

Theories of Equality

Relationship between equality & justice

Theories of justice are actually theories of equality. Theories of justice have to be based on some notion of equality. Justice is necessary for ordered society. Feeling of inequality, real or imagined, may impact political stability. Hence theories of justice are actually based on theories of equality.

Equality among human beings as a value system is a feature of modern societies. Traditional societies justify inequalities. For both Plato & Aristotle, inequality is natural. People differ in terms of their capabilities. Hence, justice is treating equals equally and unequals unequally. Special talent & contribution has to be recognised and adequately awarded.

Otherwise, state may suffer challenge to its legitimacy. Till the emergence of modern times when Hobbes for the first time established that all men are equal, all have similar desires, all seek pleasure. The view that inequality is natural was challenged. According to Alex de Tocqueville's book 'Democracy in America' suggests that there has been a natural expansion in the concept of democracy.

With the growth of civilization, the concept of equality will become more & more broad. Amartya Sen has discussed the issue of equality in his article titled 'Why equality & equality of what'.

Regarding why equality needs to be discussed and debated he gives following reasons.

- It is linked to the concept of fairness
- Some measure of equality is necessary in context of human dignity be
- Equality is necessary for self worth.
- Equality is closely associated with fraternity which is a precondition of national existence.
- Amartya Sen has discussed theories of equality under the title 'Equality of what'. Here he has discussed 3 theories of equality from liberal perspective
 - Equality of welfare (Utilitarian argument)
 - Equality of resources (Liberal egalitarian view)
 - Equality of capabilities (Liberal egalitarian view)

What is equality of welfare?

This idea comes in the work of Bentham. Bentham's approach is that state should create conditions so that all persons have equality of opportunity to pursue their pleasure. Classical liberals focus on equality before law and equality of opportunities. However classical liberal view is considered as formal, legal & procedural view of equality rather than substantive equality by Marxists & Marxists demand not only equality of opportunity but also equality of outcomes. Equality has to do with the principle of distribution. For classical liberals, principle of distribution of resources to be based on merit but for Marxists to be based on needs.

Positive liberal theories of Equality

Positive liberals do recognise the limitations of classical liberal theory of equality. However need based distribution may not be productive and may be unjust. Hence, instead of supporting absolute equality, they support positive discrimination known as affirmative action by the state.

Dworkin and Amartya Sen have given their own ideas w.r.t. the type of affirmative action policies which state should pursue.

- Equality of Resources

Dworkin's view:

Egalitarian society provides equality of resources rather than equality of outcome.

Dworkin's methodology:

Dworkin is critical of Rawls' methodology where people in the original position enter into a social contract behind the veil of ignorance. For Dworkin, we can't force a person to observe those agreements which he/she has entered in the state of ignorance. Dworkin's contract is in a situation where everyone is fully aware of the particular facts about themselves & others. Dworkin constructs a political fiction.

Dworkin proposes 2 principles for egalitarian society.

- Ambition sensitive auction
- Endowment sensitive auction

no clamshells
flawless
self-interest
Dworkin
moral appeal

Ambition sensitive auction:

It means all persons in a society should have liberty to pursue their goals and they should have equality of opportunity.

Endowment sensitive auction:

where he supports the idea of giving extra clamshells to those persons who may suffer from brute luck. People will agree to such positive discrimination as human beings are moral beings. If nature has been brute, atleast as human beings we can show our care & concern for those who may be suffering because of bad luck.

Amartya Sen's view of equality ^{/proposal}

Amartya Sen believes that everyone should be in a position to realise his choices to have a sense of well being for sense of well being people need functional freedom.

Just resources are not enough, they should have necessary skills and capabilities to use their resources in such a manner that it contributes to their well being in functional sense. Hence the most important role of the state is to help in the capacity building.

The policies like Universal health care, right to food, right to education are to be pursued with priority.

Communitarian view of Equality

Idea of Complex equality - Michael Walzer.

According to Walzer, the different theories compete for superior & ultimate formula for justice or equality. All formulae are relevant depending on the context. There can't be 1 principle of justice or equality for all spheres of life. The principle at the level of family can't be extended at the level of economics.

Family can go for need based criteria, economics may require merit based criteria. The criteria of economic, i.e., profit can't be the criteria of politics. Hence all principles of justice, welfare, resources, capabilities need to be applied in different contexts.

What is Affirmative Action?

Give argument in favour & against affirmative action policies.

Origin of affirmative action policies.

In any society there can be a class or a group of persons who may have suffered disadvantages historically. Hence it is important that special policies are introduced so that the disadvantaged or marginalised section can be brought at par with other sections of the society. In most of the societies,

either race or caste or religion or culture has been the basis of historical disadvantage.

Diff. bet? Affirmative action & preferential policies

States also adopt preferential policies.

Ex. Govt. of Sri Lanka has adopted such policies which have been favourable to the majority community, i.e., Sinhalese. Such policies are preferential policies.

Arguments against affirmative action

- Affirmative actions are viewed as reverse discrimination against the advanced section
- It compromise merit & productivity. It gives rise to identity based politics which may prove detrimental in long term.
- Once introduced it is difficult to roll back.
- There will be more & more demands for affirmative actions policies.
- In most of the situations, they failed to achieve the objectives. In principle, affirmative action policies are enabling policies, hence they can't be permanent policies.

Arguments in favour of affirmative action

- Merit argument is hardly a is a flawed argument. Merit alone may not be the basis of achievement. Rawls talks about the luck factor.
- Human being are moral beings. Society is give & take. According to Rawls, even the weakest link is significant in the chain.

capacity building
vs
Aff. action
Ind

- It doesn't make economic sense also leaving a significant % of people in the state of backwardness.
It is a wastage of human resource.
- Though in principle affirmative action policies need to be supported as some catalysts are needed to uplift those who have been historically disadvantaged.
- But it is equally important that we should have proper policies & a time limit. We should not allow politicisation of affirmative action policies.
- As per Supreme Court of India, they are enabling policies. They can't be continued permanently.
If reservation is needed on a permanent basis, it means we are nowhere near the aim to be achieved.

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