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Science  
Study material

## UNIT 2

# Equality: Legal, Social, Political and Economic Dimensions; Relation between liberty and rights

### INTRODUCTION

The idea of equality seems to be the central concern of modern politics and political thought. Hierarchy in society based on birth was accepted as natural. This is no longer the case, in fact modern political thinking starts from the assumption that all human beings are equal. The French Revolution in 1789 and the American Civil War remain two very historically significant landmarks in the articulation of the idea of democracy, equality and freedom. Medieval hierarchies were challenged by one, and the other drew attention to inequalities based on race. However, the acceptance of the idea of equality was not easy. In the post-second world war period, many changes have taken place and the idea of equality has gained a much wider currency. The upsurge in the colonized world added another significant dimension to the debate on equality, as has the women's movement. In today's context, we could say that equality has been accepted as a very important principle of organizing human life; however, intense battles rage about where and how should equality be applied? A much more contentious field is the application of the principle of equality to the distribution of wealth and income in society.

### DIMENSIONS OF EQUALITY

After considering what kind of social differences are un-acceptable, we need to ask what are the different dimensions of equality that we may pursue or seek to achieve in society. While identifying different kinds of inequalities that exist in society, various thinkers and ideologies have highlighted main dimensions of equality.

#### 1. Political Equality

In democratic societies political equality would normally include granting equal citizenship to all the members of the state. Equal citizenship brings with it certain basic rights such as the right to vote, freedom of expression, movement and association and freedom of belief. These are rights which are considered necessary to enable citizens to develop themselves and participate in the affairs of the state. Although political and legal equality by itself may not be sufficient to build a just and egalitarian society, it is certainly an important component of it.

#### 1. Legal Equality

The most important expression of this idea is the principle of legal equality or equality before the law. It is also known as formal equality. All individuals should be treated equally by the law irrespective of their caste, race, colour, gender, religion, social background and so on. While this was a welcome step in the fight against special privileges based on race, gender, social background and other similar criterion, it remained a very limited notion on its own. This principle ignores the fact that handicaps imposed by caste,

gender or social background could be so overwhelming that individuals would not be able to benefit from the formal equality that the law bestows upon all individuals.

### **3. Economic equality**

Economic inequality exists in a society if there are significant differences in wealth, property or income between individuals or classes. One way of measuring the degree of economic inequality in a society would be to measure the relative difference between the richest and poorest groups. Another way could be to estimate the number of people who live below the poverty line. Of course, absolute equality of wealth or income has probably never existed in a society. Most democracies today try to make equal opportunities available to people in the belief that this would at least give those who have talent and determination the chance to improve their condition.

### **4. Social equality**

The pursuit of equality requires that people belonging to different groups and communities also have a fair and equal chance to compete for those goods and opportunities. For this, it is necessary to minimise the effects of social inequalities and guarantee certain minimum conditions of life to all the members of the society. In India, a special problem regarding equal opportunities comes not just from lack of facilities but from some of the customs which may prevail in different parts of country, or among different groups. Women, for instance, may not enjoy equal rights of inheritance in some groups, or there may be social prohibitions regarding their taking part in certain kinds of activities.

## **DIFFERENT TYPES OF EQUALITY (Distributive aspects)**

### **1. Equality of Opportunity**

Understood very simply, equality of opportunity means the removal of all obstacles that prevent personal self-development. It means that careers should be open to talent and promotions should be based on abilities. Status, family connections, social background and other similar factors must not be allowed to intervene. Equality of opportunity is an extremely attractive idea that is concerned with what is described as the starting point in life. The implication is that equality requires that all individuals begin from a level playing field. However, the consequences of this need not be egalitarian at all. Precisely because everyone started equally, unequal outcomes are acceptable and legitimized. This inequality would then be explained in terms of differing natural talents, ability to work hard or even luck. Equality of opportunity provides the equal opportunity to compete in a system that remains hierarchical. If so, then it does not appear to be a substantially egalitarian principle. Equality of opportunity, thus, points to an inegalitarian society, albeit based on the exalted ideal of merit.

### **2. Equality of Outcomes**

Yet another articulation of the idea of equality would be in terms of the equality of outcomes, moving away from the starting point in life to look at the outcome. Marx, for instance, was of the opinion that any right to equality circumscribed by a bourgeois economy can only be partial. He, thus, argued for absolute social equality, possible only if private property was abolished. Defenders of equality of outcome believe that the guarantee of all other equalities would be inadequate so long as equality of outcome is not ensured.

### 3. Equality of Resources

Represented by both Rawls and Dworkin, resource equality holds individuals responsible for their decisions and actions, but not for circumstances beyond their control, such as race, sex, skin-color, intelligence, and social position. Equal opportunity is insufficient because it does not compensate for unequal innate gifts. What applies for social circumstances should also apply for such gifts, as both are purely arbitrary from a moral point of view. Dworkin's theory of equality of resources stakes a claim to being even more 'ambition- and endowment-insensitive' than Rawls' theory. Unequal distribution of resources is considered fair only when it results from the decisions and intentional actions of those concerned. Dworkin proposes a hypothetical auction in which everyone can accumulate bundles of resources through equal means of payment, so that in the end no one is jealous of another's bundle which is called the envy test. Unjustified inequalities based on different innate provisions and gifts, as well as on brute luck, should be compensated for through a fictive differentiated insurance system.

### 4. Equality of Capabilities

Amartya Sen proposes orientating distribution around "capabilities to achieve functioning," i.e., the various things that a person manages to do to lead a life. In other words, evaluating individual well-being has to be tied to a capability for achieving and maintaining various precious conditions and "functioning" constitutive of a person's being, such as adequate nourishment, good health, the ability to move about freely or to appear in public without shame. The real freedom to acquire well-being is also important here, a freedom represented in the capability to oneself choose forms of achievement and the combination of "functioning." For Sen, capabilities are thus the measure of an equality of capabilities human beings enjoy to lead their lives. A problem consistently raised with capability approaches is the ability to weigh capabilities in order to arrive at a metric for equality.

### Criticism

1. Equality, it is argued, is a concept that is untenable in reality because society and social processes are likened to a competition in which not everyone can end up being a winner.
2. In response to those who say that inequality in society undermines self-respect, libertarians like Nozick argue that on the contrary, it is egalitarianism that robs people of their self-respect. Nozick claims that inegalitarian societies show more respect for individuals by acknowledging the distinctiveness of each individual and the difference between individuals. Since an egalitarian society would be bereft of any differences based on power, rank, income or social status, there would be no basis for self-esteem, because self-esteem is based on criteria that differentiate people.
3. A very strong objection comes from those who believe that any attempt to establish equality results in the strengthening of the state and thereby, weakens individual freedom. This is at the heart of the well-known question in western political theory of the relationship between equality and liberty.
4. Liberals reject sex, race, or class as the relevant criteria for treating people differently, but they do believe that it is just and fair if inequalities are earned and deserved by virtue of their different desert or merit. Thus, liberal theory holds stubbornly that so long as inequality can be justified on the basis of rewards or desert for special qualities and abilities or special contribution to society, it is acceptable.

## **Conclusion**

It is particularly significant given the fact that we live in a society that is battling against various kinds of inequalities. Most of the twentieth century was a time when equality barely stood in need of justification. It was seen as the central principle around which nations and societies were to organise themselves. However, towards the close of this century, there is a serious intellectual as well as a political attempt to present equality as morally undesirable. The inviolable nature of the right to property and the essentially plural nature of society, the anti-egalitarians claim, would be severely threatened by a pursuit of equality.

