

Equality

The earliest use of the term 'equal', still widely adopted in everyday language, was to refer to identical physical characteristics. In this sense, two cups can be said to contain 'equal' quantities of water; a runner is said to 'equal' the 100-metre world record; and the price of a bottle of expensive wine may 'equal' the cost of a television set. In political theory, however, a clear distinction is made between equality and ideas such as 'uniformity', 'identity' and 'sameness'. Although critics of equality have sometimes tried to ease their task by reducing equality to simple uniformity, linking it thereby to regimentation and social engineering, no serious political thinker has ever advocated *absolute* equality in all things. Equality is not the enemy of human diversity, nor is its goal to make everyone alike. Indeed, egalitarians (from the French *égalité*) may accept the uniqueness of each human individual, and perhaps also acknowledge that people are born with different talents, skills, attributes and so on. Their goal, though, is to establish the legal, political or social conditions in which people will be able to enjoy equally worthwhile and satisfying lives. Equality, in other words, is not about blanket uniformity, but rather is about 'levelling' those conditions of social existence which are thought to be crucial to human well-being. However, equality is in danger of degenerating into a mere political slogan unless it is possible to answer the question 'equality of what?'. In what should people be equal, when, how, where and why?

Equality is a highly complex concept, there being as many forms of equality as there are ways of comparing the conditions of human existence. For instance, it is possible to talk about moral equality, legal equality, political equality, social equality, sexual equality, racial equality and so forth. Moreover, the principle of equality has assumed a number of forms, the most significant of which have been formal equality, equality of opportunity and equality of outcome. Although the ideas of equal opportunities and equal outcome developed out of an original commitment to formal equality, there are times when they point in very different directions. For instance, supporters of legal equality may roundly denounce equality of opportunities when this implies discrimination in favour of the poor or disadvantaged. Similarly, advocates of social equality may attack the notion of equal opportunities on the grounds that it amounts to the right to be unequal. Egalitarianism thus encompasses a broad range of views, and its political character has been the subject of deep disagreement.

Formal equality

The earliest notion of equality to have had an impact on political thought

is what may be called 'foundational equality', suggesting that all people are equal by virtue of a shared human essence. Such an idea arose out of the natural rights theories that dominated political thought in the seventeenth and eighteenth centuries. The American Declaration of Independence, for example, declares simply that, 'All men are created equal', and the French Declaration of the Rights of Man and Citizen states that, 'Men are born and remain free and equal in rights'. However, what form of equality did such high-sounding declarations endorse? Certainly they did not constitute descriptive statements about the human condition, the eighteenth century being a period of ingrained social privilege and stark economic inequality. These were, rather, normative assertions about the moral worth of each human life. Human beings are 'equal' in the simple sense that they are all 'human'. They are 'born' or 'created' equal, they are 'equal in the sight of God'. But what does this form of equality imply in practice?

In the early modern period, foundational equality was most definitely not associated with the idea of equal opportunities, still less with any notion of equal wealth and social position. Writers such as John Locke (see p. 268) saw no contradiction in endorsing the idea that 'all men are created equal' at the same time as defending absolute property rights and the restriction of the franchise to property owners – to say nothing of the exclusion of the entire female sex from the category of 'human beings'. 'Men' are equal only in the sense that all human beings are invested with identical natural rights, however these might be defined. The idea that all human beings are possessors of equal rights is the basis of what is usually called 'formal equality'. Formal equality implies that, by virtue of their common humanity, each person is entitled to be treated equally by the rules of social practice. As such, it is a procedural rule which grants each person equal freedom to act however they may choose and to make of their lives whatever they are capable of doing, without regard to the opportunities, resources or wealth they start with.

The most obvious, and perhaps most important, manifestation of formal equality is the principle of legal equality, or 'equality before the law'. This holds that the law should treat each person as an individual, showing no regard to their social background, religion, race, colour, gender and so forth. Justice, in this sense, should be 'blind' to all factors other than those relevant to the case before the court, notably the evidence presented. Legal equality is thus the cornerstone of the rule of law, discussed in Chapter 6. The rule of law seeks to ensure that all conduct, of both private citizens and state officials, conforms to a framework of law, and only to law. In the United States, this is reflected in the constitutional principle of 'equal protection', according to which in similar circumstances people must be treated in a similar way. This principle has been used to advance the cause of civil rights, most famously in the Supreme Court case *Brown v. Board of*

Education (1954), which declared that racial segregation in American schools was unconstitutional.

The principle of formal equality is, however, essentially negative: it is very largely confined to the task of eradicating special privileges. This was evident in the fact that calls for formal equality were first made in the hope of breaking down the hierarchy of ranks and orders which had survived from feudal times; its enemy was aristocratic privilege. It also explains why formal equality meets with near universal approval, enjoying support from conservatives (see p. 138) and liberals (see p. 29) no less than from socialists. Indeed, this is one form of equality seldom thought to be in need of justification: privileges granted to one class of persons on grounds of 'accidents of birth' like gender, colour, creed or religion, are now widely regarded as simple bigotry or irrational prejudice. This was evident in the worldwide condemnation of the apartheid system in South Africa. Nevertheless, many regard formal equality as a very limited notion, one which, if left on its own, may be incapable of fostering genuine equality. For example, legal equality grants each person an equal right to eat in an expensive restaurant, in the sense that no one is excluded on grounds of race, colour, creed, gender or whatever, but entirely fails to address their capacity to exercise this right, their money. This is what the French novelist Anatole France meant when in *The Red Lily* he ridiculed 'the majestic equality of the law which forbids rich and poor alike to steal bread and to sleep under bridges'.

These limitations can be seen in relation to both racial and sexual equality. Formal equality requires that no one should be disadvantaged on grounds of their race or gender and would be consistent, for instance, with laws prohibiting such discrimination. However, merely to ban racial discrimination does not necessarily counter culturally ingrained or 'institutionalized' racism, nor does it address the economic or social disadvantages from which racial minorities may suffer. Karl Marx (see p. 371) examined this problem in his essay 'On the Jewish Question' ([1844] 1967). Marx belittled attempts to bring about Jewish 'political emancipation' through the acquisition of equal civil rights and liberties, advocating instead 'human emancipation', the emancipation not only of the Jews but of all people from the tyranny of class oppression. Marxists have accepted that capitalism has brought about a form of equality in that the marketplace judges people not according to social rank or any other individual peculiarities, but solely in terms of their market value. However, the existence of private property generates class differences which ensure that individuals have starkly different market values. This is why Marxists have portrayed legal equality as 'market' or 'bourgeois' equality, and argued that it operates as little more than a façade, serving to disguise the reality of exploitation and economic inequality.

The struggle for sexual equality has also involved the call for legal equality or 'equal rights'. Early feminists such as Mary Wollstonecraft and J.S. Mill (see p. 256) advanced their arguments in terms of liberal individualism: gender, in their view, is irrelevant to public life because each 'person' is entitled to the same rights in education, law, politics and so on. Wollstonecraft, for instance, argued that women should be judged as human beings, 'regardless of the distinction of sex'. However, although women have gone a long way to achieving 'formal' equality with men in many modern societies, significant cultural, social and political inequalities nevertheless persist. Many modern feminists (see p. 62) have, as a result, been inclined to move beyond the liberal idea of equal rights to endorse more radical notions of equality. Socialist feminists, for example, seek to advance the cause of greater social equality. They highlight the economic inequalities which enable men to be 'breadwinners' while women remain either unwaged housewives or are confined to low-paid and poor-status occupations. Radical feminists, for their part, argue that formal equality is inadequate because it applies only to public life and ignores the fact that patriarchy, 'rule by the male', is rooted in the unequal structure of family

Mary Wollstonecraft (1759–97)

British social theorist and feminist. Drawn into radical politics by the French Revolution, Wollstonecraft was part of a creative and intellectual circle that included her husband, the anarchist William Godwin (see p. 338). She died giving birth to her daughter, Mary, who later married the poet Shelley and wrote *Frankenstein*.

Wollstonecraft developed the first systematic feminist critique some 50 years before the emergence of the female suffrage movement. Her feminism, which was influenced by Lockian liberalism as well as by the democratic radicalism of Rousseau (see p. 242) (even though she objected to his exclusion of women from citizenship), was characterized by a belief in reason and a radical humanist commitment to equality. In *A Vindication of the Rights of Men* (1790) she criticized the structures and practices of British government from the standpoint of what she called the 'rights of humanity'. Her best known work, *A Vindication of the Rights of Women* ([1792] 1967), emphasized the equal rights of women on the basis of the notion of 'personhood'. She claimed that the 'distinction of sex' would become unimportant in political and social life as women gained access to education and were regarded as rational creatures in their own right. However, Wollstonecraft's work did not merely stress civil and political rights but also developed a more complex analysis of women as the objects and subjects of desire, and also presented the domestic sphere as a model of community and social order.

and personal life. Meaningful sexual equality therefore requires that women enjoy not only equal legal rights, but are also equal to men in economic, social and domestic life.

Equality of opportunity

The more radical notion of equal opportunities is often thought to have followed naturally from the idea of formal equality. Despite links between the two, they can have very different implications, and, as will become apparent later, a consistent application of equality of opportunity may be in danger of violating the principle of formal equality. The idea of equal opportunities can be found in the writings of Plato (see p. 21), who proposed that social position should be based strictly upon individual ability and effort, and that the educational system should offer all children an equal chance to realise their talents. The concept is widely endorsed by modern ideologies and is embraced as a fundamental principle by political parties of almost every shade of opinion. Social democrats (see p. 308) and modern liberals believe that equal opportunity is the cornerstone of social justice, and modern conservatives, late converts to the cause, now extol the virtues of what they call a 'classless society', meaning a society based upon individual effort not, as Marx used the term, one based upon collective ownership.

Formal equality pays attention to the status people enjoy either as human beings or in the eyes of the law; it does not address their 'opportunities', the circumstances in which they live and the chances or prospects available to them. Equality of opportunity is concerned principally with initial conditions, with the starting point of life. Very often sporting metaphors are employed to convey this sense, such as an 'equal start' in life, or that life should be played on a 'level playing field'. To confine equality to the initial circumstances of life, however, can have radically inegalitarian implications. Advocates of equal opportunities do not expect all runners to finish a race in line together simply because they left the starting blocks at the same time. Indeed, in the eyes of many, it is precisely the 'equal start' to the race which legitimizes its unequal outcome, the difference between winning and losing. Unequal performance can be put down, quite simply, to differences in natural ability. In effect, the principle of equal opportunities comes down to 'an equal opportunity to become unequal'. This is because the concept distinguishes between two forms of equality, one acceptable, the other unacceptable. Natural inequality, arising from personal talents, skills, hard work and so on, is considered to be either inevitable or morally 'right'; in Margaret Thatcher's words there is a 'right to be unequal'. However, inequalities that are bred by social circumstances, such as poverty, homelessness or

unemployment, are morally 'wrong', because they allow some to start the race of life halfway down the running track while other competitors may not even have arrived at the stadium.

Equality of opportunity points towards an inegalitarian ideal, but a very particular one: a meritocratic society. The term meritocracy was coined by Michael Young (1958) to refer to rule by a talented or intellectual elite, merit being defined as IQ + effort (although Young used the term satirically). In a meritocratic society, both success and failure are 'personal' achievements, reflecting the simple fact that while some are born with skills and a willingness to work hard, others are either untalented or lazy. Not only is such inequality morally justified but it also provides a powerful incentive to individual effort by encouraging people to realise whatever talents they may possess. However, the idea of meritocracy relies heavily upon the ability clearly to distinguish between 'natural' and 'social' causes of inequality. Psychologists such as Hans Eysenck (1973) and Arthur Jensen (1980) championed the cause of natural inequality and advocated the use of IQ tests which they claimed could measure innate intelligence. Such ideas, for example, lay behind the introduction of selection in UK schools through the use of the so-called 'Eleven-plus' examination. In practice, however, performance in such tests and examinations is influenced by a wide range of social and cultural factors which contaminate any estimate of 'natural' ability. Selection in UK schools, for example, produced a clear bias in favour of children from middle-class homes, whose parents had themselves usually done well at school. The problem is that if natural talent cannot reliably be disentangled from social influences the very idea of 'natural inequality' may have to be abandoned. Moreover, if wealth and social position cannot be regarded simply as a personal achievement, the notion of equal opportunities may have to give way to a still more radical concept of equality.

The attraction of equality of opportunity is nevertheless potent. In particular, it offers the prospect of maximizing an equal liberty for all. Equal opportunities means, put simply, the removal of obstacles that stand in the way of personal development and self-realization, a right that should surely be enjoyed by all citizens. Many applications of the principle are no longer controversial. It is widely accepted, for instance, that careers should be open to talent and that promotion should be based upon ability. However, some have argued that a rigorous and consistent application of the principle may lead to widespread state intervention in social and personal life, threatening individual liberty and perhaps violating the principle of formal equality. For example, the family could be regarded as one of the major obstacles to the achievement of equal opportunities. Through the inheritance of wealth and the provision of different levels of parental encouragement, social stability and material affluence, the family

ensures that people do not have an equal start in life. To push equality of opportunity to its extreme would mean contemplating the banning of inheritance and regulating family life through a wide range of compensatory programmes. In this sense, there may be a trade-off between equality and freedom, with the need for a balance to be struck between the demand to equalise opportunities on the one hand, and the need to protect individual rights and liberties on the other.

One particularly difficult issue which the principle of equal opportunities leads to is that of reverse or 'positive' discrimination. This is a policy, in an early form associated with 'affirmative action' on race issues in the USA, which discriminates in favour of disadvantaged groups in the hope of compensating for past injustices. Such a policy can clearly be justified in terms of equal opportunities. When racial minorities, for example, are socially underprivileged, merely to grant them formal equality does not give them a meaningful opportunity to gain an education, pursue a career or enter political life. This was recognized, for instance, in the US Supreme Court case *Regents of the University of California v. Bakke* (1978), which upheld the principle of reverse discrimination in educational admissions. In this sense, reverse discrimination operates rather like the handicap system in golf to ensure fair and equal competition between unequal parties. Some argue that this application of the principle amounts to different but equal treatment and so conforms to the strictures of formal equality. Others, however, suggest that unequal treatment, albeit in an attempt to compensate for previous disadvantage, must of necessity violate the principle of equal rights. In the *Bakke* case, for example, a student was denied a university place by the admission of other candidates with poorer educational records than his own.

Equality of outcome

The idea of an equality of outcome is the most radical and controversial face of egalitarianism. Whereas equal opportunities requires that significant steps are taken towards achieving greater social and economic equality, far more dramatic changes are necessary if 'outcomes' are to be equalised. This is a goal which uncovers a fundamental ideological divide: socialists, communists and some anarchists regard a high level of social equality as a fundamental goal, while conservatives and liberals believe it to be immoral or unnatural.

A concern with 'outcomes' rather than 'opportunities' shifts attention away from the starting point of life to its end results, from chances to rewards. Equality of outcome implies that all runners *finish* the race in line together, regardless of their starting point and the speed at which they run. As such, equality of outcomes not merely differs from formal equality and

equal opportunities but may positively contradict them. Although it is sometimes unclear whether 'outcome' refers to resources or to levels of welfare or fulfilment, the demand for equal outcomes is most commonly associated with the idea of material equality, an equality of social circumstances, living conditions and possibly even wages. For many, however, material equality is merely one of a number of desirable goals, and a trade-off must be negotiated between social equality and concerns such as individual liberty and economic incentives. J.-J. Rousseau (see p. 242) is often seen as a spokesperson for this school of thought. Though no socialist, in the sense that he was a keen advocate of private property, Rousseau ([1762] 1969) nevertheless recognized the dangers of social inequality in proposing that 'no citizen shall be rich enough to buy another and none so poor as to be forced to sell himself'. This principle is consistent with the modern idea of a redistribution of wealth from rich to poor, which has more to do with reducing social inequalities than with achieving any abstract goal of social equality. In that sense, when modern social democrats advocate equality they are referring to the modest idea of 'distributive' equality rather than any radical goal of 'absolute' equality. Although they recognize material equality to be desirable, they acknowledge the need for some measure of inequality, to provide, for instance, an incentive to work.

Fundamentalist socialists, however, believe a far higher degree of social equality to be both possible and desirable. Marx, for instance, disparaged the very idea of equality, seeing it as a 'bourgeois' right, a right to inequality. He therefore drew a clear distinction between equal, or at least more equal, property ownership, and his own goal, the common ownership of productive resources. To advocate the abolition of all forms of private property, however equally distributed, is, in effect, to endorse the idea of 'absolute' social equality. Perhaps the most famous experiment in radical egalitarianism took place in China, under the so-called 'Cultural Revolution' (1965–8). During this period, not only did militant Red Guards denounce wage differentials and all forms of privilege and hierarchy, but even competitive sports like football were banned.

Advocates of equality of outcome, whether in its moderate or radical sense, usually argue that it is the most vital form of equality, since without it other forms of equality are a sham. Equal legal and civil rights are, for example, of little benefit to citizens who do not possess a secure job, a decent wage, a roof over their head and so forth. Moreover, the doctrine of equal opportunities is commonly used to defend material inequalities by creating the myth that these reflect 'natural' rather than 'social' factors. Although defenders of social equality rarely call upon the concept of 'natural' equality, they commonly argue that differences among human beings more often result from unequal treatment by society than they do

from unequal natural endowment. For example, success in IQ tests and other forms of educational assessment are, they would argue, as much a reflection of social background, good schooling and stimulating teaching as they are an indication of natural ability.

Equality of outcome can also be justified on the grounds that it is a prerequisite for securing individual liberty. As far as the individual is concerned, a certain level of material prosperity is essential if people are to lead worthwhile and fulfilled lives, an expectation to which each of us is surely entitled. Rousseau feared that material inequality would lead, in effect, to the enslavement of the poor and deprive them of both moral and intellectual autonomy. At the same time, inequality would corrupt the rich, helping to make them selfish, acquisitive and vain. Furthermore, a high level of social equality is sometimes regarded as vital for social harmony and stability. In *Equality* ([1931] 1969), R.H. Tawney (see p. 309) argued that social equality constitutes the practical foundation for a 'common culture', one founded upon the unifying force of 'fellowship'. By contrast, he castigated equality of opportunity as the 'tadpole philosophy': all may start out from the same position but are then left to the vagaries of the market; some will succeed but many will fail. Generations of socialist thinkers have therefore regarded social equality as the basis for spontaneous cooperation and genuine community.

Critics, however, point out that the pursuit of equality of outcome leads to stagnation, injustice and, ultimately, tyranny. Stagnation results from the fact that social 'levelling' serves to cap aspirations and remove the incentive for enterprise and hard work. To the extent that a society moves towards the goal of social equality it will therefore pay a heavy price in terms of sterility and inertia. The economic cost of equality is, however, less forbidding than the moral price that has to be paid. This is a lesson which New Right thinkers such as Friedrich Hayek (see p. 338) and Keith Joseph (1979) were at pains to teach. In their view, the socialist principle of equality is based on little more than social envy, the desire to have what the wealthy already possess. Policies that aim to promote equality by redistributing wealth do little more than rob the rich in order to pay the poor. The simple fact is, Hayek argued, that people are very different and have different aspirations, talents, dispositions and so forth, and to treat them as equals must therefore result in inequality. This is what Joseph portrayed as the contradiction that lies at the heart of the concept of equality. As Aristotle (see p. 69) put it, injustice arises not only when equals are treated unequally, but also when unequals are treated equally.

It may be a sad fact, but not all people can run at the same speed; some will be faster, some stronger, some will have more stamina. Equality of outcome can thus be seen as an 'unnatural' result which can only be achieved by massive interference and the violation of any notion of a 'fair'

race. Faster runners will have to be handicapped, perhaps run further than slower runners, start after them, or be forced to negotiate a series of obstacles. In short, talent is penalized and an equal result is achieved by a process of 'levelling downwards'. To achieve equality of outcome in society at large would require a similarly extensive system of manipulation, often derided as 'social engineering'. The drive for equality is therefore carried out at the expense of individual liberty. This is why the New Right portrays egalitarianism in such a sinister light, arguing that it is always accompanied by the growth of regimentation, discrimination and coercion. In their view, it was no coincidence, for example, that the militant egalitarianism of the Cultural Revolution was accompanied by chaos, social paralysis and the deaths of an estimated 400 000 people.

Social justice

The term 'social justice' is beset by political controversy. For some, it is inextricably linked to egalitarianism and acts as little more than a cipher for equality. As a result, the political right recoils from using the term, except in a negative or derogatory sense. Hayek, for instance, regarded social justice as a 'weasel word', a term used intentionally to evade or mislead. In their view, social justice tends to be a cloak for the growth of state control and government interference. Social-democratic and modern liberal thinkers, on the other hand, treat social justice more favourably, believing that it refers to the attempt to reconstruct the social order in accordance with moral principles, the attempt to rectify social injustice. However, there is no necessary link, either political or logical, between social justice and the ideas of equality and state control. As will become apparent later, all theories of social justice can be used to justify inequality, and some are profoundly inegalitarian.

A distinctive concept of 'social justice', as opposed to the more ancient ideal of 'justice', first emerged in the early nineteenth century. It is 'social' in the sense that it is concerned not with legal penalties and punishments so much as with social well-being. Social justice thus stands for a morally defensible distribution of benefits or rewards in society, evaluated in terms of wages, profits, housing, medical care, welfare benefits and so forth. Social justice is therefore about 'who *should* get what'. For example, when, if ever, do income differentials become so wide they can be condemned as 'unjust'? Or, on an international level, are there grounds for arguing that the unequal distribution of wealth between the prosperous and industrialized North and the developing South is 'immoral'? In the view of some commentators, however, the very notion of social justice is mistaken. They argue that the distribution of material benefits has nothing whatsoever to