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## THE IDEA OF EQUALITY

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PART 2

2

### GENERIC EQUALITY

From this survey of the discussion in *Great Books of the Western World*, we have seen how human equality came to be a major political and social ideal. We have yet to consider, however, the question we encountered at the very start about the meaning of equality as it appears in such diverse orders as the political and the mathematical.

We have already seen that “equality” has a wide range of uses. We have made many distinctions. Yet our view has remained a very restricted one, since we have confined our attention to the way equality appears in discussion about relations between men. Even in this area we have by no means exhausted the various ways that the term is used.

Yet one of the main uses of “equality” occurs in mathematics. Here too there are many different uses, as is evident from the many different types of expressions in which the symbol for equality (=) appears. Taking only the most common, we meet such expressions as the following:  $7+5=12$ ;  $(a+b)^2 = a^2 + 2ab + b^2$ ;  $y=f(x)$ ;  $dy/dx = 2x$ . We find it said of the sides of a triangle that  $AB = 2AC$  or that one triangle is equal to another. Of two collections, one is said to equal the other if all the elements of one map one-to-one onto the elements of the other. So also, two classes or relations are equal if they have the same number of members: thus American presidents and commanders-in-chief of the American armed forces are two

different concepts, or classes, but they are equal because they include the same number of men; in fact, the same men.

Our interest, however, lies not so much with the various uses of “equality” in mathematics as with the relation between those uses and the way the word is applied to men and their concerns. It often seems to be taken for granted that the root or fundamental meaning of equality lies in the mathematical order and that its use in human affairs is somehow derivative and an extension or adaptation of that use.

On this question, the contemporary literature reveals a sharp diversity of opinion. R. H. Tawney, an ardent socialist and author of an influential book on *human* equality, acknowledges that equality “possesses a variety of divergent meanings,” yet asserts “it is an arithmetical metaphor for a relation between human beings.”<sup>28</sup> From this it sounds as if he considers that the first home of the idea lies in the field of mathematics. Jacques Maritain, on the other hand, declares that “when applied to man, this idea, from the very outset, puts the philosopher to the test, for it is surrounded by geometrical imagery” which he must oppose and “work constantly against the grain of.”<sup>29</sup>

If expressions denoting human equality derive, at least historically, from mathematics, we ought to pay some attention to this source of the idea. On the other hand, there would be no such need if human equality could stand on its own, as it were, without any reference to mathematics. The latter possibility, of course, would greatly simplify our inquiry, and we turn now to consider the evidence we possess for believing that it is the case.

Contemporary recognition of this issue about the range of the term is explicit in the writing of H. A. Bedau, who asserts that we need to understand “the conceptual network of equality, that is, the logical relations among such expressions as “equal,” “identical,” “same,” “similar.””<sup>30</sup> All are closely related, yet Bedau wants to show that “equality” differs from all the others and has its own especial contribution to make.

Equality has something to do with sameness yet differs from it. *Equal* amounts of sugar and flour are the *same* amounts; *equally* expensive suits are suits that cost the *same*; to *equalize* the tension.<sup>31</sup>

Between things such as Aristotle, a hard surface, a loud noise, a red flag, there is mere diversity; hence no question of equality or

inequality. There are many respects in which Aristotle may be said to be equal or unequal to Plato, but none whatsoever in which he could be said to be equal or unequal to a hard surface, and the same holds true for any other pair that can be made from these four items. We do speak of a color being loud, but no one, except in the realm of poetry with its freedom for metaphor, would think of asking whether the loudness of an explosion was equal to the brightness of a color. Yet we can compare two colored objects with respect to brightness or two sounds with respect to loudness and find them equal or unequal. In these cases there is not mere otherness; there is some respect in which they are the same and with reference to which they can be compared.

Yet in order for two things to be equal, they cannot be the same in all respects, or identical. In other words, complete identity eliminates any question of equality. There would not even be two things, since to be two implies some respect in which they are distinguishable from each other.<sup>32</sup>

Things that are equal or unequal must, then, be both same and different. The respect in which they are the same, so as to be comparable, is itself capable of further analysis. Suppose we were comparing two collections. There are many different ways of comparing them – many different respects in which they can be judged.

One of these respects is number: how many items or individuals are there in each collection? Once we have settled on this aspect for comparison, we have selected one definite aspect from the many possible points of comparison. Yet it should be noted that number by itself merely as a basis for comparison is still indeterminate and does not become determinate until we have discovered how many items there are. Until we have actually counted them, or at least matched each item in one collection with one and only one in the other, we cannot say whether the two collections are equal or not.<sup>33</sup>

## The Metaphysical Issue

So far we have found that the meaning of equality involves the basic notions of one and many and of same and different. It thus appears that the issue concerning generic equality—that is, any root meaning running through the use of “equality” in different orders—must seek its resolution in metaphysics. Two collections are equinumerous when they have the *same number* of items; two lines are equal when they have the *same length*; two triangles are equal when they have the *same area*. The question, then, is whether

equality is anything more than sameness in a certain determinate respect. Is the meaning of equality exhausted by the note of sameness, and the meaning of inequality by the note of difference? If not, what additional note is involved?

It would be strange if there were no additional note. For then the idea of equality and inequality would have no conceptual content whatsoever apart from sameness and difference. The words “equality” and “inequality” would be merely verbal synonyms for “same” and “different.” It would then be possible to do without the words “equal” and “unequal” altogether. However, if the two pairs of words are not interchangeable, so that we cannot use “same” to replace “equal,” this fact would indicate that the two are not identical in content and that “equality” must involve some additional note over and above that of sameness.

As Bedau observes, “the requisite condition of substitutivity for synonym-pairs fails for this pair. If I gave Mark and Paul *equal* servings, I did not give them the *same* serving; what I did was to serve them the same amount, servings of the same size. If I gave you the same answer I gave him, I didn’t give you an answer equal to the one I gave him: I gave you the very answer I gave him. To say a man is equal to the task is not to say the man is the same as the task, but that he is up to performing the task.”<sup>34</sup> “Equal,” then, is not the equivalent of “same.”

Ordinary usage thus indicates that “equality” signifies something in addition to mere sameness. What, then, is the additional note? Aristotle was the first to undertake a systematic study of the term “equality,” and his analysis still provides a good beginning. His main consideration of equality comes in the analysis of unity in Book Ten of the *Metaphysics*, where he also comments at length upon the various meanings of “one,” “same,” “like.” We need not go into as much detail as he does. We have already covered some of the ground, and our only purpose now is to obtain the terminology we need to note clearly the additional meaning that “equality” has over and above that of sameness.

Aristotle put his finger on the new note by asking what is the opposite of equal. His discussion is difficult and crabbed, since he is struggling to develop a theory of opposition. Yet it does result in illuminating the idea of equality. He notes that “equal” has different opposites. One of these is “unequal,” which is, according to his theory, the contrary opposite, since by contraries he understands terms between which there is no intermediary; things capable of being equal or unequal are either one or the other, and not some-

thing in between. However, Aristotle notes, “equal” is also opposed to “greater” and “less,” as is shown by our asking whether one thing is greater or less than another or equal to it.<sup>35</sup> Both terms are opposed to “equal,” while the equal itself seems to be intermediary between what is greater and what is less. The opposition, then, according to his theory, cannot be one of contrariety. What kind is it, then? He considers two other possibilities: the opposition is one of contradiction or of privation. He holds that it cannot be the first, since in his view contradiction involves absolute negation, and contradictory opposites between them exhaust the universe. But, as we have seen, there are many things that are not comparable with respect to being equal or greater or less: the word “Aristotle” is greater in length than the word “hard,” but it makes no sense to ask whether Aristotle is equal or unequal to hard. Not everything, then, is equal or unequal, but only that which is susceptible of equality.<sup>36</sup> So too, not everything that is not greater or less is equal, “but only the things which are of such a nature as to have these attributes.”<sup>37</sup> There must be some characteristic that is the same in the things being compared, namely that they are the kind of things that can be greater or less, or neither greater nor less but equal. Hence, Aristotle concludes that the opposition of the equal to the greater or less is that of privative negation, and the equal is “that which is neither greater nor less but is naturally fitted to be either.” Another translation of this last clause would be “that which is susceptible of the more or the less.”<sup>38</sup>

In the context of this section of his *Metaphysics*, Aristotle is primarily concerned to develop and test his own theory of the different kinds of opposites. Leaving that aside, it is pertinent to our concern here that he is trying to draw the line between the same and the equal by claiming that the terms “same” and “other” have a very wide range of applicability, but the terms “equal” and “unequal” are confined in their reference to something, whatever it may be, that is “susceptive of the more or the less.” Aristotle’s analysis of equality and inequality, in the context of a concern about the kinds of opposition, has the interesting consequence that the assertion of “equality” makes a negative point, namely that what is equal is *neither* more *nor* less, whereas the assertion of “inequality” makes a positive point, namely that what is unequal is either more *or* less.

Aristotle’s analysis of equality receives confirmation from three contemporary writers, one of whom is writing about human equality whereas the other two are concerned with mathematical equality. All three, however, agree that what is fundamental to the idea of equality is “susceptivity to the more or the less.”

Bedau makes the point by way of examples. He writes, “If you and I have an *equal* right to vote, then *neither* of us has *more or less* right to vote than the other, because we have the same right.... If you and I have the right to an *equal* vote, then our votes must be counted at the same rate or value, because my vote is worth *no more* and *no less* than yours.”<sup>39</sup>

Confirmation from Bertrand Russell and from the Cambridge logician W. E. Johnson is more interesting since they are considering, not the social and political uses of equality as Bedau is, but primarily its mathematical uses. Russell, after considering the “main views of quantitative equality,” claims that equality consists in “sameness of magnitude,” but by the latter term he understands that which is capable of being greater or less than another. He denies that equality is an unanalyzable direct relation, like greater or less, and also that it means having the same number of parts, and affirms, instead, that it is analyzable into sameness of relation with respect to magnitude; that is to say, with respect to the more and the less.<sup>40</sup> Johnson takes the same position when he declares that “the term magnitude as is suggested by its etymology, denotes anything of which the relations greater or less can be predicted: and it is only if  $M$  and  $N$  (say) are magnitudes of the same kind that  $M$  can be said to be greater or less than  $N$ ”<sup>41</sup>

There seems to emerge, then, some agreement about how equality differs from sameness. For two things to be equal, they must be the same, but with the kind of sameness that involves the negation of the more and the less. Two individuals,  $A$  and  $B$ , are equally strong swimmers, for example, only if both  $A$  and  $B$  possess the ability, that is, both can swim, and  $A$  has neither more nor less than  $B$ , which is to say that in all the ways that swimming ability can be manifested or tested, in speed, endurance, etc.,  $A$  does every bit as well as  $B$ , but no better.

Inequality is, accordingly, the kind of difference that involves the affirmation of the more and the less.  $A$  and  $B$  are unequal as swimmers if both possess the ability but  $A$  has more, or less, speed, endurance, etc., than  $B$ .

If susceptibility to the more and the less is the condition for the applicability of the idea of equality, it is evident that the idea is not limited or peculiar to the kind of objects that mathematics studies. There are many areas of human life where there is nothing unexceptionable about making judgments regarding the more and the less. Our intellectual habits and acquirements have scope with respect to the range of objects they include, and they differ in degree

of cognitive grasp of different objects within that range; we can compare individuals with regard to their ability and accomplishments in mathematics, Greek, English, etc. The same holds true for habits of will, skill, and character: a woman may be the equal of a man in physical courage and an even greater figure-skater. Our appetites and emotions have intensity. So, too, do colors. Sounds have duration, pitch, timbre. Fields and parks have areas. Hoses and yard goods come in lengths. In all these respects—indeed, in many more—we commonly make judgments of equality and inequality.

We do the same, of course, with regard to numbers, lines, triangles, functions, and the other objects of mathematics. Yet it is far from evident that the idea of equality is somehow more appropriate to one order than to the others. The analysis of equality or inequality is admittedly easier and clearer in mathematics, but that is owing mainly, if not entirely, to the simplifying procedures of the science. Its objects are such as to yield perfectly exact measurements. There is no need to specify the respect in which lines or numerical results are to be judged equal or unequal, since lines are only lengths and numbers are, as it were, pure multitudes. But to make clear how one pipe is equal to another we must specify the respect: length, diameter, weight, durability, etc. In addition, there is the difficulty of accomplishing the physical comparison or measurement. In nonmathematical orders, we may have to be content, for many reasons, with imprecise measurements. But the fact that imprecision is forced upon us by no means entails that such objects fall within the province of the idea of equality only by sufferance from mathematics. Any object that is intrinsically measurable, that is, susceptible of the more and the less, falls within the range of judgments involving equality, and the lack of precision that is achievable in physical measurement is no criterion of whether “equality” is being used in a derivative or metaphorical sense.

In the literature it is rare indeed to find any discussion of the generic notion of equality. On the one hand, there are discussions of equality in logic and in work on the foundations of mathematics.

On the other hand, there are discussions of social and political equality, or what we have been calling human equality. We can now better appreciate why this should be so, and also why there is nothing surprising in it. It is not because the two sets of uses are so diverse as to be completely equivocal. In fact, in the notion of susceptibility to the more and the less in respect of some character that is the same, we have found reason for claiming that there is a common ground underlying both. Yet, given the fact that this kind

of susceptibility can be found in both orders and belongs no more to one than to the other, one would not expect to find discussion of it in one order contributing any great or special illumination to understanding of it in the other. However, we have yet to see how the “more and the less” come to be specified so as to yield the notion of human equality.

## Human Equality

Men differ in innumerable ways that involve the more and less and, hence, equality and inequality. Some of these, as Plamenatz points out, are of “the kind that we sometimes attend to and call by these names, although we do not feel strongly about them”; then there are others that are “the kind that excite us.”<sup>42</sup> It is the latter kind, of course, that make equality a fighting issue. Since it is this kind that constitutes the subject of our inquiry, we need to know what makes an “exciting” equality or inequality.

The equalities named in our Greek lexicon above are obviously of this sort, and examination of them should reveal their exciting quality. But for our purposes here it is simpler to consider a simple contemporary example. Admission to college now calls for the ability to pass and score well on a battery of tests, among the most important of which are the College Board Examinations. These examinations are designed to test scholastic aptitude and achievement and to provide some indication of the ability of a student to do college work. Many colleges use the examinations as an admission test by accepting, for example, only those students who reach a certain score or better on the two aptitude tests. Other factors are also taken into account. But for the purposes here the scores alone provide all that is needed to show how judgments of inequality become important. Imagine two young people, John and Jane, both finishing high school and wishing to enter the same college. They have taken their College Boards, and John has obtained a combined aptitude score of 1300 while Jane who is black has 1250; both, in other words, achieved high scores and should be promising students.

These scores indicate a measurable difference between the two. John scored more points, Jane less; hence, the two are unequal with respect to these test scores. This inequality is measured mathematically, but it is more than a mathematical or quantitative inequality. Scoring more points on the College Boards is significantly different from, say, weighing more. Both are differences and inequalities of degree. But the greater is also better in the case of the greater test score, since it is better—worth more—for gaining ad-



mission to college. Inequality in weight between two people is normally no advantage or disadvantage for college entrance; although, of course, at great extremes, weight might keep one from passing a physical examination.

We have here, it should be noted, two different inequalities. Both in equality in weight and inequality in test scores are *inequalities of degree*. They describe qualities or traits in which John differs from Jane by having more of the quality or trait. But the inequality in test scores is also evaluative. With respect to the tests, and presumably also with respect to the aptitudes they claim to measure, the greater is also the better. According to the scale by which the test results are graded, the higher is of more worth, has greater value. In other words, as measured by the test, John is better than Jane in scholastic aptitude.

Suppose now the college accepts John for admission and refuses Jane. We then have another difference, another inequality, between the two. Jane is not the equal of John in gaining admission to college. Note that this judgment involves more than just noting a difference between the two, since it also involves value: college admission is a good that Jane desires; hence, in addition to the difference, there is also an inequality—a ranking of what is more and less in value. This inequality is not at all a matter of degree. It is a question of all or none, without any intermediary between the two: one is either admitted or not admitted. We have, in other words, an *inequality in type* as distinguished from an *inequality of degree*.

Such an inequality is of the sort Plamenatz speaks of as “exciting.” Yet we are not yet at the end of it. Suppose we now ask why John was admitted and Jane refused. Suppose, too, the deciding factor in the minds of the admissions board was, in fact, her lower score. The inequality now is no longer just evaluative. It has become prescriptive in that it has provided a rule of procedure for the admissions board: cases of doubt or choice should be decided in favor of the student having the higher aptitude score. Of course, this rule of the higher score is not the only criterion. Jane knows that other factors are taken into account by an admissions board. In her situation she might well feel that she has a right to complain. She had scored high and shown that she was well qualified for college. Yet her application was turned down. Why? Was it because of her sex, or her color? She might be tempted to think so and protest that she had been discriminated against and treated unequally and unfairly.

These last concerns with equality are significantly different from the previous ones, and it is worth trying to sort them out and mark

their difference. We have been dealing with equality and inequality as it enters into the determination of a college admissions policy and certain rules that the board might follow. Formulating these rules explicitly, we obtain:

- (1) the rule based on the cutoff score on the aptitude tests: applicants not scoring at least 1200 should not be admitted.
- (2) the rule that if it becomes necessary to choose between applicants, one should prefer:
  - (a) the student with the higher aptitude;
  - (b) one color over another, say white over black;
  - (c) the male over the female.

Jane, suspecting that the last two are the reason for her being turned down, appeals to still another rule:

- (3) All who meet the required condition (in this case, the first above) should be treated equally.

All these rules are prescriptive ones that involve equality and in equality, since all lay down a procedure to be followed that results in treating the applicants unequally. Yet the last is markedly different from the others. It is a specification of the general formal rule:

- (4) Equals should be treated equally.

Jane claims that rule (4) has been violated: she is John's equal in that she has met the condition laid down in rule (1), but then, by being refused admission, she has not been treated equally.

We should note also that all the rules result in unequal treatment. The qualifying condition stated in the first rule establishes a cutoff point, determining who are to be counted as equals for purposes of admission; those who fail to obtain a score of 1200 are unequal to the others and should be refused admission. In comparison with the rule that equals should be treated equally, which is formal in the sense that it does not specify the respect in which equality is to be judged, the first is a substantive rule.

The three rules collected under (2) are also substantive. Yet they too differ significantly from the first, as is shown by the fact that one would have to justify them in different ways. The use of a College Board examination score, apart from the question of whether it lives up to its claims, would be justified along some such grounds as these: that it has been found that students who score

lower than a certain minimum usually fail to do satisfactory work; hence that it is better both for the school and the individual not to accept those who fail to reach that minimum score.

But when we come to the rules under (2), no such ready justification is available. If Jane as well as John has shown that she can qualify for college work, why should she be refused because (a) she got a slightly lower score or because (b) she is a girl or (c) because she is black? A college admissions board might attempt a public defense of the first reason, but it would be extremely unlikely to admit the other two. But if one did, on what grounds could it do so? Apart from prejudice or idiosyncratic preference, the reason could only be that having a lower aptitude score or being a woman or black is to be in fact inferior or less good in some way. In what way, then, and on what evidence? Knowledge of the fact that John scored higher than Jane leads to an evaluative judgment concerning them. But it is not immediately evident how or why knowledge of the fact that Jane is a woman and black is evaluative. But even if a woman or a black person is less good than a man and a white person, it still is not clear how such evaluations would justify the rule for admission. Is every evaluation of superiority as such a reason for unequal and preferential treatment? In any context one can make many evaluations. The pertinent question is which are the relevant ones and which are not for the matter at hand.

This example from the world of college admissions indicates some of the complexities involved in the notion of human equality. It also indicates the point at which the question of equality and inequality becomes “exciting,” serious, and consequential. That occurs when inequality gets involved with questions of treatment in matters that concern us deeply, where it keeps us, in some way, from obtaining goods that we desire and realizing aspirations that we have. As Stanley Benn points out, “differences are rarely called ‘inequalities’ unless, in the first place, they affect the things which men value and for which they compete, like power, wealth, or esteem.”<sup>43</sup>

The example has shown that equality is ascribed in a variety of ways. Benn distinguishes three, which he calls descriptive, evaluative, and distributive. The descriptive judgment presupposes, he writes, “an ordering of objects according to some common natural property or attribute that can be possessed in varying degrees.” As examples, he cites two cabbages being of equal weight, two knives equally sharp. This ascription yields what we have called an equality of degree. Benn recognizes that it may also give what we have called an equality of type, where “the qualifying condition does not

admit of degrees; it may be enough simply to possess the properties necessary to make them members of that class.... All qualified voters, qua voters, are equal.”<sup>44</sup> So too, in terms of our example, on the college roll all duly admitted students count equally as students.

An evaluative judgment involving equality is one that is made “according to some standard of value or merit.” Benn’s example of this type is the judgment that two students’ essays are “equally good, though their properties . . . differ, one being detailed and painstaking, the other original and imaginative.” But they count as equal because “in a final ordering of all essays, in which some stand high and others low, these two occupy interchangeable places.” Benn’s third kind of equality, which he calls distributive, is “that of need, entitlement, or desert; the remuneration to which a man is entitled for his work or the dose of medicine he needs for his cough may be equal to another’s.”<sup>45</sup> This constitutes what we have called a prescriptive judgment regarding equality, since it concerns the way a person should be treated. This way of ascribing equality differs importantly from the other two in that it necessarily involves three terms: the two things that are compared with regard to equality or inequality and, third, the one or many who are to allot or distribute the dosage or remuneration. The first two judgments demand only two terms: the two, namely, being compared as to being more or less in a certain respect, or evaluated as better or worse. The form of a descriptive judgment is “*A* is greater than *B*,” that of an evaluative judgment is “*A* is better than *B*,” whereas the prescriptive statement takes a form such as “*C* should pay *A* more than *B*”; it necessarily involves a reference beyond the two being compared to how a third person should treat them.

The question also arises, as we have already seen, regarding how the three judgments are related. Between the descriptive and the evaluative judgment, there is sometimes, but not always, a strictly logical connection. Benn notes that “two knives, equally sharp, equally well-tempered, possessing indeed all relevant properties in the same degree, are equally good knives—sharpness, temper, and the like, being the criteria of a good knife.”<sup>46</sup> By itself, however, a descriptive judgment would not lead to a prescriptive judgment involving equality. Benn points out that the claim of two men to equal pay “depends on a particular convention”—on whether they were being paid for doing equal amounts of work or for working an equal number of hours. In this case, as in our college admissions example, we need a descriptive judgment of how much work was produced, how long the two worked, what scores were obtained on the tests—all cases where one having more than the other makes

him of greater value. The judgment that John scored a higher mark than Jane describes a difference in achievement. The judgment that the student with the higher score has greater aptitude for college work is evaluative. The prescriptive rule that only the student with the higher score should be admitted supposes the evaluation. All three judgments are closely involved with one another. Yet it seems clear that it is only the evaluation that makes this particular description a relevant factor in the determination of a prescriptive rule.

Consider another example. Bodily weight is not a qualifying condition for college admission. The statement that John weighs more than Jane is a descriptive statement regarding inequality. Yet it is easy to imagine a situation where this statement could lead to an evaluative as well as a prescriptive judgment, say, where John is told not to sit in a certain chair because it will not support his weight. The inequality in weight between the two is now a relevant factor in determining how they should be treated. Jane may sit in the particular chair, but John may not. Again, the statement that John has more money than Jane is descriptive; that he is better off is evaluative. It seems to be clearly the case that it is only the evaluative judgment regarding inequality that exerts any force on the way that John or Jane is to be treated. In other words, it looks as though merely descriptive statements about human equality do not enter immediately into prescriptive considerations. They have to be mediated by evaluations; there has to be something better or worse involved, since otherwise the judgment regarding equality is of no consequence.

We make many judgments about inequalities among men that seem to be exclusively descriptive. John may be unequal to Jane in weight, height, blood count, blood pressure, number of chromosomes, color discrimination, tone discrimination, and innumerable other physiological and psychological characteristics that we can measure quantitatively. But, as Plamenatz notes, among the identities and differences of ability and right, there is one kind that “engages our attention so little that we never call them equalities or inequalities,” and another “kind that we sometimes attend to and call by these names, although we do not feel strongly about them.”<sup>47</sup> All the foregoing would seem to fall within one or the other of these categories.

Even in the category of important equalities and inequalities, all are not of the same importance, nor are all relevant in all circumstances. John may have a higher scholastic aptitude than Jane, but if both break the law, this fact provides no reason for treating them

differently. The context makes the difference and determines the respect in which equality or inequality is relevant. But when these conditions are met, then it seems clear that the important and exciting equalities are those that affect how we ought to treat men. The emphasis is on prescriptive statements about equality, and descriptive and evaluative judgments enter only as they bear in some way upon that judgment. In fact, it is only at this point that equality becomes an issue in moral and political controversy.

If our analysis up to this point has been correct, it now becomes possible to say with greater precision what human equality adds to the notion of generic equality. We found that the judgment that two things are equal implies that there is some respect with regard to which one has neither more nor less than the other. In locating what it is that makes equality important in human affairs, we have also found what is added to, or what specifies, the notion of the more and less. It is that which is more or less in value, more or less in worth, so as to be better or worse. Over and above the denial of the more and less connoted by the notion of generic equality, the assertion of human equality—that is, a judgment involving equality as applying to men and their concerns—connotes an equality of value. The assertion of inequality here, accordingly, connotes that there is some respect in which one is of greater value than another, has more worth, is better than the other.

#### THE CONTROVERSY OVER JUSTIFICATION

In the contemporary philosophical literature devoted to equality, the issue that gives rise to the deepest and most extensive controversy is that concerning the justification of equality as a principle of action or rule of behavior. Why should men be treated equally in this or that respect? The assertion that they should be is a prescriptive judgment regarding equality. The question at issue is how this prescriptive judgment is to be defended and justified. In reviewing and reporting the answers given to it, then, we will not be concerned about descriptive and evaluative judgments regarding equality except as they are involved in some way in the prescriptive recommendations. This subject of inquiry, although basic and general, is very restricted. The literature to be considered is, accordingly, special and not too extensive, as the bibliography indicates. \*

\* Limiting our attention to writings that have appeared since the end of the great war, we find that discussion of the subject is confined for the most part to the scholarly journals and to collections resulting from academic conferences and symposia. Two of the latter, in fact, provide most of the material to be reviewed here. One of these collections, from which we have

already quoted, is the yearbook of the American society for Political and Legal Philosophy entitled *Nomos IX: Equality*, published in 1967 and consisting of eighteen papers. The other, entitled *Aspects of Human Equality*, collects the nineteen papers prepared for the Fifteenth Symposium of the Conference on Science, Philosophy, and Religion (1956).

Only a few authors have given book-length treatment to equality. Many books on value or general ethics, however, include discussions of the idea. Then too books in the field of practical politics often include some formal analysis as a part of a plea for or against the extension of equalitarian political and social policies; *The Future of Socialism* (1963) by C. A. R. Crosland is an example.

The contemporary discussion, at first sight, differs greatly from that of the past as represented in *Great Books*. In the first place, there is much more widespread acceptance of equality as a social and political ideal for all men. Indeed, from the philosophical discussion it would appear that equality, at least as an ideal, has triumphed completely. Less than a century ago, Nietzsche and William Graham Sumner were defending and promoting inequality. Only a generation ago, Nazism was doing the same and trying by force to make inequality prevail. Today, inequality is not much discussed, or defended, as a social and political ideal, although functional inequalities are recognized as necessary in any large organization.

Another distinguishing characteristic of the contemporary discussion is the much greater attention that is devoted to the use of the word "equality," and to its grammatical and logical behavior.

We have already drawn upon this discussion in exhibiting the different ways that equality is ascribed, and we will have occasion to return to it in analyzing equality as a rule of procedure.

The recent literature also reveals greater concern, certainly greater self-consciousness, over the problem of whether equality of treatment needs to be justified as a principle of action; and, if so, how this can be done. As noted, this problem gives rise to perhaps the sharpest opposition and the deepest division in the entire discussion. Of the several issues in dispute, this one is most pertinent here, since it also serves to indicate and emphasize the underlying unity of the entire discussion of equality since it began with the ancient Greeks. Although the discussion now has a somewhat different form, it still turns on an issue that has been constantly present, namely, the issue regarding the specific equality of men as men and its import. In fact, the question that most frequently focuses the dispute is the interpretation of the statement that all men are equal. On the issue of justification, three different and opposed

positions can be distinguished. The question of justification itself—that is, whether equality of treatment in a certain respect needs to be justified—serves to divide authors into two groups. One group consists of those authors who deny that the principle of equality needs justification and assert instead that, if any principle needs to be justified by reference to a further or prior principle, it is not equality but inequality. Opposed to this group are all authors who hold that equality of treatment needs to be, and can be, justified by appeal to another principle, or principles.

The second group again divides into two groups, according as the justifying principle is held to be prior or posterior to the rule calling for equality of treatment. The one group holds that men ought to be treated equally because they are equal in a fundamental way. The proponents of this position agree that the statement that all men are equal expresses an important and consequential truth about the way men are, although they may differ regarding exactly what kind of statement it is. The other group demands equality of treatment, not because of what men are, but because of what they can become. Equality of treatment is looked upon as a means for achieving an end judged to be an important good. Proponents of this position would interpret the statement that all men are equal as an expression of a social and political ideal, that is, as a rhetorical and political expression of an ideal to be striven for, and not as a descriptive statement of the way men are.

It will facilitate analysis and comparison of the three positions to provide them with names, for ease of reference. However, to avoid misunderstanding, it must be understood that the names will be used as applying only to positions regarding issues concerning equality, and not to any more general philosophical positions. We will henceforth refer to the first position, which denies that equality of treatment needs any justification, as the “Formalist position.” By the “Naturalist” position, we understand the second one, which holds that the equality principle is justified by appeal to the fact that men are equal. The “Pragmatist” position is that one which justifies equality by appeal to its consequences.

It should be noted that the three positions are distinguished as much by what they deny as by what they assert. The Formalist theory denies that anything either prior or posterior to the principle provides justification for it. Both the Naturalist and the Pragmatist theories assert that the principle can be justified or explained, hence in this respect both deny the Formalist claim. They differ from each other by each denying what the other affirms, although in somewhat different ways. The Pragmatist theory denies the Nat-



uralist's affirmation that the nature of man provides a justification for the equality principle. Yet the Naturalist theory would not deny the Pragmatist's positive claim that the end that man pursues, or should pursue, does also provide a reason for his right to equal treatment. According to the Naturalist position, this assertion would be only a different formulation of the right of men to equality of treatment, a right that is held to be rooted in the equality of their nature.

## NOTES

28 *Equality* (rev. ed.; New York: Capricorn Books, 1961), p. 92.

29 "Human Equality," in *Ransoming the Time* (New York: Scribner's, 1941), p. 1.

30 "Egalitarianism and the Idea of Equality," in *Nomos IX: Equality [NIX]*, ed. J. R. Pennock and J. W. Chapman (New York: Atherton Press, 1967), p. 4.

31 *Ibid.*, p. 5.

32 As Bedau writes, "our ordinary concept of equality does not admit of our saying that Tully is equal to Cicero, or that water is equal to H<sub>2</sub>O, or that any two things are equal to each other unless we are ready to deny the possibility of their identity.... Equality thus not only does not imply identity, it implies nonidentity." Equality, in other words, is a relation among at least two things. *Ibid.*, p. 8.

33 It is useful to be able to make the distinction between these two different bases for comparison, or between what W. E. Johnson calls the determinable and the determinate. Thus 126 is a determinate of the determinable number, and so, too, long or short *is* a determinate of the determinable length, and white or lack of color, and round or square of shape. *Logic*, Vol. 2 (New York: Dover Publications, Inc., 1964), p. 176. To begin to spell out what is involved in saying that two things are equal, or that  $a = b$ , we must be able to specify the determinable respect, say  $P$ , present in both  $a$  and in  $b$ , which is determinate  $p'$  in  $a$  and  $p''$  in  $b$ ; that *is*, if  $p'$  differs from  $p''$ , then we know that the two things are unequal, or that  $a \neq b$ .

34 *Op. cit.*, p. 7.

35 *Metaphysics*, 1056a5; *GBWW*, Vol. 8, p. 583a.

36 *Ibid.*, 1055b10, p. 582c.

37 *Ibid.*, 1056a21, p. 583b-c.

38 *Ibid.*, 1056a23; p. 583c.

39 *Op. cit.*, p. 6.

40 *Principles of Mathematics* (London: Allen & Unwin, 1951), pp. 159-60, 167-68.

41 *Op. cit.*, p. 153.

42 “Diversity of Rights and Kinds of Equality,” *NIX*, p. 82.

43 “Egalitarianism and the Equal Consideration of Interests,” *NIX*, p. 64.

44 *Ibid.*, pp. 62-64.

45 *Ibid.*, pp. 62-63.

46 *Ibid.*, p. 63.

47 *Op. Cit.*, p. 82.

48 *Hamlet* II. ii. 315; *GBWW*, Vol. 27, p. 43d. 49 *Op. cit.*, p. 17.

49 *Op. cit.*, p. 17.

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