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Defining Equality

1. *Appearance and Reality*

Inequality is unwelcome. This entails that equality is desirable. But not all equality is worthwhile.

If all animals are in cages, then there is a sense in which they are all equal. Surely, though, this is not the kind of equality that interests anyone. If animals could speak, they would have vociferously objected. The fact that all *shudras* were equal –they were all *shudras* and were treated as such by the other castes in India- hardly recommends the caste system as something to look forward to. Serfdom in Czarist Russia did not shine more brightly by being equally bad for the serfs. If all working women got paid the same income, then that might make us think that all women were being treated equally in the workplace. But if this income was significantly lower than that of men, then such a notion of equality would excite instant ridicule. There is a notion of formal equality which is brought out by the slogan “likes should be treated alike” which is not unimportant in itself but it is not satisfactory enough.

The classic distinction between appearance and reality in other domains of philosophy applies with palpable force to the concept of equality. Equal treatment of some, or even of all citizens, may only be an *appearance* of equality. For the citizens may be treated equally and badly. This shows that equality is connected to other concepts. Equality is equality *of* something or the other. But it is not just equality *of anything*. Certain kinds of equality –being *shudras*, or apartheid-hit blacks in South Africa, or marginalized aborigines in Australia, or forgotten

adivasis in India, or malnourished children in Gaza - are not any form of equality and we find them morally outrageous. If all men are kept in chains and are treated equally thereafter, our sense of equality is not satisfied. We don't describe this situation as that of *being equal but not free*, except in metaphorical terms. If we did describe this situation as one of equality, then the concept of equality would lose all meaning and would be merely mathematical. Not only should all be treated equally, but this equal treatment must meet certain standards - of justice, of fairness, of dignity, of being meted out by a legitimate authority. The argument here is that if equality were merely formal, and just stood alone, then the distinction of appearance and reality would not apply to the notion of equality. The distinction does apply. Hence, equality travels with a baggage of other concepts, and the baggage travels with it. One cannot live without the other. They are wayfarers.

This does not mean that the concept of equality cannot be isolated. If global warming effects us all badly, then we can say that it treats us all equally, though there is hardly any sense in which this treatment is just, or fair, liberal or dignified. One can even have equality with a sense of goodness and yet the situation may be undeserved and hence neither just nor unjust and have nothing to do with liberty. If all humans suddenly, out of a mistake made by computers in banks, received a large sum of money, equal in amount, then we can say that while the distribution was equal, and all were treated equally, the notion of justice or liberty or freedom is not applicable to such an event. Thus, on both counts, bad events - global warming - and good ones, equality can be isolated from its associated concepts. It is not *merely* definable in terms of other concepts it lives with. Its "formal" application to certain situations is not entirely empty.

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After all, as rational human beings, we are all “equal” in an important sense, maybe the most important sense of equality. But such occasions of isolation are rare. In any case, we do not want our notion of equality to be captured by catastrophes and windfalls. That would be a fatalistic notion, something that would not lead us to any corrective action against the manifest inequalities in society. The complexity of the concept of equality is well captured in the notion of proportional equality, first introduced by Aristotle. Proportionally equal treatment demands that the parties to be treated equally have to be treated with what is due to them. When we tax the rich more and the poor less, we are using a notion of proportional equal treatment.

We haven’t really said much about equality yet. We have said what equality is *not*. We have said that it is normal for people to distinguish between appearing to be equal and being really equal. But, what is it to be really equal? What kind of equality is worthwhile? To answer these questions, and to further understand the notion of equality, it is instructive to turn to a distinction drawn by Rousseau (1712-1778) regarding the concept of *inequality*.

2. *Natural and Unnatural*

Rousseau, in his essay, *A Discourse on Inequality*, draws a distinction between natural and artificial or “unnatural” inequality. Right on the first page, he writes:

“I discern two sorts of inequality in the human species: the first I call natural or physical because it is established by nature, and consists of differences in age, health, strength of the body and qualities of the mind or the soul; the second we might call, moral or political inequality because it derives from a sort of convention, and is established, or at least authorized, by the consent of man. The latter inequality consists of the different privileges which some enjoy to the prejudice of others – such as their being richer, more honored, more powerful than others, and even getting themselves obeyed by others.” [Rousseau, (1754), 1984: 77]

Reflecting on this distinction is instructive. There is natural inequality amongst men. Some are short in height, others tall; women are the vehicles of reproduction and not men; some humans are athletic, some lazy; some are color blind; others not; some have a sense of direction, others not; some have ambition, some not. This is what Amartya Sen (1992) has described as the “diversity” of human beings. These are “inequalities” that we accept with a certain degree of equanimity. We cannot do much about them. It almost passes without notice. We consider ourselves equal to each other in spite of such inequalities. No doubt, with our incredibly advanced medical facilities, we can dream of removing some of these inequalities.

There are inequalities that rankle. These are the ones that Rousseau describes as established by convention, or the “consent of man”. He may not be entirely right that the consent of man is involved – after all, who would not resent being poor - but he is right that these are not natural distinctions between man and man. Being poor and rich cannot be taken to be a part of nature. Being a Brahmin or a *Shudra* cannot be taken to be naturally ordained. It is not a part of nature that a Native American has to graft on the margins of society. These are not parts of the cosmic book of facts. They are a part of the unwanted excess of the history – and the present state - of humanity.

If some inequalities are unwelcome and are not clearly a part of nature, then we can arrive at the following definition of equality.

(1) Equality = _{Df} A state of affairs in which the only inequality discernible is natural.
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In other words, it is a state of affairs, where artificial, unnatural, inequalities do not exist. This definition may sound reasonable, but it has its faults. It does not take into account artificial inequalities that may arise from our natural inclinations. The government may distribute income and many other necessities of life equally to all, but I may be a spendthrift and a careless person and may not utilize the resources as I should but may squander the opportunities the authorities have provided me. Another person, more careful and prudent, will use the facilities to better purpose. One man spends more on drink, another on education, another on the cinema, and yet another just hoards. This suggests that certain inequalities are not easy to be done away with. Certain inequalities appear to arise from our nature, and our interests. A person may well possess no talents at all, and may end up at the bottom of the ladder. Another person may possess a surfeit of talents and yet may not be interested in developing any of them. He may seek ordinariness and anonymity and may just want to fade away. He too may end up rubbing shoulders with the man who possesses no talents at the bottom of the ladder. We may revise our definition of equality, in the face of these observations, in the following way:

(2) Equality =_{df} A state of affairs in which the only inequalities discernible are (a) natural or
(b) derived from natural inclinations.

It is important to note here that the word “discernible” means not just what we can observe but also what we can *accept*. It was Rawls who, in his *Theory of Justice* (1971), reflected on the question of what kind of inequalities are acceptable, given that there are *bound* to be inequalities. According to one of his principles of justice, inequalities are only acceptable if, roughly, all the positions and offices of a society are open to all under conditions of fair equality

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of opportunity; and, the inequality is of the greatest benefit to the least advantaged members of society. The latter is known as the *Difference Principle*. For Rawls, one cannot take a decision in society that would make the least advantaged sectors of society even *worse off* than earlier. When people draw a social contract, they would not accede to join a society where the worst off would be even more disadvantaged than they already are. After all, those who are drawing up the social contract may well have members who do belong to the most disadvantaged.

Sometimes it is our natural inclination to accept that our liberty and our right to property override all other considerations. Not inconsiderable arguments can be made for it. Witness Nozick's (1974) *Anarchy, State and Utopia*, where liberty and the ownership of property are given prime attention. This can lead to serious discrimination, as J. J. Thomson (1973), has pointed out. I may be in the position of handing out two jobs and may do so to the worst candidates just because the jobs are my "property" and hence I may dispose with it as I please. Such a situation appears to be manifestly unjust. Such a society would be highly arbitrary, however liberal and free it might be. Thus, not all the results of our inclinations are acceptable. The general lesson is that just because some inequalities are derived from our natural constitution does not make them automatically acceptable. The problem is not just about *what* our natural inclinations are as much it is about the unacceptability of some of these, however natural, to our sense of equality. Some natural inclinations need domestication. And some claimed natural inclinations are only allegedly so. It is not necessarily a fact of nature that we need to own property.

Hence, our definition appears to still leak unwanted inequalities even if they are all “natural” and there are none others. Instead of attaching vacuous *ceteris paribus* clauses, and bells and whistles to amend the definition, it may be more prudent to proceed with Rousseau’s distinction and discuss it in more modern terms. We have to seek a way out that satisfactorily blocks the leak without arbitrarily doing so. Ultimately, we may have to use arbitrary epicycles, but doing so after having tried better options is a more sensible route. A better definition of equality can be attempted by noticing a capital distinction drawn by Amartya Sen (1984, 1992) between the agency aspect of a person and the well being aspect of a person.

3. *Agency and Well-Being*

The concepts of agency and well being may well be somewhat opaque, but the distinction drawn by Sen (1985, 1992) is simple enough. A person may act on goals that do not necessarily relate to his own well being. Some of his actions to which he may be devoted may actually hurt his well being. Participating in the freedom movement of a country can be dangerous and may well shorten his life. Tight rope walking may be important to my sense of being an agent, but it may not be particularly helpful to my well being. There are related and obvious distinctions between agency freedom and well being freedom and agency realization and well being realization. I may realize my dreams of agency by becoming an astronaut and going to space a number of times but may hurt my well being in the process, suffering from many problems of health later on because of hours spent in gravity-less environments. I may function badly in life because of this. So, agency realization and well being realization may go in different directions. Same for agency freedom and well being freedom. In China, one may get substantial well-being

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freedom – access to a proper education and health care - but not much agency freedom, and in the U.S. one may get just the opposite, because of poor health care, the U.S being the worst performer on health grounds amongst the industrialized nations. In India too, one gets reasonable agency freedom, but well being freedom is lacking woefully, except to the very elite sectors of the country.

Sen equates well being with what he calls a *capability set*, which is a set of functionings that a person may be capable of achieving, given opportunity. Sen notes that the concept of well being is obviously related to that of *eudaimonia* – living well and doing well. Aristotle discusses how people can live well and do well in his remarkable book *Nicomachean Ethics*. We need health and good friends and education and a certain level of cultivation of the mind to live well, amongst other things, for Aristotle. We need to practice the golden mean in our actions so that we retain a certain equanimity in life. We cannot rush into decisions and we cannot be too indecisive either. The right balance is necessary in between these extremes. We cannot be angels or fools. We need to be human. Living well and doing well does not mean living the life of pleasure. Such is the life of pigs, for Aristotle.

Aristotle and Sen's thoughts combined seem to reveal that if our capacities to act for our well being are cruelly held back because of a lack of resources, then such a situation would be deleterious for human beings. Inequality would be a situation where people are unable to realize their well being, at the minimum. Thus, even if we are all granted a complete sense of liberty and nothing holds us back from acting as we wish (commensurate with other people's liberties), Sen would argue that such a situation is not yet a situation of equality or even

freedom. For, it may well be the case, that we have liberty but not the resources to fulfill our capacities.

Even if we have equality in the distribution of primary goods- as Rawls (1971) would demand for a minimally just society – it would not lead to a situation of equality. For, distribution of primary goods is entirely blind to human diversity, to what Rousseau called natural inequality. Hence, for Sen, inequality may well remain because we are unable to achieve well being in spite of equal distribution of primary goods. The same argument goes for equal distribution of income. Someone may suffer from some disease that makes it incumbent upon him to spend a great deal of his income on just maintaining himself day to day. He is hardly able to achieve his well being, thus accentuating another wrinkle of inequality in society. This inequality, however natural it may be, is *not* welcome.

Sen's point is that when economists and philosophers have tried to argue for the equal distribution of goods or incomes, they have fallen short of accounting for human diversity. In a real sense, this is a throwback to Rousseau and an *improvement* on Rousseau. Sen's idea is that equality – the removal of artificial inequalities – is not just ratcheting back to a situation where the only inequalities are natural, but that some of these natural inequalities themselves are not left in a *potential state* but are *actualized*. Thus, the natural talent of a person may be left entirely untouched and unshaped by the removal of inequality in society. For the removal of inequality was not focused on getting anyone to realize her potential. Rousseau, at least in his *Essay*, didn't appear to recognize that some natural inequalities may well lie in us *potentially*. We may

have different *unrealized* capabilities. If they lie unrealized, then that would be a blow to human well being.

Since the usual notions of economic equality in terms of distribution leave out the aspect of well being or do not address it directly but only touch upon it tangentially, they leave open the door to the poor development of human capacities. An illustration of Sen's approach lies in his take on poverty. He points out that poverty is not well measured by income indicators but by what he calls "capability deprivation". It is not so much that the poor person is poor because his income is below a certain amount, but because he is unable to develop his capacities. He is unable, in a sense, to *be well*. Sen argues that his approach explains poverty in rich countries like the U.S. where a poor man may well earn more than the average Bangladeshi but is still not able to keep body and soul together because he is unable to pay for his health care or move around freely or appear in public without shame. Sen points out that one can appear in India wearing a torn cloth without shame but not so in the U.S. In the U.S., one has to fulfill more criteria to count as above poor than other countries. Hence, the capacities to develop are hit even harder if one is poorer in the West.

B. R. Ambedkar (1987) too made the same point in different words when he wrote that having a socialist revolution in India *without first having removed the caste system root and branch* would not resolve any problem. The discrimination that the caste system in India introduces is one that both hurt the actual performance of a person and his potential performance too. Ambedkar's point can be put in Sen's terms: unless we ensure that the well being of a person is met in society, economic measures of equality can prove ineffective. Economic measures are necessary

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but not sufficient. Removal of economic inequality can exist with gross under-development of potential capacities of human beings. The battle against discrimination is not just economic. It is philosophical and moral and political.

Our sense of equality is well served by a finely attuned sensibility towards discrimination. A major aspect of the modern discussion of equality turns on whether those discriminated against in the past are to be compensated for the excesses carried out against them. If we follow the notion of well being constructed by Aristotle and used by Sen in a modern economic context, then we are entitled to think that merely giving equal chances or distributing primary goods is not enough: one has to work towards making a person live well and do well.

We have to ensure that the natural inequalities are not further accentuated because the potentialities of a person were not developed any further. The question of redresses of past evils is indeed complicated. This is largely because there is just such a surfeit of evils to be compensated for. India not only has centuries of poverty to contend with, but also centuries of blatant discrimination in the name of caste amongst the Hindus to handle. The U.S has an appalling record in treatment and segregation of blacks. Israel does not have a proud record for the Christians who live in their country. And there are poor people in these countries too. Our first definition of equality should suggest to us that such discrimination should disappear, if we are to be equal at all. Reserving seats for a particular section of society is not for eternity. But reservations are a stop-gap arrangement. Ultimately, the same argument as against the economic notion of distribution of equal incomes as a proper notion of equality works against reservations as well. For, we are not addressing the well-being of a person by reserving seats.

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We are again disregarding the diversity of human beings. The potential capacities are still waiting to be brought out in such a system as well. Thus, everything requires to be done to bring those facilities that will develop a person's well being especially to those who were discriminated against.

Following from this discussion, we can attempt a third definition of equality, something that would stop it from springing some inequality or other.

Equality =_{Def} A state of affairs in which the only inequalities discernible are
(a) natural or
(b) derived from natural inclinations
provided that the well-being requirements of persons in this state of affairs is met.

4. *Sense and Sensibility*

This definition leaves us wondering. What are the methods by which well-being of people are to be met? Can we really develop the potential of all humans? Is this physically and psychologically possible? Is the part of "being derived from natural inclinations" in the definition even required? Is there an end to the well-being requirements of a person? Where do we draw the line, for surely we must draw it somewhere, saying that x is required for well being but not y? These are hard questions.

Our sense of equality is demanding. It is as metaphysical as it is grounded in reality. To this sense is attached a sensibility that is shaped and informed by the societies we inhabit. Sometimes the sensibility can be affected the wrong way, as it was for centuries in India

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through the acceptance of the caste system. Thankfully, there is hope that the sensibility has recovered its senses.

Equality is like an ideal towards which this sensibility progresses. There is a constant battle to restrict our sensibility to just *some* humans or if that fails to *just* humans. But such attempts are failing. Our sensibility towards different animate creatures has made us realize that animals too have rights, that the environment and the land too have some share of equal and healthy treatment and not just because this would serve our purposes better or would make us look better. We are not to treat each other as equal because we like to do so, but because that is how it should be.

In this essay, we have gone through three definitions of equality. The first one was influenced by Rousseau. The second definition was an introduction of some obvious aspects that we had not thought of before. The third definition was an admission that we have still much to redress even if inequalities were entirely natural. Pursuing equality is the pursuit of removing inequalities. Thus, it involves an understanding of both the concepts: equality and inequality.

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