

Equality

‘EVERY man to count for one and no one to count for more than one.’ This formula, much used by utilitarian philosophers, seems to me to form the heart of the doctrine of equality or of equal rights, and has coloured much liberal and democratic thought. Like many familiar phrases of political philosophy it is vague, ambiguous, and has changed in connotation from one thinker and society to another. Nevertheless it appears, more than any other formula, to constitute the irreducible minimum of the ideal of equality. Moreover it is not self-evident in the sense in which many simple empirical propositions seem so; it has not been universally believed; and it is not uniquely connected with any one philosophical system. The notion of each man counting for one and only one does not depend on belief in rights, either natural or positive, either divinely bestowed or adopted by convention. The statement that each man is to count for one may, of course, be conceived as flowing from the recognition of natural rights possessed by all men as such – rights ‘inherent’ in being a man at all – whether innate, or conferred at birth by a divine act – and so an ‘inalienable’ element in the ‘ultimate structure’ of reality. But equally it can be held without any metaphysical views of this kind. Again, it may be regarded as a rule, whether universal or confined to certain defined classes of persons, deriving its validity from a system of rights based on specific legal enactments, or custom, or some other identifiable source of human authority. But again, it need not depend on this. One can perfectly well conceive of a society organised on Benthamite or Hobbesian lines, in which rights did not exist, or played a small part, and in which the principle of ‘every man to count for one’ was rigorously applied for utilitarian reasons, or because such was the will of the despot, or of the majority, or of the legislator or whoever held sovereignty in a given society. It is doubtless true that the most ardent champions of equality were, in fact, believers in human rights in some sense. Some were theists who believed that all men had immortal souls every one of which possessed infinite value and had claims which consequently must not be set aside in favour of objectives of lower value; some of these in addition believed in absolute

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standards of justice, divinely sanctioned, from which the doctrine of equality was directly deducible. Others were liberals and democrats, some of them deists or atheists or others ignorant of, or opposed to, the Judaeo-Christian tradition, who believed in the principle of equality *a priori*, as being revealed by natural light or whatever other source or method of knowledge was regarded as being the most certain. This was the foundation of the faith of the framers of the declarations of human rights in the American and the French revolutions; and has indeed been perhaps the strongest single element in egalitarian doctrines from the days of the Gracchi to the socialists and anarchists of modern times. But the connection between 'counting for one' and the doctrines of Christian theology or the French *philosophes*, or this or that view of reason or of nature, is rather more historical and psychological than logical. At any rate it is not one of mutual entailment. For this reason it may be of some use to inquire what this principle will look like if it is detached from its normal historical and psychological setting – whether it possesses any inherent plausibility of its own, and whence it derives its universal and perennial appeal.

I should like to suggest that there is a principle of which the egalitarian formula is a specific application: namely that similar cases call for, i.e. should be accorded, similar treatment. Then, given that there is a class of human beings, it will follow that all members of this class, namely men, should in every respect be treated in a uniform and identical manner, unless there is sufficient reason not to do so.¹ But since more than a finite degree of social and personal uniformity is in practice difficult or impossible to achieve, the principle ordains that the rule should be applied in, at any rate, important respects – those respects in which the type of treatment accorded to each other by human beings makes a great deal of difference to them, affects them deeply, forwards or frustrates their desires or interests in a significant degree. The assumption here seems to be that unless there is some sufficient reason not to do so, it is 'natural' or 'rational' to treat every member of a given class (in this case, men) as you treat any one member of it. To state

¹ In this formulation the principle will cover both of the forms of equal rights to property distinguished by Richard Wollheim ['Equality', *Proceedings of the Aristotelian Society* 56 (1956), 281–301], i.e. both absolute equality of property, and equality conditional upon specific qualifications, say, sufficient means to enable a man to buy it, or legal rights of inheritance, and the like. The notion of 'sufficient reason' can be made to cover almost any type of situation, and is suspect for that very reason.

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the principle in this way leaves open crucial issues; thus it may be justly objected that unless some specific sense is given to 'sufficient reason', the principle can be reduced to a trivial tautology (it is reasonable to act in manner x save in circumstances y , in which it is not rational, and *any* circumstances may be y); furthermore that since all entities are members of more than one class – indeed of a theoretically limitless number of classes – *any* kind of behaviour can be safely subsumed under the general rule enjoining equal treatment – since unequal treatment of various members of class A can always be represented as equal treatment of them viewed as members of some other class B, which in extreme circumstances can be so constructed as to contain no more than one actual member; which can reduce this rule to vacuity. There obviously can exist no formal method of avoiding such reductions to absurdity; they can be rebutted only by making clear what reasons are sufficient and why; and which attributes are alone relevant and why; and this will depend on the outlooks and scales of value of different persons, and the purposes of a given association or enterprise, in terms of which alone general principles can retain any degree of significance – whether in theory or practice. In concrete cases we distinguish good reasons from bad, central characteristics from irrelevant ones. Some inequalities (say, those based on birth) are condemned as arbitrary and irrational, others (say, those based on efficiency) are not, which seems to indicate that values other than equality for its own sake affect the ideals even of passionate egalitarians. A part of what we mean by rationality is the art of applying, and combining, reconciling, choosing among general principles in a manner for which complete theoretical explanation (or justification) can never, in principle, be given.

To return to the principle in the form in which it is normally applied: if I have a voice in settling the destinies of my society I think it unfair that all other members of it should not also have a similar voice; if I own property, it is unfair that others (situated in relevant respects as I am) should not do so too, and if I am allowed to leave it to my children in my will it is unfair that others should not have a similar opportunity; if I am permitted to read or write or express my opinion freely it is wrong, unjust, unfair etc. that others should not be permitted to do so too. If someone is not to be allowed to do these things, or have these advantages, then sufficient reasons must be given; but no reason need be given for not withholding them, i.e. for an equal distribution of benefits – for that is 'natural', self-evidently right and just, and needs no justification, since it is in some sense conceived as being self-justified.

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A society in which every member holds an equal quantity of property needs no special justification; only a society in which property is unequal needs it. So too with the distribution of other things – power or knowledge, or whatever else can be possessed in different quantities or degrees. I can justify the fact that the commander of an army is to be given more power than his men by the common purposes of the army, or of the society which it is defending – victory, or self-protection – which can best be achieved by this means; I can justify the allocation of more than an equal share of goods to the sick or the old (to secure equality of satisfactions), or to the specially meritorious (to secure a deliberately intended inequality); but for all this I must provide reasons. If I believe in a hierarchical society, I may try to justify the special powers or wealth or position of persons of a certain origin, or of castes or classes or ranks, but for all this I am expected to give reasons – divine authority, a natural order, or the like. The assumption is that equality needs no reasons, only inequality does so; that uniformity, regularity, similarity, symmetry, the functional correlation of certain characteristics with corresponding rights of which Wollheim speaks, need not be specially accounted for, whereas differences, unsystematic behaviour, change in conduct, need explanation and, as a rule, justification. If I have a cake and there are ten persons among whom I wish to divide it, then if I give exactly one tenth to each, this will not, at any rate automatically, call for justification; whereas if I depart from this principle of equal division I am expected to produce a special reason. It is some sense of this, however latent, that makes equality an ideal which has never seemed intrinsically eccentric, even though extreme forms of it may not have been wholly acceptable to either political thinkers or ordinary men throughout recorded human history. There seem to me to be at least two conceptions which are involved in this love of order, each of which Wollheim has touched upon (although not by name or directly). These are the notions (1) of rules, and (2) of equality proper. I should like to say something about each of these.

1 *Rules*

All rules, by definition, entail a measure of equality. In so far as rules are general instructions to act or refrain from acting in certain ways, in specified circumstances, enjoined upon persons of a specified kind, they enjoin uniform behaviour in identical cases. To fall under a rule is *pro tanto* to be assimilated to a single pattern. To enforce a rule is to

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promote equality of behaviour or treatment. This applies whether the rules take the form of moral principles and laws, or codes of positive law, or the rules of games or of conduct adopted by professional associations, religious organisations, political parties, wherever patterns of behaviour can be codified in a more or less systematic manner. The rule which declares that tall persons are permitted to cast five times as many votes as short ones creates an obvious inequality. Nevertheless, in the framework of this inequality it ensures equality of privilege within each of the two discriminated classes – no tall man may have more votes than any other tall man, and similarly with short men. This is Wollheim's first sense of 'equality', in which, although the commodities or liberties, be they power or property or status, may not be owned in equal quantities or to an equal degree by everyone, yet every member of each class has an equal right to that which has been accorded to the class as a whole. This type of equality derives simply from the conception of rules as such – namely, that they allow of no exceptions. Indeed what is meant by saying that a given rule exists is that it should be fully, i.e. equally fully, obeyed by those who fall under it, and that any inequality in obedience would constitute an exception, i.e. an offence against the rules. In so far as some minimum degree of prevalence of rules is a necessary condition for the existence of human societies (and this seems to be an almost universal, but still empirical, law), and in so far as morality, both personal and political, is largely conceived of in terms of rules, the kind of equality with which obedience to rules is virtually identical is among the deepest needs and convictions of mankind. In this sense equality is coextensive with social morality as such – that is to the degree to which social morality is conceived as a system of coherent, i.e. not internally contradictory (and, according to some moralists, mutually entailing), sets of rules. A plea for equality in this sense is therefore a plea for life in accordance with rules as opposed to other standards, e.g. the *ad hoc* orders of an inspired leader, or arbitrary desires. In this sense, then, to say that inequality is wrong is, in effect, to say that it is wrong to obey no rules in a given situation, or to accept a rule and break it; and a situation in which some men, for no stated reason, and in accordance with no rule, consistently obtain more than other men with the same, or sufficiently similar, relevant characteristics (however this is determined) is then described as being unfair. To provide no reasons for breaking a rule is described as irrational; to give reasons for obeying rules – save in terms of other rules – is regarded as unnecessary: rules are their own justification. In a moral

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system which consists entirely of rules, and is definable in terms of them, adequate reasons for breaking rule x must take the form of rule y , which in certain circumstances may come into collision with rule x , and, in accordance with rule z , will then cancel or modify it or, at any rate, be allowed to do so. A society which accepts a morality, whether personal or social and political, analysable into sets of rules of varying orders of stringency, some independent of each other, some connected by relations of entailment or mutual exclusion, may then be open to at least three kinds of criticism.

(*a*) I may accept the rules, and complain that too many exceptions are being made without specific rules to back the exceptions. If I merely object to the exceptions as such, I am merely complaining of the infringement of moral or social laws, as such. If the exceptions fulfil the desires of some people to the detriment of the fulfilment of the desires of others – for example where the desires are for some commodity in scarce supply, be it property, or power, or status, or the fruits of civilisation, then if there is no rule governing such distribution (or if there is a rule but exceptions to it are made arbitrarily, i.e. without being deducible from, or justifiable in terms of, other accepted rules) I complain, in addition, of unfairness, i.e. that similar cases are being treated dissimilarly, when the whole essence of the rules is that this should be avoided.

(*b*) I may complain that the rules themselves are bad or iniquitous. This complaint may take several forms. I may complain that a given rule offends against some other rule or principle which seems to me more important or morally superior. A rule consistently favouring the tall as against the short would offend against the rule which I regard as superior, according to which physical characteristics must not be considered in, let us say, the distribution of honours; or against a rule which lays it down that all men, or all Englishmen, or all members of the Aristotelian Society, must be treated as being equal in this regard. Then again someone may say that equal treatment only for members of the Aristotelian Society offends against equal treatment for all Englishmen, or that equal treatment for all Englishmen offends against the principle of equal treatment for all Europeans, or all men. In short, a rule may be condemned as offending against some wider rule to which it is then regarded as forming an irrational exception. Or it may be attacked on the ground that it conflicts with some rule not necessarily wider but merely incompatible with it; in cases of such conflict,

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egalitarianism seems to entail that any rule which includes under it a larger number of persons or a larger number of types of persons¹ shall always be preferred to rules which ensure identical treatment only for smaller numbers or a smaller number of types; and a society will fail to be egalitarian to the degree to which in the formulation of its rules, or in its system of deciding which rules win in cases of conflict, it is influenced by principles other than those of the intrinsic desirability of identical treatment of the largest possible number of persons or classes of persons; for example if it is bent on the maximisation of happiness, which may well entail gross inequalities.² And of course there are many other goals or values which may deflect the course of strict egalitarianism, as, for instance, the desire to encourage the arts and sciences, or a predominant desire to increase the military or economic power of the state, or a passion for the preservation of ancient traditions, or a strong taste for change and variety and new forms of life. All these may or may not breed rules that conflict with the principle that every man is to count for one and only one. This principle will indeed be preserved by the mere existence of rules within each area dominated by the rules themselves; but rules cannot guarantee its extension beyond their own field. For the rules themselves may create inequalities, and the conflict between the rules still greater ones. To say, as we often do of a rule, that it is itself unfair is, in effect, to say that it contradicts some other rule with a wider area of equal treatment – a rule which, if obeyed, will ensure that a larger number of persons (or classes of persons) shall receive similar treatment in specified circumstances. But to say of the

¹ A policy of equal treatment for the largest number of persons may easily conflict with a policy of equal treatment of the largest number of classes of persons. Thus a reformer bent on abolishing discriminatory legislation may find himself faced with a choice between incommensurables, e.g. of emancipating either one large class of 'inferiors', say the poor, or several such classes, say religious or racial minorities, which between them contain fewer members than the single large class. The first policy will give equality to more human beings; the second will abolish a greater number of class distinctions. Since either course can correctly be said to increase equality, and both cannot (for some practical reason) be adopted, the choice of a conscientious egalitarian will depend on the type of equality preferred. As it stands the question before him cannot be answered.

² With the exception, I suppose, of those societies in which the desire for equality is itself so much stronger than all other desires that inequality automatically breeds greater misery than any other possible arrangement.

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rule that it is bad or iniquitous need not mean this; it need mean only that it is in conflict with some other rule or principle not necessarily itself tending towards greater equality. In case this seems too abstract, let me illustrate: although Bentham's doctrine about each man to count for one was in fact embodied by him in his utilitarian teachings, it seems plain that equality is not itself entailed by utilitarian principles, and might, indeed, on occasion conflict with them. Thus it can be argued that societies organised hierarchically, certain types of medieval society for example, or theocratic societies or even societies founded on slavery, may conceivably offer their members a greater degree of happiness (however this is calculated) than societies in which there is a greater degree of social or economic equality. When Montesquieu or Rousseau, for example, declare that the objection to slavery is not that it makes men unhappy – for it may not: the slaves may prefer to remain slaves – but that it is slavery, that men have no right to enslave other men, that it is unworthy of human beings to create such forms of life, they are pleading for equality for equality's sake. They are in effect saying that any society which has rules or laws enjoining or permitting slavery, even though its members may be happier than if they had been free, and even though Aristotle may be right and men exist whose faculties are realised best in slavery, is yet a society to be condemned, not for breaking the rules under which it lives, but for obeying the wrong kind of rules, pursuing the wrong kind of values. And this implies that equality, that is to say, the rule that each man is to count for one and for no more than one, whether in the distribution of property or in the number of votes he has in the sovereign assembly, or in the opportunities for education or pleasure, or in whatever respect, is an end in itself, in possible conflict with other ends, but higher than they and, in cases of conflict, to be preferred.

(c) Finally, someone may attack a society not indeed for breaking the rules that it affects to respect; nor yet for living by rules that are bad, or in conflict with some other ends or ideals which the critic regards as of greater moral authority; but on the ground that it lives by rules at all, that it is rule-ridden. And if it is pointed out to him that a certain minimum of rules is an empirical necessity for the preservation of any degree of human organisation, then he may retreat to the position that the rules in use go far beyond this minimum, and that a morality not compounded out of rules, but consisting of the pursuit of some ideal in a spontaneous and imaginative way, analogous to the creative activity of a painter or a composer, or to even less disciplined forms of self-

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expression, where both the use and recognition of rules is at a minimum, is to be preferred. It is salutary to be reminded that moral and political outlooks are not coextensive with systems of moral or political rules. The romantic attack upon the moral systems both of rationalists and empiricists at times took precisely this form of denunciation of the propositions and imperatives of the classical ethical systems, not because they were mistaken or deleterious, but because they were general. The romantic philosophers, particularly in Germany,¹ assailed their predecessors for imposing rules, amalgamating cases, whether individual characters or moral situations or moral actions, that were necessarily unique and incommensurable under the umbrella of some universal formula. They attacked all those who seemed to them bent on forcing the teeming multiplicity and variety of human activity into a Procrustean bed of symmetrical sets of moral rules which, precisely because they were rules, tended to represent differences as being relatively unimportant, and similarities as being alone relevant; and especially those who, so it was maintained, by following a false analogy with the natural sciences ignored or misrepresented vital individual differences, in virtue of which alone things and persons possessed their unique value, and did this in order to achieve an egalitarian society, dominated by rules – a society directed against the existence of all those elements which the romantics regarded as alone worth preserving.

All three types of attack upon a given social or political order are, to say the least, relevant to the belief in equality. Let me recapitulate them: they take the form of saying

- (a) that rules are broken for no sufficient reason; or
- (b) that the rules are themselves bad or iniquitous or otherwise inadequate; or
- (c) that the rules are deplorable simply because they are rules.

Of these (a) represents the most direct demand for equality, for any protest against exceptions because they are exceptions is a genuine plea for equality; (b) springs from a demand for equality only if the rules are attacked on the ground that they are in conflict with other rules aimed at producing a greater degree of general equality; (c) is a direct attack upon the ideal of social equality as such. It is clear that this ideal is not solely the equality which all rules entail as such (even though it may

¹ This, or something like it, was also advocated by Bergson in one of his last works, *The Two Sources of Morality and Religion* (London, 1935).

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derive much force from an intimate connection with moral systems to which universality, order, rules, laws etc. are central), since otherwise rules could not themselves be criticised as leading to inequality, as we have seen that they can be. What then is this ideal?

II

2 *Equality proper*

In its simplest form the ideal of complete social equality embodies the wish that everything and everybody should be as similar as possible to everything and everybody else. It may serve to make this concept clearer if we try to conceive of some of the characteristics of a world in which no type of egalitarian would have anything to complain of. I doubt whether anyone has ever seriously desired to bring such a society into being, or even supposed such a society to be capable of being created. Nevertheless, it seems to me that the demands for human equality which have been expressed both by philosophers and by men of action who have advocated or attempted the reform of society can best be represented as modifications of this absolute and perhaps absurd ideal. In the ideal egalitarian society, inequality – and this must ultimately mean dissimilarity – would be reduced to a minimum. The greatest single cause of complaint has been disparity in the possession, or enjoyment, of characteristics or commodities which have been strongly desired by men at most times – such as property, political or social power, status, opportunities for the development of faculties or the obtaining of experiences, social and personal liberties and privileges of all kinds. And the attack has taken the form of maintaining that a society in which some men are much richer or stronger or freer than others; in which some men possess the power of acquiring what they want and of preventing others from acquiring these same things or other things which they in turn want; or in which some men are paid homage and deferred to and permitted to live as they wish in ways and degrees which set them off from other men; all these are societies which offend either against the principle of natural rights, which according to those who hold this principle belong to all men as such; or against some rational principles whereby these differences may indeed be justified, but only by the provision of sufficient reasons for instituting or maintaining them. Disputes occur about what these rights are; or what reasons are sufficient or good; and whether such characteristics as differences of birth or of colour or of religion or of wealth are true

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sources of unequal rights, or furnish good reasons for instituting political or social or other similar inequalities. There is, of course, a significant difference between these two ways of approach. Those who believe in natural rights differ mainly in establishing what these rights are, how their existence can be verified, whether all of them belong to all men, or only some to all, or only some to some; and whether equality is desirable in fields other than those covered by the claims created by the existence of natural rights. The other school – those who appeal to reason (though historically their views have overlapped with and become inextricably mingled with those of the believers in natural rights) – if they are to be consistent, must believe that equality should stretch over the entire field of human relations, and be modified only when there is sufficient reason to do so. Then disagreement may arise as to what constitutes a sufficient reason, and how great a modification a given reason justifies, and so forth. The first school, if it is consistent, will not object to inequalities, providing these do not infringe natural rights. But the second must protest against any inequality, unless a sufficient reason for it is produced. It is the latter, therefore, who go further, and are nearer to the extreme ideal which I should now like briefly to mention. Apart from the crucial question of what are and what are not sufficient reasons in such cases, it seems plain that inequalities of wealth or power are merely some among the possible inequalities which can excite opposition; they tend to be so prominent because they matter – affect human lives – more deeply, as things are, than other forms of inequality. But this is not always necessarily so. Even the most convinced social egalitarian does not normally object to the authority wielded by, let us say, the conductor of an orchestra. Yet there is no obvious reason why he should not. And there have been occasions – few and far between – when this has actually happened. Those who maintain that equality is the paramount good may not wish to be fobbed off with the explanation that the purpose of orchestral playing will not be served if every player is allowed equal authority with the conductor in deciding what is to be done. Inequality in the organisation of an orchestra there patently is; the reason for it is the purpose of orchestral playing – the production of certain sounds in certain ways which cannot, in fact, be achieved without a measure of discipline which itself entails some degree of inequality in the distribution of authority. But a fanatical egalitarian could maintain that the inequality of the players in relation to the conductor is a greater evil than a poor performance of a symphonic work, and that it is better that no symphonic music be played at all if a

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conductorless orchestra is not feasible, than that such an institution should be allowed to offend against the principle of equality. To be more serious, the unequal distribution of natural gifts is a well-known obstacle to economic equality: in societies where there is a high degree of equality of economic opportunity, the strong and able and ambitious and cunning are likely to acquire more wealth or more power than those who lack these qualities. The fanatical egalitarian will look on this with horror; and because differences of natural talent will always tend towards the creation of inequalities, if only of prestige or influence, he will consequently wish – if equality is the paramount goal – to root out the evil at the source. He will tend to wish so to condition human beings that the highest degree of equality of natural properties is achieved, the greatest degree of mental and physical, that is to say total, uniformity – which alone will effectively preserve society, as far as possible, from the growth of inequalities of whatever kind. Only in a society where the greatest degree of similarity between the members occurs – where physical characteristics, mental endowment, emotional disposition, and conduct are as uniform as possible – where people differ as little as possible from each other in any respect whatever, will true equality be attainable. Only in such a society will it be possible to reduce to a minimum those differences of treatment, or of power, or of position, or of natural or acquired characteristics, that are liable to lead people to complain that they have not what others have, and to ask for reasons why this should be so. It may be that the creation of so uniform a society, whether or not it is intrinsically desirable, may not, in fact, be feasible. It may also be that even the attempt to approach it as closely as is humanly possible requires a degree of radical reorganisation which cannot be carried out without a highly centralised and despotic authority – itself the cause of the maximum of inequality. Some convinced egalitarians have, as everyone knows, in practice accepted this as unavoidable, and have defended the institution of violent inequalities and the total suppression of many normal human claims as a necessary prerequisite for the creation of an ultimate equality. The moral and practical value of this is not relevant to the issue before us. What seems worth emphasising is that so long as there are differences between men, some degree of inequality may occur; and that there is no kind of inequality against which, in principle, a pure egalitarian may not be moved to protest, simply on the ground that he sees no reason for tolerating it, no argument which seems to him more powerful than the argument for equality itself – equality which he regards not merely as

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an end in itself, but as *the* end, the principal goal of human life. I do not suppose that extreme equality of this type – the maximum similarity of a body of all but indiscernible human beings – has ever been consciously put forward as an ideal by any serious thinker. But if we ask what kinds of equality have in fact been demanded, we shall see, I think, that they are specific modifications of this absolute ideal, and that it therefore possesses the central importance of an ideal limit or idealised model at the heart of all egalitarian thought.

To examine some of these modifications. There are those who believe that natural human characteristics either cannot or should not be altered and that all that is necessary is equality of political and juridical rights. Provided that there exists equality before the law, such normal democratic principles as that of one man one vote, some form of government arrived at by consent (actual or understood) between the members of the society, or at any rate the majority of them, and, finally, a certain minimum of liberties – commonly called civil liberties – deemed necessary in order to enable men freely to exercise the legal and political rights entailed by this degree of equality, then, according to this view, no interference in other regions of activity (say, the economic) should be permitted. This is a common liberal doctrine of the last century. If it is complained that in a society where a large degree of political and legal equality is ensured, the strong and the clever and the ambitious may succeed in enriching themselves, or acquiring political power, ‘at the expense of’ – that is to say, in such a way as to keep these goods from – other members of the society, and that this leads to patent inequalities, liberals of this school reply that this is the price for ensuring political and legal equality, and that the only method of preventing economic or social inequalities is by reducing the degree of political liberty or legal equality between men. This amounts to an admission that we must choose one of several ways of treating men as counting for only one; that they can be ‘counted for one’ only in some respects, but not in others. For we are told, with considerable empirical evidence, that to count men for one and only one in every respect whatever is impracticable, that the full degree of, let us say, legal and political equality often results in economic and other forms of inequality, given the different endowments of men, and that only in an absolutely uniform, robot-like society, which no one wants, can this be effectively prevented. Those who believe this commonly maintain that the only inequality which should be avoided is an inequality based on characteristics which the individual cannot alter – unequal treatment based, for instance, on

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birth, or colour, which human beings cannot alter at will. Given that all human beings start off with equal rights to acquire and hold property, to associate with each other in whatever ways they wish, to say whatever they will, and all the other traditional objectives of liberalism, and with no special rights or privileges attached to birth, colour and other physically unalterable characteristics, then even though some human beings, by skill or luck or natural endowment, do manage to acquire property or power or ascendancy which enables them to control the lives of others, or to acquire objects which the others are not in a position to acquire, then, since there is nothing in the constitution of the society that actually forbids such acquisitiveness, the principle of equality has not been infringed. This is a pure form of *laissez-faire* society which its proponents freely admit may lead to inequalities, but defend upon the ground that it gives an equal opportunity to all, a career genuinely open to all the talents – whereas any attempt to secure a greater degree of ultimate equality can only be obtained by interfering with this initial equalisation of opportunity for all. In effect this is, of course, tantamount to a plea for liberty at the expense of total equality; for it is only pure anarchists who believe that the maximum degree of liberty is wholly compatible with the maximum degree of equality in all important respects, and are called mistaken or Utopian to the degree to which this proposition has in fact been falsified by experience. The distinction between general rights and special rights of which H. L. A. Hart has spoken¹ and to which Wollheim refers, seems to be relevant to this kind of belief. One could easily conceive of a society in which all special rights (rights based on contract or on paternity, for example) will be instances of general rights – particular cases of them – because in such a society, at least in theory, any member can enter into a contract, any member can be a father, any member can enrich himself. There are no rights which belong to individuals in virtue of some characteristics – birth or blood or colour – which other members cannot in principle possess. In this schema certain types of traditional inequality have certainly been ruled out. But to maintain that this is the kind of society that true egalitarians desire would be disingenuous; for if one asks why some types of equality are protected in this case, initial equality whereby all men start off theoretically equal, while other types of equality are not protected, e.g. economic or social equality – equality in respect of whatever men can acquire by their own efforts – the answer is that the

¹ H. L. A. Hart, 'Are there any natural rights?', *Philosophical Review* 64 (1955), 175–91.

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criterion of equality has plainly been influenced by something other than the mere desire for equality as such, namely desire for liberty or the full development of human resources, or the belief that men deserve to be as rich or as powerful or as famous as they can make themselves – beliefs which are not connected with the desire for equality at all.

It is at this point that it becomes clear that in considering what kind of society is desirable, or what are ‘sufficient reasons’ for either demanding equality or, on the contrary, modifying it or infringing it in specific cases, ideals other than equality conspicuously play a vital role.

This is clearly noticeable even in the writings of the most impassioned champions of the widest possible equality. Almost every argument favourable to equality, and in particular the assumption that everything that is scarce should be distributed as equally as possible unless there is strong reason against it, is to be found in the writings of Condorcet. The doctrine of equality in the Declaration of the Rights of Man and Citizen which heralded the French Revolution owes at least as much to him as it does to Rousseau or other thinkers. Yet even Condorcet contemplates the necessity for the government of human beings by men of enlightenment, above all by experts, men versed in the new, not yet created sciences of the behaviour of man – sociology, anthropology and psychology – who alone can create an organisation in which the greatest number of the desires of rational men will not be frustrated, as they have been hitherto, by prejudice, superstition, stupidity and vice. Yet this élite is plainly to have greater powers than those whom they are to govern disinterestedly. And the reason for this is not merely that, without this, true equality cannot be achieved for the majority of men, but also that certain other ends must be striven for, such as happiness, virtue, justice, progress in the arts and sciences, the satisfaction of various moral and spiritual wants, of which equality, of whatever kind, is only one. Condorcet does not himself seem to be troubled by the problem of whether the quest for equality will clash with the need to seek these other ends, for, in common with many thinkers of his day, he took it for granted all too easily that all good things were certainly compatible, and indeed interlocked, with each other. We need not go into the reasons for this peculiar belief, which has dominated much western thought at all times. The principal assumptions which underlie it are, firstly, the view that since political and moral questions are factual in character, they can each be answered by one true proposition and one only (otherwise they are not genuine questions), and secondly, that no true propositions can be inconsistent with one another; from this it must follow that all

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the propositions which describe what should be done must at the very least be compatible with one another; and in the perfect harmony which nature is thought to be, not merely compatible, but mutually entailing and entailed – for that defines a system, and nature is known *a priori* to be such a – indeed *the* – harmonious system.

Whether or not this is the correct explanation of this central assumption, Condorcet did not allow the possibility of a collision between various human ends. It was left to others to emphasise the fact that in life as normally lived the ideals of one society and culture clash with those of another, and at times come into conflict within the same society and, often enough, within the moral experience of a single individual; that such conflicts cannot always, even in principle, be wholly resolved; that this can be traced to empirical causes, and does not entail either such theological doctrines as those of original sin, or the relevant beliefs of Buddhist doctrines, nor yet such pessimistic views of human character as those of Hobbes or Schopenhauer, or the ideologies of modern irrationalism. It follows that when the pursuit of equality comes into conflict with other human aims, be they what they may – such as the desire for happiness or pleasure, or for justice or virtue, or colour and variety in a society for their own sake, or for liberty of choice as an end in itself, or for the fuller development of all human faculties – it is only the most fanatical egalitarian that will demand that such conflicts invariably be decided in favour of equality alone, with relative disregard of the other ‘values’ concerned.

III

Equality is one value among many: the degree to which it is compatible with other ends depends on the concrete situation, and cannot be deduced from general laws of any kind; it is neither more nor less rational than any other ultimate principle; indeed it is difficult to see what is meant by considering it either rational or non-rational.

Yet the principle that every man shall count for one and no more than one demands a little more consideration before we finally abandon it as one of the ends pursued by men, needing neither explanation nor justification, being itself that which explains other rules or ethical principles. It seems, as we have seen above, intimately bound up with the belief in general rules of conduct. This belief may rest upon religious or metaphysical or utilitarian grounds, or derive from the love of order or system as such. However that may be, it often takes the form of a

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demand for fairness. The notions of equality and fairness are closely bound up: if as a result of breaking a rule a man derives benefits which he can obtain only so long as other men do not break but keep the rule, then no matter what other needs are being served by such a breach, the result is an offence against a principle best described as that of fairness, which is a form of desire for equality for its own sake. If I enter a bus and do not pay for my ticket, and conceal this fact from the conductor and the other passengers, and give the sum withheld to a pauper whose situation is thereby improved materially, it may be argued that at any rate from a utilitarian point of view I have done what is right. The bus company will not know of its loss; nor would so small a loss noticeably decrease 'its' happiness; I possess a strong will and shall not fall into bad habits; the conductor has not noticed that he was not paid, and will not even so much as suffer from a sense of failure to carry out his duties; the passengers in their ignorance will not be led into temptation and demoralisation, nor will there ensue any weakening of confidence between the persons concerned in the transaction, leading in the end to the discontinuance of the bus service. The general sum of happiness – in this case via that of the subsidised pauper – will surely have gone up to a greater degree than if I had paid my fare to the bus conductor. Nevertheless, quite apart from the morally relevant fact that, having entered into a quasi-contractual obligation to pay, I have broken my promise, my act would be condemned as unfair, for it would rightly be maintained that I can only gain advantage (or the pauper can only gain advantage) so long as the other passengers continue to behave as they did before – since if my act were generally followed no one would pay, and the buses would stop running. So long as my advantage directly depends on the fact that others continue to obey the rule which applies to me as much as to them, so that I alone profit by the exception which I have made in my own favour, such a relaxation of the rule for my benefit would be rightly stigmatised as unfair (as well as dishonest); and although critical situations can be easily imagined in which it would be morally better that I should act in this way and break my contract, or cheat, yet it is clear that a person of normal moral sensitiveness would cheat in this manner only with considerable qualms – qualms derived not merely from the fact that he has broken a contract, but from the sense of the unfairness of what he was doing. Indeed liability to such qualms is among the very criteria of what we call moral sensitiveness. If, despite them, a man resolved to commit such an act, his moral justification would necessarily take the form of invoking, and attempting

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to balance the claims of, ends or values other than those of equality. He would be drawn in one direction by such considerations as the sanctity of promises; the social need to keep one's word and preserve the rule of law and the social order; the intrinsic desirability of avoiding unfairness; and so on. These factors he would have to weigh against such others as the desirability of increasing happiness (in this case of the pauper) or of avoiding the creation of misery; the claims, say, of scientific curiosity; the desire to follow some romantic impulse or vision of life, and so on. And the same kind of considerations will apply when exceptions are made to rules for 'good' or 'sufficient' reasons. The goodness of the reasons will depend upon the degree of value or importance attached to the purposes or motives adduced in justifying the exceptions, and these will vary as the moral convictions – the general outlooks – of different individuals or societies vary. I may consider it right to reward ability and achievement, and not, for example, honesty and kindness when they are accompanied by stupidity or ineptitude or failure. But others may well think this wrong, and the opposite morally right. I may think it right to reward the bearers of celebrated names or the descendants of famous families as such; or to deny certain rights to Negroes which I grant freely to Englishmen; and may try to defend this policy by maintaining that a society in which this is the normal practice seems to me intrinsically better, or more stable, or to accord more closely with some pattern sanctioned by my religion, or my metaphysical beliefs about the structure of the universe, or the laws of history; whereas you will reject a society dedicated to such practices as iniquitous because, let us assume, you reject my religion, or my metaphysics; or because you believe me to be interpreting them falsely, or think that a society constructed on such principles is intrinsically bad, or politically precarious; or simply because you believe so passionately in equality for its own sake that you are not deterred by the realisation that the consequences which I (and perhaps you too) wish to avert may well be brought about by opposing my policies. There are many ways in which such basic disagreements can manifest themselves: one man or sect or political party may desire equality in one sphere of life, say in social or in legal relationships or legal status, and ignore the economic consequences; another may regard economic relationships as being supremely important, and be prepared to tolerate lack of social or legal equality for the sake of a given economic structure. Some may regard exceptions made in favour of specific gifts or genius as justifiable by social results. Others may regard this as unfair, but, in their turn, believe in some

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natural social hierarchy, like Burke, and demand full equality of treatment upon each rung of the ladder – the only ‘true’ equality – but bitterly oppose as being contrary to the natural order any attempt to deny the existence or relevance of such rungs or hierarchies, with its accompaniment of demands for equal treatment for all.¹ Consequently when, as often happens, a man admits that a law is administered fairly – that is to say with due regard to the principle of equality – but complains that the law itself is bad or iniquitous, we cannot always be clear about what is meant. The critic may wish to say that the more fairly the law in question is administered, the more this frustrates a principle of wider equality in which he himself believes, as when a law based upon the principle of discrimination between coloured and white men is administered fairly, i.e. with scrupulous regard to equal treatment within each category, but is thereby itself the cause of inequality between coloured and white men. But the critic may have other reasons for complaint. He may attack this law because it offends against some value other than equality – because it promotes misery, because it frustrates talent, because it makes for social instability, because it insists upon equality in what the attacker thinks unimportant matters, but ignores equality in what he regards as more important aspects of human life (the scale of importance being decided in terms of values other than equality itself); because it ignores the claims of a religion; because it fulfils the claims of religion; because it is obscure or vague or too difficult to obey; and for an infinity of other possible reasons – very commonly because, as in the instance given above, it permits one kind of equality at the expense of another, which can be a matter of fine nuance. In Wollheim’s very ingenious example, where all the members of a community have equal rights and one vote per head, and each votes for some end different from those of the others, but two members by constantly voting in the same way are enabled theoretically to overrule all the others, what we object to is not the inequality of such a system, for in legal and even in political terms complete equality is clearly ensured. The unfairness of which Wollheim speaks is caused by our recognition that in this situation too great a majority of the voters find themselves permanently frustrated; we desire to see some degree of equality not only of choices but of satisfactions,

¹ Or, like Plato and Aristotle, insist only on the natural hierarchy and appropriate differences of treatment at each level, without apparently caring whether there is social or economic equality between inhabitants of the same level, implying clearly that within each class unbridled competition can take place. Classical thought seems to be deeply and ‘naturally’ inegalitarian.

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and would regard it as 'fairer' if some system of chance, e.g. lot, were adopted, which by equalising the chances of success, would prevent at any rate this type of systematic dissatisfaction. We should regard a system in which each person were permitted to have 'his day' as fairer still. This is a typical clash between two systems incompatible in practice, each of which can claim to promote equality; one in the matter of the machinery of self-government, the other in the matter of the distribution of rewards. Similarly there is a conflict between those for whom equality means non-discrimination in fields of human activity deemed important (however these are identified) on the basis of unalterable characteristics, e.g. origins or physical characteristics and the like, and those who reject this as an inadequate criterion and desire equality of treatment to remain unaffected even by such 'alterable' attributes as religious or political views, personal habits and the like. We seem to choose as we choose because one solution seems to us to embody a blend of satisfaction of claims and desires (or to contain or omit other factors) which we prefer as a total pattern to the blend provided by the other solution. Indeed the intervention of considerations of equity in the rigorous workings of some deductive legal system are due to a desire for justice that we are not always able to analyse too closely, into which the principle of 'every man to count for one' does indeed enter, but without any clear understanding whether he is to count for one in the sphere of legislative rights, or of responsibility for action, or in the receipt of benefits, or in other respects, between any of which conflict all too easily occurs. And, of course, even in matters of equity the 'counting for one' principle is, as often as not, modified by other ends and beliefs, in whatever combination they occur in a given culture or ethical system or within the outlook of an individual thinker.

Finally, those must not be forgotten who, as was said above, object to all rules as such and desire a society, whether this is practicable or not, governed in an unsystematic manner by the will of an inspired leader, or by the unpredictable movement of the *Volksggeist*, or the 'spirit' of a race, a party, a church. This amounts to rejection of rules, and of equality as an end valuable in itself, and it is as well to recognise that this attitude is not as rare or as ineffective as liberal and socialist thinkers have sometimes assumed. In its conflicts with the traditional western principles of equality or justice or natural rights, or that minimum of civil liberties which is required to protect human beings from degradation and exploitation, romantic irrationalism has at times won easily enough. I cite this only as a warning against the thesis that the commandment to

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treat all men alike in like situations needs no independent argument to support it, and that the proper criteria for what constitutes likeness cannot be doubted or conflict with each other, but are something taken for granted by reasonable men, a form of the working of natural reason which needs no justification, but is as self-evident as the principle of identity or that red is different from green. This is far from being so; and the vicissitudes of liberal principles in the last, and especially this, century, seem partly due to the unwarranted assumption on the part of their defenders that those who reject these principles only do so through ignorance or intellectual indolence or mental perversity or blindness.¹ Belief in equality – fairness – the view that unless there is a reason for it, recognised as sufficient by some identifiable criterion, one man should not be preferred to another, is a deep-rooted principle in human thought. It has been assimilated into many systems, those of the utilitarians and the theories of natural right, as well as various religious doctrines, but can be isolated from them, and has entered them less by way of logical connection, than by psychological affinity or because those who believed in these utilitarian or religious or metaphysical doctrines also in fact – perhaps from a craving for symmetry and unity that is at the root of all these views – believed in equality for its own sake, and therefore considered any society which did not make sufficient room for this principle to be to that degree worth less than

¹ As, for instance, by Locke, when in *The Second Treatise of Government* (chapter 2, section 4) he says there is ‘nothing more evident, than that Creatures of the same species and rank promiscuously born to all the same advantages of Nature, and the use of the same faculties, should also be equal one amongst another’. This is the equality that ‘the Judicious *Hooker*’ is then praised for regarding as ‘evident in it self, and beyond all question’. This, of course, is the pure doctrine of Natural Law, which Locke himself questioned (in the same year [1690]) in the *Essay* (book 2, chapter 2, section 4) where he tells us that ‘there cannot any one moral rule be proposed whereof a man may not justly demand a reason’ and contrasts ‘that most unshaken rule of morality and foundation of all social virtue, “That one should do as he would be done unto”’, which can ‘without any absurdity’ be questioned and ‘a reason why?’ demanded – with such genuinely senseless questions as ‘why’ “it is impossible for the same thing to be and not to be”’. Locke’s hesitations and confusions mark the beginning of the breakdown of the notion that at least some moral or political principles are as self-evident as those of logic or that ‘red is different from blue’. An excellent discussion of this and related topics is to be found in Morton White’s article on ‘Original Sin, Natural Law, and Politics’, *Partisan Review* 23 (1956), 218–36.

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one that did. In its extreme form egalitarianism requires the minimisation of all differences between men, the obliteration of the maximum number of distinctions, the greatest possible degree of assimilation and uniformity to a single pattern. For all differences are capable of leading to irregularities of treatment. If this ideal is on the whole rejected in actual political doctrines, this seems mainly due to the fact that it conflicts with other ideals with which it cannot be wholly reconciled; indeed most ethical and political views are forms of less or more uneasy compromise between principles which in their extreme form cannot coexist.

Equality is one of the oldest and deepest elements in liberal thought, and is neither more nor less 'natural' or 'rational' than any other constituent in them. Like all human ends it cannot itself be defended or justified, for it is itself that which justifies other acts – means taken towards its realisation. Many policies and views of life, themselves not particularly wedded to the ideal of equality, have been surreptitiously smuggled in under its cover, sometimes, as Wollheim suggests, with a certain measure of disingenuousness or hypocrisy. To isolate the pure ore of egalitarianism proper from those alloys which the admixture of other attitudes and ideals has at various times generated is a task for the historian of ideas, and lies outside the purpose of this paper.