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REPLIES

Why It Matters That Some Are Worse Off Than Those Who Could Have Existed

David O'Brien

Philosophy, University of Wisconsin–Madison, USA
Email: dobrien6@wisc.edu

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Abstract

Egalitarianism and prioritarianism are competing views about the ethics of distribution. Both views have wide scopes of concern. But, writing in this journal, Michael Otsuka has discovered a case that seems to show an interesting asymmetry between the limits of egalitarian and prioritarian concern. In that case, intuitively one outcome is better than another (in a respect relevant to the ethics of distribution); prioritarianism can recover that intuitive judgment; but egalitarianism seems unable to recover it. I show, however, that egalitarianism can recover the intuitive judgment in question on a well-motivated basis. That result is of interest because it shows the possibility and *prima facie* plausibility of a version of egalitarianism with a surprisingly wide scope of concern – one according to which it matters that some are worse off than those who (merely) could have existed.

Keywords: inequality; egalitarianism; Otsuka; fairness; separateness of persons

1 Introduction

Suppose there are some goods that could be distributed among people in different ways, and suppose that all other things are fixed. How ought such goods to be distributed? That is the question about the ethics of distribution.[1] Egalitarianism offers a partial answer: it says that one outcome is fairer than another to the extent that it has less interpersonal inequality than the other.[2] Prioritarianism offers a competing answer; for simplicity, I shall take it to be a competing answer about what fairness in distribution requires.[3] It says that one outcome is fairer than another to the extent that it reflects

[1]Parfit (2000: 82).

[2]More precisely, this is a luck egalitarian view that opposes unchosen or undeserved interpersonal inequality; see Parfit (2000: 84) and Temkin (2000: 129–130), and see further section 3 below.

[3]I follow here those prioritarians (e.g., Adler 2012: 307–338) who take their view to be one about fairness in distribution. Readers who prefer to take prioritarianism to posit a non-fairness-related moral factor that bears on the ethics of distribution can substitute, in place of "fairer," "better, in a respect relevant to the ethics of distribution."

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priority having been given to benefiting to those who are (absolutely) worse off.[4] Egalitarianism and prioritarianism have very wide scopes of concern; that is to say, they allow for unfairness across very wide spans of dimensions such as time and space.[5] Michael Otsuka, however, has recently discovered a case that seems to show an interesting asymmetry in the limits of the scopes of egalitarian and prioritarian concern.[6] In that case, intuitively one outcome does seem to be fairer than another; prioritarianism can recover that intuitive judgment; but egalitarianism seems unable to recover it. I show, however, that egalitarianism can recover the intuitive judgment in question on a well-motivated basis. That result is of interest because it shows the possibility and *prima facie* plausibility of a version of egalitarianism with a surprisingly wide scope of concern – one according to which it matters that some are worse off than those who (merely) could have existed.

2 Otsuka on an asymmetry in the limits of the scopes of egalitarian and prioritarian concern

In simple two-person redistribution cases that are same-person cases (i.e., in which the same people will exist, irrespective of which option is chosen), egalitarianism and prioritarianism converge in their verdicts. To see this, consider Case One:[7]

Table 1. Case One

	A	B
o_1	1	49
o_2	16	25

In this case, shown in Table 1, egalitarianism and prioritarianism converge on the result that option o_2 is fairer than o_1. They recover that result on different grounds. Egalitarianism corresponds to *row-based thinking* about fairness. It takes the greater unfairness of o_1 to reside in a fact about the o_1 row (namely, the significant difference in it between the welfares of two persons A and B) and how it compares to a corresponding fact about the o_2 row (namely, the less significant difference in it between A's and B's welfares). Prioritarianism, by contrast, corresponds to *column-based thinking* about fairness.[8] It takes the greater unfairness of o_1 to reside in a fact about the A column (namely, that someone A who it was quite significant to benefit would not have been benefitted) and how it compares to a corresponding fact about the B column (namely, that someone B who it was less significant to benefit would have been benefitted).

Michael Otsuka, however, has discovered the following different-people redistribution case (i.e., in which *not* all the same people will exist, irrespective of which option is chosen), Case Two, in which egalitarianism and prioritarianism diverge in their verdicts:[9]

[4]Parfit (2000: 100–101).

[5]Parfit (2000: 94, 104).

[6]Otsuka (2012: 368–370).

[7]Compare Parfit (2000: 81). I assume, in what follows, the familiar prioritarian weighting of individual welfares via a concave (square-root) transformation.

[8]Cf. Adler (2012: ch. 5).

[9]See Otsuka (2012: 368).

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Table 2. Case Two

	s_1 (.5)		s_2 (.5)	
	A	B	A	B
o_3	1	–	–	49
o_4	16	–	–	25

To put some descriptive flesh on Case Two's numerical bones (shown in Table 2), one can think of it as a choice between (o_3) choosing to manufacture a medicine that would fully relieve a moderately debilitating medical condition (but have no effect on a very debilitating condition) or (o_4) choosing to manufacture a medicine that would partly relieve the very debilitating condition (but have no effect on the moderately debilitating condition) – with the further complication that, after one chooses which medicine to manufacture, an unbiased coin will be flipped which will determine whether (s_1) someone A with the very debilitating condition is conceived or whether (s_2) a different person B with the moderately debilitating condition is conceived.

Intuitively, in Case Two, fairness[10] requires choosing o_4 rather than o_3. For, paradigmatically, fairness is a matter of appropriately balancing different people's interests when they have competing interests.[11] But, no less in Case Two than in Case One, A and B have competing interests. A theory of fairness in distribution according to which fairness requires choosing o_2 rather than o_1 in Case One is thus under significant pressure, if it is to be extensionally adequate, to entail that fairness likewise requires choosing o_4 rather than o_3 in Case Two.[12]

However, whereas prioritarianism can recover the judgment that fairness requires choosing o_4 rather than o_3 in Case Two, Otsuka argues that egalitarianism cannot do so.

Consider first why prioritarianism can recover the judgment that o_4 is fairer than o_3. In evaluating a risky choice, one takes its expected (prioritarian) value – i.e., the probability-weighted sum of the values of each outcome that might eventuate from the choice (as prioritarianism sees those outcome values). The expected value of o_3 is thus the (equally weighted) sum of failing to benefit A (s_1) and of benefitting B (s_2). The expected value of o_4, by contrast, is the (equally weighted) sum of benefitting A (s_1) and of failing to benefit B (s_2). Since, given prioritarianism, it is morally more significant to benefit A than to benefit B, the expected value of o_4 is thus greater than that of o_3, and fairness thus requires choosing o_4 rather than o_3. Notably, it is prioritarianism's column-based view of fairness that allows it to recover the desired judgment here; that feature of prioritarianism entails that the ingredients of fairness-related complaints are present in each of the possible states of the world, s_1 and s_2, in Case Two.

Consider next why it seems that egalitarianism cannot recover the judgment that o_4 is fairer than o_3. Again, in evaluating a risky choice, one takes its expected (egalitarian) value. But consider the expected value of o_3. If s_1 eventuates, only A exists. If s_2 eventuates, only B exists. In neither eventuality, s_1 or s_2, would there exist *two* people,

[10]Or a moral factor that bears on the ethics of distribution – see n. 3.

[11]Compare Broome (1990: 94).

[12]Notably, my question here is only whether egalitarianism loses plausibility points, as an extensionally adequate account of fairness in distribution, in virtue of its entailment in Case Two. I bracket the role of this case in Otsuka's broader argument about the ethics of distribution, the conclusion of which is not favorable to prioritarianism.

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one of whom is worse off than the other. Thus, by egalitarian lights, there can be no potential unfairness associated with o_3 (nor indeed with o_4); fairness thus does not require choosing o_4 rather than o_3. Notably, it is egalitarianism's row-based view of fairness that seems to disallow it from recovering the desired judgment here. Given that row-based feature of egalitarianism, it seems that, in either of the possible states of the world s_1 or s_2 in Case Two, an ingredient of fairness-related complaints is lacking; in s_1 (respectively: s_2), there would be no other existing person than whom A (respectively: B) was worse (respectively: better) off.[13]

Look again at Case Two's o_3 row, imagining that s_1 eventuates such that (only) A exists. Strictly speaking, that row *does* contain someone else – namely, the possible person B who would have existed had s_2 eventuated. But this seems of little relevance by egalitarian lights. Otsuka seems to be on virtually undeniable ground when he writes that:

> luck egalitarian considerations don't apply across actual and possible people ... [W]hen we climb [Mt Olympus] and discover that [the Olympian] gods are beings who do not inhabit the actual world but instead occupy some distant and merely possible world, this particular [egalitarian] complaint is silenced.[14]

Whereas the scope of *prioritarian* concern extends to the kind of unfairness that is present in Case Two's o_3, then, the scope of *egalitarian* concern seems not to extend that far. Case Two thus seems to mark a striking asymmetry in the limits of the scopes of egalitarian and prioritarian concern.

3 Why it matters that some are worse off than those who could have existed

I will now argue, however, that egalitarianism can recover the judgment that o_4 is fairer than o_3 in Case Two. It can do so, I will argue (contra Otsuka), because (luck-)egalitarian considerations *can* "apply across actual and possible people."

My argument proceeds in three steps. The first step is to note a familiar and uncontroversial entailment of luck egalitarianism – namely, its wide *temporal* scope of concern – and its grounds. Thus consider Case Three (shown in Table 3), a variant of Case One in which B is a person living in Peru now and A is a long-dead Incan peasant:[15]

Table 3. Case Three

	t_1		t_2	
	A	B	A	B
o_5	1	–	–	49
o_6	16	–	–	25

[13]Notably, although the previous two paragraphs assume a so-called "ex post" approach to evaluating risky choices, similar remarks would apply to standard "ex ante" approaches – which, in their egalitarian form, would focus on inequality in *expected* welfare of those who *will* exist; see Otsuka (2012: 375).

[14]Otsuka (2012: 370).

[15]Compare Parfit (2000: 88). Here, unlike in the representation of Case Two, "-" represents non-existence *at a time*.

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Luck egalitarianism entails that o_6 is fairer than o_5 in Case Three; that is, luck egalitarianism is insensitive to whether A and B exist at the same time (Case One) or not (Case Three). In motivating and explaining their view's wide temporal scope of concern, luck egalitarians cite the motivations standardly taken to underlie their view:

> [I]t is rather counterintuitive to think of [Case Three] as *not* raising a moral concern … [I]magine yourself to be the creator of that universe. You then happen to observe significant inequalities … between most individuals living in the twenty-first century and most individuals living in the thirteenth century … Why *shouldn't* you be bothered by these inequalities? What reason can you give to dismiss these egalitarian concerns? The past might be a foreign country, but even foreign countries do not lie in a moral vacuum.[16]

Luck egalitarianism is, in other words, underwritten by an aversion to *arbitrary* inequalities. The heuristic test mentioned in the above-quoted passage helps to illustrate, and to fix the idea of, an inequality being arbitrary. Given a status quo ante like Case One's o_1 (in which there is significant inequality between A and B), one imagines a godlike agent who could *either* produce Case One's o_2 (lessening the inequality between A and B) *or* produce Case Three's o_5 (leaving the inequality between them in place and merely shuffling A to another location in time). Were the godlike agent to choose the latter option, far from rendering the inequality not unfair, she would thereby merely add further arbitrariness to the status quo ante. That heuristic test illustrates the idea of an arbitrary change as one that lacks *relevant normative justification* (of the kind it would enjoy, e.g., if it were the result of the responsible choice of the worse off). It is the presence of such arbitrariness, according to a standard line of luck egalitarian thought, that explains why certain inequalities are unfair.[17] The heuristic test above highlights that, since it lacks relevant normative justification, Case Three's o_5 inequality is no less arbitrary – no less unfair – than Case One's o_1 inequality. The aversion to arbitrariness that underlies luck egalitarianism thus motivates and explains the view's wide temporal scope of concern.

The second step of my argument is to note that such an aversion to arbitrariness has a further, and more surprising, implication about the scope of egalitarian concern. To see this point, consider two sub-versions of Case Three. In the first, *eternalism* about time is true ("Eternalist Case Three"). If eternalism is true, no time is more or less real than any other; at some particular time t_p, what is real is anything that exists, not only at t_p, but at any other time t_i. In the second, *presentism* about time is true ("Presentist Case Three"). If presentism is true, nothing is real other than now; at t_i, all that is real is what at t_i exists. Now Eternalist Case Three is not importantly different from Case One. No matter whether it is t_1, t_2, or any other time, all the ingredients of egalitarian unfairness are present: there *are* two persons A and B, and A's (lifetime) welfare is less than B's (lifetime) welfare. Presentist Case Three, on the other hand, may seem to be importantly different from Case One by egalitarian lights. No matter which time it is, some of the ingredients for egalitarian unfairness seem absent; considering Presentist Case Three from the vantage point of t_1 (or indeed from t_2, etc.), it is not the case that A exists, B exists, and A's (lifetime) welfare is less than B's (lifetime) welfare. So egalitarianism seems unable to recover the result that there is unfairness in Presentist Case Three. But

[16]Segall (2016: 41).

[17]Segall (2016: ch. 2); cf. Parfit (2000: 91–93).

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those initial appearances deceive. It is a *substantive* question whether the scope of egalitarian concern includes the inequality in Presentist Case Three. And, for at least some luck egalitarians, given the aversion to arbitrariness that underlies their view, their scope of concern *does* include the inequality in Presentist Case Three. So I shall suggest in this second step of my argument.

To see the intuitive case that at least some luck egalitarians can recover the result that o_6 is fairer than o_5 in Presentist Case Three, reconsider the heuristic test for arbitrariness introduced above. Given a status quo ante like Case One's o_1 (in which there is significant inequality between A and B), suppose a godlike agent can *either* produce Case One's o_2 (lessening the inequality between A and B) *or* produce Presentist Case Three's o_5 (leaving the inequality between them in place, shuffling A to a remote temporal location, *and* then toggling the metaphysical facts to make presentism true). Shuffling A to a remote temporal location alone, we saw above, merely adds further arbitrariness to the status quo ante. But if – instead of remedying the inequality – the godlike agent shuffles A to that remote location *and* toggles the metaphysical facts to alter how the inventory of existents evolves over time, she has done no more than to add still *further* arbitrariness. At the bar of arbitrariness, a mere physical change in one's temporal location that leaves one's own (and others') lives otherwise unchanged is without normative import; lacking normative import, such a "technical" change isn't eligible to supply any relevant normative justification; and so it doesn't extinguish A's complaint of unfairness. But a mere *meta*physical change in how the inventory of existents evolves over time likewise leaves one's own (and others') lives otherwise changed; lacking normative import, such a "technical" change likewise isn't eligible to supply any relevant normative justification, and so it, too, doesn't extinguish A's complaint of fairness.

Importantly, I do not need to insist that *all* luck egalitarians are (or should be) averse to the just-noted species of (metaphysical-level) arbitrariness. I grant that *some* luck egalitarians *may* find their intuitive judgments shifting at this point; they may find that, in this instance of the "godlike agent" heuristic test, their intuitive judgments shift.[18] Those luck egalitarians would have discovered that they do not wish to take an aversion to arbitrariness quite this far. I do not insist that they are making a mistake; it seems to me possible to be averse to arbitrariness to a greater or lesser degree. All I need to insist is that those luck egalitarians who *are* averse to this kind of arbitrariness are *not* making a mistake. They are simply more robustly averse to arbitrariness than others, in defense of which robust aversion they can avail themselves of the considerations given in the preceding paragraph. For those luck egalitarians who have this robust aversion to arbitrariness, then, the scope of egalitarian concern is wide enough not to require, in the relata positions of the "is worse off than" relation, two real persons; notwithstanding that there is no time at which A and B are both real, their version of luck egalitarianism entails that o_6 is fairer than o_5 in Presentist Case Three.

The third step of my argument is to note that the robust aversion to arbitrariness that yields an egalitarianism according to which o_6 is fairer than o_5 in Presentist Case Three is *also* sufficient to yield an egalitarianism according to which o_4 is fairer than o_3 in Otsuka's Case Two. That is to say, a version of egalitarianism with a scope of concern that is wide enough to find unfairness in Presentist Case Three can also have a scope of concern that is wide enough to find unfairness between actual and possible persons. To see why, recall that such egalitarians recognize that in Presentist Case Three, o_6 is less unfair than o_5 at t_1, say; that is, their view has a scope of concern that includes the

[18]Compare Segall (2016: 41–42 n. 37).

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inequality between A and B even though, at t_1, B does not exist (and, at t_2, A will not exist). But now return to Case Two, supposing that one has chosen o_3 and s_1 has eventuated. Given their view's just-noted entailment about Presentist Case Three, it cannot then be the mere fact of B's non-existence in s_1 that precludes o_3 being less fair than o_4 in Case Two. Indeed, given that just-noted entailment, to insist that there is not unfairness in Case Two's o_3 on the grounds of B's non-existence in Case Two's o_3 would seem to be quite unmotivated. In short, given (a robust version of) the anti-arbitrariness motivation standardly taken to underlie luck egalitarianism, luck egalitarianism can recover the result that, in Case Two, o_4 is fairer than o_3.

In summary: (1) Luck egalitarianism's entailment that o_2 is fairer than o_1 in Case One is underwritten by the view's underlying aversion to arbitrariness. But (2) given a robust form of that aversion to arbitrariness, some versions of luck egalitarianism entail that o_6 is fairer than o_5 even in Presentist Case Three. And (3) at least some of those versions of luck egalitarianism also entail that o_4 is fairer than o_3 in Otsuka's Case Two. For at least some luck egalitarians, then, the scope of egalitarian concern does "apply across actual and possible people."[19]

4 Three objections

4.1 Against the argument's second step

Against the second step of my argument one might object that, whereas mere *physical* changes in *who is where* (such as the change from Case One to Eternalist Case Three) are merely further sources of arbitrariness that can't extinguish the unfairness of inequality, *metaphysical* changes in *who there is* (such as the change from Case One to Presentist Case Three) are a different matter that can extinguish the unfairness of inequality. Even given a robust aversion to arbitrariness, this objector concludes, the scope of egalitarian concern thus cannot extend past Eternalist Case Three to include Presentist Case Three.

In reply, I deny that, merely because a change is a metaphysical one that alters who there is, it cannot be arbitrary; that is, I claim that some such changes *are* arbitrary and so ineligible to extinguish the unfairness of inequality. To see this point, consider one further instance of our heuristic test. Given a status quo ante like Case One's o_1 (in which there is significant inequality between A and B), suppose a godlike agent can *either* produce Case One's o_2 (lessening the inequality between A and B) *or* produce a *mereologically nihilist* outcome (by toggling the metaphysical facts to make mereological nihilism true). In the mereologically nihilist outcome:

> . . . all concrete objects are simple. None are mereologically composite. None have proper parts . . . [T]here are no tables and chairs, no persons and families, no planets and galaxies.[20]

There are no persons in the mereologically nihilist outcome. (Do not misunderstand. This is not the full-bore nihilism on which there are no persons because *nothing* exists. It is the *mereological* nihilism on which there are no persons because all there is are

[19]Voorhoeve (2021: 310–311) suggests a similar version of egalitarianism; however, as Segall (2024) in effect points out, absent some explanation why such a version of egalitarianism is consonant with egalitarianism's underlying motivations, it is unclear why egalitarians should accept such a counterintuitive version of their view. My argument supplies such an explanation.

[20]Schaffer (2007: 175–176).

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particles-arranged-person-wise. In making mereological nihilism true, the godlike agent would merely toggle the (purely metaphysical) facts about which objects compose into others; she would make it the case that no simples compose into anything else.) But *no* luck egalitarian would, or should, think that producing the mereologically nihilist outcome – although it *is* a metaphysical change that alters who there is – extinguishes unfairness. Introducing such a "technical" change in which objects compose into others introduces an (admittedly atypical) kind of arbitrariness; it does not supply any relevant normative justification for not having instead opted to produce Case One's o_2. So even though the change from Case One to Presentist Case Three would represent a metaphysical (not merely a physical) change, that does not disbar Presentist Case Three from being within the scope of egalitarian concern (given a sufficiently robust aversion to arbitrariness).

I am not, of course, denying that *some* metaphysical disputes – e.g., those about personal identity – might have significant normative upshot.[21] And so the objector might rejoin that, while making mereological nihilism true would not suffice to extinguish unfairness, making presentism true *would* do so. The example of mereological nihilism, however, puts pressure on this rejoinder. If egalitarian unfairness *can* survive a metaphysical change (namely, making mereological nihilism true) that deprives the egalitarian of *any* actually existing persons to slot into the relata positions of the "... is worse off than ..." relation, why could egalitarian unfairness *not* survive a metaphysical change (namely, making presentism true) that would deprive the egalitarian (in Presentist Case Three) of only *one* actually existing person to slot into a relatum position of that relation?

4.2 Against the argument's third step

Against the third step of my argument, one might object that even though some luck egalitarians' aversion to arbitrariness *does* yield a scope of concern that is wide enough to extend to Presentist Case Three, there are principled grounds for not extending it as far as Otsuka's Case Two. For it may seem that, to be plausible, presentism must be able to vindicate the truth of claims about the past (e.g., that Marie Curie once existed) and about cross-temporal relations (e.g., that I admire Marie Curie). By applying that vindicatory account, the luck egalitarian then seems able to recover the result that, in Presentist Case Three's o_5, it is unfair (at t_2, say) that A is worse off than B, on a presentism-friendly basis. She seems therefore to be able to limit her scope of concern in a way that excludes Otsuka's Case Two, since she does not allow, as a relatum of the "... is worse off than ..." relation, things that do not and *never* existed. That may seem to mark a significant disanalogy between Presentist Case Three and Otsuka's Case Two, even given presentism.

In reply, I need not deny that presentism is compatible with the *truth* of "Marie Curie once existed" or "I admire Marie Curie" today.[22] But, given the *grounds* on which presentists secure the truth of such sentences, it is questionable whether the luck egalitarian has the resources to sustain a disanalogy between Presentist Case Three and Otsuka's Case Two. Some presentists vindicate "I admire Marie Curie" by allowing this relation to hold either without an existent in its second position or with a certain set of

[21]See Anomaly (2008), but cf. Rawls (1974).

[22]Cf. Ingram & Tallant (2022: §4) and Ingram (2026: 205–206), on the question of whether presentists can secure the right kind of truth-makers for such sentences.

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existent particles (which one would commonsensically call the remnants of Marie Curie) in that position.[23] Those grounds for securing the truth of "I admire Marie Curie" would allow the luck egalitarian to secure the truth of its being unfair that A is worse off than B in Presentist Case Three (at t_2), notwithstanding A's non-existence. But she would then seem to lack principled grounds for disallowing its being unfair that A is worse off than B in Case Two's s_1, since "A is worse off than B," similarly, could hold notwithstanding B's non-existence. Other presentists vindicate "Marie Curie once existed" by re-interpreting the sentence as "(Was) Marie Curie exists" – i.e., by positing a primitive "Was" operator such that the re-interpreted sentence is not existentially committal with respect to Marie Curie.[24] Those grounds for securing the truth of "Marie Curie once existed" would allow a luck egalitarian, given presentism, to claim that her scope of concern includes those who, like B, exist or who, like A, once existed. But she would then seem to lack principled grounds for limiting her scope of concern in a way that excludes Case Two. If A can be within the scope of egalitarian concern given the truth of the (on her view) not-existentially committal "(Was) A exists" in Presentist Case Three (at t_2), then it's not clear why B cannot be within the scope of egalitarian concern given the truth of the similarly not-existentially committal "(Possibly) B exists" in Case Two (in s_1).[25]

4.3 An indirect objection

Finally, even if one grants that there *is* pressure of extensional adequacy for egalitarianism to recover the judgment that o_4 is fairer than o_3 in Case Two, and even if one grants, on the basis of my argument above, that there is a version of egalitarianism that *can* recover that judgment, one might object that the theoretical costs of doing so are too high. The version of egalitarianism in question allows that, in Case Two's o_3 given that s_1 eventuates, it is unfair that A is worse off than (the merely possible) B would have been, had s_2 eventuated. One might worry that such a version of egalitarianism would then also have further, and even more counterintuitive, entailments. Recalling Otsuka's wry observation about Mt Olympus, the objector might note that *we* are now worse off than (the merely and distantly possible) *Zeus*. If this version of egalitarianism must entail that *that* is unfair, so the objector might insist, that is a theoretical cost that is (much) greater than the theoretical benefit of recovering the intuitive judgment about Case Two. One does better simply to accept that there is *an* aspect of fairness – the aspect that Otsuka's Case Two brings into focus – that egalitarianism cannot capture, and to accept a pluralistic view of fairness on which a concern for reducing inequality is *part*, but not *all*, of what fairness requires.

Some luck egalitarians *might* bite this bullet and allow that we have complaints of unfairness even with respect to the denizens of such distant possible worlds.[26] But, in

[23]Compare Ingram & Tallant (2022: §4) and Ingram (2026: 204–205).

[24]Ingram (2026: 199–200).

[25]I say only "*seems* to lack principled grounds" in deference to the possibility that luck egalitarians might do further work to try to block my argument's third step on other grounds – for example, following an anonymous reviewer's interesting suggestion, by appropriately filling out an account of what it is rational to envy (compare Otsuka 2012: 370).

[26]Such egalitarians might partly defend the apparent profligacy of their view by pointing out that allowing that there are such complaints of unfairness only amounts to allowing that the world has much more (irremediable) unfairness than one might antecedently have thought. For it's plausible that there's no physically possible course of events that would have resulted in any *less* inequality overall between us and the

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reply to the objection, allowing that egalitarian considerations *do* apply across actual people and *some* possible people need not also mean allowing that they apply across actual people and *any* possible people. As Otsuka elsewhere notes, it seems an independently plausible background constraint that, in order for one to feature in an unfairness-related complaint, there must be at least one practically possible outcome in which one would exist if it eventuated.[27] In the context of egalitarianism, unfairness-related complaints have two "components" – a party with higher level and a party with lower welfare. Thus, if one accepts Otsuka's plausible background constraint, it will *only* be in circumstances like those of Case Two – in which there was a practically possible outcome in which the person B would have existed if it had eventuated – that B is eligible to feature in an unfairness-related complaint. By marrying that background constraint on unfairness-related complaints with the argument above, one thus gets a version of egalitarianism that allows for unfairness in Case Two (in which B would have existed in some practically possible course of events) but that does *not* allow for unfairness in the actual world with respect to us and Zeus (who does not – I take it – exist in any practically possible course of events).

5 Conclusion

I conclude that there is a version of luck egalitarianism that can recover the intuitive judgment about Otsuka's Case Two and that can, given its underlying motivations, explain why it matters that some are worse off than those who (merely) could have existed.

Ironically, the resulting version of luck egalitarianism, even if *internally* well-motivated, may be more vulnerable to *external* critiques. If one already found it counterintuitive that the scope of egalitarian concern could extend far enough to include long-dead Incas,[28] the thought that it could also extend even farther to include (some) merely possible persons might seem quite counterintuitive indeed. Thus my discussion also motivates the further work of determining whether luck egalitarians can defuse such external critiques by giving an adequate account of the basis or ground of their view about distributive fairness.

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set of possible persons. So it's only in quite atypical conditions, such as those that stipulatively obtain in Case Two, in which their view would entail that anyone has a complaint that things could have been any *fairer*.

[27]Otsuka (2012: 372).

[28]Compare O'Neill (2008: 134–135).

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