015).

<sup>8</sup> E.g., Gosseries (2014: 66-7).

<sup>9</sup> Egalitarians who do not embrace the lifetime view can still accept the first and third reasons, suggesting that one does not need to accept the lifetime view to endorse cumulative income taxation.

earners are more likely to engage in such strategies than low-income earners, egalitarians may be sensitive to this concern for a shrinking tax yield.

Hence, cumulative income taxes can benefit the lifetime worst-off by (i) making sure they are not harmed by income volatility, (ii) relying on more appropriate criteria to identify the worst-off, and (iii) preventing the better-off from escaping their fiscal obligations.

The two first reasons have some connection with age. Young workers tend to experience more year-to-year earnings volatility than prime-age workers.<sup>10</sup> Also, the extent to which the cumulative approach is adequate to identify the worst-off increases with age. The young have a shorter past, and their future is filled with uncertainty, such as premature death. Here again, the football analogy is helpful. Watching a game from the beginning (i.e., cumulative account) does not tell us who the winner is if the game just started, but it does at minute 90'. The more is known and the less predicted, the closer one is to knowing who the winner is. Despite their age dimension, none of these reasons invokes an explicit conception of justice between age groups.

## 2. Consequences for the Distribution across Age

Even though none of the three reasons explicitly involves concerns of justice between age groups, moving to cumulative income taxation would affect the net income distribution across age groups.

Consider first the total version. Tax rates are calculated based on *total lifetime income* levels. It adds each annual income to what the taxpayer has earned so far. As long as people earn income each year they live, their total lifetime income will increase with age, and so will the tax rate applicable to the last year. The elderly would be the wealthiest for accounting purposes in almost any income distribution. Even if yearly income declines from the age of 25 onwards, total cumulated income rises as people grow older. As long as annual income remains above zero, the total strategy taxes the young less at the expense of higher tax rates for older age groups.

Alternatively, there is the average version.<sup>11</sup> Like the total strategy, it adds each income earned so far. However, unlike the latter, it divides that amount

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<sup>10</sup> E.g., Venn (2011: 18-9).

<sup>11</sup> For a defence of the average proposal, see Vickrey (1939; 1947) and, more recently, Bamford (2014).

## §6. Two Types of Age-Sensitive Taxation

by the taxpayer's age, years, or hours worked.<sup>12</sup> The fact that the denominator tends to increase with age counterbalances the numerator (total lifetime income), which also increases with age. Hence, the average strategy delivers a gentler tax rate across life. While subtler, the average proposal still changes the fiscal obligations of age groups. The primary source of differential fiscal treatment is that the average cumulative proposal taxes *rising* incomes less than the standard non-cumulative tax policy. This is key because income increases until midlife before decreasing afterwards.<sup>13</sup> The average lifetime income is thus lower than the annual income during the first half of a worker's life. It is more beneficial for young people with increasing earnings to have tax rates that apply to their average lifetime income rather than to their annual income. Therefore, the average proposal taxes the young (and the young middle-aged) less than non-cumulative taxes when the income distribution is hump-shaped.

How does the average proposal affect the fiscal obligations of older persons? One could say that the proposal is worse for the elderly because their income declines with age. If 'worse' means that the elderly would pay more, this may not be true. If annual income at old age declines below average lifetime income, cumulative taxes will indeed be higher than non-cumulative taxes. However, that is not the case if the elderly's yearly income remains above their lifetime average. Average cumulative taxation would then cost the elderly less than non-cumulative taxation.

All age groups may pay less *in absolute terms* with average taxes than with non-cumulative taxation. This would be the case if income is constantly rising, as then average lifetime income would always be lower than annual income. Of course, the problem with reducing taxes for all is that it reduces the fiscal revenue available to the worst-off.<sup>14</sup> Keeping the revenue constant, we know that taxing one group less entails higher relative taxes for others. Hence, the question becomes: which age group benefits *in relative terms* from the average proposal?

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<sup>12</sup> See Bamford's (2014) argument for considering 'hours worked'. As opposed to years lived, a benefit of considering hours worked is that it is neutral concerning the age at which people enter the labour market.

<sup>13</sup> See e.g., Lee *et al.* (2014) for a more precise description of the hump-shape curve of labour earnings. Interestingly, they find that labour earnings peak later in high income than in low-income countries.

<sup>14</sup> Reducing the tax revenue affects those who rely the most on fiscal assistance (such as the elderly). In what follows, I assume that cumulative taxation does not alter our tax expenditure.

In a hump-shaped income distribution, the average proposal burdens the young less than the elderly. It benefits those on the left side of the hump more than those whose income has already peaked. The oldest persons to benefit more from average cumulative taxes are the middle-aged who stand on the top of the hump. Afterwards, they will benefit less.<sup>15</sup> The average proposal still favours the young relative to the elderly.

Moving from non-cumulative to cumulative taxes changes our fiscal obligations across life. Both the total and the average versions benefit the young relative to older persons. Yet, there are two differences. *First*, while they are both more *favourable* to the young than non-cumulative income taxation, what drives this favourable treatment differs in both cases. The total version has to do with the fact that cumulated income almost invariably increases with age, regardless of whether the distribution is hump-shaped, decreasing or increasing. In the average version, the favourable treatment has to do with the dynamics of rising and declining wages across people's lives. There is also a *second* difference: the average version does not disadvantage older persons as much as the total version. However, it also means that it does not benefit the young as much as the total proposal. What should maximin egalitarians think about these fiscal changes?

### 3. The Hump-Shaped Tax Rate

What should the tax system aim at when taxing income across life? From a maximin perspective, we should prefer tax bases, rates, and yields that benefit those with the least income and wealth in life.<sup>16</sup> In article 4, we saw that this generates concern for two groups. The *cash-poor*, who earn little in life because their annual income is low, and the *longevity-poor*, whose lifetime income is low because they die early. In Article 5, we saw that any profile that is decreasing within limits attaches value to both concerns: an early death and a poor end of life.<sup>17</sup>

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<sup>15</sup> See how Vickrey (1939, 386-7; 1947, 179-80) deals with the problem of declining incomes. One solution is to overtax when income increases above the lifetime average and credit when income declines below the latter. I discuss this solution in Section 4.

<sup>16</sup> Here, I am staying neutral with respect to Article 2 even though, arguably, the same conclusion would follow with free time.

<sup>17</sup> To be sure, one can meet the second component by increasing the progressivity across income brackets of a non-cumulative tax system, as that also contributes to greater income equality across life. That strategy will not be enough to enhance income early in life in accordance with our first component. The discussion that will follow concerns only our two types of age-sensitive taxation, and in that regard, it assumes that progressivity across income brackets would remain constant.

The ‘within limits’ part protects those with little per year from the risk of becoming poorer or unable to maintain their living standards if they live long enough with a declining income. Under hump-shaped distributions, a problem for the resource-poor is how far they might fall once their income declines. The ‘decreasing’ component focuses on the short-lived instead. Again, the most promising way of benefitting the short-lived is to anticipate access to goods and postpone access to bads.<sup>18</sup> Taxes are *bads* that each individual prefers to have less of rather than more. As John Maynard Keynes once famously wrote, “the avoidance of taxes is the only intellectual pursuit that carries any reward”.<sup>19</sup> Insofar as yearly income taxes are bads that people wish to avoid, equality for the short-lived requires that we *postpone*, rather than anticipate, them.

The maximin egalitarian income profile described here is at odds with the hump-shaped distribution where the young and the elderly are poorer than the middle-aged, in two specific senses. First, the young’s tendency to be poorer than the middle-aged harms the short-lived the most. Second, the declining income after middle age harms the poorest among the elderly, who risk falling into poverty if they live long. All else equal, egalitarians should move towards *hump-shaped tax rates* that benefit the young and the old further, but not the middle-aged (or, at least, not as much the middle-aged). Hump-shaped income profiles should be dealt with through hump-shaped tax rates. Can cumulative income taxation (either total or average) deliver this without resorting to age differentiation?

### **4. Can we avoid explicit age differentiation?**

One way of achieving hump-shaped tax rates is through explicit age-based differentiation in the tax rate, involving lower rates for the young and the elderly and higher ones for the middle-aged. However, these policies generally involve explicit age-based differential treatment.<sup>20</sup> While such policies might be acceptable, they are objectionable in at least one way: they invite the charge of ‘ageism’, which makes them less attractive to policy-

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<sup>18</sup> Article 3 & 4. See Fleurbaey *et al.* (2014).

<sup>19</sup> Attributed to John Maynard Keynes in MacKay (2019: 140).

<sup>20</sup> Personally, I do not consider all forms of explicit age differentiation to be wrongful. Still, I think it is better to be able to avoid it. It increases the range of possible policies that societies can use to advance a particular goal, which is especially valuable if people have strong preferences against certain ways of implementing social objectives (as they might regarding explicit age differentiation).

makers and the public. Can cumulative taxes achieve hump-shaped tax rates without explicit age-based differential treatment?

Consider first the total proposal. We have seen that it benefits the young. The problem is that it disadvantages the elderly, including the poorest among them. To prevent it from harming the elderly poor, one cannot apply tax rates to total lifetime income once people reach old age. It is possible to do this without an explicitly age-related tax. We could set up a threshold of total lifetime income (as in the 'Clement Plan'). Below the threshold, annual tax rates increase with total lifetime income levels, while ordinary non-cumulative taxation may apply above it. This proposal does not involve explicit differential treatment based on age. Yet, it excludes the elderly from having tax rates that apply to total lifetime income (even of the poorer elderly). But this proposal makes the elderly pay tax rates based on their annual income, as they do now, so it does not reduce their fiscal obligations. To increase the elderly's income further, age-differentiated tax rates in their favour seem necessary.

Consider now the average proposal. As seen earlier, the proposal favours the young and the middle-aged. Of the age groups we consider, the middle-aged are the only ones that maximin egalitarians have, other things being equal, no reason to favour. How to ensure that the average proposal benefits the elderly more than the middle-aged? I see *two* possible strategies.

One strategy is to prevent middle-aged people from averaging their income. Excluding the middle-aged from the average proposal ensures that they do not benefit from it. As it stands, I do not think that this strategy must resort to explicit age differentiation. For instance, one could prevent people from averaging their income above a threshold of total lifetime income. That would be a hybrid of the average and the total strategy. Despite not benefiting the middle-aged, this strategy would again not reduce taxes for the elderly compared to non-cumulative taxation.

A second strategy is to increase taxes when annual income rises above the lifetime average and credit taxpayers in the opposite case. While it seems not to resort to age differentiation, the proposal has two problems. First, it increases taxes for the young. Their annual income also tends to rise above the lifetime average, even if they are poorer than the elderly. Our concern with the short-lived prohibits such net transfers from the poor young to the poor elderly. Second, this strategy benefits the middle-aged and elderly alike when



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their income declines. Yet, as seen earlier, we should welcome a decreasing income in middle age, not at old age. Explicit age differentiation seems necessary to benefit incomes *only* when they decrease at old age.

Can we not escape explicit age differentiation in tax rates if we want to? The answer depends on the age group justice requires benefiting the most. Moving to cumulative taxes without age differentiation is unlikely to benefit the elderly (at least without also benefiting the middle-aged). Early in life, cumulative taxes can reduce tax burdens without fiscal benefits for the middle-aged. Using a threshold of total lifetime income allows us to do so without age differentiation. In the end, there is still a question about how much to reduce taxes early in life. Answering that question will affect whether tax rates adjust to total or to average lifetime income until the threshold. The former permits greater fiscal reductions than the latter. Hence, the choice between the total and the average proposal (until the lifetime income threshold) will depend on how far justice requires reducing the fiscal obligations of the young.

The lifetime income threshold benefits low-income earners working at their maximum capacity *and* those working a few years at high incomes.<sup>21</sup> Yet, it benefits high-income earners for a shorter time than low-income workers. While it might seem unfair to benefit young high-income earners, one must not forget that they remain exposed to the risk that their lives are short-lived. Using a total lifetime income threshold benefits the short-lived while showing sensitivity to resource poverty, as fiscal reductions will last longer the poorer one is.

The lifetime threshold will not suffice to address the needs of the worst-off who need the most assistance during their old age. Generally, cumulative income taxation does not seem to be necessarily better than non-cumulative taxation at reducing tax rates for the elderly. Therefore, it makes sense that Barack Obama proposes age-differentiated tax rates to benefit the elderly, whereas Tony Clement suggests total cumulative income taxation to favour the young.

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<sup>21</sup> See Bamford (2014, 16) for this objection against the total lifetime income proposal.



## 5. Conclusion

In this essay, I discussed the possibility of a more age-sensitive scheme than the ordinary one. Of the two tax schemes I have considered, our options depend on which age group we are to benefit the most: while cumulative income taxation can benefit the young, age-differentiated taxes remain necessary to benefit the elderly. I have suggested that, in hump-shaped distributions, egalitarians should aim to help the young and the elderly more than the middle-aged. That is so from a lifetime (maximin) egalitarian standpoint, but not only. If, instead, our concern is the worst-off at any given time, the profile will be smoother,<sup>22</sup> as there will be no insurance against short lives. Such views still demand hump-shaped taxes in hump-shaped income distributions to promote equality across life. Hence, they can welcome age-sensitive taxes as well.

Let me conclude by emphasising the connection between age-sensitive taxes and libertirement. It has been clear that what I propose can enhance the income of the young and the elderly, thus fitting in with the two pillars I have defended in Article 4. We can do so by lowering taxes for these groups, or more promisingly, through a negative tax (which is a subsidy). On old-age retirement, we may allow taxpayers to acquire the right to be taxed negatively on their income once they reach a certain advanced age. This negative lifetime income tax scheme guarantees that people can leave the labour market with enough after a certain advanced age, just as it happens with libertirement. To benefit the elderly in this way, we are likely to need age thresholds. Of course, our reasons for assisting the elderly will depend on the level of existing old-age benefits.

For reverse retirement, the total lifetime income threshold can help young taxpayers by either reducing their taxes, exempting them, or providing them with a subsidy (through a negative tax). For instance, one could acquire the right to enjoy negative income tax (subsidy) for a few years as soon one as one starts working. As we have seen, this pillar does not need to rely on age concepts.

Finally, one might worry that my proposal is too harsh on the middle-aged and does not secure the sabbatical pillar that, I have argued in Article 4, libertirement requires. In reply, let me note that I have referred to benefiting

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<sup>22</sup> Because every time we fare better implies, by comparison, a worse-off time that could have not happened.

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the young and the elderly *more* than the middle-aged to open the possibility that the latter also benefits.<sup>23</sup> They might not benefit in *net terms*, as what they receive is likely to be paid by them. But that does not mean they cannot obtain any benefits. Just like benefiting the young or the elderly does not require that they pay no taxes. What this means for libertirement is that each of the two first pillars is of greater size than the third (sabbatical) one. It does not imply setting the sabbatical pillar at level zero. Our proposal can introduce this pillar by giving workers the right to be taxed negatively for one year, for every X contributory years, with the subsidy reflecting one's average lifetime income until that moment.

The two last articles show two possible alternative paths to libertirement: one universal basic income and age-based (negative) income taxes. Unconditional basic income and negative income taxes can often yield the same net income distribution.<sup>24</sup> The main difference between the two is that UBI operates *ex-ante*, no questions asked, whereas negative income tax can run *ex-post* only to those who provide adequate evidence of their right.<sup>25</sup> Hence, our reasons to prefer one or the other relate to how much evidence, such as hard work or long contribution, one must provide to retire. If the first pillar of reverse pensions is not contributory or conditional upon working, the choice of UBI seems more natural. Since the negative income tax will likely not provide everyone with equal benefits, it will be the better option for those pillars meant to reflect labour market earnings. While reverse pensions are presumably supposed to be identical for all, the sabbatical and old-age features will likely not be. The choice will ultimately depend on how sensitive to earnings one thinks the different pillars of libertirement ought to be. In their way, each of these policies may offer genuine alternative paths to libertirement. If so, the road to libertirement does not have to involve reforming pension systems.

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<sup>23</sup> In the original version, I talk only about benefiting the young and the elderly.

<sup>24</sup> On the difference between the two, see Van Parijs (1992: 4).

<sup>25</sup> *Ibid.*

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## PART III

# Gender, Generations, and Inequality

The third part of this thesis consists of two articles. They address two inequalities that we have so far left aside but that are nevertheless crucial to any sensible conception of distributive justice in retirement pensions. Any such view must take a position on how the retirement pension system is to deal with inequality between men and women (gender) and those between people born at different times (generations). The conception of libertirement I defended in the last section appeals to interpersonal redistribution within a single generation. Yet, it was silent on the distribution between men and women inside that generation. Nor did it say anything about the pensions that different generations owe each other. As I formulated it, libertirement is presumably compatible with significant inequalities across gender and different generations.

Article 7 begins by noting that, despite its large size, the gender pension gap receives much less attention than other gender gaps. Even though I have been most sympathetic to the plight of the short-lived, I argue that men lack the grounds to complain about being shorter lived than women in the world as it is. I show that distributive equality can instead justify closing the monthly gap with women receiving more overall. Much like I do not think that a pension gap favouring women would be unfair, I doubt that it must be unjust that some generations benefit more from pension schemes than others insofar as they are worse off. Article 8 reconciles a tension between equality and reciprocity in the intergenerational realm. It does so by formulating a double reciprocity view, which holds that children owe their parents at least as much as they have received from them. This view makes room for the conviction that children owe a stable form of support to their parent's generation. In addition, and although I do not explicitly mention it in the essay, it also strengthens the case for libertirement. The more parents' generation transfer to their children, by protecting them against the risk of a short life, the more they may demand from their children when they find themselves infirm. This is an authentic system of intergenerational cooperation, where parties benefit each other while they coexist.

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What is new in this third part? As far as I am aware, there is no discussion in political theory on the gender pension gap. Article 7 offers a novel approach that touches upon several familiar debates in gender justice, namely by combining discussions on economic inequality between women and men with the longevity gap. Article 8 also offers a fresh take on intergenerational justice by taking up the often neglected question of what children owe their parents (where the traditional question is, instead, what parents owe children or what we owe future generations). I also contribute to the literature by showing how we can resolve a tension between reciprocity and equality across generations. Finally, I highlight the relevance of progress – that the world will be better tomorrow than today – as a new justification for egalitarian transfers across generations. If this is right, the safest parents can do for their pensions is to ensure that the world they leave to their children is at least good, if not better, than the one they inhabit today.

## §7. On the Gender Pension Gap

**Abstract** The monthly pension gap between men and women is more than twice the pay gap at other ages. But despite its large size, it receives much less attention than other gender inequalities. This essay aims to fill in this gap by offering an account of what distributive egalitarians should think about this specific gap. It considers two arguments for this inequality. The first says that women should receive less overall because they contribute less ‘in-cash’. The second holds that they ought to receive less monthly because they live longer. Distributive equality offers a plausible rejection of these arguments under (realistic) unjust background conditions, suggesting that we close the monthly gap with women receiving more overall. To this end, I argue that egalitarians should prefer age (to gender) differentiation, given how progressive old-age retirement can contribute to further gender equality.

**Keywords** gender © gender pension gap © inequality © longevity

## Introduction

Most older people in Europe are women with average monthly pensions much below men's. Income inequality between men and women increases with age. So much so that the old-age gap is more than twice the inequality at other ages.<sup>1</sup> Given its size, it is surprising that this gender disparity receives much less attention than others. This essay aims to fill in this gap in political theory by offering an account of what egalitarians should think about the monthly pension gap between men and women.<sup>2</sup>

One reason for the difference in attention can be that we think the pension gap is just like any other wage gap. If so, what is objectionable about the wage gap suffices to explain what is wrong with the pension gap. But I doubt this is true. The wage gap is only one indicator, among others, of the gender pension gap. For instance, it does not consider participation in the labour market, which may increase with the gender wage gap remaining intact or even worsening.<sup>3</sup> Reducing the employment gap could lessen the gender pension gap without changing the wage gap at all. The wage gap might even increase. Beyond the employment gap, there is also that women tend to live longer than men. As they are located at old age, pensions tend to be more sensitive to longevity than the gender wage gap.<sup>4</sup> The pension gap raises questions that include and go beyond those raised by the wage gap.

The *gender pension gap* is also distinctive from other pension gaps. Typically, those who are better off tend to live longer. But the opposite happens with gender. Unlike socioeconomic status, educational levels, race/ethnicity, gender is such that those who have less per year tend to outlive those who have more per year. Women live longer despite being poorer (in income, wealth, and free time) per year they live.<sup>5</sup> The *resource gap* is to the advantage of men, whereas the *longevity gap* benefits women. That is something we do not find with other pension inequalities.

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<sup>1</sup> [The gender gap in pensions in the EU \(europa.eu\)](http://europa.eu).

<sup>2</sup> Importantly, the gap is usually defined as inequality in *monthly* pensions, not in pensions over an entire life. See e.g., Lodovici *et al.* (2016).

<sup>3</sup> See e.g., Mallan (1982).

<sup>4</sup> Schokkaert & Van Parijs (2003b: 279) note that while unequal longevity is not the most pressing ethical issue for pensions, it is one of the trickiest.

<sup>5</sup> Women are consistently poorer in *free time*, with lone mothers being the least advantaged (Goodin *et al.* 2008), *wealth* (Sierminska, Frick, & Grabka 2010) and *income* (Boll *et al.* 2017). So this claim holds despite what we include in the index of primary goods (as discussed in Article 2).

The resource gap typically outweighs the longevity gap: overall lifetime income, wealth, and free time tends to be greater for men than women. On average, that puts women at a disadvantage compared to men. I shall be using words such as 'on average' and 'typically' because some women are still better off than some men, namely in cases where the resource gap is sufficiently small (and the longevity one is not). If guided by the egalitarian aim of assisting more those who are worse off, welfare states should then provide, on average, higher overall assistance to women. And it can do so through old-age retirement, which allows us to give more to women without resorting to gender-based differential treatment.

In essence, this is what this essay defends: that distributive equality requires closing down the annual pension gender gap via old age retirement, even if that means women benefit more overall from State pensions than men. If I am right, distributive equality delivers a much more progressive result than other principles of justice (like relational equality). So when it comes to gender justice, distributive equality does not seem to have been pinned by conservatives.

The article proceeds as follows. Sections 1 and 2 consider (and reject) two arguments for the pension gap. The first says that women should receive less overall because they contribute less 'in-cash'. The second holds that they ought to receive less monthly because they tend to live longer. In section 3, I show that distributive equality can plausibly reject both arguments, suggesting that we should close the monthly gap with women receiving more overall. To this end, section 4 argues that egalitarians should prefer age (to gender) differentiation, given how progressive old-age retirement can contribute to further gender equality. Section 5 concludes.

## **1. The Contributory Argument**

The first argument *for* the gender pension gap that I consider says that women should receive less because they contribute less money to pensions. It proceeds roughly as follows,

- (1) On average, women contribute less in cash than men.
  - (2) Those contributing less in cash should receive less overall.
- C1.** On average, women should receive less overall.



## Ageing as Equals

The argument is valid. Insofar as there is a resource gap between men and women, I do not think it is plausible to reject (1). If women are poorer than men per year they live, it is fair that they transfer less money to pensions. Many of us accept that financial contributions to pensions (and any other fiscal scheme) should be sensitive to each contributor's ability to pay.<sup>6</sup> These 'ability-to-pay' or 'relative sacrifice' principles force us to welcome (1) when a resource gap between men and women exists. To reject C1, we must turn our attention to (2).

Egalitarians can point out that (2) is incompatible with distributive equality as it prevents benefiting the worse off through redistribution. There will be less inequality if women receive more than what they contribute when they are worse off than men. Note, however, that women can receive more than what they contribute while still receiving less than men overall.<sup>7</sup> At least to some extent, (2) is compatible with egalitarian redistribution. Not only can this sort of actuarial fairness push people to work more, increasing the resources available to finance the lowest pensions, but it also does not prevent women from receiving a positive net transfer from men.

Further, showing that women are worse off is not, one might add, a sufficient reason to depart from (2). In a responsibility-sensitive manner, one could try to hold women responsible for the resource gap that disadvantages them. In that case, they would be worse off, but through their fault or choice. They would not be *involuntarily* worse off. If so, any egalitarian commitment to responsibility sensitivity will open the possibility of accepting that women receive less overall. I shall now offer two objections against such justifications of the gender pension gap. One is to say that women are not responsible for contributing less 'in cash' than men because the chances to do so, namely through labour-market work, are distributed unequally. The other is to say that, even if there would be such equal opportunity, women's cash contributions do not tell us the whole story of their overall contributions (nor of men's).

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<sup>6</sup> On the principle of equal sacrifice in income taxation, see Young (1990) and Ok (1995).

<sup>7</sup> If M pays ten and receives eight, with W paying five and receiving 7, there is a net transfer in favour of W even though W still receives less overall.

### 1.1. FAIR EQUALITY OF OPPORTUNITY

As I understand it, the ‘fair opportunity’ condition holds that the opportunity to retire should not depend on gender/sex. This condition constrains premise (2), in the sense that those who contribute less should *only* receive less overall if the contributions necessary to retire are available to all under conditions of equal opportunity. Of the many possible specifications of such equality, Rawls (1971: 63) has famously described the one I have in mind as *fair* equality of opportunity:

“those 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.”

It is reasonable to apply Rawls’ worries about *social class* to *gender*. The notion that people should not be worse off than others due to their social class or the gender assigned to them is intuitively appealing. Meanwhile, it is sufficiently minimal to reach a consensus among egalitarians who disagree on more demanding conceptions of equality.<sup>8</sup> If this relatively weak principle already challenges the conclusion that women should receive less overall, then the same (if not more) would arguably follow from more ambitious views.

When outcomes are a useful proxy of opportunities, the mere existence of the resource gap already feeds the suspicion that there is no equality of opportunity between men and women.<sup>9</sup> But we can substantiate this suspicion further by looking at two conditions for fair equality. One is *Fair Job Opportunity* - that opportunity to work in a job should not depend on gender. The other is *Fair Pay*, according to which workers should be equally paid for the same position, regardless of their gender. Women tend to dedicate fewer years to paid work, work fewer hours, and earn less than men.<sup>10</sup> The first two on the employment gap will be relevant to the fair job opportunity condition, while the third will touch on fair pay. To see whether there is fair job opportunity and fair pay, we should compare how men and women who make similar choices fare differently.<sup>11</sup>

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<sup>8</sup> See e.g., Roemer (2017: 46) on more demanding conceptions of equal opportunity.

<sup>9</sup> See Phillips (2004) on why it may be plausible to take outcome inequality as a proxy of inequality of opportunity.

<sup>10</sup> E.g., Davaki (2016).

<sup>11</sup> Here I follow the approach from Kmec and colleagues (2014) and Blanc and Meijers (2020: 15-8).

## Ageing as Equals

Let us start with *childless adults*: men and women who do not have children. There is evidence that employers expect women to take the lion's share of parental leave and be less committed to the paid labour market. This expectation means that childless women have fewer chances to be hired, promoted, or paid equally, even *if* they do not marry, are childless, and are fully willing to adopt a 'male lifestyle'.<sup>12</sup> To this extent, women and men with equal talents and motivation have unequal access to employment, even if neither of them procreates.

*Parents* also face unequal prospects in the labour market depending on their gender. Since men prioritise paid work over the domestic sphere, fathers are perceived as more employable than mothers (and female caregivers).<sup>13</sup> Despite their caregiving choices, mothers have fewer work and promotion opportunities than fathers, which feeds further the fact that parenting is associated with higher odds of pension receipt for men and lower odds for women.<sup>14</sup> It violates fair equality of opportunity that parents' work opportunities also depend on sex/gender.<sup>15</sup>

*Married* men benefit more from marriage than women, economically and health-wise.<sup>16</sup> Gender norms pressure women to take greater care of the household, which reduces the relative time they can put into paid work. These reduce women's opportunity to work and, consequently, to be paid as much as men. The economic inequality arises due to the labour market paying much better than care work, which often goes unpaid. Even in the absence of explicit gender norms, there are two reasons this inequality might not disappear any time soon. *First*, that women tend to marry older and higher-paid partners reduces the relative opportunity cost of spending more time at home compared to their partner.<sup>17</sup> *Second*, the 'marriage market' is likely to make it more difficult for a woman than for a man to find a partner willing to share these tasks equally.<sup>18</sup>

The absence of fair equality of opportunity implies that the chance to contribute to pensions through labour-market work is unequal between men

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<sup>12</sup> Ferguson (2013)

<sup>13</sup> See Kmec and colleagues (2014: 457).

<sup>14</sup> Yabiku (2000).

<sup>15</sup> See also Blanc & Meijers (2020: 17).

<sup>16</sup> Ahituv & Lerman (2007), Madalozzo (2008), Monin & Clark (2011), Yabiku (2000).

<sup>17</sup> Van Parijs & Vielle (2001).

<sup>18</sup> Gheaus (2011: 12-4).

and women. Many women cannot work as much as men, which affects their overall wages (and thus, the pension benefits they would otherwise have if they could work more). And those who can work as much are often still not paid as well for the same position. All this suggests that, to some extent, women *should* not be held responsible for tending to be unemployed more often, dedicating fewer years to paid work, working fewer hours, and earning less than men. Premise (2) loses its appeal under these circumstances, as respecting it would be equivalent to perpetuating distributive unfairness.

### 1.2. FAIR PLAY

The previous criticism raises tricky empirical questions about individual responsibility.<sup>19</sup> Fortunately, distributive egalitarians do not need to travel such muddy waters to object to (2). An alternative path is to propose re-interpreting the ‘fair pay’ condition. Before, I understood it *narrowly* as ‘equal pay for equal work’. But we may conceive it more *broadly* than income from the labour market. The broader slogan would be ‘equal pay for equal social contribution’. So the problem would not *only* be that women are paid less for equal work. It is also that they are involved in activities that contribute to pensions but that (2) ignores. Even if women voluntarily contribute less in cash, (2) can be unfair because it discriminates against non-cash contributions in four ways. *First*, it neglects the production of workers (*procreation*). *Second*, it ignores the raising of workers (*rearing*).<sup>20</sup> *Third*, it does not consider the time and resources spent on elderly care. *Fourth*, (2) also does not attend to contributions to the household and partner’s income earning capacity.

In the four ways above, women are known to contribute with a relatively higher share than men. The other side of women’s smaller presence in the labour market is their greater involvement in these activities, which are either paid less or not paid at all.<sup>21</sup> The gendered division of labour indeed provides men with greater opportunities to contribute to pensions ‘in-cash’ because their greater involvement in the paid labour market is ‘better rewarded’. But this inequality only exists because the financial resources that women lose by their absence from the labour market are not offset by their greater

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<sup>19</sup> Olsaretti (2013: 228).

<sup>20</sup> To be sure, I am not claiming that pension systems are ignoring it. Some European pension systems have recently introduced care credits (Vlachantoni 2008). What I mean is that the argument I am discussing ignores care.

<sup>21</sup> Price & Ginn (2003: 127- 145), Burkevica et al. (2015), Ginn & Arber (1996).

involvement in these other occupations.<sup>22</sup> Arguably, these activities have positive externalities for pensions (and GDP).<sup>23</sup> Yet, they go unaccounted for by the cash reductionism implicit in premise (2).

With this in mind, we can invoke the principle of fair play to criticise (2). According to this principle of fairness, by receiving benefits from those who engage in a cost-incurring scheme, people can acquire special obligations to do one's fair share in maintaining or bearing the scheme's costs.<sup>24</sup> To prevent unfair free-riding, those who receive benefits have an enforceable obligation to do their fair share. In our case, we can say that the commitment to cash-reductionism fails to benefit those engaging in other cost-incurring, benefits-producing activities *for pensions*.<sup>25</sup> Sharing pension benefits only among those contributing in cash does not consider that workers who make in-cash contributions also benefit from the aforementioned activities, which can plausibly be seen as both costly and intentional.<sup>26</sup> Policy wise, this argument has different implications from the previous one. Instead of asking for the enhancement of female labour-market opportunity, it calls for rewarding those (wo)men who are absent from the labour market, say, via care credits.

There is reason to reject the premise that people only contribute to pensions in cash. When adopting this broader view of contribution, it is no longer clear that women contribute less and, thus, that they should receive less overall. It may even be that taking this broader view leads us to conclude that women contribute more overall than men. Before discussing whether women should receive *more*, let us consider the possibility that men and women receive the same overall.

## 2. The Longevity Argument

The second argument *for* the gender pension gap does not claim that women should receive less overall. Instead, it says that if women and men receive the same retirement benefits overall, women must receive lower average monthly benefits than men because they tend to live longer. To be sure, this would already justify some correction of the status quo, where women have lower

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<sup>22</sup> Okin (1989: 144) and England *et al.* (2002).

<sup>23</sup> Giannelli *et al.* (2012).

<sup>24</sup> Olsaretti (2013: 238).

<sup>25</sup> See e.g., Folbre (1994) and Olsaretti (2013).

<sup>26</sup> Olsaretti (2013: 241-7) showing this to be the case, in reply to Casal & Williams (1995).

lifetime pensions, but not a sufficient one to criticise the monthly pension gap. So the argument would proceed as follows,

- (3) Men and women should receive the *same* overall.
  - (4) Those who (expect to) die earlier should benefit from a shorter retirement.
  - (5) Those benefiting from a shorter retirement either have *less* overall or receive more per month.
- C2.** On average, men should receive more than women per month.

The background assumption here is that women live longer than men on average. If those who die earlier should benefit from a shorter retirement (4), and men and women are to receive the same overall (3), then men should, on average, receive more than women per month (C2). This is true only because (5) holds by mathematical necessity. For instance, suppose we should eat the same amount of food overall. If I eat fewer meals than you on average, I must eat more per meal. That is necessary to equalise the overall amount of food we eat. If men retire for fewer years, the gap can only be equal if they get a relatively higher retirement income per year if they live.<sup>27</sup> Since premise (5) holds, one can only reject this justification of the monthly pension gap via (3) or (4).

What should egalitarians think of (4)? To women's benefit, pension schemes often ignore gendered differences in life expectancy in the calculation rule.<sup>28</sup> They do not do so in other cases, as in birth cohorts who expect to live longer and those whose jobs make them more likely to die earlier. We must explain why we resist (4) in some instances but not others. Old-age retirement offers an ex-ante premium to those who expect to live further into old age, including women. Since (4) benefits women, rejecting it is not to their advantage. Maybe it is the case that once we consider socially valuable contributions, women contribute more than men. But is there a reason to accept (4) that is not contingent on women happening to contribute more? I shall argue there is such a reason, even if women and men contribute equally.

Initially, distributive egalitarians can be attracted to giving men and women equal overall retirement benefits (3). But, I believe it can be plausible

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<sup>27</sup> Van Parijs (2015a: 81-2).

<sup>28</sup> Halvorsen *et al.* (2019)

to benefit women further, with higher total benefits. This is a similar claim to the one I made about those who happen to be longer lived, in Articles 4 and 5, who may end up getting more over a complete life than the shorter-lived. There are two ways of proceeding in this direction. The first is 'blind' to the resource gap – that is, it does not appeal to the fact that women are worse off than men per year they live. The second does appeal to the resource gap. I shall argue that this first strategy fails but that the second succeeds. There are two ways of proceeding in this direction. The first is 'blind' to the resource gap – that is, it does not appeal to the fact that women are worse off than men per year they live. The second does appeal to the resource gap. I shall argue that this first strategy fails but that the second succeeds. Distributive egalitarianism can justify rejecting (3) *only if* the resource gap exists.

### 2.1. COMPENSATING FEMALE LONGEVITY

One way to reject (3) without mentioning the resource gap is to insist that women need *more* total benefits because they live longer. It is sensible to say that, by living longer, the longer-lived need more resources overall. There are needs that people must satisfy at a given point in time to be free to either survive or succeed at that time.<sup>29</sup> If people have needs they must fulfil at any given time, then longer-lived persons have more needs to satisfy in life because they live through more points in time. We can say that longer-lived persons inevitably need, over the life course, to consume more water and pay more bills, for example. This *sufficiency-based* reason to reject (3) asserts, quite plausibly, that longer-lived people need more lifetime resources to satisfy their needs across life.<sup>30</sup>

To be sure, I think that the principle of sufficiency delivers a plausible rejection of (3). The only problem is that the criticism it delivers does not suffice for our egalitarian purposes. In particular, it does not explain why we should close the monthly pension gap if everyone has enough to satisfy their time-specific needs. Beyond this threshold of basic needs, compensating for female longevity further seems morally dubious. If we remain 'blind' to the resource gap, meaning that there is otherwise no distributive inequality between men and women, giving women more overall (above sufficiency) would amount to rewarding people *for* living longer. I doubt that distributive

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<sup>29</sup> See e.g., Axelsen & Nielsen (2015) and Article 5.

<sup>30</sup> As I have also argued in Article 5.

equality could require compensating the long-lived further beyond the sufficiency threshold.

## 2.2. IGNORING THE GENDER LONGEVITY GAP

The objection against the monthly gap may not be that women *need more* because they live longer. Instead, it may be that it is not a concern of justice if men *receive less* in life because they die earlier. Should egalitarians be concerned that men live fewer years?<sup>31</sup> Here, I analyze two meanings of the word ‘concerned’. On one, the longevity gap is not a concern of social justice in general, meaning that it is irrelevant when assessing the fairness of a particular state of affairs. For instance, one could insist that the gap is only a natural (or ‘cosmic’) inequality, not a social one. In a weaker sense, by ‘not concerned’, we might also mean that the gap *can* involve social injustice but that it *does* not. Here, one could claim that men are often responsible for dying earlier. This strategy recognises that the gap could be a matter of social justice but that it is not because of some reason we consider relevant (in this case, it would have to do with individual responsibility). I shall now argue that the longevity gap *is* a concern of justice in both senses. I show that the gender longevity gap is unfair for men if, and only if, the resource gap to their advantage is sufficiently small to compensate for the longevity gap.

Taking ‘nature’ and ‘responsibility’ as paradigmatic reasons not to be concerned with the gap, I point out *four* problems with attempts to dismiss the longevity gap in general (regardless of whether there is a resource gap). *First*, appealing to ‘nature’ or ‘responsibility’ cannot fully justify gender longevity gaps, given that they vary across society and similar lifestyles.<sup>32</sup> It varies across different communities, meaning that it is not only ‘natural’. It also depends on which society one inhabits. Evidence that it persists across men and women with similar lifestyles suggests there are more factors than differences in behaviours accounting for the gap. Even if these appeals were plausible, they would not suffice to disregard the gender longevity gap entirely.

*Secondly*, the longevity gap *can* indeed be a matter of social justice. The ‘responsibility’ story recognises that. Those who look at individual

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<sup>31</sup> Here, I draw on the debate between Casal (2015a, 2015b) and Van Parijs (2015a, 2015b).

<sup>32</sup> On cross-country variations, see Rochelle *et al.* (2015). On lifestyles, see Schünemann *et al.* (2017) and Zarulli *et al.* (2018).



responsibility to justify the gap already acknowledge that inequality could result in social injustice if no fault or choice were found. The other story is trickier because it intends to present longevity gaps as only a 'natural' inequality. It is true, for instance, that differential longevity exists not only between human males and females but also in the animal kingdom.<sup>33</sup> This truth does not invalidate that longevity is a matter of social justice. This is a claim that many accept regarding disability. We think that being born with a natural disability (say, unable to walk) is compatible with that person being a victim of social injustice.<sup>34</sup> That the person cannot walk might only be biological, but how we treat paraplegic persons is undoubtedly not. If society is designed to penalise paraplegic persons, such naturally impaired persons are prevented from participating in civil society on equal footing.<sup>35</sup> It is sensible to say there is always some degree of choice in whether a natural inequality is to become social inequality. The same applies to the longevity gap. The short-lived may complain about social justice if the society they live in is organised to the advantage of the long-lived, making the short-lived miss out on critical social goods (such as the right to retire). The gender longevity gap *can always be* a matter of social justice, since it always depends on how society is organised.

Here is an essential qualification that I should note. The difference between disability in general and the gender longevity gap is that while real-world societies are designed to advantage non-disabled persons, this is not true for longer-lived women. Because of the resource gap, it is often shorter-lived men who enjoy an overall advantage. That is why men *cannot* say that they are victims of social injustice due to living shorter lives. This means that the gender longevity gap *can be* unjust for men if, and only if, there is no greater resource gap to their advantage.

*Thirdly*, it is rather odd for feminists to appeal to 'nature' and 'responsibility', given the historical role these concepts played in slowing down, if not wholly dismissing, some of the disadvantages women faced throughout history. Conservative talks on pregnancy and the 'biological clock' are a quick reminder of how nature can end up justifying social

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<sup>33</sup> In a recent new study, Lemaître *et al.* (2020) find that a range of female mammals live longer than their male counterparts.

<sup>34</sup> See also Article 3.

<sup>35</sup> See e.g., Anderson (1999: 331) and Lippert-Rasmussen (2019: 3-4).

inequality against women.<sup>36</sup> The same goes for responsibility. Holding men responsible for their ‘longevity-shortening’ is a similar normative move to holding women accountable for ‘earning-shortening’ lifestyles to justify that they do not get equal pay. I see one potential difference though, which has to do with whether the causes of death are socially valuable. For instance, one could insist that 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. And I suspect many would agree that heavy drinking may have that consequence while objecting that caring for one's child should, in an analogous way, reduce one's earnings. As my earlier discussion shows, I am open to that difference. Yet, I suspect this is no longer about whether such inequality is traceable to individuals' choices. It appeals to, instead, an account of what consequences choices should have - what Olsaretti (2009) calls a principle of stakes. But whenever no difference in stakes exists, gender egalitarians run into contradiction if they worry about female lack of male earnings, despite the lifestyles that reduce their wages, while accepting male lack of female longevity because they abide by lifestyles that reduce their longevity. As Van Parijs notes, justifying the longevity gap via ‘nature’ or ‘responsibility’ can open the door for accepting some inequalities against women.<sup>37</sup>

*Finally*, disregarding the longevity gap is a straightforwardly implausible position for distributive egalitarians to adopt. Essentially, it would imply that it does not matter how long we live, provided we have the same amount of resources per year we live. However, intuition tells us that a person living 30 years with 100 per year is worse off than one living 80 years with the same yearly units. Distributive egalitarians should insist that one fares worse than the other, even if there is no yearly resource gap between these two persons.

Distributive equality gives us reasons to care about the gender longevity gap. This does not imply that the gap is unfair, but only that it is *possibly* unjust. As I shall argue, this gap is often not unfair because of the resource

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<sup>36</sup> For how biology could be said to drive gender inequality in the labor market, see Cobb-Clark (2016).

<sup>37</sup> Van Parijs (2015b: 166-7) hints at this when discussing two attempts to hold men responsible for their shorter longevity, the Scanlonian and the Dworkinian strategy. On the first, “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.”

gap disadvantaging women. Nevertheless, it is conceptually possible and normatively plausible to insist that, if all have enough across life and there is no resource gap, the longevity gap would bring about injustice. When this is the case, distributive egalitarians may come to accept C2.

### 3. The All-Resources-Considered Account

There are reasons for distributive egalitarians to deny (3) and have women receive more overall. But the motivation to close the monthly pension gap above what sufficiency demands cannot be that women should receive higher total benefits because they live longer. Nor can it be that we should ignore men's shorter lives. Instead, the reason must be that there is a resource gap against women; that, despite their longer lives, women are still worse off in life. We could then think of the longevity gap contributing to overall distributive equality between men and women.

In this section, I propose an 'all-resources-considered' account to assess whether (pension) inequality between men and women is unfair. To be sure, that is not a new proposal. Many egalitarians look at people's *overall* holdings when making assessments of distributive justice. More succinctly, the account at hand asks us to consider all resources that can be sources of (dis)advantage. It is broader than good-specific accounts, which hold people to have equality-based claims to a specific good, say longevity, regardless of how much they have of other goods. But it is also narrower than the 'all-things-considered' account because *things* other than *resources* can also matter, namely how we relate to one another.<sup>38</sup>

Under 'all-resources-considered' views, the distribution of specific goods (e.g., retirement benefits and longevity) and specific bads (like tax burdens) is assessed in terms of how it contributes to delivering a more just distribution overall.<sup>39</sup> Instead of looking at the longevity gap as an injustice against men, egalitarians may see it as promoting overall resource equality between men and women. In such circumstances, the longevity gap is not unfair. However, it would be if women and men were to enjoy equal resources per year. In that case, the longevity gap would increase rather than reduce overall gender inequality. It would then be objectionable from a distributive egalitarian standpoint.

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<sup>38</sup> For the distinction between good specific and all-things-considered accounts, see Brighouse & Swift (2006).

<sup>39</sup> See Murphy and Nagel for an all-things-considered account in fiscal fairness.

The normative relevance of this integrationist approach can hardly be overstated. It explains why a short life is generally a 'social' injustice, but men's specific tendency to die earlier is not.<sup>40</sup> Men are an exception among the short-lived. We have seen that those living to older ages typically enjoy more resources than those who die earlier. So designing our institutions (like retirement) to the advantage of the former accentuates existing inequalities between longevity groups. What is here true of the short-lived in general does not apply to men. Usually, these same institutions distribute more resources to men, despite their shorter lives (as through the gender pension gap). As long as this remains true, men may not legitimately complain about the gender longevity gap. Meanwhile, the all-resources-considered account also explains why it would be implausible to ignore male longevity if there were no resource gap to men's advantage. Since men's complaint against longevity is conditional on their resources, it only arises when the longevity gap (LG) outweighs the resource gap (RG). Consider,

*Shorty* lives to 75 and *Longie* to 80, but *Shorty* lives a life of far more privilege.

Despite dying earlier, it still seems that *Shorty* fares better than *Longie*. In this case, it will likely be that the resource gap *outweighs* the longevity gap. I say 'outweighs' because we should ignore neither gap. We have seen that ignoring the longevity gap is implausible. Ignoring the resource gap is also unacceptable, as it implies that people who live equally long are necessarily equally well off, regardless of how much they have per year they live. Of course, weighing both gaps against each other raises the tricky question of *how much weight* each of them is to have. Let me briefly turn to this question.

We may think longevity should count more because it is a precondition for everything else we come to have in life. But there are also reasons to give more weight to the resource gap. While men do not suffer from the resource gap against women, it is not true that the longevity gap only disadvantages men. It also renders women worse off in three distinct ways. *Economically*, men benefit from the resource gap. Women, in contrast, suffer a significant drop in living standards upon their husbands' death.<sup>41</sup> *Emotionally*, I found no evidence that men suffer significantly from the

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<sup>40</sup> Therefore, the conclusions derived in Part II about the short-lived in general continue to hold.

<sup>41</sup> For evidence, see e.g., Karamcheva & Munnell (2007), Burkhauser *et al.* (2005) and Halleröd (2013).

resource gap. Yet, while men may suffer from their spouse's death more, women also suffer with their (more likely) widowhood.<sup>42</sup> *Morally*, men's advantage is somewhat tainted since the economic privilege they have is at the expense of women receiving less. But that is not the case with longevity. It is not the case that women's greater longevity occurs at the cost of men's lack of opportunity to live as long. The good of longevity is not *scarce* in this particular sense.

The account I propose here is open to *different* relative weights between both gaps. We can expect these weights to also depend on the currency of egalitarian justice we adopt (e.g., welfare, capabilities, or resources). Without further developing this thought, I would just like to say that the conclusion that women are worse off (all resources considered) holds *even if* more weight is given to the longevity gap. In that case, it remains unlikely that longevity counts so much so that half of our lifetime earnings outweigh the prospects of living 3-5 additional years.<sup>43</sup> That is all truer in a neutral weighting – where both gaps are equally weighty. In that case, women would need to live twice as long to justify having half the resources. Despite the weighing we adopt, it is sensible to think that the resource gap always outweighs the longevity gap in the case of gender. All this sustains the conclusion that, from an all-resource-considered account, women should receive more pensions overall than men as a matter of promoting distributive equality.

Before finally moving on to the policy implications, I must address a natural objection to this account. The criticism is similar to the indifference claim against the lifetime view discussed in the Introduction.<sup>44</sup> Indeed, we can look at the lifetime view as the temporal equivalent of integrationist views.<sup>45</sup> Recall that a famous worry with lifetime views is that they allow for too large inequalities at specific times, provided these are compensated for at other times. The same problem may occur with integrationist views such as my own. They may consider a disparity concerning some good (say, longevity) acceptable, provided those who have less of it benefit from inequalities in other, equally valuable goods (e.g., resource gap). As in the case of the lifetime view, there may be an objection that the all-resources-account permits too

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<sup>42</sup> See e.g., Streeter (2019).

<sup>43</sup> For evidence that women's lifetime income share is almost half that of men, see Boll et al. (2017).

<sup>44</sup> See Introduction, p.30-1.

<sup>45</sup> I borrow this analogy from a not yet draft paper by Axel Gosseries.

large inequalities between goods (this time, across space). We may say, for instance, that it is indifferent between a world A, where men and women live as long and have the same per year, and world B, where men die much earlier and women earn much less, provided inequalities in both spheres compensate each other. Such indifference would be implausible and possibly a reason to endorse a ‘good-specific’ account instead.

To be sure, I do not think we should be indifferent between the ways both worlds distribute specific goods (and I have argued the same regarding time-specific inequality). Nevertheless, we do not need to endorse a ‘good specific’ account to explain why that is so.<sup>46</sup> The challenge here is to find a *liberal egalitarian* explanation for why world A is better than world B, given that men and women are equal (all resources considered) in both cases. The valid complaint against this world is not that men and women are unequal. Instead, a better complaint is that the second world is worse, not because men and women may be *unequally* badly off, but because both are not as well off as they can be. Part of what makes people’s lives go well is access to both resources and longevity so that they devise their plans accordingly. In a way, the inequality in world B brings about a lower level of freedom for both men and women. It is, then, a levelling-down version of world A. Maximin (all resources considered) egalitarianism can, and should, avoid this move by claiming that people should have access to more rather than fewer goods, even if they would have equal amounts of such goods in either case. From a *liberal* standpoint, it 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 on men a shorter wealthier one. World A makes no judgments regarding what life is best for them, men and women.

#### 4. Gender versus Age Differentiation

To the extent that retirement pension schemes are built to promote equality, it makes sense that they protect women more overall than men as long as women fare worse than men. The question now is how to proceed policy-wise, as there are at least two routes to this aim.

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<sup>46</sup> Similarly, we do not necessarily need to depart from the lifetime view to care about inequalities across life.

## Ageing as Equals

The *first* and most straightforward strategy is to resort to explicit *gender* differentiation. It is possible to open a total gap favouring women by targeting people according to their sex/gender. Either by making women a) contribute less, b) retire earlier, or c) receive higher monthly benefits than men, these three strategies contribute to giving women more overall, if not also monthly.

The *second* strategy is subtler because it resorts to explicit *age* differentiation instead. It consists in increasing the *lowest old-age* pensions as a matter of gender justice. Because of the longevity gap, we know that women are overrepresented in *old age*. Due to the resource gap, women are also overrepresented among the *lowest* pensions. By explicitly focusing on the lowest elderly pensions, the retirement system would implicitly give more to women than to men. That is another way of advancing our distributive egalitarian aim.

Let me illustrate by returning to reverse and sabbatical retirement.<sup>47</sup> In itself, neither policy gives overall more to women than to men. Of course, such policies are still helpful to women since the worse off among them is still short-lived. So women (and men) would benefit from increased support early in life (such as maternity pensions). But while necessary, our discussion shows that they are also not sufficient precisely because these proposals are not designed to give women more than men. Under current conditions, one solution is to provide higher reverse retirement benefits, or more frequent sabbaticals, to women. This would be a gender differentiation strategy. The age-differentiated approach would strengthen old-age retirement, thus opening an overall gap to the benefit of women. Which of these should distributive egalitarians prefer?

Many believe that age discrimination is *prima facie* more acceptable than gender or ethnic discrimination.<sup>48</sup> For instance, underage girls have less political power than middle-aged men. That is undoubtedly impermissible if they have less political power due to their sex/gender, but not necessarily if that is so due to their age. Unlike sex/gender or race/ethnicity, the fact that *we all age* means that age-based inequality can involve treating people equally over their lives.<sup>49</sup> Intuitively, we have reasons to prefer age to gender

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<sup>47</sup> See Article 4.

<sup>48</sup> Gosseries (2014: 59).

<sup>49</sup> On this, see Introduction and Article 3.



discrimination because the former seems more likely to be compatible with treating people equally over their lives as a whole. But since both kinds of discrimination considered here promote distributive lifetime equality to an equal extent, the appeal to lifetime equality cannot be the reason to justify preferring one over the other.

There are, nonetheless, four reasons to still prefer age over gender differentiation. The first concerns feasibility. Not only is explicit gender discrimination more unpopular, but it is also more likely to be forbidden.<sup>50</sup> The fact that ageing societies increasingly support old-age retirement would make the goal of gender justice much easier to achieve.

*Second*, unlike gender differentiation, age differentiation does not leave the poorest older men behind. Imagine that the world is such that women are generally worse off than men but that few men are among the very worst-off people in that world. 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 generally 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 there are no egalitarian reasons to forget about worse off men, as explicit gender differentiation would do.

*Third*, there is a similar concern about better-off women.<sup>51</sup> Gender differentiation will benefit women more than men, regardless of their socioeconomic status. Our distributive egalitarian reasons to assist women are grounded on their relative disadvantage over men. 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 men. Our argument for giving women more overall than men was to equalise the position of women to that of men, so it does not give us reasons to render women better off than men as the explicit gender differentiation strategy would. Under this age-based approach, in contrast, redistribution stops when there is no longer female over-representation in the lowest pensions and older ages. In other words, redistribution will vanish as the resource gap and the longevity gap close, which is plausible.

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<sup>50</sup> See e.g., Howard (2006) in the case of EU law.

<sup>51</sup> Thanks to Pierre André for pointing this out to me. See Gheaus (2020) on why better-off women lose priority.



Finally, there is something attractive about genderlessness as a goal, understood as the hope to dissolve normatively backed gender differentiation in social roles.<sup>52</sup> It is sometimes necessary to use explicit gender differentiation for pursuing such dissolution. Such ‘fight fire with fire’ is plausible *when essential*. But those hoping to build a world that does not rely on gender should (when possible) pursue that hope without relying upon it. If anything, that will make our pursuits more robust against the fashionable criticism that we are not ending gender discrimination but only replacing the gender of its victims. The possibility of age differentiation is not vulnerable to these objections. It is not always possible to avoid gender differentiation. But if it is, as I suggested, then it is preferable to use age differentiation to advance gender equality in retirement pensions.

### 5. Conclusion

The monthly pension gap between men and women is more than twice the pay gap at other ages. This essay has considered two arguments for this inequality. The first says that women should receive less overall because they contribute less ‘in-cash’. This view is unfair for women because it relies only on one kind of contribution, namely the one that women have fewer opportunities to do. The second reason is that women should receive less monthly because they tend to live longer. While I believe that the longevity gap against men can be unfair, egalitarians have no reason for compensation insofar as women fare worse than men, all resources considered. Instead, egalitarians have reasons to close the monthly gap, with women receiving more overall. 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.

Our argument leaves incentives aside since it assumes that closing the monthly gender gap would not bring about a lower absolute pension for women. A maximin egalitarian would be sensitive to this empirical possibility. There is also a question about whether maximin egalitarian principles are the best for analysing gender justice, which I have assumed rather than argued for (as part of the general standpoint of the thesis). It may

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<sup>52</sup> For a defence of genderlessness, see Wright (2011).

be that distributive equality offers only a wanting conception of gender justice. But, as I have shown, a sensible interpretation of distributive equality demands vastly changing the gender pension gap in many societies. That is already a significant victory for those who believe that distributive equality does too little for gender justice.

To conclude, I should say that the redistribution of the gender pension gap is conditional upon prior unfairness in the gendered distribution of resources. It is, to that extent, a second-best policy. The gap would not need correction if there were full distributive justice between men and women. Until then, there is reason to support a pension gap. One not favouring men, but women instead.



## §8. The Pensions Children Owe Their Parents

**Abstract** There are growing fears that today's young generations will pay more for less in retirement pensions than their parents. This essay asks what egalitarians should think about such intergenerational inequalities in benefit ratios. Taking PAYG schemes as our case study, I discuss children's obligations to transfer (more or less) resources to their parents' generation than they will receive. I explore three accounts: ascending reciprocity, intergenerational equality and double reciprocity. The first, ascending reciprocity, offers a stable justification for PAYG. Yet, egalitarians must reject it for its insensitivity to inequality between generations. I argue that intergenerational equality is not satisfactory either, as it offers quite an unstable justification for PAYG transfers. I defend a conception of double reciprocity - the view that children owe their parents' generation how much they received from it - to justify the conviction that PAYG transfers should be stable without inequality. I conclude with relevant implications for pension design and reform.

**Keywords** generations © intergenerational justice © PAYG © reciprocity © equality

## Introduction

There are growing fears that today's young generations will not obtain equal comfort and security as their parents.<sup>1</sup> Or, if they do, that they may still pay "a higher share of their incomes to their governments for a lower entitlement to services and benefits" compared to their parent's generation.<sup>2</sup> Intergenerational inequality in benefit ratios – when some generations pay more for less than others – is an especially pressing worry of justice in today's world. As a 2016 article in the UK edition of *The Guardian* noted, "a combination of debt, joblessness, globalisation, demographics and rising house prices is depressing the incomes and prospects of millions of young people across the developed world, resulting in unprecedented inequality between generations (...). Where 30 years ago young adults used to earn more than national averages, now in many countries they have slumped to earning as much as 20 per cent below their average compatriot. Pensioners by comparison have seen income soar".<sup>3</sup>

In this essay, I am interested in what distributive justice tells us about such inequalities. In particular, I focus on the issue of intergenerational inequality in benefit ratios. Is it unfair that the balance between benefits and contributions is unequal across generations? Those that answer 'yes' right away should note the following. The retirement pension system is a tax and transfer scheme. We believe it is fair, for instance, if tax revenue privileges the least advantaged, with the well-off paying higher taxes in absolute and relative terms. If it is permissible that benefit ratios decrease as we go up the socioeconomic ladder, why is that not so in intergenerational settings? The temptation to answer 'yes' comes from looking at fiscal schemes in *isolation* from the wider distribution they advance.<sup>4</sup> With this in mind, the problem might not be that young generations *pay more for less* than their parents' generation but that they are worse off than them. As we shall see, these two different perspectives on intergenerational justice will be crucial for our discussion.

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<sup>1</sup> See e.g., Longstaff (2018: 99).

<sup>2</sup> Bidadanure (2021: 2) citing Coyle (2011: 103).

<sup>3</sup> Caelainn B and Shiv M (2016, 03 07). Revealed: the 30-year economic betrayal dragging down Generation Y's income. *The Guardian*: (<https://www.theguardian.com/world/2016/mar/07/revealed-30-year-economic-betrayal-dragging-down-generation-y-income>).

<sup>4</sup> Since the seminal contribution of Murphy and Nagel (2002), we have realized the importance of looking at fiscal fairness in terms of the 'all-things-considered' impact whatever is the goal of justice we come to endorse.

## §8. The Pensions Children Owe Their Parents

More specifically, I shall focus on intergenerational inequality in benefit ratios in a retirement context. Retirement pensions are not the only relevant context for this discussion (health care is also one). But they are undoubtedly one of its paradigmatic cases. Retirement pensions involve intergenerational transfers where children transfer to their parents' generations, including parents and non-parents alike.<sup>5</sup> This intergenerational link is essential in benefit ratios because what one generation contributes is what the previous one receives, and so on. The worry about unequal benefit ratios is then that we transfer more *to our parents* than *our children* will transfer to us. Therefore, I am interested in whether it can be fair for children to guarantee a higher benefit ratio for their parents' generation than the one they will receive or expect to receive. And if so, in which circumstances would such inequality be morally permissible.

The question of what children owe their parents *as* the cohort that precedes them is relatively recent in intergenerational justice debates. Typically, these debates focus on obligations to succeeding generations – the *next* generation(s).<sup>6</sup> Our question is different because it explicitly concerns our obligations to previous ones. When asked, this question is often framed in terms of age-group justice.<sup>7</sup> But, intuitively, we seem to have duties of justice to our parents' generation that are not conditional on their age. This article discusses *three* accounts of such obligations.<sup>8</sup>

|               | Ascending Reciprocity   | Double Reciprocity   | Intergenerational Equality   |
|---------------|---|--|--|
| Justificatory | We owe something to our parents because of what they have done for their own parents. | We owe something to our parents because of what they have done for us. | We owe something to our parents if and because they are (involuntarily) worse off than us. |
| Substantive   | We owe our parents at least as much as they transferred to their own parents.         | We owe our parents at least as much as they transferred to us.         | We owe our parents to the extent that they are (involuntarily) worse off than us.          |

<sup>5</sup> In this paper, I set aside the further questions of parental justice that this generational transfer raises. For a seminal contribution, see Olsaretti (2013).

<sup>6</sup> For a synopsis of theories of intergenerational justice, see Gosseries (2008).

<sup>7</sup> E.g., Daniels (1988).

<sup>8</sup> See Gosseries (2017).

The grounds and content of our obligations are, it seems, separate issues. That we owe our parents something *because* they benefited us does not settle the question of *what* and how much we owe them. In this paper, I shall discuss these principles in their *substantive* form, which means that I will not address the normative basis of these (possibly very demanding) principles. My aim is only to show that one of them - double reciprocity - solves the tensions between the other two. But this discussion will have some bearing on their normative basis since I try to show that we can make sense of double reciprocity on egalitarian grounds.

Like other articles, this one also takes the normative basis of distributive equality. It could then be obvious which account of intergenerational obligations we should adopt. But this is not so. I argue that double reciprocity can be the most sensible of the three, even for proponents of distributive equality. Reciprocity is popular intergenerationally,<sup>9</sup> which at first may seem like bad news for intergenerational egalitarians. Little is done for equality when better off generations have a right to get back everything they transferred to others.<sup>10</sup> However, I argue that it is possible and desirable to have reciprocity without inequality. With pay-as-you-go schemes in mind (§1), I show that ascending reciprocity is insensitive to inequality (§2). Yet, intergenerational equality is also problematic, given that it offers quite an unstable justification for PAYG transfers (§3 & §4). I argue that double reciprocity can provide the stability of reciprocity without inequality (§5). Section 6 concludes with some brief implications for pension schemes.

### 1. PAYG: First riders, last riders

Retirement pensions involve *ascending* transfers from children to their parent's generation. Even before public pension provision, people had children as 'insurance' to support them when old. Children were helping their parents, hoping that their children would one day return the favour. Ongoing intergenerational support existed long before retirement pension schemes came to be. Pay-as-you-go pension schemes have replaced these informal systems of care and support, such that children are now forced to make direct in-cash transfers to their parent's generation.

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<sup>9</sup> Wade-Benzoni (2002).

<sup>10</sup> In these cases, there is evidence that people believe it is fair for equality to trump reciprocity (Xiao & Bicchieri 2010).

The PAYG scheme is not the only way of setting up intergenerational pension transfers. Funded systems also involve transfers of purchasing power or claims on production. When funding their retirement, people are essentially accumulating a 'promise' (to be kept by their children) that they will later be able to redeem savings and continue consuming at an adequate level.<sup>11</sup> Pensions involve ascending transfers regardless of how they are funded. For simplicity, I stick to the paradigmatic and direct case of 'pay-as-you-go' pension schemes. Arguably, much of what follows will apply irrespective of whether PAYG or a funded system is in place.

Any PAYG scheme raises two fundamental issues. The first has to do with the *first* generation, who will enjoy pensions paid by their children without paying assistance to their parents. Bearing this in mind, I shall generally call 'first riders' anyone *who benefits more than it contributes*. More precisely, a cohort is a first rider if it transfers to the previous birth cohort *less*  $x$  (per capita) than what it receives from the next birth cohort. By 'first riders', I refer not only to the first generation of the PAYG but to any generation that benefits more than it contributes to it. In principle, this can be any generation, provided circumstances allow.

We all hope to be first riders. For a long time, this hope was realistic. As famously noted by Paul Samuelson, the beauty of state pensions was that they could be 'actuarially unsound' with everyone receiving privileges that far exceed anything they paid.<sup>12</sup> This is possible by joining the compulsory nature of pension affiliation with favourable demographic and economic conditions, such as sufficiently high economic growth. It does not seem unjust if it so happens that we are all first riders to an equal extent.<sup>13</sup> Often, the problem with free riding is that people who benefit more than what they contribute do so at the expense of others contributing more than they benefit. Under conditions of equal free riding, no one can claim to be ridden upon by others. So the problem with first riders, it seems, arises only in the presence of what I shall call 'last riders'.

The second issue with PAYG schemes is more serious. It is that of the *last* generation, which pays the pensions of its parents but receives

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<sup>11</sup> Heath (2013: 61).

<sup>12</sup> Samuelson (1967).

<sup>13</sup> By 'to an equal extent', I mean that the benefits ratios are equal where the freeriding condition entails that these are equal *above zero* (ben. > contr.).



assistance from no one. With this in mind, I call 'last riders' to those generations who contribute more than they benefit. Again, this is whenever a birth cohort transfers to the previous birth cohort *more*  $\times$  (per capita) than what it receives from the next birth cohort. As before, by 'last riders', I refer not only to the last generation of the PAYG but to any generation that contributes more than it benefits. The problem of 'last riders' is present in our initial concern that today's young generations will have paid more than what they will receive from their children. But, again, the problem here might not be that the young are last riders, but that they are so whilst their parents enjoy being first riders. Situations where everyone rides last (and equally so) seem to generate no complaint of unequal treatment. So taken in isolation, the existence of either first and last riders can be permissible. The problem, instead, arises when *both first and last riders coexist* in the same cooperative scheme.<sup>14</sup>

A metaphor about rollercoasters helps illustrate the distinction between first and last riders.<sup>15</sup> The price of riding the rollercoaster is usually the same for all adults, regardless of where they sit. But suppose that people who occupy the front places get more from the ride than those sitting in the back because the experience is more unpredictable. While sitting in the front often entails that others will have to sit in the back, it can be possible to ensure that all users feel like they are riding in the front (say, if they wear appropriate glasses). As in pensions, we can *all* be first riders on rollercoasters if favourable circumstances allow. In reality, some will likely experience riding last. Essential for this analogy is that not all generations need to sit on the rollercoaster in chronological order. The last rider is not necessarily the last person to get there, just as the first rider is not necessarily the first. What settles the riders is not the question of when they arrive but, instead, where they are allowed to sit upon arrival.

As I use the terms, first and last riders generalise two extreme cases: one where we contribute relatively less (rather than nothing) and one where we receive relatively less (rather than nothing). What is at stake here is not only the end of PAYG, but, more generally, fluctuations of the scheme over time

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<sup>14</sup> I am open to qualifying this claim and saying that last riders can be victims of injustice even in the absence of first riders. If everyone gets what they contribute except for one generation, that particular generation can have a justice-based complaint against the scheme.

<sup>15</sup> See as well Gosseries (2004: 166ff) on train users.

such that some people will ride first and others last. Bearing this clarification in mind, we can proceed to see what our three accounts of children's obligations to parents say about this.

## 2. Ascending Reciprocity and Inequality

Ascending reciprocity is the most notable account of children's obligations towards their parents. As I understand it, it says that we should receive from our children at least as much as we transfer to our parents.<sup>16</sup> This account is of utmost relevance to accounting for the logic of PAYG because the latter is often seen as children returning to their parents what these have transferred to their own parents. Let us examine what it implies for first and last riders, respectively.

If the maxim did not contain the 'at least' condition, it would prohibit first riders. It would echo the socialist principle where each receives back from society *precisely* what (s)he gives to it.<sup>17</sup> So understood, it forbids anyone from being a net beneficiary and net contributor. However, the 'at least' condition allows that we receive more than we contribute (hence, *first riders*). It does not require, but it also does not prohibit, that people benefit more than they contribute. In this view, justice neither prohibits nor demands the beginning of PAYG. It welcomes fluctuations of the PAYG in which the scheme expands in size over time.

Meanwhile, ascending reciprocity prohibits *last* riders since, by definition, these will receive *less* from their children than they transfer to their parents. From this perspective, it is unfair that young generations of today end up having paid more for lower entitlements than their parent's generation. Interestingly, the ascending reciprocity view places a normative lock-in upon PAYG: the system does not have to begin, but it must not end (or deflate) once it starts.<sup>18</sup>

So much for the implications of ascending reciprocity. What should egalitarians think of this view? They can question its 'justificatory' nature, as it is not evident how giving something to our parents generates an obligation upon our children.<sup>19</sup> Yet, let us leave such worries aside and focus on the

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<sup>16</sup> Gosseries (2017: 123-5).

<sup>17</sup> Marx (2008: 28-30).

<sup>18</sup> Those adopting a responsibility-sensitive account of ascending reciprocity will open an exception for those cases where the disadvantaged generation accepts receiving less than it has contributed.

<sup>19</sup> See Gosseries (2017: 126-8) on Barry (1989).

## Ageing as Equals

substantive side of the maxim instead. On this side, we find that egalitarians should worry about ascending reciprocity. The reason is its insensitivity towards intergenerational inequality. The origin of insensitivity is mainly that this view takes transfers in isolation, regardless of how many resources each generation has. Consider the following case.

*The Peak Generation* is better off than both its parents and its children.

Should the peak generation demand that its children do as much for her as it did for its parents? If we accept the ascending reciprocity stance, the peak generation is justified in making such demands. But egalitarians should think that it would be better if the peak generation were not to receive from its children as much as it contributes to its parents. Being the best-off generation, it would be better for distributive equality if the peak generation becomes the last rider and benefits less than it contributes. The reader may think it does not seem like a blatant injustice against the children's generation if the latter can demand repayment from its own children (i.e., the now grandchildren). And, again, if the grandchildren could do the same afterwards. Yet, injustice may emerge even when all subsequent generations receive and pay the same, and all receive what they have paid. The injustice can be cast in egalitarian terms, according to which the worse off should receive more than what they pay for and, at the very least, pay *less* than the better off. The demand for equality of contribution puts ascending reciprocity in tension with equality (even if the worse off eventually get back what they paid for).

Therefore, the isolationist nature of reciprocity directly clashes with distributive equality. By 'isolationism', I mean that this reciprocity view focuses on the size of transfers without reference to the background resource distribution between the parties at stake. Little is done for equality when a view allows, if not requires, that poorer generations pay as much as wealthy generations. Facing this problem, we may attempt to reformulate the ascending reciprocity maxim.

*Ascending Reciprocity\**: provided we can do so, we owe our parents at least as much as they have transferred to their parents.

This revision renders the principle more appealing for egalitarians, but not entirely so. Although this revision forbids parents from placing unrealistic demands their children cannot fulfil, it is still inadequate to deal with intergenerational inequality. For example, maybe the children of the peak

generation *can* transfer as much as the peak generation did for their parents. Yet, while possible, we can suppose that doing so will come at an unreasonable cost to them. Fulfilling this promise would accentuate the inequality between them and their better-off parents, thus increasing intergenerational inequality. We may attempt to revise the view again in light of these difficulties.

*Ascending Reciprocity\*\**: provided we are equally well off, we owe our parents at least as much as they have transferred to their own parents.

This version of reciprocity is entirely acceptable from a distributive equality stance. But the pensions children owe their parents on this account will then coincide with distributive equality. Meanwhile, the latter is more comprehensive. Because unlike the one above, it also tells us what to do when generations are unequally well off. There are then reasons to consider the account of intergenerational distributive equality instead.

### **3. Distributive Intergenerational Equality and Stability**

Ascending reciprocity seemed to offer quite a stable justification for PAYG transfers, but so much so that it was wholly insensitive to inequality. A tempting alternative is to ground obligations on the view that children must transfer to their parents when and because the latter are involuntarily worse off than them. It requires us to assist our parents because their lives are worse, not due to their fault, but because they were born when lifetime prospects were lower. For a long time, and maybe to this day, children can expect to live longer and more prosperous lives than their parents because of the particular time in history in which they are born. But *when* we are born is a factor that is unchosen and beyond our control. Ensuring that people are not worse off than others through no fault of their own seems to justify redistribution from better-off children to worse-off parents through a PAYG transfer scheme. As before, let us see what this account implies for the question of first and last riders.

For simplicity, I assume that we are as well off as, and not better off than, our parents. So I presume that we are equally well off as our parents, but that we are worse off than our children. Any concerns of intergenerational equality will only, then, apply between our children and us. That already suffices to see the problems that come with this account. Intergenerational equality

implies that we should be first riders to the extent that we are worse off than our children.<sup>20</sup> In such circumstances, we should receive more from our children than we transfer to our parents. Conversely, we should become last riders if we fare better than our children. In this case, receiving *less* from our children than we transfer to our parents would promote intergenerational equality. As I mentioned in the Introduction, many of us believe that justice may require PAYG because children have certain obligations to their parent's generation, even if fulfilling these obligations would not promote distributive equality between individuals of different generations.

It is essential to note that this justification of PAYG is heavily contingent on the assumption of *progress* – that our children will live through more favourable conditions than us. Historically, governments arrived at PAYG partly because the scheme could come into operation quickly, but not only.<sup>21</sup> Later, economists like Paul Samuelson took upon themselves the task of justifying the system as a form of reciprocity where each party gets a real rate of return (i.e., a real net benefit) equal to the sum of the rate of growth in the labour force and the rate of growth of productivity.<sup>22</sup> Here, what each receives depends on how favourable the economic conditions are at their retirement. This way of thinking departs from the logic of ascending reciprocity because it renders children's obligations to transfer to their parents sensitive to the economic and demographic conditions in which they, the children, find themselves. At this time, 1958, the famous baby boom was well underway. Productivity was growing fast enough to cover future increases in longevity, which made this way of looking at PAYG pensions solid and stable.<sup>23</sup>

Times are changing. While the assumption of progress might have been a safe one a few decades ago, it seems increasingly unwarranted. If it is true that the justification of PAYG schemes relies heavily on progress, its foundation is then increasingly unstable. As we have seen, the absence of progress becomes more likely as a combination of unfortunate facts (like pandemics, joblessness, demographics, environmental degradation, and rising house prices) depresses the lifetime prospects of younger generations, thereby rendering

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<sup>20</sup> If our parents are worse off than us, they should be the first riders to us. That is compatible with us being first riders regarding our children. When each subsequent generation is better off than the previous one, distributive equality requires the PAYG system to inflate, with each receiving more than it has transferred.

<sup>21</sup> Blackburn (2002: 68-9).

<sup>22</sup> *Ibid.*

<sup>23</sup> *Ibid.*

them worse off than their parents. The prospects for the next generation are a divisive issue, but many already think that regress is well underway.<sup>24</sup> The purpose here is not to show that this empirical claim is valid. Instead, it is to explore the normative implications of that eventuality turning out to be true. Undoubtedly, the absence of progress is a possibility to envision.

Let me now clarify what I mean by ‘instability’. As I understand it, policy X is ‘unstable’ from an ethical perspective to the extent that the conditions under which it is justified become less likely to be satisfied. Let me illustrate. Suppose you justify retirement pensions as protection against the risk of old-age poverty. This justification is stable if everyone faces this risk. But it becomes unstable as the old-age conditions improve so much that old-age poverty turns out to be extremely unlikely to materialize. In our case, it means the following. If a) there is a good enough probability that a generation will be worse off than the previous one (‘regress’, as opposed to ‘progress’), and b) regress can justify the end of PAYG, then it follows that c) there is good enough probability of justifying an end to PAYG. Again, the first premise is an empirical premise that I shall not discuss but assume.<sup>25</sup> I will focus on the second normative claim. Consider,

*Regress.* For the first time, parents’ cohort is better off than their children’s cohort in two units of goods.

Under regress, intergenerational equality suggests that parents should transfer *one unit extra* to their children than they receive from them. Doing so will promote equality between parents and children. Nevertheless, it is essential to realise that the equality that matters here concerns relative transfers, which are compatible with various amounts of absolute transfers. They are, for instance, consistent with transmitting ten units and receiving nine back from their children. But parents can also transfer one to their children and receive nothing through PAYG in return. They may tell their children, ‘keep the money, I give you less, and you owe me nothing in return!’.

This latter strategy is common in *intragenerational* settings. The well-off can transfer ten to the poor to get nine units back. Alternatively, they might also transfer one unit and, instead, receive nothing in return. Interestingly enough, some people criticise unconditional basic income for distributing to

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<sup>24</sup> Stokes (2017).

<sup>25</sup> Again, see Stoke (2017) for the public perception that this is increasingly likely.

the rich (without realising that on many such proposals, the rich pay much more than what they receive, so the net transfer remains negative). The suggestion here is that it is possible, if not also intuitive, to pursue equality by only giving to the worse off. If so, it strengthens the legitimacy of better-off parents telling their children, again, 'keep the money, I give you less, and you owe me nothing in return!'.

Distributive equality requires net transfers (benefits – contributions) from the better off to the worst-off. As I have been suggesting, it is crucial to realize that the same net transfer is consistent with various levels of absolute transfers. A transfer of +1 in your favour means that you have to return nine if you receive ten, seven if you receive eight, and so on. In the limit, it is consistent with you returning *zero* if you receive one unit. In PAYG pension schemes, this is where the instability comes in. We can suppose that intergenerational equality is indifferent between the worse off receiving  $X$  from the rich and receiving  $X+Y$  (with the promise to transfer  $Y$  back). In that case, it can justify an abrupt interruption of PAYG transfers from two different sides.

*Parent's side.* Perhaps the most natural way this may occur is for better-off parents to agree voluntarily to receive nothing back from their children. I suppose such parents would be regarded as highly generous, for they give what they have to their children without asking for anything in return. It can be acceptable if parents end up worse off than their children because they choose to forego transfers to which they would otherwise be entitled. That is because parents would not be involuntarily worse off if the resulting disadvantage would result from a free choice.

*Children's side.* I do not think parents' consent is necessary to justify deflating PAYG transfers. From the perspective of intergenerational equality, children may unilaterally decide to end PAYG. Note, however, that accepting this goes against our earlier conviction that we should value the stability of pension transfers.<sup>26</sup> Here is how children may unilaterally stop PAYG transfers. Suppose that parents must receive one unit less than what they transfer and that they have transferred ten units, so children must transfer nine to them. This transfer is consistent with the end of PAYG. For instance, children could acquire debt of nine units to give to their parents. And they

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<sup>26</sup> See Introduction, p.41-2.



could then share the costs of this debt evenly across future generations (or in a decreasing way if regress persists). The price of this debt could be shared across all of the next generations, rendering its payment negligible. Alternatively, we may spread it only across the next three generations, where each pays three units of debt, with subsequent generations no longer transferring to *their* parents. This example is but one illustration of how the end of PAYG may not require parents' consent under conditions of regress.

The examples above might be rather complicated, so consider a more straightforward case. Suppose your duty to assist your parents is grounded on them being worse off than you. You might no longer have that duty if your parents refuse your help, regardless of whether there is progress or regress. But if you fare worse than your parents, the conditions justifying your duty to them are not met. If your parents' demands on you are contingent on them being worse off than you, they can make no such demands if the condition is not met. In this view, it is not unfair if you refrain from assisting them. Yet, intuitively, you should help your parents even if you are worse off than them (though it is also intuitive to do so consistently with the demands of equality). But it is hard for distributive egalitarians to explain why the worse-off can have an obligation to assist the better-off. Worse-off children could insist that they owe nothing to their better-off parents, much like a poor person may claim to owe zero transfers to the wealthy. It is unclear how the involuntarily worse off in life can be under the obligation of redistributing to the better off. At least if our only stance of distributive justice is that of distributive equality.

#### 4. Prohibiting Regress

One potential solution is to resort to a view of intergenerational justice that prohibits regress. Most theories of what we owe next generations entail a prohibition of *dis-savings*: what each generation transfers to the next one cannot be less than what it inherits from the previous one.<sup>27</sup> It can be plausible to think of this as a prohibition of regress - the lifetime prospects we transfer to our children should be at least as good as the ones we have inherited from our parents. Some may also forbid progress because it might be unfair towards the least well-off members of the current generation if that generation transfers to its children *more* as a whole than what it has

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<sup>27</sup> Gosseries (2005: 41).



## Ageing as Equals

inherited.<sup>28</sup> Both views accept that children are as well off as their parents, so let us assume that.

A prohibition on regress may be said to solve the ‘instability’ problem. If a) justice requires that we do not regress and b) only regress legitimizes the end of PAYG, then it follows that c) justice requires that we do not legitimize the end of PAYG. I shall be taking a) for granted and question whether b) holds – that is, whether regress is *necessary* to legitimate the end of PAYG. Consider the case of intergenerational *stagnation*, where each generation is as well off as (and not better off than) the previous one. Can egalitarians, in this case, explain why PAYG is required?

Interestingly enough, there is no redistributive rationale for PAYG when we are as well off as our children. If there is no progress in lifetime prospects (say, in income, wealth and life expectancy) and everyone has enough across life, there would no longer be an interpersonal redistributive rationale for PAYG pensions. That is so long as each has the chance to purchase private insurance against risks.<sup>29</sup> Under these circumstances, we can achieve intergenerational equality without the need for PAYG state pensions. In other words, PAYG pensions would neither be prohibited nor required. Under stagnation, a generation may put a stop to the PAYG system.

Against this, one could argue that such a generation would be wronging its parents because these parents would be worse off if they did not get back what they transferred to their own parents. But this could be avoided while putting an end to PAYG. Once again, children can acquire debt to pay for their parents and share the costs of that debt evenly across all future generations (on the assumption that all future generations are equally well off). As we have seen before, this allows us to end PAYG without rendering our parent’s generations worse off than us. Thus, under conditions of *stagnation* and *regress*, it can be acceptable to end or deflate PAYG transfers. In other words, intergenerational equality only requires PAYG transfers

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<sup>28</sup> See Gaspart & Gosseries (2007: 9)

<sup>29</sup> As Michael Otsuka also suggests in an LSE lecture: "assume that the resources and talents available are known to be equal at the beginning of their adult lives and that each person has the same known risk of facing future misfortune. Now in these circumstances of ex-ante equality, Dworkinian luck egalitarianism would be fully realized without the need for tax and transfer PAYG state pensions, so long as each is provided with the opportunity to privately insure against risks at the beginning of one's adult life." See LSE Philosophy (2018, February 7) Mike Otsuka (LSE): "Reciprocity versus Redistribution: The Case of Collective Pensions" [Video]. Youtube. <https://www.youtube.com/watch?v=Mt50lbAaWws&t=910s>.

under progress.<sup>30</sup>The egalitarian justification of PAYG becomes more unstable than we initially thought when we realise that regress is unnecessary to justify the deflation of PAYG. That can also emerge with stagnation.

One might resist this conclusion, claiming there is always a need for transfers between age groups regardless of whether there is inequality between different generations. PAYG schemes often take the form of transfers from the young to the old and, thus, from children to parents. But, we can fully realize this age-group transfer without a PAYG. One can always fulfil the need to transfer between age groups through intra-personal or intra-generational transfers. That is when individuals transfer goods from one life stage to another. Thus, age-group transfers do not require the direct *interpersonal* and *intergenerational* transfers of PAYG. But even if people fund their pensions, we need to explain why the working population must protect the purchasing power of the retired generation against inflation, ensuring their savings remain valuable. Intergenerational equality cannot, as such, ground these obligations in cases of stagnation and regress.

So far, this reads as if the author is attempting to justify the dismantlement of PAYG schemes. That is not my intention. Though I am writing from a distributive egalitarian standpoint, I think it would be regrettable to put an end to PAYG. Doing so would not make room for our initial conviction, expressed in the Introduction, that pensions should make room for a stable flow of intergenerational transfers. If so, we need a reason to maintain these schemes. Namely, one that explains the value of keeping these policies is not reducible to intergenerational equality. I agree that there is value in preserving these systems over time, even if they are neutral regarding intergenerational equality. Indeed, sensitivity to inequality may threaten their survival over time, leading to tension between stability and intergenerational equality. So we need to find a way to explain *why* we need to preserve such forms of intergenerational support. If I am correct, double reciprocity provides us with just what we need.

## 5. Double Reciprocity as Stability without Inequality

Thus far, our argument has proceeded in two steps. The first argued for rejecting ascending reciprocity because it is too insensitive to

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<sup>30</sup> So far, there has been no egalitarian view that requires progress, or savings, beyond the accumulation phase (Gosseries 2008: 70).

intergenerational inequality. As a second step, I argued that intergenerational equality was better but not satisfactory either. It is, in a way, too sensitive to inequality between generations, because it cannot show why justice requires a PAYG scheme in the absence of progress. I now argue that double reciprocity can offer a more robust justification of PAYG while showing sensitivity to inequality between generations. In other words, double reciprocity provides the possibility of stability without inequality.

Substantively, double reciprocity holds that children owe their parents (at least) as much as they receive from them.<sup>31</sup> There are two possible interpretations of the principle. On a narrow understanding, 'transfers' refer to *any* economic resources, *including* the ones that take the form of educational investments. This narrow view prohibits parents from giving more to their children than what they receive from them. In this view, double reciprocity is as insensitive to inequality as the other reciprocity-based view we considered at the start. Nevertheless, it is possible to broaden our conception of 'transfers' – not merely as the economic goods that parents transfer to their children, but rather as the bundle of conditions and opportunities they inherit by being brought to the world by their parents. Let us call these 'lifetime prospects'.

Let me illustrate this distinction with an example. Suppose generation A brings generation B to the world. But generation A does not transfer many economic resources to its children, maybe because they do not have much to give. Yet, generation A is making sure to leave them a prosperous world filled with future life prospects that generation A might never come to enjoy. These may include a safe environment, fantastic future economic conditions, scientific progress, helpful technologies and tools, the prospects of a much longer life in reasonably good health, etc. These cannot just be measured by the money parents transfer to their children, but they remain relevant for how well off children will be and how much they receive from their parents. In a narrow sense of transfers, generation A has not given much to B. So the latter does not owe much in return. Contrast this with the broad sense of transfers, which entails that generation B receives much more from their parents, at least more than the specific goods given to their children. Intuitively, this more comprehensive view of parents' transfers to children appears to be more

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<sup>31</sup> Cosandey (2003: 164).

suitable. If I am correct, it also yields the stability of reciprocity without inequality.<sup>32</sup>

Before we look at what this account implies for first and last riders, I would like to discuss one objection against broadening the material scope of double reciprocity. Axel Gosseries (2017: 42) notes that enlarging the way we conceive of transfers to children would have double reciprocity implying, absurdly, that each generation should transfer back the 'fruit of the effort of all past generations as well as of nature', which would be too demanding (if even possible).

In response, I do not think that a broad view of double reciprocity needs to be too demanding. Narrow transfers are often monetary, so it is easy to compute how much one is owed back. But this is not so easy with broader scopes. We need an intergenerational indicator for that. Suppose the indicator says that the world your parents inherit is worth 100 units. Meanwhile, the world they transfer to you is only worth 90 units. Your parents can demand 90 units from you but can be requested 100 units from their parents. The conversion rate of these units to monetary resources and pensions is a matter of choice. If each unit is equivalent to 10 euros, giving your parents 900 euros is to provide them with at least as many units as they transferred you, which is reasonable. Double reciprocity inevitably requires that we transfer as many units as the indicator says, but this need not be demanding if we adopt an adequate conversion rate of such units to money. Since we need a fictional currency to measure and compare intergenerational transfers, the chosen rates to convert this currency to actual money may avoid over-demandingness.

Let us now turn our attention to what this account says about first and last riders. In this view, the *first riders* should be those receiving *less* from their parents than what they transfer to their children. Conversely, last riders should be those giving their children *less* than what they have received from their parents. Double reciprocity yields a similar result to intergenerational equality. Here, too, riders are penalized (last) or rewarded (first) depending upon whether they leave a better world for their children

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<sup>32</sup> Note that this possibility is unavailable to ascending reciprocity. While we can meaningfully claim that children inherit a world or life prospects from their parents, we cannot say that parents inherit this from their children. On this, see Gosseries (2017: 41).

than the one they have inherited. The account I propose here seems just as sensitive to inequality between generations as distributive equality is.

Unlike ascending reciprocity, this version requires the peak generation to be the last rider because this generation is leaving a worse world to her children than the one it inherited. Suppose this generation creates *stagnation*, and the world it transfers to its children is as good as the one it has received, so both are equally well off. In that case, generation A should transfer to generation B as much as the latter transfers to generation C (coinciding with *ascending reciprocity*\*\*). While generation A and generation B transfer the same in the case of stagnation, the nature of such obligations is not the same as in ascending reciprocity. From the latter's perspective, it has to do with what each generation transfers to *their* parents. Under our version of double exchange, it has to do with parents and children inheriting an equally good world and thus having equally sizeable obligations to their own parents.

We should now ask whether double reciprocity is more robust at justifying PAYG schemes than the distributive egalitarian view. From how it deals with the case of stagnation, we can already see that these views are different. Intergenerational equality does not require transfers from children to parents, but double reciprocity does. Again, children have to transfer to their parents *as much* as their parents transferred. The difference between these views becomes even more explicit in the case of *regress*.

From an intergenerational egalitarian standpoint, we saw that children might owe nothing to their parents if they are worse off than them. In other words, worse-off children may legitimately transfer zero to their better-off parents. Yet, they *cannot* do so under double reciprocity. Insofar as they receive something of value from their parents, they stand in an obligation to reciprocate. Whether parents transfer a better or worse world to their children (compared to the one they have inherited), they always transfer *something*.<sup>33</sup> To that extent, it will always justify PAYG ascending transfers even if the world does not progress but indeed regresses. Of course, their obligation to

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<sup>33</sup> Note that I write 'something' rather than 'something they have created'. If we had gone for something they have created, then our view would again be too reliant on the assumption of progress and, as a result, fall into the same problems that I have identified with intergenerational equality. Of course, we may now wonder why children should transfer anything back if parents are transferring a share of unimproved natural resources, which was not theirs in the first place. But I see failing to 'touch' resources (neither improvement nor degradation) as reflecting the value of preservation. The view is sensitive to those things we have created and those we have not destroyed since both require effort from the previous generation.

reciprocate in the case of regress is not as high as it would otherwise be under progress. That is part of respecting the demands of equality. Because regress means that parents inherit a better world than the one they leave to their children, double reciprocity forces parents to accept a lower amount of transfers from their children (than what they should have contributed to their parents). Simply put, it demands that they take on the role of last riders. But parents having to become last riders does not permit children to transfer zero pensions to them, as intergenerational equality would accept.

The difference between intergenerational equality and double reciprocity is as follows. The former is only sensitive to what people transfer relative, or in comparison, to what others transfer. Yet if broadly conceived, double reciprocity is sensitive to both relative and *absolute* transfers. Here, absolute transfers refer to the amount we give to others, regardless of the amount others also transfer. This point is crucial here because it limits the various levels by which generations can satisfy redistributive demands. Going back to the previous example, if parents inherit a world valued in ten units and transfer nine units to their children, the net transfer equality required from parents is still -1. But this must be achieved by parents transmitting ten units and receiving nine, not some other way completing the same relative transfer. Because it is concerned with absolute transfers, the specific version of double reciprocity that I am describing provides a more robust and stable justification for PAYG schemes.

Before I conclude, I should note two things about double reciprocity. *First*, it is a flexible view because it does not tell us how much parents should transfer their children. It is compatible with any conception of what we owe the next generation(s). *Second*, this account accepts putting an end to PAYG only in one marginal case. That is when what we transfer to our children has no positive value.<sup>34</sup> If it were better for children not to have been born, double reciprocity would require that parents compensate their children. If existence is indifferent, children owe nothing back to their parents since the world they inherit has neither positive nor negative value. This, I suppose, only happens in the highly improbable cases when the life of a particular generation is not worth living. The less probable the exception is, the more stable the

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<sup>34</sup> Again, note that I speak of positive value rather than *added* value. On this, see footnote 33, p.204.

justification of PAYG pension schemes is. Hence, double reciprocity remains able to justify a secure PAYG system without inequality.

### 6. Conclusion

The conclusion is surprising. One would have expected distributive egalitarians to commit to intergenerational equality. If I am right, it is more sensible for egalitarians to adopt a broad version of double reciprocity instead. Let us, then, return to our initial question. Is it unfair if today's young generations pay more their parents than they will receive from their children? It does not have to be. It is unfair if, and only if, today's young generations inherit worse life prospects than their parents. To relax the current worry about unequal benefit ratios, we need to show that young generations are better off than their parents. Given how the world is heading, that is not easy to demonstrate empirically. If they are worse off, there is reason to reverse the inequality in benefit ratios favouring young generations. And only in cases of intergenerational stagnation can we say that justice demands that benefit ratios be equal. Thus, the thought that justice requires equality in benefit ratios is more unlikely than it seemed initially.

Let me conclude with some implications for pensions. Double reciprocity asks whether the causes of the need to reform pension systems are part of a package that comes with delivering to our children a better world than what we inherit. For instance, increasing longevity indeed brings a better world to our children. Other things being equal, this view requires that longer-lived children bear a higher cost-benefit ratio than their parents. The opposite would happen with economic recessions, which represent the transfer of worse lifetime prospects to our children (positive environmental externalities aside). As for decreasing fertility, the answer will depend on whether children benefit from being part of a smaller cohort than their parents.<sup>35</sup> If it means that each child will get a larger share of resources per capita, then each child will have to raise its contributory transfers accordingly.

Finally, I have assumed PAYG as the paradigmatic of an ascending transfer. But note that the same may be said of redistribution and stability in funded systems. Attaching funded benefits to progress (by adjusting interest

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<sup>35</sup> See Gosseries (2017: 142-4), showing how the *narrow* double reciprocity will face difficulties in the context of change in population size due to its restrictive material scope. Also, and more recently, see Olsaretti (2020) on egalitarian justice and population size.

## §8. The Pensions Children Owe Their Parents

rates) would promote intergenerational distributive equality. Yet, it would bring too much uncertainty regarding the benefits one will receive. In general, there are reasons to believe that there is a tension between sensitivity to inequality, on the one hand, and stability, on the other hand. I call it a 'tension' rather than a 'dilemma' simply because I think that double reciprocity has the resources to solve it.<sup>36</sup> If so, parents have self-interested reasons to make sure they leave the best possible world for their children. The safest they can do for their pensions is to ensure that the world they leave to their children is at least as good, if not better, than the one they inhabit today.

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<sup>36</sup> Applying double reciprocity in funded systems should require children to deliver *some* return on their parents' investment, a return that depends on the units that stem from the indicator I have mentioned earlier.



## Ageing as Equals

## Final Conclusion

Despite being increasingly available to us all, retirement pensions remain unequally distributed: between rich and poor, young and old, men and women, and possibly different generations. This thesis offered a novel (liberal egalitarian) account of justice in retirement pensions. I began by defending retirement pensions as a distribution of free time rather than leisure or only wealth. I have shown that we should include free time in the list of primary goods, which explains why retirement can be essential to liberal egalitarian societies, especially for the poor who work and contribute the longest. I then argued for 'libertirement', a proposal to increase the freedom to enjoy free time across life, as a matter of justice between longevity groups. Specifically, I proposed adding reverse pensions and sabbaticals on top of old-age retirement. I vindicated the role of longevity in age-group justice, and I have shown how policies like UBI and income taxation may offer alternative paths to libertirement. Finally, I discussed gender and intergenerational inequalities in pensions, which forced us to refine our account further.

This discussion of distributive justice in retirement pensions led us on a long and bumpy road. Each article raised distinct challenges, lessons, and policy implications. If there is one thing all of these essays have in common, it is a mismatch between our theory of distributive justice and the design of our retirement schemes. That is true of the widespread association of retirement with leisure, of retirement as a reward for longer careers, its age-old connection to old age, the high gender disparity in pension schemes, and the idea that all generations should benefit equally from retirement pension systems. I conclude that there is often a mismatch between liberal egalitarian justice and the design of retirement schemes.

Whenever there is a mismatch between the design of retirement pension schemes and distributive justice, we have two options available to us. One is to reform these systems; the other is to revise our principles of justice. The strategy I resorted to the most was to propose changing our retirement pensions (as well as our beliefs about their purposes). The solution to the mismatch between liberal egalitarian justice and the design of retirement schemes was often to propose reforming these systems, but not always. Sometimes, I called for revising our principles of justice to make room for the two convictions I expressed in the Introduction (as in articles 2 and 8).

## Ageing as Equals

This thesis has sought coherence among general principles and particular judgements. If I succeeded in offering a coherent account of what distributive justice in retirement pensions requires, I have also noted two ways of achieving coherence. I hope to have substantiated my intuitions regarding the maintenance of PAYG schemes and the justifiability of having the Welfare State reward longer careers. I am, in any case, aware that not all of us will share these same intuitions. Inevitably, this boils down to the crucial role that our different intuitive judgments should play when thinking about distributive justice, possibly leading us to different results. I have always assumed that the reflective equilibrium method, which seeks consistency between principles and intuitive judgments, is a sensible method of doing political philosophy.<sup>1</sup>

Many questions remain unanswered. More work needs to be done on how these articles fit together into a coherent picture of distributive justice in retirement pensions. But there are also other topics that I have not addressed. For instance, I have not discussed retirement pensions from the point of view of *global* justice - for example, regarding the possibility of integrating different countries' pension systems into a single one. That is a realistic possibility for Europe, and perhaps it could do a lot to redistribute inequalities in free time between European countries. Besides global justice, I have also ignored questions of *animal* justice. I assumed that only human animals should receive a pension. But this need not to be the case. In 2013, the police force in the United Kingdom decided to give their service dogs state pensions upon retirement.<sup>2</sup> Some animals work and contribute to human societies, and one could make the case that they should therefore receive a stipend. These are only two examples among the many illuminating angles through which political philosophers can discuss retirement pensions. Not only do I hope to have proven that theories in political philosophy have a lot to say about retirement pensions. I also hope to have shown how the topic of retirement pensions may, in turn, get us to rethink, refine and improve the very principles of justice we have thus far come to accept. We must work on both ends. Sometimes by reforming our systems, other times by revising our views and, occasionally, both.

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<sup>1</sup> See Daniels (2020) on the reflective equilibrium.

<sup>2</sup> Cochrane (2016).

# Annexe: §9. Proportionality without Inequality

As published in *Res Publica*<sup>1</sup>

**Abstract** Political egalitarians tend to defend equal distributions of voting power at specific times, as in ‘one election, one vote’. Appealing as it is, the principle seems incompatible with distributing power proportionally to the stakes voters have at different elections, as in ‘one stake, one vote’. This article argues that the tension above stems from the temporal scope ascribed to political equality, as at specific moments of democratic decision-making instead of over entire lives. More specifically, ascribing a lifetime view to political equality renders equality compatible with proportionality at different elections. I first show that storable votes differ from standard votes in their distinctive commitment to lifetime political equality. I then argue that storable voting schemes are compatible with three key reasons to value political equality: equal consideration of interests, relational equality, and non-domination. Finally, storable votes are also consistent with proportionality at specific times. I conclude that the neglected idea of lifetime political equality can, through storable votes, deliver proportionality without inequality.

**Keywords** Political equality © Storable Votes © Distributive justice © Lifetime view © Equality

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<sup>1</sup> Valente (2022b).

## Introduction

When political egalitarians defend equal distributions of voting power, they typically commit to the slogan ‘one person, one vote’ whenever elections arrive (e.g., Dahl 2006: 9; Verba 2001: 2). Appealing as it is, the principle is said to be incompatible with distributing power proportionally to the stakes voters have at different elections, as in ‘one stake, one vote’ (Brighthouse and Fleurbaey 2010; Fleurbaey 2008). ‘One person, one vote’ seems to forbid voters with higher stakes from having a greater say in elections impacting them the most. In this article, I suggest that proportionality is, in fact, more compatible with political equality than it appears at first. More specifically, I argue that the tension above stems from the temporal scope ascribed to political equality, as equality *at specific moments* of democratic decision-making instead of *entire lives*. If proportionality offers a valuable criticism to political equality, as I believe it does, ascribing a lifetime view to political equality can plausibly accommodate the criticism.

The lifetime view is the typical temporal scope of distributive equality.<sup>2</sup> It is then peculiar that lifetime political equality remains a widely neglected topic (for an exception, see e.g., Wilson 2019: 90–95). While lifetime views face objections from principles such as *relational* equality (Bidadanure 2016, 2021; Lippert-Rasmussen 2019, 2018) and distributive *sufficiency* (Gosseries 2003, 2011; Bou-Habib 2011), no one has yet rejected the lifetime view to defend distributive equality at specific times instead.<sup>3</sup> The only exception is the distribution of political power, which has been equal at specific times. This paper shows that political egalitarians would benefit from ascribing a lifetime view to an egalitarian distribution of political power. By *lifetime political equality*, I mean that what matters primarily is how each of us fares over one’s complete life instead of specific times (Gosseries 2014: 66–67). Proponents of lifetime equality essentially believe that inequalities at specific moments *can* be fair if they do not translate into inequalities over entire lives.

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<sup>2</sup> See e.g., Mckerlie 1989, 2012: 22; Holtug and Lippert-Rasmussen 2007). This is expressed in Thomas Nagel’s claim that ‘the subject of an egalitarian principle is not the distribution of particular rewards to individuals at some time, but the prospective quality of their lives as a whole’ (1995: 69). In John Rawls’s view that ‘the claims of those in each phase [of life] derive from how we would reasonably balance those claims once we viewed ourselves as living through all phases of life...’ (2001: 174), or in Ronald Dworkin’s specification of equality of resources ‘as a matter of [equal] resources over an entire life’ (2002: 94–95).

<sup>3</sup> Even those claiming that relational equality must limit distributive inequality do not defend distributive equality at all times (e.g., Schemmel 2011).

Here is an example. Many of us believe that preventing those under 18 from voting is not problematic, at least not as much as disenfranchising women or ethnic groups (Gosseries 2014). At any given time, underage girls have less political power than middle-aged men. If they have less political power due to their sex/gender, this will translate into inequalities of lifetime power as well. If the reason is their age, middle-aged men have had less power when underage, meaning that this political inequality at a given time can be consistent with equality over entire lives. Unlike sex/gender, or race/ethnicity, the fact that *we all age* means that age-based inequality can involve treating people equally over their lives (Bidadanure 2017; Gosseries 2014: 59).<sup>4</sup> Lifetime political equality does not require child disfranchisement (Umbers 2020), but it shows that some age thresholds *might* not violate political equality demands.

Lifetime equality is famous for its ability to accept inequality between age groups, making it particularly unappealing to those opposing such disparities. But the lifetime view also has normative appeal to those egalitarians who defend age-group equality, or so I argue. Hence, I shall not focus on whether political equality should accept disfranchising some age groups (e.g., Van Parijs 1998). Instead, my concern is whether those who want equality between age groups can still benefit from ascribing a lifetime view to political equality. For the sake of argument, I take it for granted that a sensible conception of political justice requires equal voting power. Can political equality reflect the proportionality principle at different elections while retaining its egalitarian credentials? I shall argue that we should answer this question in the affirmative.

The article proceeds as follows. I begin by framing the distinction between electoral and storable votes as one between time-specific and lifetime political equality, respectively (§2). I then argue that storable voting is compatible with three key reasons to value political equality: equal consideration of interests, relational equality, and non-domination (§3). I show that storable votes are also compatible with proportional equality at specific elections (§4). Finally, I suggest that while lifetime political equality can offer proportionality *at specific electoral times*, it cannot reflect inequalities in lifetime stakes (§5). I

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<sup>4</sup> That is not to say that all forms of age discrimination are all permissible, and equally so. For instance, differential longevity can be a reason to prefer biases favouring the young over those favouring the elderly (e.g., Lazenby 2011).

conclude that lifetime political equality provides a rare opportunity of ‘marrying’ political equality with proportionality at moments of democratic decision-making.

### 1. Equal Voting Power and Storable Votes

Equality of voting power, the most important achievement for political equality, is immediately associated with the slogan ‘one person, one vote’. Most people assume that the temporal scope of the slogan is *time-specific*, claiming that votes must be equal at specific electoral moments. But the slogan’s scope can also be a *lifetime* and equalise voting power between entire lives. The saying can take the form of ‘one life, one vote’ (lifetime votes) or ‘one election, one vote’ (electoral votes). Lifetime votes are understood to include, but to be wider than, electoral votes. Electoral votes are lifetime votes if they distribute power equally over entire lives. If people have equal ballots per year and live equally long, they will have equal power over their lives. Yet, not *only* electoral votes satisfy lifetime votes. For instance, both of us can have equal lifetime votes in either world:

|         |            |            |         |            |            |
|---------|------------|------------|---------|------------|------------|
| World 1 | Election 1 | Election 2 | World 2 | Election 1 | Election 2 |
| Me      | 3          | 1          | Me      | 2          | 2          |
| You     | 1          | 3          | You     | 2          | 2          |

**Table 1.** Lifetime equality with time-specific inequality      **Table 2.** Lifetime equality with time-specific equality

The numbers represent the number of ballots or voting weight we cast at each election. Both worlds are consistent with lifetime votes, but only the second is compatible with electoral votes. The possibility of allocating votes unequally across elections distinguishes lifetime votes from electoral votes. Lifetime votes permit that voters concentrate more power in some elections than in others, whereas electoral votes force people to store power equally across life. In mathematical terms, lifetime votes minus electoral votes yields ‘storable votes’—equal endowments of voting credits that voters may spread unequally across different elections (Casella 2005, 2012).<sup>5</sup> What differentiates storable votes from electoral votes is also what sets lifetime equality apart from time-specific equality. In both cases, the difference lies in the possibility

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<sup>5</sup> Freedom to distribute power unequally across life is compatible with removing the freedom to do so equally, as with age-weighted voting rights. At least, if we assume that one is free to do what one is forced to do (Cohen 2011: 147). But since the conception I defend strives for age-group equality, it must also comprise the freedom to spread votes uniformly across life.

of accepting inequality at specific times if it does not translate into inequalities over entire lives. To be sure, this essay will take storable votes to *supplement* the electoral votes already available in democratic societies. More specifically, the scheme I propose gives people an instalment of storable votes once their democratic life begins, say 80 votes, while preserving their right to an unconditional electoral vote across life.

The first component consists of an initial grant to all voters. It allows voters to save more ballots for old age, spend more early in life, or spread them uniformly across elections. It is as they wish. The proposal permits saving ballots for old age, and yet it also treats voters who die young better than electoral votes. It increases the short-lived's chances of political influence, and I shall assume that the currency of political equality is *opportunity for political influence*.<sup>6</sup> One difficulty with differential longevity is that we often do not know *ex-ante* who will be short- and long-lived. If we do not know who will die young and can only compensate people before they die, benefiting those who die young requires expanding access to goods (such as votes) early in life.<sup>7</sup> The initial instalment of storable votes does this by permitting a greater voting weight at a young age. The short-lived might still have less time to spend their votes.<sup>8</sup> But if there is nothing we can do to make them live longer, the second-best option is to prevent that early death is a source of political disadvantage.

The second component of guaranteed electoral votes across life ensures that we do not abandon voters who spend their storable votes. When resources are given in one go, it may not take long for some to squander all they have been given.<sup>9</sup> Democratic societies cannot accept such political destitutes to be paying the price for squandering their endowments decades ago. For that reason, there must at least be sufficient political opportunities

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<sup>6</sup> I assume in this article that the currency of political equality is opportunity or access to political influence rather than political influence as such. Many egalitarians share this assumption (Cohen, 2001; Kolodny 2014, Scanlon, 2018; Swift, 2006: 298). Arguably, what I shall say holds for equality of political influence as well. Yet, one difference is that the latter would likely impose more restrictions on the extent to which voters may choose to allocate votes across life.

<sup>7</sup> That is assuming, as we should, that the short-lived can also not be compensated *ex-post* (afterwards). On this, see Fleurbaey et al. (2014).

<sup>8</sup> I thank one of the anonymous reviewers for pointing this out. One solution is allowing voters to still cast their remaining votes after they die (e.g., Mulgan 2003), for instance, by bequeathing votes to others. Still, assuming it is better to cast votes alive rather than dead, the possibility of post-mortem voting should be seen as a complement to, rather than a substitute of, the initial storable voting grant.

<sup>9</sup> The argument applies to all cases where the timing of resource distribution is at stake. For instance, it is why Van Parijs prefers a basic income to a lump-sum endowment of unconditional income early in life (1997: 40–45).



across life through unconditional electoral votes. I write ‘at least’ not to exclude the possibility that protecting voters against the risk of a long life can require more than this, such as some prudential hoarding of storable votes in a manner akin to old-age pensions. Complementing storable votes with electoral votes nonetheless advances lifetime political equality, because introducing storable ballots on top of electoral votes invites inequality that is consistent with equality over entire lives, but not with time-specific equality.

## 2. Storable Votes as Political Equality

Storable votes distribute power equally between entire lives. They, therefore, comply with political equality understood as an egalitarian distribution of voting power. However, they might not respect our reasons to value political equality. Dictatorships also give voters equal power over entire lives: *none* (Dworkin 1987: 9). But they are not consistent with our reasons to value political equality. Yet, I argue that lifetime political equality through storable votes is consistent with three reasons to value political equality: equal consideration of interests, relational equality, and non-domination.

### 2.1. EQUAL CONSIDERATION OF INTERESTS

Political equality commands equal consideration of interests, which is often assumed to imply electoral equality (e.g., Waldron 2012). Yet, electoral equality faces the ‘problem of intensity’ by failing to consider the intensity of interests at different elections.<sup>10</sup> As Robert Dahl (1956) once famously asked, ‘what if the minority prefers its alternative much more passionately than the majority prefers a contrary alternative?’ (90). Intuitively, minorities with intense interests (or preferences<sup>11</sup>) should be able to prevail over an indifferent majority, but only if the majority is indeed indifferent and the minority is not (Dahl 1956: 118; Casella 2019). Storable votes follow this very same idea. They allow the minority to win when its interests are high enough to justify spending a large number of votes (Casella 2013: 65). Yet, since the majority

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<sup>10</sup> As we shall see, it is possible to accommodate voting intensity within a single election. For instance, each voter can express the intensity of interests in different candidates within the same election, while all votes are equally important (e.g., Vargas 2016). My point is rather that expressing interests intensity for different elections contradicts electoral equality.

<sup>11</sup> While I refer to interests throughout the article, the same can be said of preferences. Indeed, discussions of storable votes are often put in terms of preferences rather than interests. I only stick to ‘interests’ to avoid alienating those who consider it important to maintain the distinction, and because expressing ‘interests’ tends to, all else equal, have more normative weight than expressing ‘preferences’.

can typically outvote the minority, the minority wins only if its interests are stronger than the majority's (*ibid.*).

Storable votes overcome a fundamental flaw of electoral votes, which is that they fail to consider *the intensity* of interests. Indeed, they forbid people with more intense interests to have a greater say in certain elections. Imagine two friends, Tom and Jerry, need to decide which path to take, say, concerning the religious freedom of cats. Being a cat himself, Tom has a strong interest in taking the way on the left, whereas Jerry has no interest in either course (but chooses 'right' just to trigger Tom). Since electoral votes only account for the direction of interests, not their intensity, the outcome is indifferent between left and right. The problem is that, intuitively, equal consideration of interests should require Tom to have his interest prevail over Jerry's. And since this intuition arises in the case of two individuals, it is independent of majorities and minorities.

The problem worsens when Tom and Jerry are not individuals but groups who differ in size. If there are more Jerrys than Toms, the scheme is no longer indifferent between going left and right. The decision will be to go right regardless of how intense Tom's interests in going left are. We have good reasons to build democratic systems upon majoritarian principles, but these very principles allow majorities to disregard the legitimate interests of minorities (Casella 2012: 63, 2013; Polsner and Weyl 2015). We should therefore distinguish between cases where minorities should be able to have their way and situations where they should not:

*Equally Strong Interests:* A minority has a strong interest in favour of *a* and the majority has an equally strong interest against it.

*Unequally Strong Interests:* A minority has a strong interest in favour of *b*. The majority is relatively indifferent to, but slightly against, *b*.

Using the majority rule in case *a* expresses our core democratic commitments and is not unfair to minorities. However, following Dahl, it seems unjust if minorities cannot win in case *b*. Minorities lose in both cases with electoral votes. In contrast, storable votes allow the minority to win, but *only* when its interests are strong and the majority's are weak, which is precisely when the minority should win (Casella 2012: 65). Storable votes are sensitive to the intensity of interests while distributing voting power equally to all. That is their main advantage.

Since minorities must spend more votes to get their way, storing votes still makes it cheaper for the majority to realise what they want.<sup>12</sup> Hence, the proposal still treats majorities better than minorities. However, what minorities pay by having to spend more votes is the price of political equality. In giving each voter an equal voice, political equality must grant victory to those with the most support. All else equal, it ought to remain difficult for minorities to prevail over majorities, but not impossible. Whereas storable votes make it *difficult*, electoral votes make it *impossible*.

### 2.2. RELATIONAL EQUALITY

Justifications of political equality often appeal to the ideal of relational equality and tend to conclude that the latter requires equal voting power at each election (e.g., Anderson 1999; Kolodny 2014). In her seminal article, Elizabeth Anderson (1999: 313) defends a relational conception of equality that involves both a negative and a positive aim. The negative goal is to abolish social relationships in which some dominate or exploit others. Its positive aim is to realise a ‘social order in which persons stand in relations of equality’ (*ibid.*). For now, I focus on the positive aim and leave the negative one to the next section. Anderson’s conception of relational equality aims at guaranteeing all law-abiding citizens effective access to ‘the social conditions of their freedom at all times’ [emphasis added] (Anderson 1999: 289). In this section, I offer two reasons why departing from electoral votes in the direction of storable votes can be better for egalitarian relations, even if one aims at relational equality at all times.<sup>13</sup>

*First*, and again, storable votes contribute to better egalitarian relations between minorities and majorities. Under electoral votes, minorities must always seek the majority’s approval to have their way in a democracy. However, it is not a particularly egalitarian relationship if the outcome is what the majority wants because it is the latter that always decides (Bengtson 2020: 5; Viehof 2014: 354). Majorities may then regard themselves as superiors if they can solely decide the polity’s future (Bengtson 2020: 1058). To the extent that majorities composed of individuals with low stakes can impose their will on minorities with more significant stakes (Brighthouse and Fleurbaey 2010:

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<sup>12</sup> I thank an anonymous reviewer for pointing this out.

<sup>13</sup> One could indeed wonder whether relational egalitarians should (also) endorse a lifetime view. For a discussion and defence, see Lippert-Rasmussen (2018: 130–135). I shall not assume that the lifetime view is included in the temporal scope of relational equality.

143), electoral votes reduce the access of minorities to the social conditions of their freedom. While electoral votes under majority rule give everyone an equal chance to influence outcomes, they fail to assign a proportional weight to people whose interests in a social outcome are stronger (Polsner and Weyl 2015). Storable votes are better for egalitarian relations because they give minorities with higher stakes the freedom to have a greater say in those elections. Offering minorities democratic protection when their interests are intense (or their stakes high) is necessary to promote equal standing against the majority in collective decisions.

*Second*, storable votes trust people's sense of self-respect more than electoral votes. Relational egalitarians care about both equal respect and self-respect (Anderson 1999). It is often assumed that only electoral votes show equal respect for our ability to judge collective matters. However, storable voting makes no judgement regarding who is most fit to decide, as it endows all with equal votes. Both proposals fare equally in terms of equal respect, but not regarding self-respect. According to Rawls (1999 [1971]: 386), self-respect (1) 'includes a person's sense of his own value, his secure conviction that his conception of his good, his plan of life, is worth carrying out'; and (2) 'implies a confidence in one's ability, so far as it is within one's power, to fulfil one's intentions'. Allowing voters to decide how to allocate votes in life is sensitive to their conceptions of 'the good political life', whatever they may be. Surely, electoral votes do not entrust citizens with choices they could make. Instead, voters have no say in whether they need more power in some elections than others. Thus, storable votes contribute to better egalitarian relations by placing greater trust in voter's ability to fulfil distinct political intentions. In so doing, they expand the social conditions of voters' democratic freedom.

Let me emphasise that it is possible to retain the benefits that storable votes have for relational equality without the problem that one may use all votes at once, which the unconditional electoral vote prevents from happening. I take this vote to be enough to ensure the levels of functioning *sufficient* to stand as an equal in society at all times that relational equality demands (Anderson 1999: 318–319). Of course, if one electoral vote does not suffice, there can be more than one. What matters ultimately is that people have enough to stand as equals at all times. Yet, above the level of unconditional votes that relational equality requires across life, one must welcome storable votes for their contribution to better egalitarian relations.

Any remaining relational egalitarian objection to lifetime political equality through storable votes should then appeal to the negative aim of non-domination.

### 2.3. NON-DOMINATION

Relational egalitarians share a concern with the republican ideal of freedom as non-domination. The relation between lifetime equality and domination is the elephant in our room, as the former is somewhat famous for being compatible with the latter (Mckerlie 1989, 2012). Perhaps it is not the fault of the lifetime view that this is the case. It can be that the relation between domination and distributive equality is generally one of mutual indifference. Nevertheless, if we are to defend a plausible conception of political equality, such a conception must stand against domination at all times. Consider, then, the following example:

“Imagine a new kind of (...) feudal society in which peasants and nobles exchange roles every ten years. The result is that people’s lives as whole are equally happy. Nevertheless during a given time period the society contains great inequality, and in one sense this always remains true. (...) If equality between complete lives were all that mattered, an egalitarian could not object to it.” (McKerlie 1989: 479)

The example does not tell us why this inequality is objectionable, but I suppose the reason is that it permits continuous domination across life. Here, domination arises between nobles and peasants, but Mckerlie (1989) also reminds us of egalitarian couples who dominate each other in turns. The same can be said of storable votes. If I use most of my votes now, I might dominate you and allow you to dominate me in the future. Take Pettit’s seminal definition of domination, according to which ‘someone has dominating power over another (...) to the extent that (a) they can interfere (b) on an arbitrary basis (c) in certain choices that the other is in a position to make’ (Petitt 1997: 52).<sup>14</sup> The first question we must ask is whether storable votes satisfy condition a) such that some have the power to interfere in others’ choices. Imagine that Jerry spends more storable ballots at once, whereas Tom allocates his more prudently. It is not clear that they would necessarily be

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<sup>14</sup> I assume that storable votes meet c); if people can choose whether to cast one vote or none and on which candidate to cast their single vote, they can also express their political interests more accurately, if they so wish.

dominating each other because Tom cannot interfere with Jerry's decision concerning how many votes to cast, and vice versa. No matter how many votes Jerry uses, Tom's option-set remains the same. If Jerry uses most of his voting credits, Tom could still not interfere with the unconditional electoral vote(s) that always remains available to Jerry. Storable votes do not permit that one interferes in the *voting* choices of another.

Storable votes allow people to interfere in each other's lives more generally. Those who have more votes left, such as new generations who still have all of their votes, have greater ability to interfere with democratic outcomes that affect everyone. In such cases of interference, the question is whether storable votes allow for interference to be done on an arbitrary basis. Here, I take arbitrariness to mean uncontrolled power (Lovett 2018; Pettit 2012). Storable votes give no such power to voters, since they reflect choices for distributing ballots across life that are under our control. Nor do they give voters a costless, ready ability to interfere in another's life. Even then, we could do more to avoid periods of large inequality between Tom and Jerry, such that they do not have too much power over each other at certain times. Though not costless, domination in the Pettit sense may arise if it is too cheap for Tom to cast many votes in a single election, completely overwhelming Jerry's say in that decision. This is a reason for lifetime egalitarians to care about the distribution of inequality across life and make decisions to spend more votes at once costlier. We can easily do this through a minor refinement of storable votes; a sub-case known as quadratic voting (e.g., Polsner and Weyl 2015)<sup>15</sup>:

*Storable Voting*: Vote credits available = (number of extra electoral votes)<sup>1</sup>

*Quadratic Voting*: Vote credits available = (number of extra electoral votes)<sup>2</sup>

Quadratic voting promotes equality across life because using extra ballots on Election Day is increasingly expensive. It requires four credits to multiply a single vote by two, nine credits to multiply it by three, and so on (Posner and Weyl 2015). The exponent sets up a progressive tax on vote multiplication that

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<sup>15</sup> The variant that I shall now explore might not fully coincide with the proposal by Polsner and Weyl (2015) because our focus is only on the quadratic aspect of the voting menu. Other elements of their proposal are more controversial. One is that voters may buy as many votes as they want (Polsner and Weyl 2015: 30, 38), allowing the wealthy to buy more votes than the rest. The intuitive solution to this problem would be to assume that quadratic voting is instead attached to an artificial currency distributed equally to all (e.g., as considered in *ibid.*: 45).

## Ageing as Equals

incentivises people to spend fewer votes per election, controlling the size of inequality at specific times. It promotes time-specific equality without assuming that differential voting power on Election Day is always impermissible. Suppose Jerry is endowed with a hundred voting credits in life. If Jerry uses all of them in one go, storable voting allows him to multiply his vote by a hundred. In contrast, quadratic voting only allows Jerry to multiply his single vote by ten ( $\sqrt{10}$ ). The exponent could even be *three*, preventing Jerry from spending more than four votes per election (as  $5^3 > 100$ ). The higher the exponent is, the stronger is the penalty against inequality at specific times and the fewer votes people can spend per election. As long as non-domination does not require setting the exponent at zero, as electoral votes do, a plausible version of the lifetime view prevents domination and still allows for some electoral inequality.<sup>16</sup>

Does non-domination require the exponent to be zero? Non-domination is usually cast as a limit to inequality, not as a commitment to strict equality at all times. If it implied strict equality, then there would be a dilemma in the political realm. For the minority not to be subject to the majority's arbitrary will, its say must count more at times. However, if non-domination requires that no voice ever counts more than any other, domination will be inevitable. In such cases, the strategy that minimises domination seems to be one where the exponent is neither too low nor too high. It cannot be zero or too high, as that would not protect minorities at all against the majority's will. At the same time, it cannot be too low because that would allow some to have too much power over others at specific times. One can say the same by appealing to interests. Setting the exponent as zero or too high prevents people from reflecting their interests. In turn, a low exponent makes it too easy for people to vote against their lifetime interests. For instance, it increases the possibility that young selves benefit from their first-come advantage, and dominate their future selves by voting imprudently. It is sensible to assume a desire to protect voting freedom at older ages against the weakness of will at younger ages. By promoting a stable distribution of votes across life, quadratic voting and unconditional electoral votes seem to minimise the extent of domination

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<sup>16</sup> The distribution incentivises voting inequality on Election Day when  $0 < x < 1$ , and the opposite is true when  $x$  is either zero or  $> 1$ .

(minorities/majorities and old/young selves) while giving everyone enough to avoid political domination at any point in time.

### 3. Storable Votes as Proportional Equality

Thus far, I argued that storable voting is compatible with our reasons to value political equality. The argument seems even to indicate that storable voting outperforms the alternative of electoral votes by overcoming some of its flaws (such as intensity of interests and self-respect) without faring worse in other respects (such as non-domination). Bearing this in mind, I shall argue that storable votes offer a rare opportunity of marrying political equality with proportionality at specific elections. Recall that justifications of political equality, such as equal consideration of interests and relational equality, support P1:

**P1** *Proportionality Principle*: opportunity to have a say should (or at least may) be proportional to the degree to which these decisions affect those involved.<sup>17</sup>

Time-specific political equality embodied by electoral equality permits *some* sensitivity to proportionality, as one can accommodate voting intensity inside a single election. For instance, each voter can express the intensity of interests for different candidates within the same election, while all votes are equally important (e.g., Vargas 2016). From ‘one person, one vote’, one could also accept ‘one person, X votes’ where each can apportion according to the size of their stake across issues and places (Goodin and Tanasoca 2014). However, proponents of proportionality can go further than this. If P2 is true, proportionality should then also apply *across elections*:

**P2** Electoral decisions affect different people to unequal degrees.

When P1 and P2 are true, C follows:

**C** Opportunity to have a say should (or at least may) be unequal for different people in electoral decisions.

Proportionality across elections contradicts time-specific equality and electoral votes, except when stakes in elections are incidentally equal (Angell and Huseby 2020: 371). In contrast, lifetime political equality through storable

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<sup>17</sup> I consider the proportionality version of the famous ‘all-affected principle’, where ‘power in any decision-making process should be proportional to individual stakes’ (Brighouse and Fleurbaey 2010: 138). As Angell and Huseby (2020: 378) note, proponents of the all-affected principle have not yet refuted this version. For a seminal discussion of the principle, see Goodin (2007).



votes is compatible with departing from electoral votes further in the direction of proportionality. If stakes are unequal, storable votes expand proportionality by allowing voters to reflect their higher stakes whenever they so wish. Evidently, storable votes do not guarantee that higher stakes win and convert votes into actual interest. Yet, for two reasons, the proportionality principle so described cannot require that they do. First, it would be implausible to promise that one person with higher stakes wins over a hundred persons with slightly lower stakes. Second, such a promise would also be impossible because people with high stakes are likely to have interests in different democratic results. Storable votes cannot undermine proportionality just because voters with higher stakes might not convert votes into actual interest.

One possible objection against storable votes is that voters with higher stakes may still not vote more strongly in those elections. Note that this possibility is a certainty with electoral votes. Yet, it is unclear what the problem would be if what matters is having the opportunity to vote in proportion to 'affectedness'. While non-participation can under-represent fundamental interests, it also approximates the proportionality principle by signaling that voters' stakes on a decision are not as high as expected.<sup>18</sup> Of course, there would be a problem if people refrained from casting more votes in some elections because they fear running out of votes. Yet, since our proposal includes unconditional electoral votes, there is no reason for such fears. Note that guaranteeing that voters are not too afraid of reflecting their higher stakes should also not induce them to cast their votes too lightly. It seems that storable quadratic voting together with electoral votes can offer a reasonable middle ground here.

Perhaps a more serious objection is that storable votes give people with lower stakes in certain elections the chance to exercise greater voting power than what their stake permits. While electoral voting is also vulnerable to this objection, it is more pressing in schemes that allow voters the freedom to choose when their stakes are greatest. Yet, the quadratic variant of storable voting attenuates this possibility by asking voters to pay costs for each additional vote they cast. It ensures that the importance that people attach to

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<sup>18</sup> Note that storable votes do not also have to reward those who abstain from voting. For instance, voters can be deducted one storable vote per election in which they abstain, possibly stimulating turnout more than standard 'one person, one vote' schemes.

each election reflects the price they are willing to pay and, hence, the number of votes they cast.

Proponents of the proportionality principle can appeal to individual autonomy, holding that our stakes in decisions should depend, at least partly, on how these affect our abilities to control our lives (e.g., Angell and Huseby 2020: 375–376). Storable voting promotes autonomy because it allows voters to choose which elections affect their life the most. And if what affects the ability to control a life depends on our conceptions of the good life, those best positioned to know this are voters themselves. Of course, it is also true that voters cannot predict the future, so they will never know if one election is most important or whether there is an even more important one in the future. This problem is pervasive in democracies. We already vote on candidates we expect to adopt the best policies, but perhaps we would have voted differently if we knew the future. To this, our proposal adds a layer of uncertainty regarding the importance of each election. Again, we can attenuate this problem if voters pay for each vote they cast at an exponential cost. By raising the price of additional ballots, those who continue purchasing at exponential costs reveal increased certainty that this election is crucial for them. And since the future is uncertain, it can be acceptable for governments to intervene to ensure some prudential hoarding of votes, such that voters never spend too much at any given time. Nevertheless, none of this should weaken our broader conviction that it is permissible to spend more votes in some times than in others, within the limits of acceptable inequality, which is all we need to advance lifetime political equality through storable votes.

The most serious complaint that proportionalists can have against our proposal concerns those with higher stakes than others all through their lifetime. Such voters cannot always cast more votes than others with storable votes. For instance, the votes they use early in life will constrain their ability to reflect their stakes later in life. Indeed, voters must carefully decide at which specific moments they want their voting power to be higher. Note that, in so doing, storable voting introduces a unique form of proportionality upon voters. Proportionality tends to be conceived solely in *interpersonal* terms— as a comparison between stakes that different voters have at time T. On top, storable votes introduce *intrapersonal* proportionality, which obliges voters to compare stakes at time T with other times in their life. If Jerry casts more ballots than Tom on a decision, it does not necessarily mean that Jerry thinks

that he has more stakes than Tom on that decision. Jerry may consider that this election is the most important one of his life. In showing sensitivity to the subjective importance that elections have for us, the intrapersonal feature advances proportionality. For instance, an election may affect Tom and Jerry equally. Still, if it is the most important one in Jerry’s life, and the least important one for Tom, it can be plausible to reflect how more important this election is for Jerry than for Tom. Doing so is consistent with the principle that voting chances should (or at least may) be proportional to the degree to which these decisions affect the lives of those involved. Such intrapersonal decisions should not pose problems for proportionality. The only potential problem that storable votes can pose for proportionality is that they do not give more votes to those with higher lifetime stakes. Yet, I shall now argue that storable votes *can* be sensitive to unequal lifetime stakes but that they can only be so at the expense of political inequality.

#### 4. Inequality of Lifetime Stakes and Voting Discounts

Some voters might always have higher stakes than others throughout their democratic life. At first, it may seem that reflecting such inequalities in lifetime stakes means abandoning our commitment to distributing storable votes equally. Contrary to what may seem at first, equality of storable votes can still show sensitivity to unequal lifetime stakes. Yet, doing so is inconsistent with political equality. If the proportionality principle moves from electoral stakes to lifetime stakes, then this will inevitably sacrifice the commitment to political equality. It does not, however, weaken the case in favour of equal storable votes.

Let us suppose that Tom always has twice the stakes as Jerry in every election. The tables below shows two ways of distributing power between them. The first (W1) is stake-sensitive because it reflects Tom’s higher stakes in both elections. In contrast, the second (W2) is equality-sensitive because it only gives more power to Tom provided the same is done for Jerry afterwards. While W1 is less egalitarian than W2 (e.g., Holtug and Lippert-Rasmussen 2007), only W1 is sensitive to differences in lifetime stakes (Tables 3, 4).

| W1    | Period 1 | Period 2 |
|-------|----------|----------|
| Tom   | 4        | 4        |
| Jerry | 2        | 2        |

Table 3. Lifetime inequality with time-specific inequality

| W2    | Period 1 | Period 2 |
|-------|----------|----------|
| Tom   | 4        | 2        |
| Jerry | 2        | 4        |

Table 4. Lifetime equality with time-specific inequality

It is worth noting that W1 can be consistent with equal storable votes. A minor adjustment in the proposal enables Tom to have more political opportunities than Jerry without holding more votes. The adjustment I have in mind involves discounts in the ‘voting’ menu so that it is cheaper for Tom to multiply his voting weight than it is for Jerry.<sup>19</sup> Despite having equal votes, Tom could have greater voting power than Jerry in such a way as to reflect his higher lifetime stakes. Simply put, Tom would then be able to acquire more power with the same number of votes. Such discounts are typical with economic resources: among two equally wealthy persons, the one who receives discounts on more goods has more purchasing power than the one obtaining fewer discounts. Storable votes can then be sensitive to differences in lifetime stakes by using voting discounts.<sup>20</sup>

Even though storable voting is consistent with W1, lifetime inequality between Tom and Jerry increases to the extent that Tom receives more discounts than Jerry. By distributing more political power to Tom than to Jerry, the stakes discounts I have described undermine lifetime equality of political power. Distributions of power are no longer egalitarian when those with higher lifetime stakes obtain greater lifetime voting power than others. Discounts can only be compatible with lifetime political equality if they are egalitarian discounts—favour A over B provided the subsidy reverses in future elections. Unless lifetime stakes are incidentally equal, egalitarian and stakes discounts yield different distributions of power. Whereas the former promises equality, the latter tracks electoral stakes no matter how many benefits one has already received in life. Hence, while proportionality to electoral stakes is consistent with political equality, sensitivity to lifetime stakes is not. Given our initial assumption that a sensible conception of political justice requires equal power, it follows that egalitarian discounts are preferable to stakes discounts. Again, the commitment to political equality is one that I assume rather than defend.

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<sup>19</sup> Posner and Weyl (2017: 12) consider a different version of voting discounts to counter the inequalitarian effects of quadratic voting between the wealthy and the poor by making votes more expensive for the former than for the latter. On this, see also Laurence and Sher (2017). However, the voting discounts more general and are supposed to attach to groups with higher electoral stakes, whoever they may be.

<sup>20</sup> One of the anonymous reviewers points out that prices might turn out to be too high (or too low) for the number of votes circulating in society at a given time. Discounts can regulate these cases of voting inflation by changing the cost of each vote. It would ensure the stability of a political system, such that the number of votes circulating at a given point in time does not distort future democratic decisions.

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In some cases, it is intuitively better to have egalitarian discounts than stakes discounts. For instance, take the case of women and men. Insofar as women are worse off than men over their lives, one might conclude that lifetime stakes are generally higher for women than for men.<sup>21</sup> Even though this may be true, many of us might find it objectionable if a society always aims at women having more political power than men because of the political inequality it instils between them. However, the imbalance that seems problematic here is one over entire lives rather than at specific times. It can be plausible if voting on specific decisions is cheaper for women than for men, say on abortion laws. Time-specific egalitarians are against both cases, whereas lifetime egalitarians can accept the second one. The same point holds in other cases, such as between skilled and non-skilled workers. Although the latter tend to fare worse in life and have fewer options than qualified workers, it seems objectionable if voting discounts only favour non-skilled workers. Yet, it can be plausible if votes are, at times, cheaper for non-skilled workers than for qualified ones, say on minimum wage laws. If these intuitions are correct, then our commitment to benefiting these groups at times, but not *at all times*, shows that it may be right for lifetime equality to prevail over proportionality to lifetime stakes.

With this, I do not mean to deny that there may be cases where stakes discounts ought to prevail over egalitarian ones. Still, one must be careful when introducing stakes discounts because political resources necessarily enjoy positionality—the value of our opportunities depends on how much others have (e.g., Ben-Shahar 2017). Hence, giving more political power to those with higher stakes inevitably imposes negative externalities on the value of other's political resources. If the political disadvantages created by discounts are not reversed later on, the additional small gains they bring to proportionality sacrifice political equality altogether. Given how far equality can already accommodate proportionality, it does not seem worth sacrificing equality further, especially if it is a necessary part of what political justice requires.

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<sup>21</sup> This example assumes that one's position in terms of social justice is necessary for affectedness. On why it would be necessary, see Brighouse and Fleurbaey (2010). See why it is at least insufficient, see Angell and Huseby (2020: 376).

## Conclusion

Political equality is compatible with proportionality at different elections if it ascribes to a lifetime view instead of a time-specific one. To show this, I focused on the specific good of voting power. Yet, I am aware that equalising voting power may not suffice for political equality. For instance, if money begets political power, wealthier persons receive more political consideration because of their economic status, despite holding equal votes.<sup>22</sup> These issues require going beyond the distribution of specific goods, such as votes, and addressing the *all-things-considered* distribution of power instead.<sup>23</sup> Also, I did not take a stance on which context it is more sensible to implement lifetime political equality, if in parliamentary elections or referenda. The discussion assumes that storable votes make the most sense in decisions that enjoy regularity, be these parliamentary elections or referenda. While the examples I have given mainly refer to votes on particular issues, the argument also applies to parliamentary systems where we vote on several policies at once. Storable voting is possible regardless of how direct the democratic system at stake is, which is not to say that it should be insensitive to the context of its implementation. A fully-fledged answer to such questions is beyond the scope of this article, whose aim is merely to discuss the consequences that the temporal scope of political equality has for the tension between political equality and proportionality. Introducing the lifetime view in the political realm is of value because, as Ronald Dworkin once noted, we may need to depart from equality at certain moments to be sensitive to people's projects, plans, and ambitions in life (2002: 87–90). Lifetime political equality may thus rejuvenate our democracies by offering the possibility of proportionality without inequality.

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<sup>22</sup> On this, see e.g., Gilens (2012) and Bartels (2009).

<sup>23</sup> For the distinction between good specific and all-things-considered perspective, see Brighthouse and Swift (2006).

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