
Pluralist welfare egalitarianism and the expensive tastes objection

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Abstract In this article we aim to reduce the force of the expensive tastes objection to equality of welfare by constructing a pluralist welfare egalitarian theory which is not defeated by it. In the first part, we argue that Cohen's condition of responsibility-sensitiveness is not able to provide a satisfactory rebuttal of the expensive tastes objection for at least a class of theories of justice, namely those that adhere to a methodologically fact-sensitive view. In the second part, we explore the possibility of constructing a welfare egalitarian theory that gives weight to both equality and efficiency. We propose two alternatives, which integrate a utilitarian constraint and a Weak Pareto constraint on equality and show that both theories consistently differentiate between compensable and non-compensable expensive tastes, but should ultimately be rejected because of other unattractive implications. Finally, we develop a fairness-constrained theory of welfare egalitarianism and suggest that it can distinguish between compensable and non-compensable expensive tastes in both a conceptually consistent and a morally plausible manner, without generating decisive additional objections.

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While it has been defended less forcefully than fellow egalitarian theories, equality of welfare stems from the highly plausible intuition that in matters of justice, the distributive focus should be on the well-being¹ of the individual. However, this view has sparked a number of critiques, one of the most important being the expensive tastes objection (Dworkin, 1981a), which targets the differential resource-to-welfare conversion rates of individuals.² Although the objection itself does not necessarily occupy the center stage in egalitarian debates, the issue it speaks to is quintessential for answering questions about justice. As Cohen (2004, p. 7) remarks: 'expensive tastes may be peripheral to the practice of justice, but the concept of expensive taste



nevertheless raises questions at the heart of the theory of justice', as it directly bears on the problem of whether the market, even in an idealized account, is a device which can be appropriately used in constructing a theory of justice.³ In this article we take a closer look at the debate surrounding the problem of expensive tastes and show how some pluralist⁴ theories of welfare egalitarianism may avoid the expensive tastes objection.

The article is structured in the following manner: in the first section we outline the theoretical background of the discussion, describing the concept of an expensive taste, and we present a strong and a weak version of the expensive tastes objection to equality of welfare. In the second section we review the Dworkin–Cohen debate, which focuses on the possibility of differentiating between compensable and non-compensable expensive tastes by appealing to a responsibility condition in the development of these tastes. While we endorse Cohen's value-pluralist stance, we claim that his response to the expensive tastes objection is unsatisfactory for at least a class of theories of justice, namely those that adhere to a fact-sensitive view. In the third section we discuss what we take to be the most intuitive value complementing equality in a pluralist welfare egalitarian theory, namely efficiency, and the possibility of appealing to it in order to provide a plausible distinction between compensable and non-compensable expensive tastes. We first show that a classical or average utilitarian operationalization of efficiency must be rejected because of the severe curtailment of freedoms which it would imply. We then show that the Weak Pareto Principle can also draw the distinction between compensable and non-compensable expensive tastes in a conceptually consistent way, although not a morally uncontroversial one and we ultimately propose that it should be rejected as well. Finally, in the fourth section we develop a fairness-constrained theory of welfare egalitarianism, claiming that welfare in a society which endorses equality of welfare can be interpreted as a collective good and individuals who free-ride on the distribution of welfare should be refused compensation on the basis of moral constraints imposed on free-riding behavior.

The Expensive Tastes Objects

Dworkin (1981a, p. 229) defines an expensive taste as the kind of taste which demands that the individual holding it uses more income in order to achieve the same level of welfare, on her chosen conception, as other individuals without expensive tastes. In a more elaborate formulation, Kaplow (2006, p. 417) states that 'an individual will be said to have expensive tastes if he needs more resources to achieve a given level of well-being than if the individual instead had non-expensive tastes, defined independently'. With some small variations, this definition seems to be generally uncontroversial and widely accepted in the literature on distributive justice.⁵



It is important to note, however, following Cohen (2004, p. 6), that this is a technical definition of expensive tastes, which significantly differs from the ordinary sense in which the term is used, where we consider that expensive tastes are attributed to lives ‘characterized by fine-textile clothes, caviar, posh furniture, and so on’. First, expensive tastes in the ordinary sense are attached to actual consumption patterns, and the acquisition of resources which satisfy those tastes might not be indicative of a deficit in welfare achievement, but simply of a large available income. Second, expensive tastes in the ordinary sense might not reflect a difficulty of reaching the same welfare level as other individuals, but simply a propensity to obtain more welfare than others (Cohen, 2004, p. 6). The ordinary sense of the concept casts a shadow on its technical sense and therefore understanding how the two are decoupled is essential in order to avoid being misled by the label ‘expensive tastes’.

With this concept of an expensive taste in mind, we are in a position to formulate what we presently understand to be the *expensive tastes objection to equality of welfare*. In our view, this objection entails two different versions, a strong one and a weak one. The strong version of the expensive tastes objection runs as follows:

- (1) Justice requires that compensation for expensive tastes is not provided.
 - (2) Welfare egalitarianism is committed to compensate for expensive tastes.
- Thus, (3) Welfare egalitarianism is inadequate as a theory of justice.

The strong version seems to be claimed by Rawls (1982, pp. 168–169), and, in one instance, by Dworkin (1981a, p. 228). However, Dworkin’s considered construal of the problem of expensive tastes leads us to reconsider the idea that he actually supports this view, since as we show in the next section of the present article, there are expensive tastes for which he would prescribe compensation under certain conditions. Most critiques of welfare egalitarianism therefore adhere to the weaker version of the expensive tastes objection to welfare egalitarianism, namely:

- (1) Justice requires that compensation for expensive tastes is only provided in some cases.
 - (2) Welfare egalitarianism is committed to compensate for *all* expensive tastes.
- Thus, (3) Welfare egalitarianism is inadequate as a theory of justice.

In both his earlier works (Dworkin, 1981a, b) and his later ones (Dworkin, 2000), there is strong evidence that Dworkin supports this weaker thesis. Two strategies for rejecting the objection immediately come to mind. First, the welfare egalitarian could allow premise (2) to stand and claim that it is a demand of justice that all expensive tastes are compensated, in which case the conclusion would be false. Or, alternatively, the welfare egalitarian could allow premise (1) to stand and claim that welfare egalitarianism is not committed to compensate for all expensive tastes. To our knowledge, no salient defense of welfare egalitarianism on the basis of the first strategy has been proposed. The second strategy, however, has been deployed against



the thesis, most notably by Cohen (1989, 2004). Like Dworkin, Cohen⁶ also considers that premise (1) is correct, although the conditions which justify compensation widely differ between the two authors,⁷ but unlike Dworkin he considers that premise (2) is incorrect, and therefore the conclusion that welfare egalitarianism is inadequate as a theory of justice *because* of the expensive tastes objection is false.⁸ In the following section we show that Cohen's appeal to a criterion of responsibility in order to distinguish between compensable and non-compensable tastes is only tenable in a fact-insensitive account of justice, and that it might not reject premise (2) if justice is fact-sensitive. While unproblematic for Cohen himself, this objection can be regarded as decisive by a significant number of other political philosophers.

On the Dworkin–Cohen Debate

The most important debate on the topic of expensive tastes has been developed in the context of a wider exchange on the currency of egalitarian justice between Dworkin and Cohen. The starting position is formulated by Dworkin (1981a), who deploys the expensive tastes objection in order to refute the plausibility of welfare egalitarianism as an adequate theory of distributive justice.⁹ Dworkin's view is built up from a simple intuition, namely that giving individuals more income in order for them to satisfy various expensive tastes, such as the taste for expensive champagne, is not consistent with the demands of justice. As his ultimate purpose is to launch an attack on welfare egalitarianism and a defense of resource egalitarianism, his original approach to the problem of expensive tastes proceeds in two steps. First, he claims that no interpretation of the concept of welfare can be used to reject compensation for expensive tastes, regardless of their nature. In proceeding with this step he starts from the position that the basis which an individual has for developing expensive tastes is a difference between her conception of welfare and the socially endorsed conception.¹⁰ He then goes on to claim that if society's conception of welfare is equivalent either to overall success or to discrete understandings (for example, enjoyment or relative success), there is no ground on which the society in question could deny the allocation of extra resources for the individual in order to equalize welfare under the socially endorsed conception (Dworkin, 1981a, pp. 229–234). Considering that welfare egalitarianism is defeated by this fact, Dworkin moves on to the second step, in which he argues that expensive tastes can be consistently rejected as a basis for compensation by appealing to some notion of fair shares, a proposal ultimately embodied by resource egalitarianism (1981a, pp. 238–239).¹¹ The question of what kinds of expensive tastes, if any, would justly demand compensation in Dworkin's original view is not immediately discernible. *Prima facie*, it might be claimed that as Dworkin's favored currency of justice is resources, no expensive tastes would ever warrant compensation.¹² But Dworkin actually distances himself from this position, arguing that in some cases, where individuals hold tastes that they wish they did not have, the tastes can be

assimilated to handicaps and fall under the same insurance regime as the latter (1981b, p. 303). Cohen's main claim in his initial reply to Dworkin is that resource egalitarianism does not solve the problem of expensive tastes in the right way, as it 'wrongly refuses compensation for involuntary expensive tastes, and it does not refuse compensation for voluntary ones for the right reason' (Cohen, 1989, p. 923). He criticizes Dworkin's resource egalitarianism for proposing a wrong 'cut', that is, between preferences and resources, rather than between responsibility and bad brute luck. Consequently, under Cohen's cut, what matters when evaluating the possibility of compensating expensive tastes is whether they are traceable to the *genuine* choices of individuals, or whether they fall outside the purview of their responsibility. If the former is the case, then we should refuse compensation. If the latter is the case, however, meaning that the individual in question did not deliberately cultivate his taste, then he should be compensated as it is the product of bad brute luck.

This position is in fact partially endorsed by Dworkin (2000) as well in his reply to Cohen, but only for those tastes that are not only the result of bad luck, but also satisfy the additional criterion that the individual does not identify with them. The example provided by Dworkin (2000, p. 288) is of an individual who has a physiological condition such that he cannot stand the taste of ordinary tap water and would be entitled to compensation in order to purchase more expensive bottled water. As this is not the result of a deliberate choice and the individual would prefer not to have this condition, Dworkin considers compensation warranted, as the expensive taste for water is akin to a handicap. The substantive criterion used by him for differentiating between compensable and non-compensable tastes, which is also present in his earlier work but made more explicit in Dworkin (2000, pp. 289–291) is between taste identification and taste disidentification. Tastes which are entangled with value judgments, such as tastes for the opera, sports, photography and so on and that are therefore part of the personality of the individual, are tastes for which the individual cannot claim compensation because of their higher price, if he or she identifies with them, as they cannot in any reasonable way be described as handicaps.¹³ The only compensable tastes in Dworkin's later view are, as Cohen notices, those tastes with which the individual disidentifies and those with which the individual neither identifies nor disidentifies.

Cohen's restated position lies in stark contrast to the Dworkinian one on the topic of expensive judgmental tastes. His (Cohen 2004) view, which both formally and substantially alters his (Cohen 1989) initial one, is the following:

I distinguish among expensive tastes according to whether or not their bearers can reasonably be held responsible for the fact that their tastes are expensive. There are those that they could not have helped forming and/or could not now unform without violating their own judgment, and then there are those for whose cost, by contrast, they can be held responsible, because they could have forestalled their development, and/or because they could now quite readily unlearn them, without violating their own judgment (Cohen, 2004, p. 8)



From this statement it directly follows that Cohen, unlike Dworkin, supports compensation for judgmental expensive tastes. He denies the claim brought to the fore by Dworkin, namely that compensating expensive tastes which are part of the normative personality of the individual would be akin to a form of self-alienation, as the regret which the individual in question has is not that he *holds* the respective taste, but precisely that the taste *is* expensive. Thus, since (i) the fact that tastes happen to be expensive is a form of bad luck and, consequently, the individual cannot reasonably be held responsible for their expensiveness, and (ii) it is unreasonable to demand individuals to distance from their value judgments when allocating resources, society must compensate for judgmental expensive tastes.

The only type of expensive tastes for which Cohen (2004) still rejects compensation in his work are *deliberately cultivated brute expensive tastes*.¹⁴ But, at the same time, he also recognizes that individual responsibility, which is a matter of degree, cannot be ascribed on the basis of choice alone, and, further, that choice is only one component of a complex network of elements which ground the development of a taste (Cohen, 2004, pp. 20–22). Thus, we might claim that full responsibility cannot be attributed even for deliberately cultivated brute expensive tastes, as if we historically trace the process of taste cultivation we will necessarily find pieces of brute bad luck (unchosen preferences, elements of irrationality and so on) entangled with deliberate choices. Furthermore, the luck egalitarian position defended by Cohen requires that we compensate all disadvantages that are not traceable to individual responsibility. Therefore, to the extent that deliberately cultivated brute expensive tastes fall *partially* outside the domain of individual responsibility, we have to *partially* compensate them. This conclusion does not worry Cohen, as his argument is developed at an abstract level where we do not take facts about responsibility into account. It may well be that in practice we should always compensate *all* expensive tastes to some extent, precisely because full responsibility can never be ascribed, but according to Cohen, that fact has no bearing on the principle of justice itself. While not troubling Cohen, the conclusion might still be seen as problematic in fact-sensitive theories of justice,¹⁵ as it could plausibly be claimed that the expensive tastes objection retains its force because welfare egalitarianism would, for all practical purposes, prescribe compensation for all expensive tastes. In the following two sections we sketch the outlines of two different proposals, which are able to accommodate concerns raised in fact-sensitive theories of justice as well as those raised in fact-insensitive theories.

Efficiency-Constrained Welfare Egalitarianism

The idea of complementing the value of equality with some notion of efficiency is intuitively appealing and probably the most straightforward way in which a defender



of welfare egalitarianism might want to build a pluralist theory.¹⁶ The value of efficiency can, in turn, be operationalized in several distinct ways. The most familiar reading of efficiency entails adopting a utilitarian perspective, either in the classical or average form. Let us formulate such a proposal as follows:

Utilitarian-constrained welfare egalitarianism: Justice in society S requires an equal distribution of welfare amongst all members of S, with the exception of cases where the move to an equal distribution would make the average/aggregate level of welfare lower.

This possibility has already been discussed by Dworkin (1981a), who presents a number of objections to it: (i) it is not possible to predict to what extent refusing to compensate for expensive tastes would deter individuals from deliberately developing them (therefore a decrease in average utility would still be present), (ii) it is not clear what the policy for compensation would be, as questions of what exactly constitutes an expensive taste and what exactly counts as deliberate cultivation might arise and (iii) if the policy succeeds, it would prevent experimentation with expensive tastes and lead to a 'dull, conformist, unimaginative, and otherwise unattractive community' (Dworkin, 1981a, p. 236). While we maintain that there are legitimate grounds to consider the first two of these arguments problematic,¹⁷ the wider implications of the third one can be construed (in a stronger form) as decisive. To see why a utilitarian constraint would prevent experimentation with expensive tastes, consider a distribution S1, in which three individuals all have the same degree of taste expensiveness and all have 10 units of welfare. The third individual of the society then develops an expensive taste, gaining just 5 units of welfare with the amount of resources distributed in S1. In S2, where her expensive taste is not compensated, the first two individuals therefore have 10 units of welfare and the third one gets 5 units. We could however move from S2 to S3, where equality of welfare would be reinstated, by transferring some of the resources from the first two individuals to the third, lowering their own welfare and obtaining a distribution where everyone has 9 units of welfare. It should be clear from the example that a theory which combines equality and average/aggregate utility would state that S1 is preferable to both S2 and S3, and S3 is preferable to S2. A society which endorses this conception would therefore be bound to act in such a way so as to try and prevent any of its members from developing expensive tastes, in order to maintain S1. The problem with this is not only that such a society would be dull, conformist and unimaginative, as Dworkin rightly points out, but that its policies might be radically intrusive for its individuals and promote severe limitations of their freedom by restraining opportunity sets.¹⁸ In light of this issue, a utilitarian constraint on welfare egalitarianism should be rejected, in favor of a constraint (efficiency-related or not) which would not actively attempt to preclude the development of expensive tastes (thereby trespassing on individual freedoms), but would only maintain that in some cases such a development would not warrant compensation.



As suggested earlier, considerations of efficiency (while usually not in the utilitarian form) enter the calculations of most egalitarian theorists, *qua* value pluralists. To see why pure egalitarianism, which is unconcerned with questions of efficiency, is largely implausible, we might start from what Parfit (1997, p. 211) has termed the Levelling Down Objection, which will also provide the intuition behind our second type of efficiency-constrained welfare egalitarian theory. Consider two possible states of the world: S4 and S5. In S4, half of the individuals in society are at 99 units of welfare, while half are at 100. In S5 everyone is at 10. Let us also presume that the difference in welfare between S4 and S5 is not traceable to the choices of some members of society. Without any other qualifications, telic egalitarians, who consider that 'it is in itself bad if some people are worse off than others through no fault or choice of theirs' (Parfit, 2012, p. 399), are committed to claim that S5 is better than S4, as S5 is the more egalitarian state of the world. While pure egalitarians would have to maintain this radical claim, pluralist egalitarians, who take into account efficiency constraints, would be in the position to say that while *in one respect* S5 is indeed better than S4, as it produces less inequality, *all things considered*, S4 is better than S5.

In one interpretation of the case, the value trade-off takes place between equality on the one hand and the Weak Pareto Principle on the other one, which states that a situation A is better than a situation B if and only if it is better for *all* individuals affected. But how does this relate to the problem of expensive tastes? Consider the following example: a society S, which has adhered to a conception of equality of welfare, is composed of 3 individuals: Adam, Becky and Colin. There are 18 resources available for distribution among the three. In S6, each individual has a resource-to-welfare conversion rate of 1:1, therefore no one has tastes that are more expensive than those of the other members of the society. In S7 however, Adam has developed an expensive taste which has now led him to be a much poorer converter, requiring 7 resources in order to gain 1 unit of welfare. As the society in question still adheres to welfare egalitarianism, an unqualified theory would lead to the compensation of Adam's expensive taste up to the point where he would receive 14 resources, while Becky and Colin would only receive 2. Equality of welfare would therefore be achieved as all individuals would have 2 units of welfare. A pure welfare egalitarian would have to be indifferent between S6 and S7, but this position seems fairly counterintuitive. By complementing the principle of equality with the Weak Pareto Principle as an embodiment of an efficiency constraint, we are able to claim that S6 is preferable to S7, as it is better for everyone in the society. The crux of the problem, however, does not lie in simply comparing the desirability of S6 and S7,¹⁹ but in comparing the desirability of a move from S6 to S7 with a move from S6 to a distinct state of the world S8, in which Adam's expensive taste is not compensated by society, and which would consequently yield a value of 6 units of welfare for Becky and Colin and only 0.85 for Adam. Incorporating the Weak Pareto Principle as an efficiency criterion, constraining the



value of equality would endorse moving to S8 instead of S7, as S7 is Pareto inferior to S6 in a weak sense, meaning that all individuals stand to lose welfare in that scenario, while S8 is Pareto inferior to S6 only in a strong sense, as not all individuals would lose welfare under this move.²⁰

Keeping these considerations in mind, we can now formulate a distinct pluralist welfare egalitarian proposal in the following terms:

Weak Pareto-constrained welfare egalitarianism: Justice in society S requires an equal distribution of welfare amongst all members of S, with the exception of cases where the move to an equal distribution would make everyone worse-off in the socially chosen conception of welfare.

This formulation has significant bearing on the problem of expensive tastes. First of all, let us note that the standard distributive questions raised by the development of an expensive tastes in a welfare egalitarian society will refer to moves from states of the world such as S6 to states of the world such as S7 or S8.²¹ If compensation is enacted, as more resources need to be distributed to an individual who develops expensive tastes in order to bring him to the same level of welfare as other individuals in society, a decrease in the bundle of resources provided to each of them must occur. In turn, because the respective society still remains committed to equality of welfare, a redistribution of resources toward the individual with expensive tastes cannot be so high as to bring him to his initial level of welfare, as all other levels are now lower than the initial one. In all but extreme cases,²² compensating for the development of expensive tastes leads to a reduction of welfare, under the chosen conception, for *all* individuals in a society committed to welfare equality. The proposed pluralist welfare egalitarian theory will therefore reject compensation for the development of expensive tastes, precisely because it would create a situation which is Pareto inferior to the *status-quo* in the weak sense.

But it might seem that in this case, Weak Pareto-constrained welfare egalitarianism might reject compensation for *any* expensive taste. This is inaccurate, however. As the theory rejects compensation for expensive tastes only in case of a move which is Pareto inferior in the weak sense, it follows that the theory allows compensation for expensive tastes at least *in some cases* in which: (i) an individual with expensive tastes is included in a society that has already adopted Weak Pareto-constrained welfare egalitarianism, and (ii) an individual has developed expensive tastes before the establishment of the Weak Pareto-constrained welfare egalitarianism as the endorsed conception of justice. To see why (i) is the case, consider a society which adheres to Weak Pareto-constrained welfare egalitarianism and is composed only of Adam and Becky. The 18 resources existing are distributed equally to Adam and Becky and provide 9 units of welfare to each (S9). Now assume that Colin is outside this society and has, by assumption, 5 resources and an expensive taste amounting to a 7:1 resource-to-welfare conversion ratio. By entering the society, Colin would gain 0.85 units of welfare under a regime that does not compensate expensive tastes (S10).



But under equality of welfare, even constrained by the Weak Pareto Principle, he would get 14 resources and 2 units of welfare, while Adam and Becky receive 2 resources and 2 units of welfare (S11). The difference between this example and the previous case, where Weak Pareto-constrained welfare egalitarianism denied the compensation, is that here there is one individual for whom the move from the *status-quo* (S9) to a world where one individual has expensive tastes (S10 or S11) is better. This individual is Colin, who under S9 had 0.71 welfare but under either S10 or S11 obtains more than this. As the Weak Pareto constraint does not reject the move to either S10 or S11, we must therefore follow the egalitarian component of the theory and compensate Colin for his expensive taste, thereby moving to S11. A similar argument can be developed for justifying the compensation of expensive tastes if they were developed before the endorsement of any theory of distributive justice. Consider once again that Adam and Becky have a 1:1 conversion ratio and that Colin has a 7:1 conversion ratio. The three of them come across a bundle of resources by chance and choose to set up a distributive mechanism in order to divide the resources. They could either enact S10, where expensive tastes are not compensated or S11, where expensive tastes are compensated. Once again, if they endorse Weak Pareto constrained welfare egalitarianism, the Weak Pareto constraint would not reject any alternative, as in both S10 and S11 there is *at least* one individual for whom the distribution is better,²³ as the efficiency constraint does not exclude any distribution, the theory prescribes the result which is most egalitarian, amounting to a compensation of expensive tastes.

Thus the theory only rejects compensation for tastes which have been developed by the individuals that are *within* a society that adopts Weak Pareto-constrained welfare egalitarianism as a theory of justice. But this differentiation gives rise to a significant problem with Weak Pareto-constrained welfare egalitarianism, namely that the distinction drawn between compensable and non-compensable expensive tastes might be morally arbitrary. Indeed, there does not appear to be any deep moral reason why we should privilege the individual who has acquired expensive tastes prior to his inclusion in the society against the individual who has acquired expensive tastes while a member of the society. Furthermore, the same principle applies to an identical society at two different periods, *that is*, before the establishment of Weak Pareto-constrained welfare egalitarianism as the preferred conception of justice and after its establishment.

A further problem raised by the theory is also of importance, namely the accidental (non-deliberate) cultivation of expensive tastes, which cannot be compensated as Weak Pareto-constrained welfare egalitarianism is an end-state theory and therefore does not differentiate between tastes by tracking the process of their formation. While for practical reasons, ignoring the distinction between deliberately cultivated tastes and non-deliberately cultivated tastes can be legitimate, intuitions about the demands of justice, viewed in abstraction, might propose the rejection of any theory which does not make the relevant differentiation.



Thus, while successful in avoiding the expensive tastes objection, efficiency-constrained pluralist theories of welfare egalitarianism, either in its most intuitive operationalization (using average/classical utilitarianism) or its most plausible one (using the Weak Pareto Principle), still appear to be inadequate as theories of justice. In the next section we propose an alternative theory which retains the plausible conceptual differentiation between compensable and non-compensable expensive tastes, without displaying the unattractive features inherent to efficiency-constrained equality of welfare.

Fairness-Constrained Welfare Egalitarianism

In order to build our favored proposal for a pluralist welfare egalitarian theory, let us consider again that an individual develops expensive tastes in a society that has endorsed equality of welfare as its conception of justice. By definition then, the amount of welfare available for an individual is directly dependent on the total amount of resources available in the society. But, as we emphasized in the previous section, as resources are limited and more need to be distributed to the person developing expensive tastes in order to equalize welfare, a decrease in the bundle of resources provided to all other individuals will occur. Consequently, both the aggregate level of welfare and the level of welfare for each member of the society will be lower. In this case, therefore, each individual in our society is *partially responsible* for the level of welfare in the society as a whole, as the less expensive their tastes are, the more welfare there is to go around. Suppose we consider that welfare is a collective good, that is, one which has the fundamental characteristic that no individual can be feasibly excluded from its consumption (Olson, 1965, p. 14).²⁴ If this is true, we might then further advance the proposal that the development of expensive tastes can be interpreted as an instance of free-riding behavior. To see that such an interpretation is plausible, let us proceed from the internal structure of a collective good. Following Arneson (1982) and Miller and Sartorius (1979)²⁵ we appeal to five conditions in order to characterize a collective good: (i) if anyone is consuming the good it is unfeasible to prevent anybody else from consuming the good, (ii) all members of the group consume the same quantity of it (Arneson, 1982, p. 618),²⁶ (iii) properly coordinated actions on the part of some but not all of the members of a group is sufficient to provide each member of the group with the social good, (iv) the required form of social cooperation is costly for each individual and (v) the potential value of the collective benefit to each individual is greater than her fair share of the total costs (Miller and Sartorius, 1979, p. 151).

The question which we must address is whether welfare, in a society endorsing welfare egalitarianism, displays these features which characterize a collective good. First, condition (i) is satisfied as the demands of equality of welfare prevent the exclusion of individuals with expensive tastes from the scheme of distribution.



Next, condition (ii) is satisfied as everyone takes advantage of an equal level of welfare, by definition, in a welfare egalitarian society. Condition (iii) is satisfied as a reasonably adequate level of welfare²⁷ can still be provided even if some individuals have expensive tastes. Condition (iv) is satisfied as not pursuing expensive tastes which an individual has previously acquired might be in some cases costly for her, and it might even be possible that in some cases not developing the tastes themselves will incur some sort of welfare costs. Finally, condition (v) is satisfied as a high level of welfare would be a greater benefit for individuals, that would normally override the costs incurred by not pursuing expensive tastes. Using the taxonomy proposed by Marwell and Ames (1981), developing an expensive taste in a society committed to welfare egalitarianism can therefore be said to equate the exhibition of a *weak* free-riding behavior on the currency of justice in this society, as such an action leads to a suboptimal production of the collective good, but not to a complete failure in provision.

While developing expensive tastes under a regime of equality of welfare is detrimental to one's personal share of welfare, it is also a threat to the amount of welfare everyone else has access to. Thus, although the level of someone's personal welfare is an individual concern, if it is the case that her decisions affect the welfare of others, the case opens the possibility of introducing moral constraints. One operationalization of such moral constraints is embodied in Rawls's principle of fairness,²⁸ which states that:

when a number of persons engage in a mutually advantageous, cooperative venture according to rules, and thus restrict their liberty in ways necessary to yield advantages for all, those who have submitted to these restrictions have a right to similar acquiescence on the part of those who have benefited from their submission (Rawls, 1971, p. 96).

The version of the principle as stated by Rawls is, however, vulnerable to a critique leveled by Nozick (1974, pp. 92–93), which states that free-riding should be considered unproblematic if it can be proved that the free rider was against benefiting from the public good in question, but had no choice. Cullity responds to this objection with the following restatement:

If a person receives benefits from a scheme that satisfies the following conditions, it is unfair for her not to meet the requirements it makes of her in respect of her enjoyment of those benefits while: (i) the practice of participation in the scheme represents a net benefit for her; (ii) it is not the case that practically everyone would be made worse off by the practice of participation in the recognition as obligatory of those further requirements that must in fairness be regarded as obligatory if the requirements in question are regarded as obligatory; (iii) she is not raising a legitimate moral objection to the scheme (Cullity, 1995, p. 18).



In a society dedicated to upholding welfare egalitarianism, the conditions stated above obtain: it is a net benefit to keep the level of welfare as high as possible; it is not the case that enforcing the optimal provision of welfare will make everyone worse off; the citizens cannot raise a legitimate moral objection to the scheme, as long as they adhere to the conception of justice of the society in question. Therefore, if we interpret welfare as a collective good, developing expensive tastes can be considered a case of free-riding behavior. As the principle stated above tries to convey, the wrongness of the behavior does not stem from the fact that it causes inefficient results, nor does it stand in connection with responsibility for personal choices in the way described in the second section of the article. It is generated by the unfairness occurring when some people knowingly develop expensive tastes, because of the imposition of additional burdens on others, some of whom may actually struggle not to develop such tastes. The reason for not compensating expensive tastes does not directly relate to the drop in the level of welfare generated by a higher need of resources to satisfy the newly acquired tastes, but indirectly, by comparing the level of commitment a free rider has to the production of the collective good to the one of other contributing individuals. This does translate into a lower level of welfare, but is of instrumental relevance to the problem of unfairness. We thus advance the following proposal:

Fairness-constrained welfare egalitarianism: Justice in society S requires an equal distribution of welfare amongst all members of S, with the exception of cases where the move to an equal distribution would require compensating individuals who consciously free ride on the welfare distribution in society.

We have so far described the conditions specific to fairness-constrained welfare egalitarianism, but we must still explore the implications of the theory for the compensation of expensive tastes. Our claim is that the theory will not only differentiate between expensive tastes in a conceptually consistent manner, but that it does this without relying on morally arbitrary features. The theory rejects compensation in cases that diminish the level of the collective good if it is the consequence of an intended free-riding act, as the presence or absence of the element of intentionality crucially maps onto the commitment which the individual has for the scheme of social cooperation in place. Therefore, the society in question will only refuse compensation for those expensive tastes that have been developed intentionally and that are connected to the individual's choice in the proper way. The choice with which we are concerned here is not about the taste itself, as in the case of Cohen's proposal, but rather about the deliberate choice to free ride. Our theory of fairness-constrained welfare egalitarianism renders compensation for voluntarily developed expensive tastes morally problematic and therefore rejects it on a fairness basis, while the accidental development of expensive tastes continues to warrant compensation as it involves no element of intentionality, if the individual is willing to uniform these tastes but is no longer able to do it. Furthermore, this holds true



regardless of whether the individual has developed expensive tastes before his inclusion in the society or before the endorsement of welfare egalitarianism, with individuals that are able to unform their expensive tastes but are unwilling to do it not being granted compensation. Lastly, the theory described here avoids a concern raised by Scanlon (1991), among others, concerning the intrusive role that the state would play in societies endorsing preference-based welfare egalitarian theories of justice, by manipulating the background of preference formation.²⁹ While this objection plagues a utilitarian-constrained welfare egalitarian theory, as a state of the world where no expensive tastes would exist is considered better than a state of the world where some expensive tastes exist (even if uncompensated), fairness-constrained welfare egalitarianism avoids the objection altogether, as it does not seek to influence the formation of individual preferences by inhibiting the development of expensive tastes. By contrast then, the latter theory refuses compensation for certain expensive tastes (on grounds of fairness), but is not committed to maintain that a state of the world where no expensive tastes exist is better than a state of the world where some expensive tastes exist but are left uncompensated.

Conclusions

The main concern of this article has been to assess the expensive tastes objection and the impact which it has on the viability of welfare egalitarianism as a theory of justice. We first assessed the solution to the expensive tastes objection advanced by Cohen (1989, 2004), but found that it is at least partially unsatisfactory. We then attempted to use what we take to be the most intuitive value for complementing equality in an egalitarian theory of justice, namely efficiency, and spelled out the implications of an efficiency-constrained welfare egalitarian theory, under two different operationalizations. While we maintain that such a theory has many advantages, we ultimately reject it as it either requires severe restrictions of individual freedoms or makes temporal and spatial distinctions between compensable and non-compensable expensive tastes that we consider to be morally arbitrary, as well as failing to take seriously the distinction between deliberate and accidental development of such tastes. Finally, we advanced a fairness-constrained welfare egalitarian theory, claiming that the intentional development of expensive tastes can be assimilated to a type of morally blameworthy free-riding behavior and should consequently be left uncompensated.

The pluralist welfare egalitarian theory constructed here is by no means objection-free,³⁰ but neither are any other egalitarian theories, regardless of the currency in use. The focus of this article, however, is to show that the fact that pure equality of welfare is vulnerable to the expensive tastes objection is not a decisive argument against welfare egalitarianism in general. Like the overwhelming majority of theories supporting equality in other currencies, which leave some space for values distinct



from equality, we have incorporated, in turn, efficiency and fairness into pluralist welfare egalitarian theories, and we have argued that both can reply successfully to the expensive tastes objection, although we ultimately defend the latter's greater moral plausibility. We hope that in doing so, we have managed to show that the expensive tastes objection to equality of welfare loses much of its force when the theory of welfare egalitarianism is constructed in a value-pluralist manner.

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Notes

- 1 For the purposes of the present article, we follow Arneson (2000) in using welfare and well-being interchangeably. Further, we interpret welfare as preference satisfaction (Arneson, 1989, p. 82). Since, as Arneson (2000, pp. 513–514) suggests, analyzing the expensive tastes objection under the 'Objective List' interpretation of welfare is sufficient to significantly reduce its force, we aim at providing the account of welfare egalitarianism that would be hardest hit if the expensive tastes objection is plausible. Finally, throughout the article we use a 'comprehensive' notion of welfare, whereby an individual's actual conception about what constitutes her own welfare is taken into account, rather than relying on a 'political' (Otsuka, 2003, p. 110) or 'true' (Harsanyi, 1982, p. 55) notion of welfare, although the core arguments developed in the third and fourth sections of this article are unaffected by this choice.



- 2 We emphasize the fact that, in this article, we exclusively tackle the expensive tastes objection to welfare egalitarianism. It is highly possible that the pluralist theories discussed might fall prey to other objections raised against using welfare as the currency of distributive justice, such as the offensive tastes objection (Rawls, 1971, p. 27), the indeterminacy objection (Dworkin, 1981a, pp. 16–47) or others, but we are not at present concerned with them.
- 3 Specifically, as the expensiveness of a taste is a market-induced feature, showing that expensive tastes should be, in general, compensated because of justice-based considerations, also shows that the market might not be an adequate device to ground a conception of justice.
- 4 For an in-depth discussion of value pluralism see Carter (2002). In this article we adhere to the view that in theories of distributive justice, the site of value pluralism is *within* the theory of justice, and not that justice itself is just one value which needs to be weighed against others. This view is perhaps best expressed by Otsuka's (2004, p. 164) statement that: 'a just state of affairs [is] a feasible state of affairs in which a plurality of distinct and potentially conflicting values are in best balance relative to other feasible combinations, provided that this balance is good enough, where these values encompass such things as equality, utility, liberty, the satisfaction of needs, and respect for individuals as ends in themselves rather than mere means'. The values which we are primarily concerned here are equality, utility (efficiency) and fairness.
- 5 A more rigorous definition of an expensive taste can also be offered. As the central issue involved in defining expensive tastes is a below-average capacity of achieving welfare from the usage of resources, we can use the mathematical concept of a function in order to describe the process of resource-to-welfare conversion. Thus, we can define an expensive taste as any taste in which the slope of the function which maps resources into welfare for an individual is less steep than slopes of functions which characterize the same taste for other individuals. But defined in this manner, the label expensive tastes seems misplaced as it is impossible to define an objective benchmark for what a regular slope of the conversion function should be. As the numerical values which the slope can take are arranged on a continuous interval, it makes no sense to classify tastes as discrete categories, but only to classify them as more or less expensive than others. A function which maps resources into welfare can have a slope which is more or less skewed by comparison to others, but it would be implausible to assume that we can find a non-arbitrary slope which we could consider as standard and that all slope values lower than that would be expensive. So the difference between tastes cannot be a dichotomous one, as it is usually conceptualized, but one of degree. However, this reformulation of the definition of an expensive taste does not pose a fundamental problem for the major debates on the legitimacy of their compensation as a demand of justice. For instance, Arrow's (1973) classical examples of tastes for plover eggs and pre-phylloxera claret are still more expensive than tastes for regular hen eggs and tap water. But it does help to further illuminate the structural characteristics of the concept as well as the radical split between the technical sense of the concept and its ordinary meaning, which should be helpful in removing any bias against the idea of compensating expensive tastes arising from its ordinary meaning.
- 6 As well as other luck egalitarians such as Arneson (1989) or Roemer (1993).
- 7 See the section 'On the Dworkin-Cohen Debate'.
- 8 This does not imply that Cohen (2004, p. 19) is a welfare egalitarian, as the currency of justice which he explicitly condones is advantage, that is, a vector which 'includes that [welfare], and resources, and need satisfaction, and, perhaps, other advantages', but simply that the grounds for his rejection of welfare egalitarianism are not to be identified with the expensive tastes objection.
- 9 Alongside what Cohen (2004, p. 5) has termed the indeterminacy objection.
- 10 For other explanations of why people might choose to develop expensive tastes see Kaplow (2006).
- 11 It is worth noting that this idea is rejected by Cohen (1989, p. 924), who claims that the conceptual space of fair shares can be that of welfare opportunities as much as that of resources.
- 12 See for instance Dworkin's (1981b, p. 302) statement that 'we cannot say that the person whose tastes are expensive, for whatever reason, therefore has fewer resources at his command'.



- 13 Dworkin's (2000, pp. 289–290) position in this regard is based on what he calls 'ordinary people's ethical experience'.
- 14 Aside from the cases where judgmental expensive tastes are cultivated precisely because of their expensiveness, that is, for 'snobbish reasons' (Cohen, 2004, p. 12).
- 15 See Hamlin and Stemplowska (2012, p. 51) for a brief exposition of the distinction between fact-sensitivity and fact-insensitivity in the context of the ideal/non-ideal theory debate.
- 16 As, standardly, efficiency considerations are brought to bear in the pluralist replies to some of the most popular anti-egalitarian critiques, such as the levelling down or bottomless pit objections.
- 17 The first argument deployed by Dworkin cannot be considered to pose a fundamental problem to the idea of complementing equality with an aggregate/average utility constraint, but only that in practice, a policy based on these two considerations might sometimes prove to be sub-optimal. While average/classical utilitarianism would seek to prevent the development of expensive tastes, it might be indeed the case that some expensive tastes will still be developed, but this does not amount to a failure of average/classical utilitarianism. In this case, the policy will assess whether compensation for the expensive tastes, once developed, will provide more aggregate or average utility. On a case-by-case basis, the answer might be either positive or negative and the policy will respond accordingly. Although both states of the world would be worse off than the initial state of the world where nobody had developed expensive tastes, average/classical utilitarianism would still be useful for adjudicating between the two possible states of the world which correspond to the development of expensive tastes. The second argument deployed by Dworkin falls outside the scope of the theoretical discussion of expensive tastes, and, in any case, affects his later considered position for compensating non-judgmental deliberately cultivated expensive tastes as much as it would affect an efficiency-constrained theory of welfare egalitarianism. For instance, how can we non-arbitrarily decide what it would mean to have a high appetite for sex, for which Dworkin (1981b, p. 303) states that compensation is warranted? Or how can we evaluate the degree of water sourness (Dworkin, 2000, p. 288) above which compensation is justifiable?
- 18 For instance, to use one of Dworkin's (1981a, p. 239) cases, such a society might ban Hemingway's works if it would lead to cultivating an expensive taste for bullfighting.
- 19 As Dworkin rightly points out, the development of expensive tastes might not be preventable even in a society which is publicly against compensation for expensive tastes.
- 20 The incorporation of the Strong Pareto Principle as an efficiency constraint would run into the same problems as a welfare egalitarian theory complemented by average/classical utilitarianism, as it would also have to maintain that we should prevent the individual from developing the expensive taste, as S6 is preferable to both S7 and S8. By contrast, the Weak Pareto Principle allows the move from S6 to S8, and therefore allows the development of expensive tastes (although it does not prescribe compensation for them).
- 21 Two crucial assumptions are needed for generalizing the scenario described above. The first one is that the level of resources in society is equivalent between the three states of the world. The second one is that other individuals in the society do not simultaneously develop less expensive tastes (in which case a resource drainage might not occur). These assumptions seem to be implicit in debates targeting the problem of expensive tastes and to our knowledge, no elaborate discussion on the justification of expensive tastes compensation in either the case of resource increase or decrease, or the case of concurring development of cheaper tastes have been proposed.
- 22 For instance, when the individuals without expensive tastes get the same amount of welfare from a higher amount of resources as from a lower one.
- 23 The *status quo* in this case does not entail any particular distribution.
- 24 We further submit that the specific type of collective good in question is a common good, as aside from non-excludability it is also characterized by rivalry in consumption (Ostrom and Ostrom, 1977, p. 12). First, as the principle of anonymity is embedded into the fabric of welfare egalitarianism, all individuals will benefit from the welfare distribution, regardless of the part which they play in aggregate welfare



- production. Second, as the addition of individuals to the society leads to a decrease of the individual amount of welfare available (because of egalitarian constraints), welfare is rivalrous in consumption. However, this particular claim bears no special weight in the discussion ensuing in this section, as free-riding behavior may arise in relation to any type of collective good.
- 25 As the authors discuss public goods instead of collective goods (which is a more general class, encompassing public, common and toll goods), we only extract and present the features relevant to all collective goods.
- 26 While there might be good arguments to reject this condition as a general one for characterizing a collective (or even a public) good, in a welfare egalitarian society the collective good in question satisfies even this strong property.
- 27 We make no attempt to address the problem of what it means to have an optimal or adequate level of welfare in a society, but assume that, all other things being equal, it is better that the level of welfare in a welfare egalitarian society is higher rather than lower. We take this latter position to be relatively uncontroversial.
- 28 Itself is a revised form of Hart's (1955, p. 185) proposal concerning special rights as derived from the mutuality of restrictions.
- 29 We thank an anonymous reviewer for directing our attention to this issue.
- 30 Various criticisms may still target our favored proposal, and it is not within the scope of this article to engage in an altogether different debate on what the most appropriate theory of justice would be, all things considered. First of all, a policy of not compensating intentionally cultivated expensive tastes might itself be said to unfairly treat some of the individuals in the society. For instance, in a debate about minority rights, Brian Barry suggests that multicultural demands of special treatment can be interpreted as expensive tastes (1997, p. 5), which might lead to the idea that the special requirement of cultural minorities cannot be accommodated in a regime of fairness-constrained equality of welfare. However, Barry's suggestion is not really followed through by his examples, for example, the case of humane slaughter or 'if bus conductors have to wear caps as part of the uniform, religiously observant Sikhs will be unable to become bus conductors; and if motorcycle riders have to wear crash helmets, they will be unable to ride motor-cycles' (1997, p. 4), since it seems that in such situations few to no additional resource expenses are required from the part of the other members of the society. It would seem that, on the contrary, in many instances, clearly questionable demands of special treatment (for example, the demand to practice female genital mutilation in order to preserve a sense of cultural identity, among other religious practices that Barry, 1997, p. 4 discusses) are precisely the ones that could burden general welfare. Second, others might straightforwardly deny that individual decisions about welfare should be influenced by the society they belong to. Third, in its most straightforward interpretation, fairness-constrained welfare egalitarianism does not appear to endorse compensation for cheap expensive tastes (see Dworkin, 1981a, pp. 239–240; Williams, 2002, pp. 379–380). Claiming that compensation for cheap expensive tastes is warranted, however, presupposes a commitment to the intrinsic valuation of resources, a position rejected by welfare egalitarians.

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