Segall, Shlomi


In his second monograph, Shlomi Segall takes a further step in developing the luck egalitarian account he began defending in *Health, Luck, and Justice*. One way of understanding the project of this book is as a specification of the currency of luck egalitarian justice, which in Segall’s view is opportunity for welfare. If this project is successful, it would continue weakening the ‘arsenal of the libertarian right’, as G.A. Cohen would put it, by incorporating not just one (responsibility) but a second (opportunity) of their most powerful tools into the egalitarian project. Of course, this is not the first attempt to interpret luck egalitarianism as a theory of equality of opportunity of a specific kind; Richard Arneson and G.A. Cohen both made arguments to that effect but without the more comprehensive defence and application that Segall offers.

In a nutshell, the ideal of *radical* equality of opportunity that Segall defends in the first three chapters of the book requires the neutralisation of all obstacles that the agent is not responsible for, both social and natural (pp. 6–7). In other words, inequalities (in what ultimately matters to persons) are unjust unless they track responsibility. In the remainder of the book, Segall draws out the implications of this ideal for a number of areas, including hiring, upbringing, and health.

As others have pointed out, the most significant and novel contributions Segall makes in the first part are his arguments that (a) it is only inequalities and not equalities that are problematic and (b) that inequality is pro tanto unjust and requires a (second-person type of) justification.

The most provocative and therefore most discussed aspect of Segall’s account is what could be seen as his answer to the relational egalitarian critique, according to which luck egalitarianism adopts an impersonal, third-person perspective which can be contrasted with the constructivist, second-person kind of justification sought by relational egalitarians. Segall argues effectively that luck egalitarianism can be defended by an appeal to a requirement that inequalities be interpersonally justified. In his view, the disadvantaged have a claim that the advantaged justify their position to them and the only acceptable justification is one that appeals to personal responsibility. While I think that this Cohen-inspired, second-person justification is different from the

---

one Anderson had in mind, it is nevertheless an intriguing argument. Neufeld points out that this second-person justificatory framework may be inconsistent both with a non-constructivist, fact-independent conception of justice à la Cohen, which Segall appears to adopt in other places, and with his cosmopolitan commitments since stretching the ‘justificatory community’ to the whole of humanity may be stretching it a bit too far. Neufeld’s criticisms are certainly justified. However, I would not interpret Segall’s argument as a constructivist-type justification for luck egalitarianism, notwithstanding footnote 31, where Segall claims that his argument would show that Anderson’s description of the luck egalitarian type of justification is incorrect. As Segall himself cautions, ‘one should not exaggerate the strength, nor the weakness of the case made’ (p. 32) in what is only a short section of the first chapter. All Segall’s argument should be taken to suggest is that it is the inequality of condition between individuals, wherever they are and in whatever relationship they happen to be, that requires justification and not the type of relationship they have or the institutions they live under. In that sense, the interpersonal justification test seems appropriate.

Clare Chambers also finds this part of the argument particularly unconvincing, albeit for different reasons. This is because, in her view, certain types of advantage, such as being the recipient of others’ affections, cannot be justified as opposed to merely explained. Although she notes that Segall’s test pertains to one’s overall bundle of advantage rather than particular advantages, she remains unsatisfied because a ‘justification is not available to someone who is loved and rich and successful’ (p. 852). Segall would, of course, be pleased with this result; it just means that the ones who are better off in all these respects but cannot justify it by pointing to their own (prudent) choices must compensate the worse off. Nevertheless, Chambers has a point: the luck egalitarian should not foreclose the possibility of justifying one’s advantage. Some inequality could be just! It is, however, unclear to me why no justification is available to those who are loved, rich, and successful. It is not outlandish to suggest that being the object of others’ affection can be justified or conversely that not being loved can be one’s own fault. A common thought, apparently supported by (perhaps not the most rigorous) empirical studies, is that being kind is the main factor that explains why intimate relationships endure. If being a kind person is not (entirely) a matter of brute luck, perhaps one’s ‘luck in love’ can be justified. But if, as it is more likely, being loved is a matter of luck, there seems to be no reason why the gains to well-being from this aspect of one’s life cannot be shared with the unlucky.

The most novel and challenging argument made in the first three chapters is the one supporting the claim that only inequalities call for justification and