

## When Does Equality Matter?<sup>1</sup>

T. M. Scanlon

We have many reasons for being opposed to inequality. Some of these reasons are not, at base *egalitarian*—that is they arise from considerations other than the value of equality itself. And even those reasons that are egalitarian in this sense are diverse in their sources: they have different bases and demand different things.

My aim in pointing out the diversity of our reasons for opposing inequality, and the non-egalitarian basis of many of these reasons, is not to debunk the idea of equality but, rather, to defend egalitarian goals more effectively. Equality is controversial. Robert Nozick, for example, famously charged that a concern with equality is a concern with a particular pattern of distribution, which can be maintained only by interfering with the liberty of individuals to make choices, take risks and enter into contracts that would deviate from that pattern.<sup>2</sup> Why, he asked, should we try to maintain an arbitrary pattern of distribution at the cost of constant interference with individual liberty? And others have charged that demands for greater equality are just expressions of the envy that the “have nots” feel toward the “haves,” or as Friedrich Nietzsche put it, resentment that the

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<sup>2</sup> *Anarchy, State, and Utopia*, p. ...

weak feel toward the strong. In order to answer such objections, we need to have a clearer answer to the question of why equality matters—why it matters whether there are great inequalities in wealth, income and other goods of life.

There is one important idea of equality that I will presuppose but not argue for. This is what might be called basic moral equality—the idea that everyone counts morally, regardless of differences such as their race, their gender, and where they live. This idea is extremely important, and has not always been accepted. Perhaps the most significant form of moral progress over the centuries has been the increased acceptance of the idea of basic moral equality and the expansion of the range of people it is acknowledged to cover.

Basic moral equality is now widely accepted, even among people who disagree about more substantive egalitarian claims. When Nozick, for example, writes that “Individuals have rights,” he means *all* individuals.<sup>3</sup> What he denies is that we owe it to people, morally speaking, to make their condition equal to that of others in wealth, income, or any other material respect. It is substantive equality of this latter kind that I will be concerned with here. My question is: when and why is it morally objectionable that some people are worse off than others in some material respect?

I will begin by considering some examples, intended to raise questions about when equality matters. Here is a shocking fact:

- (1) In the U. S., life expectancy for men is 74.2 years. In China, it is 70.4 years. In Malawi, it is only 37.1 years.

This is appalling, and cries out for some action. That is to say, the last fact, about life expectancy in Malawi, is appalling and cries out for action. But it is also often

suggested that the problem is one of inequality, sometimes called “the international life expectancy gap.”

Here is a second example, closer to home.

(2) The distribution of income in the United States is highly unequal, and this inequality has grown significantly in recent years. As Paul Krugman has wrote some time ago, “Over the past 30 years most people have seen only modest salary increases: the average annual salary in America, expressed in 1998 dollars (that is, adjusted for inflation), rose from \$32,522 in 1970 to \$35,864 in 1999. That's about a 10 percent increase over 29 years -- progress, but not much. Over the same period, however, according to Fortune magazine, the average real annual compensation of the top 100 C.E.O.'s went from \$1.3 million -- 39 times the pay of an average worker -- to \$37.5 million, more than 1,000 times the pay of ordinary workers.”<sup>4</sup>

Some may see nothing objectionable in these facts. Those who do see them as objectionable, however, may believe that they are objectionable because of the inequality involved. My question, in each of the two cases I have mentioned, is whether, and why, this is so—whether the facts in (1) and (2) involve objectionable inequality, and, if they do, how the underlying egalitarian ideas are best understood.

The facts in (1) about life expectancy are appalling. What I want to discuss, however, is the relevance of the three facts to each other. It is clearly bad that life expectancy in Malawi is so low. But what is the relevance of the fact that it is much higher in China and in the United States? This might be relevant simply because it

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<sup>3</sup> *Ibid.*, p. ix.

<sup>4</sup> New York Times Magazine, October 20, 2003

indicates that human beings do not have to die so young. Under more favorable conditions they live much longer; so one reason that the low life expectancy of men in Malawi is appalling is that it is *avoidable*. But referring to this situation as “the international life expectancy gap” suggests that the great *difference* in life expectancy between the three countries itself has fundamental moral significance, and it is not clear to me that it has this significance. It seems to me that what matters is just the low life expectancy in Malawi, not the difference between it and expectancy in other countries.

Insofar as the objection to the situation described in (1) were egalitarian, one would expect this objection to be weakened if the life expectancy in the wealthier countries were to fall. But this does not seem to me to be the case. If this were to happen, we should not say, “That’s too bad, but at least the international life expectancy gap has been reduced.” This suggests that the objection in this case is not, at base, egalitarian.

The fact that people in some other countries have much greater life expectancy indicates that the low life expectancy in Malawi is avoidable. This directs our attention to the question of why it is so low. A number of possible factors come to mind, such as pricing policies by pharmaceutical companies; laws protecting “intellectual property” that make needed drugs unavailable in poor countries; failure of these companies to develop drugs for diseases that most affect these countries; trade policies and agricultural subsidies in developed countries that keep countries like Malawi poor. These factors seem objectionable, and insofar as they are they add to further support to one’s sense that something should be done about the situation described in (1). That is to say, they would explain the sense that this is not so simply because of the abysmal plight of the Malawians. These factors have to do with such things as unfair procedures, and with an

emphasis on profits to the exclusion of serving acute needs. But I will return later to the question of whether the objections to some of these factors may be egalitarian.

Now consider another set of figures.

- (3) Life expectancy of black men in the 10 least healthy counties in the United States is 61 years. This is compared with a life expectancy of 76.4 years for white men in the 10 healthiest counties.

In this case, the condition of those who are worse-off is not nearly as bad as in (1), and the gap is smaller. But the situation still seems morally objectionable, and it seems to me that inequality itself is more significant in this case than in the previous one. It is still true, as in the previous case, that the situation would not be made better if some new ailment reduced the life expectancy of white men. But it nonetheless also seems to me that part of what is objectionable about the situation described is the *difference* in life expectancy. The question is why this should seem to be so, and whether this initial reaction can be supported on reflection.

Here are some other examples:

- (4) Governments have sometimes provided a lower level of basic services, such as paved streets, sanitation, and access to water, in some areas under their jurisdiction than in others (for example, a lower level in areas occupied by members of a particular racial or ethnic group.)
- (5) Students in public grade schools in some school districts in Massachusetts, where I live, receive a much better education than students in other districts in the same state, and much better than students in many districts in Mississippi.

(6) It is also true, presumably, that all of these students receive much better education than students in rural Malawi.

What I am interested in is the role that inequality plays in explaining what is objectionable about these facts. It seems to me, for example, that it plays a greater role in (3) than in (1) and a greater role in (4) and (5) than in (6). I want to consider why this might be so.

I believe that our concern in case (1), the case of global life expectancy, is and properly should be mainly with the fact that life expectancy in Malawi is so low, and not with the “gap” between life expectancy there and in other countries. Concern of the sort that properly moves us in this case can provide morally important reason for wanting to reduce inequality. But equality is in these cases of only instrumental importance. If, for example, life in Malawi would be greatly improved by a tax that would transfer a small amount of income from people in developed countries to people in Malawi, there would be a humanitarian reason for instituting such a tax. This would also have the effect of reducing the difference in life expectancy between the two regions. But this reduction in inequality, in itself, would be merely side effect, not a reason for adopting the tax. The reason would be the vital humanitarian one of improving the lives of the poor.

Genuinely egalitarian objections to inequality are *comparative*. They are concerned with the relation between the levels of benefit that individuals enjoy. They are also *unspecific* in not being concerned with the absolute levels of these benefits: it is the *difference* between the benefits enjoyed by the two groups that matters, not the failure of either of these to meet some specified minimum. I will take these two features—being

comparative and unspecific as to level—as features that any genuinely egalitarian reasons must have.<sup>5</sup>

The comparative and unspecific character of egalitarian claims gives rise to objections that they are based merely on envy and resentment. It is easy to understand why individuals should be concerned with absolute levels of well being that they are able to attain, and why they should want to achieve a higher levels. But why, it is asked, should they be so concerned with what others have, and with the comparison between their lives and those of others? In order to answer these objections we need to focus on cases in which there are reasons for objecting to inequality that are not only understandable but also rationally and morally significant. I will discuss four such reasons, introducing them briefly now and returning later to examine them in more detail.<sup>6</sup>

**Status:** Caste systems and other social arrangements involving stigmatizing differences in status are leading historical examples of objectionable inequality. In these systems, members of some groups are marked as inferior, for example, by being excluded

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<sup>5</sup> Amartya Sen has observed that every theory of justice takes individuals to be equal in some respect. In his famous Tanner Lecture, “Equality of What?” he says that even Robert Nozick’s entitlement theory holds that individuals are equal in having the same rights. As I have said, Nozick does accept what I called above basic moral equality. But his view does not meet either of the minimum conditions of egalitarianism that I have just defined. Nozick would object to a situation in which some people’s rights are respected while the rights of others are not. But his objection would be simply to the fact that some rights are violated, not to the difference between the two. His objection would thus be non-comparative, and specific as to level. My reaction to the “international life expectancy gap” is, at least initially, of this same form, and hence not egalitarian.

<sup>6</sup> I first presented these reasons in my Lindley Lecture, “The Diversity of Objections to Inequality,” reprinted in my collection of essays, *The Difficulty of Tolerance* (Cambridge, U.K.: Cambridge University Press, 2003). The fourth reason that I present here—“Equal Benefits,”—differs in important respects from the corresponding reason in my earlier

from the roles and occupations that are seen as most desirable, or being required to perform tasks that are regarded as demeaning and beneath the dignity of members of other groups. The evil involved in such arrangements is a comparative one: what is objectionable is being marked as *inferior to others* in a demeaning way. For example, it is not the tasks themselves that members of lower castes are assigned to perform that are demeaning—they may be necessary tasks that someone has to perform in any society. The problem is that they are seen as beneath those in higher castes. The remedy in such cases is to abolish the social system that defines and upholds these distinctions between superior and inferior.

In the historical cases I am referring to, inequalities based on caste, race or gender are a matter of law or of entrenched social attitudes. But purely economic inequalities can be objectionable for the reason I am here discussing. One consequence of extreme inequality in income and wealth can be that it forces the poor to live in a way that is reasonably seen as humiliating. As Adam Smith observed, there is a serious objection to a society in which some people are so much poorer than others that they have to live and dress in such a way that they cannot go out in public without shame.<sup>7</sup> Here again, the evil is comparative—it is not merely an objection to having ragged clothes, or poor housing, but of having to live and to present oneself in a way that is so far below the standard generally accepted in the society that it marks one as inferior, and as someone that others would not want to associate with. This provides a reason not only to improve the lot of the poor, but also, even if their lot is, in absolute terms, not so bad, to object to the

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article. I have modified it in response to criticisms made by Paul Weithman, in a review in *Ethics*. I am grateful to Weithman for his helpful comments.

creation of a much higher standard of living for others. This may not, in some cases be a sufficient reason to deny others these benefits, but it is a recognizable cost that these benefits bring, and one that cannot be put down to irrational envy.

**Domination:** Inequalities can also be objectionable because they give some people an unacceptable degree of control over the lives of others. If, for example, a small number of people control almost all of the wealth in a society, this can give them an unacceptable degree of control over the lives of other citizens: over where and how they can work, what they can buy, and in general what their lives will be like. More narrowly, ownership of the public media in a country gives someone control over how others in the society view themselves, and their lives, and how they understand their society. Unequal economic power may also put some in a position to enforce unfair terms of trade on others, who have fewer options. Whether the terms of trade that would be fair are *egalitarian* or not, insofar as they are ones that people should not have to accept, this gives reason of the kind I am now discussing to object to the inequality that gives others the power to enforce these terms. This may apply to the case of Malawi, and thus explain why that may seem to be a case in which considerations of inequality play a significant role, even if what we are objecting to, in objecting to the low life expectancy of Malawians, is not in the first instance the difference between life expectancy there and elsewhere.

**Procedural Fairness:** Inequalities can be objectionable because they undermine the fairness of basic social institutions. Here are two familiar examples. First, when there is great inequality in family income and wealth, individual's prospects of success in a

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<sup>7</sup> Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations* (London: Home University, 1910) pp. 351-352. Cited by Amartya Sen, *Inequality Reexamined*

competitive market are greatly affected by the families into which they are born. This makes it difficult, if not impossible to achieve equality of economic opportunity. Second, great inequalities in wealth and income undermine the fairness of political institutions. The wealthy will be much more able than others to gain political office themselves, and much more able to influence others who hold office, who must be dependent on them for contributions. Thus, one reason to reduce economic inequality is that this is necessary in order to preserve the fairness of both economic and political institutions.

**Equal Outcomes:** This brings us to the question of whether there are circumstances in which justice requires not just equal starting places but also equality of outcomes. For example, if members of a group have equal claims to a certain benefit, then a distributive procedure that is supposed to be responsive to these claims will be fair only if it yields equal shares. The question is how such claims to equal shares might be justified. I will consider two lines of justification, which I will call claims to resources and obligations to benefit.

The two can be distinguished by considering thought experiment that Ronald Dworkin mentions at the beginning of his book, *Sovereign Virtue*. He describes “a man of some wealth” who must decide how to distribute his estate among his several children, who have led different lives and have very different needs.<sup>8</sup> The question is whether he should distribute his wealth equally, or give more to the children who have greater need. I believe that the answer one is inclined to give to this question will depend on one’s understanding of the claim that the children have on their father and his wealth. On the one hand, one may think that, as his heirs, his children have equal claim on the family

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(Cambridge, MA: Harvard University Press, 1992) p. 115.

<sup>8</sup> *Sovereign Virtue*, pp. 12-13.

wealth. It is *theirs*, one might say, in equal degree. This leads one to favor an equal distribution. But, on the other hand, one thinks of the father as having a duty to take care of his children in certain ways, by providing good lives for them, then one may be led to think that the correct response would be a division that takes into account the different needs of the children. The division called for may involve unequal shares of *resources*, but the rationale supporting provides an important objection to inequality in many cases, as I will explain below.

Equal claims to resources can arise in different ways. For example, partners in a business enterprise have made the same investment of money and time, then it is plausible to say that a fair mechanism for dividing the profits should give each an equal share. One might say that a society as a whole is like this—that it is a cooperative scheme for mutual benefit, and that members of a society therefore have, at least initially, a claim to equal shares of the benefits it produces. But the premises of this argument—corresponding to the assumptions, in the case of the partnership, that the partners have made the same investment of time and money—are controversial in the case of a whole society.

John Rawls's argument in *A Theory of Justice* can be seen as resting on a form of this assumption as its starting point. He argued that if the cooperating members of a society had to choose principles of distribution without knowing their places in society, they would have no reason to accept less than equal shares. But he then argued that they would move away from this “bench mark of equality,” since no one could object to inequalities that did not make them worse off (assuming that other factors, such as basic liberties were not affected.) Leaving aside the “Pareto argument” for moving away from

equality in ways that make everyone better off, I am interested in the question of what justifies the choice of the “benchmark of equality” to begin with.

The parties in Rawls’ Original Position are motivated solely by the aim of doing as well as they can for themselves and those they represent. Since the Veil of Ignorance deprives them of their particular talents or their position in society, they have no reason to believe that any particular form of unequal distribution would make them better off, hence no reason to choose a principle allowing such a distribution. Nozick objects that this begs the question against “historical” conceptions of justice by ruling out claims such as those of the more talented, or of people who have produced or discovered valuable resources.<sup>9</sup> Part of Rawls’s response is that the parties in the Original Position are (or represent) equal members of a society seen as a cooperative enterprise. As equal cooperating members they have *prima facie* claims to equal shares in the goods that their cooperation produces.<sup>10</sup> (This also helps to explain why their shares are measured in Primary Social Goods—the goods that their cooperation produces, and to which they therefore have such a claim.)

The other claim to equal outputs that I will discuss appeals to the claims of beneficiaries. The idea might be put as follows: If each member of a group has the same claim to be provided with a certain kind of benefit, then, absent special justification, they should receive this benefit to the same degree. Put in this way, however, the claim seems clearly false. Every member of the group of people who are in extreme need, and whom I could help, may have a claim on me for that help. But it does not follow that I must

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<sup>9</sup> *Anarchy, State, and Utopia*, pp. 199-204.

<sup>10</sup> This is only part of Rawls’s response because he also argues that insofar as they are plausible the claims of the talented, and those who are particularly productive can be

benefit them all equally, or even that I need a strong reason to benefit some more than others. If I help some of them this does not give the others a new claim on me—a claim to be treated equally—over and above the claim to aid that their need already gave rise to. To make the thesis I have stated defensible, we need to add something about the stringency of the claims in question. So consider the following:

**Equal Obligation to Benefit:** If each member of a group has the same claim that some individual or institutional agent, provide it with a certain benefit, and if that agent is obligated to respond to all of these claims, then that agent must, absent special justification, provide each member of the group with the same level of benefit.

This narrows the range of applicability of the claim, and seems to rule out counterexamples like the one just mentioned. Moreover, it seems to explain some clear cases. It seems to capture, for example, what is objectionable in the example of unequal provision mentioned in my case (4). These inequalities seem objectionable because we assume that the government is obligated to supply services to all of these areas, and that they all have the same claim to these services. In order to reach this conclusion we do not need to assume that the claims of the recipients are comparative (claims to equal services) or that they are claims to specific levels of benefit. Nor is the conclusion that any specific level of benefit needs to be provided. Many different levels of public services (street paving, and other amenities) might satisfy the demand for equal treatment. The conclusion is thus egalitarian in the sense I defined above: it is comparative, and it is unspecific as to level.

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explained on the basis of the principles that the parties would select. See *A Theory of Justice*, Sections 47, 48.

This principle also provides additional support to some of the examples about education that I mentioned at the outset. State governments, in the U.S., are obligated to provide education throughout the state, and since the claims of various communities to state aid are the same, the state government must respond to these claims with equal benefit. It is difficult to get the same argument started in regard to international differences in education, because it is difficult to identify any agent that is under the relevant obligation to provide education.

Similarly, this principle explains why, in my third example, there is something objectionable about the differences in life expectancy between different groups within the United States. Even though, as I said, the situation would not be made better by a decrease in life expectancy on the part of those who are better off, it remains true that insofar as the current difference results from unjustified differences in treatment by an authority with the same obligation to all of the people in question, there is *an* objection to this situation that is an objection to the difference, not just to the low level of those who are worse off. There are international bodies, such as the World Health Organization whose mission it is to oversee, and perhaps to insure the provision of the conditions required for good health throughout the world. Given the existence of such organizations, it may seem to follow that the international life expectancy gap, also, is objectionable on egalitarian grounds, as a violation of my Equal Benefit requirement. But this will be so only if this gap is due to the fact that the WHO and similar institutions fulfill their obligations to the developed countries more fully than their obligations to poor and developing countries.

These examples bring out the two salient features of the argument for equal benefit that I am describing. First, this argument depends on the existence of an

institutional agent against which various individuals or groups have claims to be provided with certain benefits. Second, it depends on the stringency of those claims.

On the view I have been suggesting, it might seem that the unification of Germany gave rise to two kinds of claims for equality that did not exist before. The first is a claim of equality of opportunity. When the country was divided, people from one half were not in competition for jobs in the other. But because the country as a whole is now a single labor market, governed by a single set of institutions that must meet the demands of justice, the requirement of equality of opportunity now applies across the country. So education has to be provided that gives students who have the same talent and motivation the same chances of developing talents that qualify for economic reward, whichever part of the country they are born into.

The second is a claim to equal benefit. Because one government is now responsible for providing public services to the whole territory, it is now an objectionable inequality if the government provides greater support of this kind in one zone than in the other. Of course, this leaves open the question of what *level* of services is required. For example, government must provide unemployment compensation to protect those who lose their jobs as the result of market changes or changes in technology. But how long must government provide this compensation? And must they provide it for workers who could find work by changing their trade, or by moving to another area? I believe that, like questions about street paving, these are not properly seen as questions of equality. Rather, they are prior questions about the obligations of government, on which claims to equality of benefit depend. So, for example, a negative answer to the last two questions might be seen as ungenerous, but it should not be seen as a retreat from equality.

The first of these claims might be disputed, on the grounds that the separation of the two Germanys was itself unjust (a violation of the right to freedom of movement), and one cannot bring a system into conformity with the fair equality of opportunity simply by unjustly restricting the range of people who are able to compete for positions to which special advantages are attached. So fair equality of opportunity already applied (and was violated) before unification.

This objection is not compelling, for a reason that casts light on the relation between the two claims just considered (and on the nature of the requirement of fair equality of opportunity.) Suppose that before 1989 there had been freedom of movement between East and West Germany, but that the education offered in the two regions was quite different. One can suppose either that it was on the whole much better in one region than in the other or that the quality of training available in various fields was quite different—perhaps training in law and economics was much better in West Germany but training in engineering and technology better in the East. In either case, equally talented individuals born in different sides of the divide would have different prospects of success in employment. It does not seem to me that this would have constituted an injustice (in particular, not a violation of fair equality of opportunity.) But the same situation would be unjust after unification (given plausible assumptions about the state's obligation to provide education, to which the principle of equal benefit would apply.)

If this is correct, then the first claim I made above about the consequences of unification still holds. But it holds in a way that raises a question about the distinction between the two claims. The situation in my imaginary divided Germany was not unjust because neither of the two countries was obligated to provide its citizens with a certain

level of training just because it was offered by the other (nor were they required by justice to offer remedial education to job applicants from the other country.) This suggests to me that the demands of fair equality of opportunity that go beyond “careers open to talents” may be based in the idea that a government is obligated to provide citizens with the opportunity to develop talents necessary to compete for the positions of advantage that it is offering and that therefore, *via the idea of equal benefit*, it is required to offer this benefit equally to all.

Many of the reasons for objecting to inequality that I have discussed apply only where there are institutions with certain obligations (as under Equal Benefit) or institutions to which certain requirements of justice apply (such as fair equality of opportunity.) This fact, and my expressed skepticism about whether the international life expectancy gap is objectionable on grounds of inequality, may lead readers identify my position with the view defended by Thomas Nagel, that justice applies only within the boundaries of a nation state.<sup>11</sup> But my claims differ from Nagel’s in important respects. First, while Nagel is addressing the question of when requirements of justice apply, I am concerned only with the narrower question of when there are important reasons for some form of substantive equality. (Justice may not always require equality.) Second, although some of the claims to equality that I identify presuppose institutions, I do not claim that these institutions must be coextensive with or enforced by a state.

To summarize the discussion so far: I have identified five kinds of reasons for objecting to various forms of inequality and for seeking to eliminate or reduce them:

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<sup>11</sup> Nagel, “The Problem of Global Justice,” *Philosophy & Public Affairs* 33 (2005) 113-147. For criticisms of Nagel’s article see Joshua Cohen and Charles Sabel, “Extra Rempublicam Nulla Justitia?” *Philosophy & Public Affairs* 34 (2006) 147-175, and A. J. Julius, “Nagel’s Atlas,” *Philosophy & Public Affairs* 34 (2006) 176-192.

- (1) We often have reason to reduce inequalities for essentially humanitarian reasons, because taking from those who have more is the only, or the best, way to alleviate the hardships of those who have less.
- (2) We sometimes have reason to eliminate inequalities because they create humiliating differences in status.
- (3) We sometimes have reason to eliminate inequalities in order to prevent those who have more from exercising unacceptable forms of power over those who have less.
- (4) We sometimes have reason to eliminate inequalities in order to preserve the equality of starting places that is required if our institutions are to be fair. Great inequality of wealth and income can, for example, undermine equality of opportunity and the fairness of political institutions.
- (5) In some cases, just institutions must provide equal outcomes. What I have called claims to equal resources and equal obligations to benefit are two reasons why this may be so.

I conjecture that, taken together, these reasons may provide a full account of the role that substantive equality has in our thinking about social justice. But I am open to argument that there are other reasons for favoring equality, or for objecting to inequality, that I have not listed. For example, there may be other reasons for equal outcomes beyond the two I have discussed.<sup>12</sup> What I will do now, however, is to examine some of

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<sup>12</sup> It might be argued, for example, that equality is desirable because inequality leads to social instability, or because equality contributes to economic efficiency by fostering a greater sense of solidarity and willingness to work hard for the common good. If the empirical assumptions underlying such claims are correct, then they would provide reasons of a kind for favoring greater equality. I do not discuss these arguments here because the reasons they provide seem to me too extrinsic. Another argument of this

these objections to inequality a little further, and consider what light the diversity of these egalitarian ideas sheds on some particular questions of equality.

The reasons I have listed for objecting to inequality differ in the degree to which they are, at base, *egalitarian* objections. The aim of avoiding stigmatizing differences in status appeals to an ideal of fraternity that is fundamentally egalitarian, and has been central to the egalitarian tradition. Objections to concentration of power may sound less purely egalitarian (freedom from domination is not the same thing as equal status), but the idea of domination by others as the main evil of unequal societies is familiar in the republican strain of egalitarian thought. Both of these ideas (the evil of stigmatization and the importance of avoiding domination) are emphasized by Rousseau, for example.

The idea of equality of opportunity is less purely egalitarian, since it presupposes the legitimacy of the unequal positions or rewards that people are competing for. If these positions were not justified, then selection according to merit (i.e. qualification to perform these jobs well) would be no better than favoritism, and equality of opportunity would lose its point.

Because equality of opportunity is compatible with unequal rewards, and appears to say nothing about how these rewards must be limited, it has something of a bad name among many egalitarians, who say that it is not really an egalitarian doctrine at all, or that it is a myth, promulgated in order to make unacceptable inequalities seem acceptable. No

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kind, for which there seems to be growing evidence, is that inequality causes ill health—that is, that people of lower socio-economic standing in societies where there are significant inequalities are less healthy than people who are not on the lower end of such inequalities but are otherwise in similar circumstances. This strikes me as less extrinsic because what it seems to call our attention to is the effect of another evil, namely

doubt the idea of equality of opportunity has been used in this way. But if this idea is taken seriously its bad reputation is undeserved, since it can have strong egalitarian implications. The idea of equality of opportunity is so familiar that it is not much discussed, but there are difficult questions about how it should be understood and how it is to be justified.

I will begin with the question of definition. First, equality of opportunity as I understand it is not a justification for inequalities but a necessary condition that must be satisfied if inequalities that are justified on other grounds are to be acceptable. Second, as Brian Barry has pointed out, if having the opportunity for X means being able to take some course of action that will lead to one's getting X then what is commonly called "equality of opportunity" is not really such.<sup>13</sup> If positions and rewards are handed out on the basis of abilities that not everyone has or could develop, then some people have no opportunity to receive them. So if equality of opportunity means anything it must be understood in some other way. I will take it as requiring that certain factors not be determinants of who receives advantageous positions.

The simplest idea of equality of opportunity applies to the process of selection among candidates who present themselves. It says that preference must not be given to candidates on the basis of factors that are irrelevant to their qualification for the position in question (irrelevant to their ability to perform the job, or in the case of education, to make best use of the kind of learning that is offered.) This rules out discrimination on racial or other grounds as well as nepotism and other kinds of favoritism.

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stigmatizing difference in status, which is itself an egalitarian reason for objecting to inequality. What this claim does is to add to the weight of this already significant factor.

<sup>13</sup> *Why Social Justice Matters* (Cambridge, U.K.: Polity Press, 2005), pp. 37-38.

But equality of opportunity requires more than this. It applies not only to selection among candidates but also to the conditions that determine who can acquire the qualifications to be a candidate. Rawls calls this stronger requirement “fair equality of opportunity” and he states it as follows:

those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in the social system<sup>14</sup>

Put in the terms I have just used, what this requirement rules out is a system in which talented individuals born into poorer families lack access to the resources required in order to develop their talents and thus qualify for positions of special advantage, even if selection for these positions is administered without bias or favoritism. (The motivational condition “and have similar willingness to use them” raises further questions to which I will return.)

The requirement of fair equality of opportunity was introduced by Rawls with little argument, and placed in his theory as a “rider” on the Difference Principle, for which much more argument was offered. Perhaps Rawls did not think it necessary to offer an extended argument for this rider because it seemed uncontroversial. But it is in fact a very demanding ideal.

When *A Theory of Justice* first appeared, for example, the book was attacked from the right on the ground that the Difference Principle went beyond equality of opportunity (which these critics favored) and required equality of result (which they firmly opposed.) The book was also attacked from the left, as insufficiently egalitarian, in part because it took no stand on the question of ownership of the means of production, but also because

the Difference Principle seemed to permit significant inequalities, as long as the benefits of these “trickled down,” and as long as equality of opportunity was maintained.

Both sides focused their criticism on the Difference Principle (the consequences of which they understood differently), while largely ignoring the requirement of equality of opportunity (which the right favored, and the left scorned.) I believe that both were mistaken. In one respect the right was closer to being correct about the egalitarian demands of the Difference Principle. It would require a level of economic equality much greater than that of most, and perhaps any, of the industrialized countries we are familiar with. But I believe that both right and left were mistaken about the idea of equality of opportunity. In the form of Rawls’s idea of fair equality of opportunity, it is an extremely demanding standard, even considered apart from any independent restriction on the degree of inequality in the rewards for which people compete.

As long as there is significant economic inequality between families (anything like the degree of inequality that prevails in the societies we are familiar with), this is almost certain to affect the early training that children receive, their success in school, and their relative ability to compete for the positions to which special rewards are attached. As Rawls says, it is difficult to see how fair equality of opportunity could be achieved in a society in which rewards were determined solely by the market, at least “as long as some form of the family exists.”<sup>15</sup>

So equality of opportunity, properly understood, serves as an egalitarian Trojan horse: achieving fair equality of opportunity requires, if not “equality of outcomes” then

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<sup>14</sup> *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971). P. 73.

<sup>15</sup> *A Theory of Justice* (2<sup>nd</sup> Edn.) p. 64.

at least something much closer to it than we have seen in most of the societies with which we are familiar. (I will return to the question of what we should make of this.)

This raises the question of how this requirement is to be justified. I am going to assume for purposes of this discussion that the positions that are in question (whether they are places in educational institutions or jobs to which special powers and prerogatives are attached) are specially desirable simply because of the opportunities they present for developing and exercising particular talents and abilities, quite independent of any special monetary rewards. I think that the justifications I will consider could generalize to cover the requirement of equal opportunity for positions that carry special monetary rewards, if there is independent justification for these.

Consider first the more limited idea of formal equality of opportunity, which requires that no one be excluded from applying for positions of advantage, and that the selection among candidates be made on the basis of their qualifications for the position in question. The natural justification for this requirement derives from the benefits that provide the justification for having such positions. Looking at the matter from the point of view, so to speak, of those who are paying for these advantages, it is reasonable to demand that they be distributed in a way that is designed to provide the benefits in question. I will call this the “top down” justification for formal equality of opportunity. It rules out discrimination on racial or other lines, but applies as well to pure cronyism or to a policy of giving out positions more or less randomly because the selectors are too lazy to do the work of assessing the qualifications of the candidates. Actual discrimination, on racial or ethnic grounds, is open to a further objection of the sort I mentioned under the heading of “status”: it is part of a system in which some are stigmatized as inferior, in

particular as not possible candidates for positions requiring talent and expertise, and carrying special status or authority. But the top down objection has force on its own.

The next question is what justification can be offered for the stronger requirement of fair equality of opportunity, which requires not only unbiased selection among candidates but also the provision of the resources necessary for talented individuals to become good candidates. The top down argument that I have just described does not provide a rationale for this more demanding requirement. It might be inefficient, from the point of view of the goals that justify having a given advantageous position, to give everyone the education required to determine whether they have the relevant qualifications. But fair equality of opportunity would still require this. So the justification for this requirement seems to lie not in a top down argument from the goals of the institution, but rather in a “bottom up” argument based on what individuals can reasonably claim.

How might these claims be understood? We might begin from the benefits to individuals of being able to develop their talents and to exercise these talents in positions of the kind in question. If government is obligated to provide its citizens with the education required to realize the benefits of this kind that they are capable of, then it would follow, from the principle of “equal benefit” that it should provide these benefits equally to all who can make use of them—that is to say, all who have the relevant talents, regardless of social position. This would be parallel to the argument that if the state has an obligation to provide medical care, then it must provide this care equally to all who qualify for (that is to say, need) it.

But the comparison with medical care brings out a potential objection. The benefit required by fair equality of opportunity seems to have an essentially comparative aspect that is lacking in the case of medical care, and of other benefits to which my “equal benefit” rationale applies. What fair equality of opportunity requires is a level of training that will allow the talented but poor to compete effectively with wealthier candidates, so that the choice between them will depend on their abilities (and their willingness to develop and use them) rather than on their economic circumstances. By contrast, an argument from “equal benefit” does not, in itself, require a level of medical care equal to what the rich can provide for themselves privately. If everyone is provided with the level of medical care that government is obligated to provide (whatever that level may be), it is no violation of equal benefit if the rich are able to pay for treatment above this level.

Understanding the way in which this contrast is mistaken will bring the relation between the two kinds of equality of opportunity into clearer focus. First, it is important to distinguish between several different points at which inequality may occur: (a) in the special powers and prerogatives attached to particular offices (such as that of judge, or research scientist), (b) in access to the specialized education that may be needed to fulfill these positions well, and (c) in the more basic education that is required in order to exhibit the talents that these offices require, and that make the specialized education worthwhile. (a) and (b) are inequalities to which the difference principle applies: they are justified if giving them to people with the requisite talents makes the worse off better off.

It may be tempting to think that the kind of education involved in (b) is the main thing that needs to be provided in order to achieve fair equality of opportunity.<sup>16</sup> But this

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<sup>16</sup> Richard Arneson, for example, seems to have this in mind when he objects that fair equality of opportunity has a “meritocratic bias” insofar as it requires us to devote

is a mistake. The cost, and difficulty, of achieving fair equality of opportunity lies with (c): that is, it lies in the cost and difficulty of supplying all children with early childhood education that will enable them to develop intellectually. It is this that I am suggesting is required by equal benefit (although the kinds of intellectual development that this education needs to provide for will depend on the kinds of talent that the society offers the opportunity to exercise.)

Suppose early childhood education of this kind is provided for all, so that those who have the talent required for benefits (a) and (b), can be identified, whatever social position they are born into. It may still be true, as in the medical case, that the children of the rich will have developed their talents more fully at the stage when the tests are given. If the selection process is administered in such a way that these children are chosen for benefits (b) and hence (a) over their less well prepared fellows, who can nonetheless be seen to be equally talented, this is a violation of formal equality of opportunity rather than of the more substantive version. If this is correct, as I now think it is, then the requirement of equal benefit accounts for those aspects of the requirement of fair equality of opportunity that go beyond the formal version.

Let me turn now to the question of motivation, which I mentioned above in passing. There is an ambiguity on this point in Rawls's formulation of the idea of fair equality of opportunity. According to the formulation that I gave above, what is required is that "those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in the social system..." (my emphasis) But what Rawls goes on to say

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resources to aiding those among the worse off who have special talents rather than to aiding the worse off in general. See his "Against Rawlsian Equality of Opportunity,"

suggests that equality of fair opportunity is not achieved if, due to unfortunate family circumstances, many people develop psychologically in such a way that they “fail to make an effort” and therefore fail to qualify for advantages for which they have the talent to qualify.<sup>17</sup>

This seems correct to me, most clearly so in cases of the kind that Rawls appears to have in mind, in which the unfortunate circumstances in question consist of poverty and its consequences. But things are less clear, and more difficult, in cases in which the factors at work are not economic, or not purely economic, but cultural. What people are likely to develop the “willingness to make an effort” to do depends on what they see as a real possibility for them, and on what they come to value. And these things will be different for people growing up in different communities. Children growing up in communities as different as the Old Order Amish and the Roma may typically develop a “willingness to make an effort” for some purposes, but not for accomplishments of the kind that society rewards most highly. This may be so because, due to the outlook they are led to form in their community, they do not value these accomplishments, or do not see these pursuits as real possibilities for them. Should we say that equality of opportunity is not attained if people born into such communities do not have as good a chance to qualify for social advantages as equally talented members of other communities? An unequivocally negative answer seems to require us to overlook some cases of objectionable inequality. But an unequivocal positive answer seems to require

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*Philosophical Studies* 93 (1999) pp. 77-112, esp. p. 86.

<sup>17</sup> The passage in which he remarks that “willingness to make an effort” depends on “happy family and social circumstances” is representative. *A Theory of Justice* p. 74 (2nd Edn. p. 64).

objectionable intervention into family and community life in order for equality of opportunity to be achieved.<sup>18</sup>

It is helpful to bear in mind here the rationale for the qualification “and have equal willingness to use them.” The question is this: when does a person’s failure to make the choices he or she could have made to acquire the relevant skills for a position undermine his or her objection when that position is given to someone else? An answer is complicated by the fact that, as Barry notes, acquiring the skills to qualify for a position may require different degrees of sacrifice from different individuals.<sup>19</sup> I believe that this question should be answered by appeal to what I call the value of choice.<sup>20</sup> A person’s failure to make a choice undermines his claim to the benefits that would have flowed from it only if the conditions in which he was given that choice (including such things as the available information, and incentives such as the attractiveness of various alternatives) were “good enough”—that is, as good as social institutions, or other actors, could be required to supply.

On the account I am offering, the justification for equality of (economic) opportunity has a dual character. Formal equality of opportunity is justified by a top down argument, starting from the goals that justify having the positions to which special

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<sup>18</sup> These cases also raise a possibility that I mentioned above and will only note in passing. This is that what is objectionable in some such cases may be the society’s system of rewards. If a society not only allows certain forms of accomplishment but also makes financial and status reward depend very greatly on how well people do in these pursuits, and if these pursuits are not in fact valuable, or not as valuable (or as much more valuable than other forms of accomplishment) as the society claims, then perhaps we should see this social emphasis as itself the source of objectionable inequality.

<sup>19</sup> *Why Social Justice Matters*, pp. 42-43.

<sup>20</sup> I explain and defend this account of responsibility in “The Significance of Choice,” in Sterling M. McMurrin, ed., *Tanner Lectures of Human Values* Volume VIII (Salt Lake

benefits attach. Substantive equality of opportunity (the more demanding requirements of what Rawls called fair equality of opportunity) is justified by a bottom up argument, based on the obligation of a state to provide certain kinds of education to all its citizens.

This duality provides a satisfactory answer to the question of the scope of equality of opportunity, which I touched on earlier in connection with my thought experiment about German unification. To whom is equal opportunity owed? I suggested earlier that differences in the quality of public schools in Massachusetts, or within the United States as a whole was objectionable in part because it violated equality of opportunity, but that this objection did not apply to differences between schools in the United States and those in some foreign country. One might say that this was because students within the United States are, at least potentially, all competing in the same job market, and this is not true of students in the United States and students in Malawi. But this explanation seems weak. After all, students in one country can apply for jobs in another, and may have good reason to do so if these jobs are more desirable, or if there are no jobs at home.

The dual account of equality of opportunity suggests an answer. The top down argument for formal equality of opportunity is no respecter of national boundaries. Turning away more qualified foreign candidates would be just as contrary to the justifying aims of a position as turning away more qualified local candidates. But the substantive component of fair equality of opportunity derives from the obligations of a state to its citizens. So it would be a violation of formal equality of opportunity to reject more qualified foreign applicants because they are foreign, but not a violation of

substantive equality of opportunity if the ability of equally talented, and motivated students to acquire the relevant training varies depending on where they live.

Another corollary of my dual account is that it would be a mistake to say that there are two objections to the inequality of public schools in different districts in Massachusetts and in different states within the United States: one based on equality of opportunity, the other, via equal benefit, on the obligations of states to their citizens. On my account these are not two different objections, but only one objection, since the relevant component of equality of opportunity itself derives from this same equal benefit argument.

I turn now to the question of the fairness of political institutions. Rawls says that in a just society the “fair value of political liberties” should be preserved. What is required, he says, is that “citizens similarly gifted and motivated have roughly an equal chance of influencing the government’s policy and of attaining positions of authority irrespective of their economic and social class.”<sup>21</sup> This formulation is strikingly similar to the idea of fair equality of opportunity in the economic realm, and it is worth exploring the similarities and differences between the two cases.<sup>22</sup>

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<sup>21</sup> *Political Liberalism* (New York: Columbia University Press, 1993), p. 358. I have misgivings about the adequacy of this formula as an account of political equality, but I will nonetheless take it as the basis for discussion, since I do not think that my misgivings will be relevant to the points discussed below (and because I do not have a better account to substitute for it!)

<sup>22</sup> I am distinguishing here between “economic” and “political” equality. But I should note that Rawls’s discussion of what I have been calling equality of opportunity is a rider on the Difference Principle, which, although it is generally thought of as a principle of economic distributive justice, in fact states the conditions under which justice permits *any* positions to which unequal powers or prerogatives or unequal rewards are attached. “Political” positions, such as judge, prosecutor and so on) are instances of this. So there is a clear sense in which Rawls’ requirement of fair equality of opportunity is not purely *economic*.

First, as to similarities, there are, in the case of political equality top down and bottom up arguments corresponding to those I have identified for economic equality of opportunity. Some political offices, such as those of judge or prosecutor, and positions in the bureaucracy, are justified on the basis of the results that can be achieved if they are filled by individuals with the proper judgment and expertise. So there is a top down argument for appointing the most qualified candidates rather than the relatives or political cronies of other officials, or the people who are willing to pay the highest bribe.

It is also true that appointed and elected offices provide opportunities for the exercise of developed skills and capacities, which is an important good. So when such positions exist, there is a bottom up argument that state should provide the kind of education needed to develop these capacities in those who have them. The same is true of the “office” of citizen: the state is obligated to provide the kind of education needed to take part in civic deliberation and fulfill one’s role as citizen.<sup>23</sup> The principle of equal benefit requires that this education be provided for all.

I have argued above that correlates of these two arguments complete the case for formal and substantive equality of economic opportunity. But in the case of political equality there are additional arguments of both a top down and a bottom up variety.

There is an additional top down argument for political equality that has broader consequences than the corresponding argument in the economic case. The point of having elections, legislatures and other political processes is to give effect to the people’s will. This aim justifies formal political equality: it requires, for example, that everyone have an equal vote, that no one be excluded from running for office or from participating in

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<sup>23</sup> In Rawls’s theory this follows from the importance of the higher order interest in developing and acting from a sense of justice.

public debate. But, in contrast to the case of economic opportunity, this top down argument also requires substantive political equality, what Rawls calls the “fair value of political liberties.” The purpose of political institutions will not be fulfilled unless citizens not only have equal formal rights but also the education necessary to fulfill their role as citizens, and the means required to take part in political discussion, run for office, or support others who do. The form of substantive equality that is required in these matters will flow from, and depend on, the relevant conception of what it is for “the will of the people” to be expressed.<sup>24</sup> For example, not everyone is going to run for office, and perhaps not everyone need have the means to do so. But if only the rich can mount effective political campaigns, then the “voice” that is registered will be skewed.

The corresponding bottom up argument starts from the fact that citizens have an important interest in being able to take part in politics not only in order to exercise their developed capacities but also in order to have an influence on their society, to protect themselves against unjust outcomes, and to advance their particular aims. These interests support requirements of formal equality. They require substantive equality as well, since these interests cannot be advanced if one has formal political rights but lacks the means to exercise them effectively. These means include not only education but also the means to engage in effective political expression, to support political candidates one favors and so on.

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<sup>24</sup> A parallel argument for economic equality would hold that in order for the goals of the market to be achieved—in order for the relevant kind of welfare to be maximized, perhaps—it is not enough that individuals have formal economic liberties, to participate as consumers, start their own businesses or invest in enterprises begun by others and so on. In addition, the “fair value” of these liberties must be preserved, so that everyone’s economic voice is heard, and their initiative given a chance to be productive. Perhaps someone has made this argument for economic equality, but I do not know who.

There is, as far as I can see, nothing corresponding to the latter class of means in the requirements of equality of economic opportunity. This represents an important difference between the two cases, and a major difficulty for political equality. It is, as I have noted, difficult enough, perhaps even impossible, to achieve equality of economic opportunity in a society with great inequalities in family wealth and income. But we at least have a relatively clear idea of the steps that might be taken to do this. Good public schools, including programs for preschool children from disadvantaged homes, and prevention of the kind of poverty that produces destructive home environments, could go some way toward achieving a meaningful degree of equality of opportunity, even if not the full equality of prospects that Rawls states. These steps may be difficult to achieve in practice, but at least the steps are clear.

In the case of political equality, there is the additional theoretical problem of figuring out what might be done to provide more equal means for political participation in a society in which income and wealth are largely determined by the market, and the price of the access to public media that an effective political campaign requires is also determined by the market.

What is required in order to improve equality of economic opportunity is mainly to improve the lot of the poor, and to provide good schools and public services. This is difficult enough. But in the case of political fairness is not clear whether aiding the worse off, even if one could do it, would be sufficient. It may be that, in order to achieve political fairness, we would need not only to improve matters for the poor by providing better schools and better access to means of political expression, but also to constrain the ability of the rich to use their wealth to dominate public political discussion. This is much

more difficult to do, especially in a way that is compatible with robust rights of freedom of expression.<sup>25</sup>

Let me conclude by considering two important issue of executive compensation. The levels of compensation that corporate executives receive in the United States, as described in my example (2), are widely seen as objectionable. They are also naturally seen not only as objectionable *and* a form of inequality (a judgment I share) but also as objectionable *because* of the inequality they involve. I want now to consider whether the latter judgment is supported by the analysis of equality that I have been presenting.

Looking at the list I have given, we might say that these levels of compensation are objectionable because they will, at least over time, undermine equality of opportunity, and also because they give these people unacceptable political power in the form of ability to buy influence by giving large contributions to political candidates and parties. I have just discussed these problems, and I will not repeat that discussion here. These difficulties are serious, but they do not seem to be what is mainly at issue, when people object to these high levels of compensation.

Another possible objection is that these levels of compensation create a new class of privileged people, who live in a style very different from the rest of us “ordinary” folks, and thereby create objectionable differences in status. In the United States today this idea seems not to have much political support. “Elitism” is a term that we hear a lot in political discourse, and it seems to be used to tap into a strong vein of resentment. But

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<sup>25</sup> I have been told that there is some empirical literature suggesting that this hypothesis is not correct: that what is most important in promoting political participation is raising the bottom, by providing people with a certain threshold level of ability to, say, get things on the political agenda and influence candidates and office-holders, and that it is not so important to curtail the amount of money that the rich can spend on these things. This

this resentment is not against the very rich, but rather against the well-educated (more specifically the well-educated who are “liberal” in the American sense of that term.) I am not at all certain why this is so. I think it may be that what people resent is not those who live better than they do but rather those who are *critical* of the way they live (by arguing that they should not drive so much, should not smoke, or should do more to prevent global warming.) The right has been very successful in twisting the egalitarian idea of anti-elitism into a reactionary notion.

Egalitarian objections to executive compensation may, however, reflect an idea of desert not included on my list. For example, it might reflect the idea that every person’s day’s labor is worth the same reward. This idea may have some appeal, but it is far from being recognized in most of the judgments we commonly make. There are many examples of people with large incomes which people do not seem to find objectionable in the way that the incomes of highly paid executives are. Some examples include: people who win the lottery or sell their houses, or some valuable piece of property, for a large sum. Nor do the large incomes of sports figures or entertainment personalities seem to arouse the resentment that executive compensation does. These people may live in a lavish style, but that is not offensive to the rest of us (we may even enjoy reading about them.) The fact that they are so highly rewarded may indicate something amiss about the values of our society, but that is not a question of justice.

There is, however, a strong objection to extremely high levels of executive compensation that is not an objection based on the inequality that results. Leaving aside the effects of inequality, these levels of compensation are objectionable because they are

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sounds surprising to me, but it is an empirical question on which I will not speculate further.

an abuse of power, or result from a misallocation of power. It is unjustifiable for executives to have the power to assign themselves and their friends these exorbitant compensation packages. The inequalities that result are objectionable because of the mechanism that produces them, although they may also have effects that are objectionable for other reasons. This explains our reaction to the other examples I mentioned. Large gains through property transactions, or from contracts in entertainment and sports, do not involve the same kind of abuse (or misallocation) of power, although they may, as I have said, be objectionable for other reasons.

This way of putting the objection also has the advantage of directing our attention toward remedies other than redistributive taxation: toward legal restrictions on corporate governance, for example. It is better, and causes less resentment, to prevent these large compensation packages from occurring rather than trying to tax them away later. So it seems to me that, although high levels of executive compensation do raise legitimate egalitarian concerns, the best way of addressing this problem may not bring equality to the fore.

## **Appendix: Equality and Liberty**

In the process of reflection that this essay reports, I have tried to identify what seems to me to be the diverse reasons we have for being concerned with inequality, and to consider how these various reasons bear on some questions facing us. Since my analysis may seem to some to have a somewhat deflationary character, let me emphasize that I approach this question as someone who is committed to the value of equality. My aim has been to strengthen this commitment by clarifying the nature of the values at stake and the basis of their appeal. As an illustration of how this might be done, I will add here some preliminary thoughts about what my analysis of the case for equality might imply about the relation between equality and liberty.

It is widely believed that there is a fundamental conflict between liberty and equality. As long as this is seen simply as a conflict between two basic values, it seems to be a conflict in which the “equality” side is in the weaker position. This is because liberty is perceived as a self-evidently important goal, in a way that equality is not. It makes sense to ask why equality (particularly equality in the possession of various specific goods) is so important, and it seems to many people that the answer to this question is not obvious. But it seems more obvious that liberty is something important, and that it is reasonable to object to anything that interferes with it. One of the aims of my analysis of equality is to break down this apparent asymmetry, by giving more specific content to the case for equality.

It is quite reasonable to ask why equality is important. The answers lie in the various reasons we have for objecting to specific forms of inequality. Similarly, the

reasons we have for objecting to “infringements of liberty” are not explained by appeal to a single, fundamental value, liberty, but rather by appeal to the different values that are at stake in different cases in which liberty is said to be infringed. I have tried to clarify and strengthen the case for equality by identifying the diverse reasons we have for objecting to inequality. Doing this also forces us to identify the particular forms of liberty that may be at stake in these cases and to assess their value. It thereby puts us in a better position to decide how these conflicts should be resolved. To make this more specific, let me consider briefly each of the reasons I have identified for seeking greater equality, and consider what kinds of liberty, if any, they conflict with.

1.     **Humanitarian concern**—In some cases, I have said, the reason for doing what will have the effect of reducing inequality is simply that this is a way of reducing suffering, by improving the condition of the poor. So these are not instances of a clash between equality and liberty (or anything else) because the case for transferring resources is based not on the value of equality but on the claims to aid on the part of those who are very badly off. Insofar as there is controversy, it is over the extent of these claims. Some might object to more extensive claims to aid on the ground that they interfere with the liberty of the better off. But insofar as what is appealed to here is *liberty*, understood broadly enough to be infringed by having to pay higher taxes, liberty is at stake on both sides, since the liberty of those in dire need of assistance is presumably very limited. And would be considerably enhanced by aid.

2.     **Status**—It is important to note the great variety of claims that might be included in this category. To start at one extreme, objections to caste systems and other forms of institutionalized discrimination are among the strongest objections to inequality,

and the most purely egalitarian. The conflict in such cases is between, on the one hand, the claim of some to enjoy the privileges and the sense of superiority that such institutions confer on them, and, on the other hand, the claim that others have not to be marked as inferior in a way that is unjustified and that they reasonably find humiliating. I suppose that the former might be described as a claim to a form of liberty, but once we see what is involved this label does not give these claims any greater force.

Moving now to the opposite extreme, some extremely weak, or dubious, egalitarian claims might also be put forward under the heading of “status.” People who are simply envious of the greater success and accomplishments of others may claim that they find recognition of these accomplishments humiliating and “elitist,” thus attempting to make their envy seem more legitimate by cloaking it in egalitarian terminology. It is important to recognize that claims of equality can be, and have been, have been misused in this way.<sup>26</sup>

It may be plausible to say in these cases that what the better off rightfully object to being deprived of is a form of liberty—the liberty to develop one’s talents and strive for success (and to be rewarded for doing so.) But the reason why the claims of the worse off should be rejected here is not that in these cases (but not the previous ones) these claims conflict with liberty. The point is rather that the supposed injuries in these cases are illusory, and that the opportunities that the better off want not to be deprived of are valuable, whether or not they are called a form of liberty.

**3. Domination**—In this case, the considerations that speak in favor of reducing inequality are the reasons people have to avoid having their lives controlled by others.

Although these reasons count here in favor of greater equality, it would be quite reasonable to describe them as claims to liberty rather than equality. One might say that what these reasons are in conflict with in this case are the reasons that others have to maintain control over the lives of others. But this would be prejudicial. As I said above, control over the lives of others can result simply from a high degree of economic inequality. So the ability of some to control their own lives may be in conflict simply with the reasons others have to amass more money by enlarging their business enterprises. When this is so, it would be fair to say that we have a conflict between two kinds of liberty. To decide how this conflict is to be resolved we need to decide which form of liberty is more important at the margin (that is to say, taking into account the levels at which these forms of liberty are already enjoyed by the respective parties.)

4. **Procedural Fairness**—I said that in some cases we have reason to reduce inequality because this is necessary to ensure the fairness of our basic institutions: for example, to ensure equality of economic opportunity or the fairness of political institutions. What counts in favor of greater equality in these cases are the reasons that people have to want to be able to compete (on fair terms) for economic advantage, or to play a role in the process through which their society is governed. These considerations, again, could reasonably be called claims of liberty. The first, in particular, (the opportunity to compete for economic gain) is the sort of thing that libertarians generally include under this heading. One might also say, however, that what counts here in favor of greater equality are simply considerations of fairness, and that everyone, whatever their position in society, has an interest in having their institutions be fair, so that their

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<sup>26</sup> A number of people whom I talked with when I presented a version of this paper in China were understandably wary of the idea of equality because they felt that it had been

relations with their fellow citizens will be of a desirable and defensible character, and so that whatever they gain from their institutions will be gained *fairly*, and hence will be legitimate. I believe these are things that people have reason to care about and really do care about. What threatens fairness in the cases I have been considering is a high degree of economic inequality. So, as in the previous case, what we have on one side of this conflict are the reasons people have for wanting to be able to gain large fortunes, and to exercise the political influence that comes with this. But if inequality renders political institutions unfair, then this influence is illegitimate. And, the legitimacy of economic rewards is also undermined when these are gained through institutions that are unfair. So, to sum up, what we have in this case, on the side of greater equality, are claims of liberty supplemented by considerations of fairness, and on the other side we have different claims of liberty, which are *undermined* by considerations of fairness.

**5. Equality of Benefit**—Here the idea is that if the government (or some other agent) is obligated to provide every member of a certain group with some good, and they all have the same claim to it, then this good should be provided to all at the same level. In the event of unequal provision, the objection that can be raised by those who receive lesser benefits is not to the idea that equality in itself is a good, but rather that their claim to this good is the same as that of others. Their appeal is thus to something like equal protection of the laws. It is not clear what those who have greater shares can say in response. Perhaps they might make a claim of liberty in the form of an objection to paying the higher taxes that would be required if all were to be provided with this good at the level they now enjoy. But this claim seems weak. The obvious reply is that if they

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misused in this way during the Cultural Revolution.

want to pay lower taxes they must accept benefits as the lower level that could be provided to all.

To sum up: The idea that there is a fundamental conflict between liberty and equality may seem plausible in the abstract. But its plausibility diminishes when we consider the specific reasons that actually support the reduction of inequalities, and the specific reasons that might be offered in response.