In the Beginning Was the Deed

REALISM AND MORALISM IN POLITICAL ARGUMENT

Bernard Williams

Selected, edited, and with an introduction
by Geoffrey Hawthorn

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The Idea of Equality

THE IDEA OF EQUALITY is used in political discussion both in statements of fact, or what purport to be statements of fact—that people *are* equal—and in statements of political principles or aims: that people *should be* equal, as at present they are not. The two can be, and often are, combined: the aim is then described as that of securing a state of affairs in which people are treated as the equal beings which they in fact already are, but are not already treated as being. In both these uses, the idea of equality notoriously encounters the same difficulty: that on one kind of interpretation the statements in which it figures are much too strong, and on another kind much too weak, and it is hard to find a satisfactory interpretation that lies between the two.[1]

To take first the supposed statement of fact: it has only too often been pointed out that to say that all people are equal in all those characteristics in respect of which it makes sense to say that people are equal or unequal, is a patent falsehood; and even if some more restricted selection is made of these characteristics, the statement does not look much better. Faced with this obvious objection, the defender of the claim is likely to offer a weaker interpretation. It is not, he may say, in their skill, intelligence, strength, or virtue that people are equal, but merely in their being people: it is their common humanity that constitutes their equality. On this interpretation, we should not seek for some special characteristics in respect of which all beings are equal, but merely remind ourselves that they are all human beings. But that if all that the statement does is to remind us that human beings are human beings, it does not do very much and in particular does less than its proponents in political argument have wanted it to do. What looked like paradox has turned into a platitude.

I shall suggest in a moment that even in this weak form the statement is not as vacuous as this objection makes it seem; but it must be admitted that when the statement of equality ceases to claim more than is warranted, it can rather rapidly reach the point where it claims less than is interesting. A similar discomfiture tends to overcome the practical maxim

[1] For an illuminating discussion of this and related questions, see Richard Wollheim and Isaiah Berlin, "Equality," *Proceedings of the Aristotelian Society* 56 (1956): 281–326 (reprinted in *Justice and Social Policy*, ed. Frederick A. Olafson [Englewood Cliffs, N.J.: Prentice-Hall, 1961]).

of equality. It cannot be the aim of this maxim that everyone should be treated alike in all circumstances, or even that they should be treated alike as much as possible. Granted that, however, there is no obvious stopping point before the interpretation which makes the maxim claim only that they should be treated alike in similar circumstances; and since "circumstances" here must clearly include reference to what people are, as well as to their purely external situations, this comes very much to saying that for every difference in the way people are treated, some general reason or principle of differentiation must be given. This may well be an important principle; some indeed have seen in it, or in something very like it, an essential element of morality itself.[2] But it can hardly be enough to constitute the principle that was advanced in the name of *equality*. It would be in accordance with this principle, for example, to treat blacks differently from others just because they were black, or women differently just because they were women, and this cannot accord with anyone's idea of equality.

In what follows I shall try to advance a number of considerations that can help to save the political notion of equality from these extremes of absurdity and of triviality. These considerations are in fact often employed in political argument, but are usually bundled together into an unanalyzed notion of equality in a manner confusing to the advocates, and encouraging to the enemies, of that ideal. These considerations will not enable us to define a distinct third interpretation of the statements which use the notion of equality; it is rather that they enable us, starting with the weak interpretations, to build up a position that in practice can have something of the solidity aspired to by the strong interpretations. In this discussion, it will not be necessary all the time to treat separately the supposedly factual application of the notion of equality, and its application in the maxim of action. Though it is sometimes important to distinguish them, and there are clear grounds for doing so, similar considerations often apply to both. The two go significantly together: on the one hand, the point of the supposedly factual assertion is to back up social ideals and programmes of political action; on the other hand—a rather less obvious point, perhaps—those political proposals have their force because they are regarded not as gratuitously egalitarian, aiming at equal treatment for reasons, for instance, of simplicity or tidiness, but as affirming an equality which is believed in some sense already to exist, and to be obscured or neglected by actual social arrangements.

[2] For instance, R. M. Hare: see his *The Language of Morals* (Oxford: Clarendon Press, 1952).

1. Common Humanity

The factual statement of men's equality was seen, when pressed, to retreat in the direction of merely asserting the equality of human beings as human beings, and this was thought to be trivial. It is certainly insufficient, but not, after all, trivial. The tautology is a useful one, serving as a reminder that those who belong anatomically to the species *homo sapiens*, and can speak a language, use tools, live in societies, can interbreed despite racial differences, and so forth, are also alike in certain other respects more likely to be forgotten. These respects are notably the capacity to feel pain, both from immediate physical causes and from various situations represented in perception and in thought; and the capacity to feel affection for others, and the consequences of this, connected with the frustration of this affection, loss of its objects, and the like. The assertion that people are alike in the possession of these characteristics is, while indisputable and (it may be) even necessarily true, not trivial. For it is certain that there are political and social arrangements that systematically neglect these characteristics in the case of some groups of people being fully aware of them in the case of others; that is to say, they treat certain people as though they did not possess these characteristics, and neglect moral claims that arise from these characteristics and which would be admitted to arise from them.

Here it may be objected that the mere fact that ruling groups in certain societies treat other groups in this way does not mean that they neglect or overlook the characteristics in question. They may recognize the presence of these characteristics in the worse-treated group but insist that in the case of that group, the characteristics do not give rise to any moral claim; the group being distinguished from other members of society in virtue of some further characteristic (for instance, by being black), this may be cited as the ground of treating them differently, whether they feel pain, affection, and so forth, or not.

This objection rests on the assumption, common to much moral philosophy that makes a sharp distinction between fact and value, that the question whether a certain consideration is relevant to a moral issue is an evaluative question: to state that a consideration is relevant or irrelevant to a certain moral question is, on this view, itself to commit oneself to a certain kind of moral principle or outlook. Thus, in the case under discussion, to say (as one would naturally say) that the fact that people are black is, by itself, quite irrelevant to the issue of how they should be treated in respect of, say, welfare, would, on this view, be to commit to oneself to a certain sort of moral principle. This view, taken generally, seems to me quite certainly false. The principle that people should be differentially

treated in respect of welfare merely on grounds of their colour is not a special sort of moral principle, but (if anything) a purely arbitrary assertion of will, like that of some Caligulan ruler who decided to execute everyone whose name contained three *R*s.

This point is in fact conceded by those who practice such things as colour discrimination. Few can be found who will explain their practice merely by saying, "But they're black: and it is my moral principle to treat blacks differently from others." If any reasons are given at all, they will be reasons that seek to correlate the fact of blackness with certain other considerations which are at least candidates for relevance to the question of how a person should be treated: such as insensitivity, brute stupidity, and ineducable irresponsibility. Now these reasons are very often rationalizations, and the correlations claimed are either not really believed or quite irrationally believed by those who claim them. But this is a different point; the argument concerns what counts as a moral reason, and the rationalizer broadly agrees with others about what counts as such—the trouble with him is that his reasons are dictated by his policies, and not conversely. The Nazis' "anthropologists" who tried to construct theories of Aryanism were paying, in very poor coin, the homage of irrationality to reason.

The question of relevance in moral reasons will arise again, in a different connection, in this paper. For the moment its importance is that it gives a force to saying that those who neglect the moral claims of certain people that arise from their human capacity to feel pain, and so forth, are *overlooking* or *disregarding* those capacities; and are not just operating with a special moral principle, conceding the capacities to these people but denying the moral claim. Very often, indeed, they have just persuaded themselves that the people in question have those capacities in a lesser degree. Here it is certainly to the point to assert the apparent platitude that these human beings are also human.

I have discussed this point in connection with very obvious human characteristics of feeling pain and desiring affection. There are, however, other and less easily definable characteristics universal to humanity, which may all the more be neglected in political and social arrangements. For instance, there seems to be a characteristic which might be called "a desire for self-respect"; this phrase is perhaps not too happy, in suggesting a particular culturally limited, bourgeois value, but I mean by it a certain human desire to be identified with what one is doing, to be able to realize purposes of one's own, and not to be the instrument of another's will unless one has voluntarily accepted such a role. This is a very inadequate and in some ways rather empty specification of a human desire; to a better specification, both philosophical reflection and the evidences of psychology and anthropology would be relevant. Such investigations enable us

to understand more deeply, in respect of the desire I have gestured toward and of similar characteristics, what it is to be human.

2. Moral Capacities

So far we have considered respects in which people can be counted as all alike, which respects are, in a sense, negative: they concern the capacity to suffer, and certain needs that people have, which involve them in moral relations as the recipients of certain kinds of treatment. It has certainly been a part, however, of the thought that people were equal, that there were more positive respects in which they were alike: that they were equal in certain things that they could do or achieve, as well as in things that they needed and could suffer. In respect of a whole range of abilities, from weight lifting to the calculus, the assertion is, as was noted at the beginning, not plausible, and has not often been supposed to be. It has been held, however, that there are certain other abilities, both less open to empirical test and more essential in moral connections, for which it is true that people are equal. These are certain sorts of moral ability or capacity, the capacity for virtue or achievement of the highest kind of moral worth.

The difficulty with this notion is that of identifying any purely moral capacities. Some human capacities are more relevant to the achievement of a virtuous life than others: intelligence, a capacity for sympathetic understanding, and a measure of resoluteness would generally be agreed to be so. But these capacities can all be displayed in non-moral connections as well, and in such connections would naturally be thought to differ from one person to another like other natural capacities. That this is the fact of the matter has been accepted by many thinkers, notably, for instance, by Aristotle. But against this acceptance, there is a powerful strain of thought that centres on a feeling of ultimate and outrageous absurdity in the idea that the achievement of the highest kind of moral worth should depend on natural capacities, unequally and fortuitously distributed as they are, and this feeling is backed up by the idea that these natural capacities cannot themselves be the bearers of the moral worth, since those who have them are as gifted for vice as for virtue.

This strain of thought has found many types of religious expression; but in philosophy it is to be found in its purest form in Kant. Kant's view not only carries to the limit the notion that moral worth cannot depend on contingencies, but also emphasizes, in its picture of the Kingdom of Ends, the idea of *respect* which is owed to each person as a rational moral agent—and, since people are equally such agents, is owed equally to all, unlike admiration and similar attitudes, which are commanded unequally

by people in proportion to their unequal possession of different kinds of natural excellence. These ideas are intimately connected in Kant, and it is not possible to understand his moral theory unless as much weight is given to what he says about the Kingdom of Ends as is always given to what he says about duty.

The very considerable consistency of Kant's view is bought at what would generally be agreed to be a very high price. The detachment of moral worth from all contingencies is achieved only by making a person's characteristic as a moral or rational agent a transcendental characteristic; the capacity to will freely as a rational agent is not dependent on any empirical capacities and, in particular, is not dependent on empirical capacities which people may possess unequally, because, in the Kantian view, the capacity to be a rational agent is not itself an empirical capacity at all. Accordingly, the respect owed equally to each person as a member of the Kingdom of Ends is not owed to that person in respect of any empirical characteristics, but solely in respect of the transcendental characteristic of being a free and rational will. The ground of the respect owed to each person thus emerges in the Kantian theory as a kind of secular analogue of the Christian conception of the respect owed to everybody as equally children of God. Though secular, it is equally metaphysical: in neither case is it anything empirical *about* people that constitutes the ground of equal respect.

This transcendental, Kantian conception cannot provide any solid foundation for the notions of equality among people, or of equality of respect owed to them. Apart from the general difficulties of such transcendental conceptions, there is the obstinate fact that the concept of "moral agent," and the concepts allied to it such as that of responsibility, do and must have an empirical basis. It seems empty to say that all people are equal as moral agents, when the question, for instance, of people's responsibility for their actions is one to which empirical considerations are clearly relevant, and one which moreover receives answers in terms of different degrees of responsibility and different degrees of rational control over action. To hold people responsible for their actions is presumably the central case of treating them as moral agents, and if people are not treated equally as responsible, there is not much left to their equality as moral agents.

If, without its transcendental basis, there is not much left to people's equality as moral agents, is there anything left to the notion of the *respect* owed to everyone? This notion of "respect" is both complex and unclear, and I think it needs, and would repay, a good deal of investigation. Some content can, however, be attached to it, even if it is some way away from the ideas of moral agency. There certainly is a distinction, for instance, between regarding a person's life, actions, or character from an aesthetic

or technical point of view, and regarding them from a point of view which is concerned primarily with what it is *for that person* to live that life and do those actions in that character. Thus from the technological point of view, a man who has spent his life in trying to make a certain machine which could not possibly work is merely a failed inventor, and in compiling a catalogue of those whose efforts have contributed to the sum of technical achievement, one must "write him off": the fact that he devoted himself to this useless task with constant effort, and so on, is merely irrelevant. But from a human point of view, it is clearly not irrelevant: we are concerned with him, not merely as "a failed inventor," but as a man who wanted to be a successful inventor. Again, in professional relations and the world of work, people operate, and their activities come up for criticism, under a variety of professional or technical titles, such as "plumber" or "junior executive." The technical or professional attitude is that which regards the person solely under that title, the human approach that which regards the person as *someone who has* that title (among others), willingly, unwillingly, through lack of alternatives, with pride, and so forth.

That people should be regarded from the human point of view, and not merely under these sorts of titles, is part of the content that might be attached to Kant's celebrated injunction "treat each person as an end in himself or herself, and never as a means only." But I do not think that this is all that should be seen in this injunction, or all that is concerned in the notion of "respect." What is involved in the examples just given could be explained by saying that each person is owed an effort at identification and should not be regarded as the surface to which a certain label can be applied; rather, one should try to see the world (including the label) from that person's point of view. This injunction will be based on the notion that people are conscious beings who necessarily have intentions and purposes and see what they are doing in a certain light. But there seem to be further injunctions connected with the Kantian maxim, and with the notion of "respect," that go beyond these considerations. There are forms of exploiting people or degrading them which are excluded by these notions, but which cannot be excluded merely by considering how the exploited or degraded people see the situation. For it is precisely a mark of extreme exploitation or degradation that those who suffer it do not see themselves differently from the way they are seen by the exploiters; either they do not see themselves as anything at all, or they acquiesce passively in the role for which they have been cast. Here we evidently need something more than the precept that one should respect and try to understand other people's consciousness of their own activities; it is also that one may not suppress or destroy that consciousness.

These are vague and inconclusive considerations, but we are dealing with a vague notion: one, however, that we possess and attach value to.

To try to put these matters properly in order would be itself to try to reach conclusions about several fundamental questions of moral philosophy. What we must ask here is what these ideas have to do with equality. We started with the equality of people as moral agents. This notion appeared unsatisfactory, for different reasons, in both an empirical and a transcendental interpretation. We then moved, via the idea of "respect," to the different notion of regarding people not merely under professional, social, or technical titles, but with consideration of their own views and purposes. This notion has at least this much to do with equality: that the titles which it urges us to look behind are the conspicuous bearers of social, political, and technical *inequality*, whether they refer to achievement (as in the example of the inventor), or to social roles (as in the example of work titles). It enjoins us not to let our fundamental attitudes to people be dictated by the criteria of technical success or social position, and not to take them at the value carried by these titles and by the structures in which these titles place them. This does not mean, of course, that the more fundamental view that should be taken is in the case of everyone the same: on the contrary. But it does mean that everyone is owed the effort of understanding, and that in achieving it, people should be abstracted from certain conspicuous structures of inequality in which we find them.

These injunctions are based on the proposition that people are beings who are necessarily to some extent conscious of themselves and of the world they live in. (I omit here, as throughout the discussion, the clinical cases of people who are mad or mentally defective, who always constitute special exceptions.) This proposition does not assert that people are equally conscious of themselves or their situation. It was precisely one element in the notion of exploitation considered above that such consciousness can be decreased by social action and the environment; we may add that it can similarly be increased. But people are at least potentially conscious, to an indeterminate degree, of their situation and of what I have called their "titles," are capable of reflectively standing back from the roles and positions in which they are cast; and this reflective consciousness may be enhanced or diminished by their social condition.

It is this last point that gives these considerations a particular relevance to the political aims of egalitarianism. The mere idea of regarding people from "the human point of view," while it has a good deal to do with politics, and a certain amount to do with equality, has nothing specially to do with political equality. One could, I think, accept this as an ideal, and yet favour, for instance, some kind of hierarchical society, so long as the hierarchy maintained itself without compulsion, and there was human understanding between the orders. In such a society, everyone would indeed have a very conspicuous title which related him or her to the social

structure; but it might be that most people were aware of the human beings behind the titles and found each other for the most part content, or even proud, to have the titles that they had. I do not know whether anything like this has been true of historical hierarchical societies, but I can see no inconsistency in someone's espousing it as an ideal, as some (influenced in many cases by a sentimental picture of the Middle Ages) have done. Such a person would be one who accepted the notion of "the human view," the view of people as something more than their titles, as a valuable ideal, but rejected the ideals of political equality.

Once, however, one accepts the further notion that a person's consciousness of such things as his or her role in society is itself in some part the product of social arrangements, and that it can be increased, this ideal of a stable hierarchy must, I think, disappear. What keeps stable hierarchies together is the idea of necessity, that it is somehow foreordained or inevitable that there should be these orders, and this idea of necessity must be eventually undermined by the growth of people's reflective consciousness about their roles, still more when this is combined with the thought that what they and the others have always thought about their roles in the social system was the product of the social system itself.

Someone who admitted that people's consciousness of their roles was conditioned in this way might nevertheless believe in the hierarchical ideal and think that in order to preserve the society, the idea of the conditioning of consciousness should not get around to too many people, and that their consciousness about their roles should not increase too much. Such a view is really a very different thing from its naive predecessor. Someone who thinks this, no longer "immersed" in the system, is beginning to think in terms of compulsion, the deliberate *prevention* of the growth of consciousness, which is a poisonous element absent from the original ideal. Moreover this attitude toward the other people in the society must now contain an element of condescension or contempt, since their acceptance of what they suppose to be a necessity turns out to be delusion. This is alien to the spirit of human understanding on which the original ideal was based. The hierarchical idealist cannot escape the fact that certain things which can be done decently without self-consciousness can, with self-consciousness, be done only hypocritically. This is why even the rather hazy and very general notions that I have tried to bring together in this section contain some of the grounds of the ideal of political equality.

3. Equality in Unequal Circumstances

The notion of equality is invoked not only in connections where people are claimed in some sense all to be equal, but in connections where they

are agreed to be unequal, and the question arises of the distribution of, or access to, certain goods to which their inequalities are relevant. It may be objected that the notion of equality is in fact misapplied in these connections, and that the appropriate ideas are those of fairness or justice, in the sense of what Aristotle called "distributive justice," where (as Aristotle argued) there is no question of regarding or treating everyone as equal, but solely a question of distributing certain goods in proportion to recognized inequalities. But there is some foothold for the notion of equality even in these cases. It is useful here to make a rough distinction between two different types of inequality, inequality of *need* and inequality of *merit*, with a corresponding distinction between goods—on the one hand, goods demanded by the need, and on the other, goods that can be earned by the merit. In the case of needs, such as the need for medical treatment of illness, it can be presumed for practical purposes that those who have the need actually desire the goods in question, and so the question can indeed be regarded as one of distribution in a simple sense, the satisfaction of an existing desire. In the case of merit, such as for instance the possession of abilities to profit from a university education, there is not the same presumption that everyone who has the merit has the desire for the goods in question, though it may, of course, be the case. Moreover, the good of a university education may be legitimately, even if hopelessly, desired by those who do not possess the merit; while medical treatment or unemployment benefits are either not desired or not legitimately desired by those who are not ill or unemployed—that is, do not have the appropriate need. Hence the distribution of goods in accordance with merit has a competitive aspect lacking in the case of distribution according to need. For these reasons, it is appropriate to speak in the case of merit not only of the distribution of the good, but of the distribution of the opportunity of achieving the good. But this, unlike the good itself, can be said to be distributed equally to everybody, and so one does encounter a notion of *general* equality, notion of equality of opportunity.

Before considering this notion further, we do well to notice certain resemblances and differences between the cases of need and of merit. In both cases, we encounter the matter of the relevance of reasons. Leaving aside preventive medicine, the proper ground of distribution of medical care is ill health: this is a necessary truth. Now in very many societies, while ill health may work as a necessary condition of receiving treatment, it does not work as a sufficient condition, since such treatment costs money, and not all who are ill have the money; hence the possession of sufficient money becomes in fact an additional necessary condition of actually receiving treatment. (Yet more extravagantly, money may work as a sufficient condition by itself, without any medical need, in which case the reasons that actually operate for the receipt of this good are just totally

irrelevant to its nature; however, since only a few hypochondriacs desire treatment when they do not need it, this is, in this case, a marginal phenomenon.) When we have the situation in which, for instance, wealth is a further necessary condition of the receipt of medical treatment, we can once more apply the notions of equality and inequality: not now in connection with the inequality between the well and the ill, but in connection with the inequality between the rich ill and the poor ill, since we have straightforwardly the situation of those whose needs are the same not receiving the same treatment, though the needs are the ground of the treatment. This is an irrational state of affairs.

It may be objected that I have neglected an important distinction here. It may be said that I have treated the ill health and the possession of money as though they were regarded on the same level, as "reasons for receiving medical treatment," and that this is a muddle. The ill health is, at most, a ground of the *right* to receive medical treatment; whereas the money is, in certain circumstances, the causally necessary condition of securing the right, which is a different thing. There is something in the distinction that this objection suggests: there is a distinction between people's rights, the reasons why they should be treated in a certain way, and their power to secure those rights, the reasons why they can in fact get what they deserve. But this objection does not make it inappropriate to call the situation of inequality an "irrational" situation: it just makes it clearer what is meant by so calling it. What is meant is that it is a situation in which reasons are insufficiently *operative*; it is a situation insufficiently controlled by reasons—and hence by reason itself. The same point arises with another form of equality and equal rights, equality before the law. It may be said that in a certain society, citizens have equal rights to a fair trial, to seek redress from the law for wrongs committed against them, and so forth. But if a fair trial or redress from the law can be secured in that society only by moneyed and educated people, to insist that everyone *has* this right, though only these particular people can *secure* it, rings hollow to the point of cynicism: we are concerned not with the abstract existence of rights, but with the extent to which those rights govern what actually happens.

Thus when we combine the notions of the *relevance* of reasons, and the *operativeness* of reasons, we have a genuine moral weapon, which can be applied in cases of what is appropriately called unequal treatment, even where one is not concerned with the equality of people as a whole. This represents a strengthening of the very weak principle mentioned at the beginning of this paper, that for every difference in the way people are treated, a reason should be given: when one requires further that the reasons should be relevant, and that they should be socially operative, this really says something.

Similar considerations will apply to cases of merit. There is, however, an important difference between the cases of need and merit, in respect of the relevance of reasons. It is a matter of logic that particular sorts of needs constitute a reason for receiving particular sorts of good. It is, however, in general a much more disputable question whether certain sorts of merit constitute a reason for receiving certain sorts of good. For instance, let it be agreed, for the sake of argument, that the public school system[3] provides a superior type of education, which it is a good thing to receive. It is then objected that access to this type of education is unequally distributed, because of its cost: among children of equal promise or intelligence, only those from wealthy homes will receive it, and, indeed, those of little promise or intelligence will receive it, if from wealthy homes; and this, the objection continues, is irrational.

The defender of the public school system might give two quite different sorts of answer to this objection (besides, that is, the obvious type of answer which merely disputes the facts alleged by the objector). One is the sort of answer already discussed in the case of need: that we may agree, perhaps, that children of promise and intelligence have a right to a superior education, but in actual economic circumstances, this right cannot always be secured, and so forth. The other is more radical: this would dispute the premise of the objection that intelligence and promise are, at least by themselves, the grounds for receiving this superior type of education. While perhaps not asserting that wealth itself constitutes the ground, the defender of the system may claim that other characteristics significantly correlated with wealth are such grounds; or, again, that it is the purpose of this sort of school to maintain a tradition of leadership, and the best sort of people to maintain this will be people whose parents were at such schools. We need not try to pursue such arguments here. The important point is that, while there can indeed be genuine disagreements about what constitutes the relevant sort of merit in such cases, such disagreements must also be disagreements about the nature of the good to be distributed. As such, the disagreements do not occur in a vacuum, nor are they logically free from restrictions. There is only a limited number of reasons for which education could be regarded as a good, and a limited number of purposes which education could rationally be said to serve; and to the limitations on this question, there correspond limitations on the sorts of merit or personal characteristic which could be rationally cited as grounds of access to this good. Here again we encounter a genuine strengthening of the very weak principle that, for differences in the way that people are treated, reasons should be given.

[3] In Great Britain, the phrase "public school" stands for what are in fact *private* or independent schools, and this is the kind of institution that Williams has in mind here.

We may return now to the notion of equality of opportunity, understanding this in the normal political sense of equality of opportunity for *everyone in society* to secure certain goods. This notion is introduced into political discussion when there is question of the access to certain goods which, first, even if they are not desired by everyone in society, are desired by large numbers of people in all sections of society (either for themselves, or, as in the case of education, for their children), or would be desired by people in all sections of society if they knew about the goods in question and thought it possible for them to attain them; second, are goods which people may be said to earn or achieve; and third, are goods which not all the people who desire them can have. This third condition covers at least three different cases, however, which it is worth distinguishing. Some desired goods, like positions of prestige, management, and the like, are *by their very nature* limited: whenever there are some people who are in command or prestigious positions, there are necessarily others who are not. Other goods are *contingently* limited, in the sense that there are certain conditions of access to them which in fact not everyone satisfies, but there is no intrinsic limit to the numbers who might gain access to them by satisfying the conditions: university education is usually regarded in this light nowadays, as something which requires certain conditions of admission to it which in fact not everyone satisfies, but which an indefinite proportion of people might satisfy. Third, there are goods which are *fortuitously* limited, in the sense that although everyone or large numbers of people satisfy the conditions of access to them, there is just not enough of them to go around; so a rationing system has to be imposed, to govern access in an imperfect situation. A good can, of course, be both contingently and fortuitously limited at once: owing to shortage of supply, not even the people who are qualified to have it, limited in numbers though they are, can in every case have it. It is particularly worth distinguishing those kinds of limitation, as there can be significant differences of view about the way in which a certain good is limited. While most would now agree that higher education is contingently limited, a Platonic view would regard it as necessarily limited.

Now the notion of equality of opportunity might be said to be the notion that a limited good shall in fact be allocated on grounds which do not a priori exclude any section of those that desire it. But this formulation is not really very clear. For suppose grammar school education (a good perhaps contingently, and certainly fortuitously, limited) is allocated on grounds of ability as tested at the age of eleven; this would normally be advanced as an example of equality of opportunity, as opposed to a system of allocation on grounds of parents' wealth. But does not the criterion of ability exclude a priori a certain section of people—viz. those that are not able—just as the other excludes a priori those who are not wealthy?

Here it will obviously be said that this was not what was meant by a priori exclusion: the present argument just equates this with exclusion of anybody—that is, with the mere existence of some condition that has to be satisfied. What then is a priori exclusion? It must mean exclusion on grounds other than those appropriate or rational for the good in question. But this still will not do as it stands. For it would follow from this that so long as those allocating grammar school education on grounds of wealth thought that such grounds were appropriate or rational (as they might in one of the ways discussed above in connection with public schools), they could sincerely describe their system as one of equality of opportunity—which is absurd.

Hence it seems that the notion of equality of opportunity is more complex than it first appeared. It requires not merely that there should be no exclusion from access on grounds other than those appropriate or rational for the good in question, but that the grounds considered appropriate for the good should themselves be such that people from all sections of society have an equal chance of satisfying them. What now is a "section of society"? Clearly we cannot include under this term sections of the populace identified just by the characteristics which figure in the grounds for allocating the good—since, once more, any grounds at all must exclude some section of the populace. But what about sections identified by characteristics which are *correlated* with the grounds of exclusion? There are important difficulties here: to illustrate this, an imaginary example may be helpful.

Suppose that in a certain society great prestige is attached to membership of a warrior class, the duties of which require great physical strength. This class has in the past been recruited from certain wealthy families only, but egalitarian reformers achieve a change in the rules, by which warriors are recruited from all sections of the society on the results of a suitable competition. The effect of this, however, is that the wealthy families still provide virtually all the warriors, because the rest of the populace are so under-nourished by reason of poverty that their physical strength is inferior to that of the wealthy and well nourished. The reformers protest that equality of opportunity has not really been achieved; the wealthy reply that in fact it has, and that the poor now have the opportunity of becoming warriors—it is just bad luck that their characteristics are such that they do not pass the test. "We are not," they might say, "excluding anyone *for* being poor; we exclude people for being weak, and it is unfortunate that those who are poor are also weak."

This answer would seem to most people feeble, and even cynical. This is for reasons similar to those discussed before in connection with equality before the law; that the supposed equality of opportunity is quite empty—indeed, one may say that it does not really exist—unless it is made more

effective than this. For one knows that it could be made more effective; one knows that there is a causal connection between being poor and being undernourished, and between being undernourished and being physically weak. One supposes further that something could be done—subject to whatever economic conditions obtain in the imagined society—to alter the distribution of wealth. All this being so, the appeal by the wealthy to the "bad luck" of the poor must appear disingenuous.

It seems then that a system of allocation will fall short of equality of opportunity if the allocation of the good in question in fact works out unequally or disproportionately between different sections of society, if the unsuccessful sections are under a disadvantage which could be removed by further reform or social action. This was very clear in the imaginary example that was given, because the causal connections involved are simple and well known. In actual fact, however, the situations of this type that arise are more complicated, and it is easier to overlook the causal connections involved. This is particularly so in the case of educational selection, where such slippery concepts as "intellectual ability" are involved. It is a known fact that the system of selection for grammar schools by the "eleven-plus" examination favours children in direct proportion to their social class, the children of professional homes having proportionately greater success than those from working-class homes. We have every reason to suppose that these results are the product, in good part, of environmental factors; and we further know that imaginative social reform, both of the primary educational system and of living conditions, would favourably effect those environmental factors. In these circumstances, this system of educational selection falls short of equality of opportunity.[4]

This line of thought points to a connection between the idea of equality of opportunity, and the idea of equality of persons, which is stronger than might at first be suspected. We have seen that one is not really offering equality of opportunity to Smith and Jones if one contents oneself with applying the same criteria to Smith and Jones at, say, the age of eleven; what one is doing there is to apply the same criteria to Smith as affected by favourable conditions and to Jones as affected by unfavourable but curable conditions. Here there is a necessary pressure to equalize the conditions: to give *Smith* and *Jones* equality of opportunity involves regarding their conditions, where curable, as themselves part of what is done to Smith and Jones, and not part of Smith and Jones themselves. Their identity, for these purposes, does not include their curable environment, which is itself unequal and a contributor of inequality. This abstraction of persons in themselves from unequal environments is a way, if not of regarding

[4] See on this C.A.R. Crosland, "Public Schools and English Education," *Encounter*, July 1961.

them as equal, at least of moving recognizably in that direction; and is itself involved in equality of opportunity.

One might speculate about how far this movement of thought might go. The most conservative user of the notion of equality of opportunity is, if sincere, prepared to abstract the individual from some effects of the environment. We have seen that there is good reason to press this further, and to allow that the individuals whose opportunities are to be equal should be abstracted from more features of social and family background. Where should this stop? Should it even stop at the boundaries of heredity? Suppose it were discovered that when all curable environmental disadvantages had been dealt with, there was a residual genetic difference in brain constitution, for instance, which was correlated with differences in desired types of ability; but that the brain constitution could in fact be changed by an operation.[5] Suppose further that the wealthier classes could afford such an operation for their children, so that they always came out at the top of the educational system; would we then think that poorer children did not have equality of opportunity, because they had no opportunity to get rid of their genetic disadvantages?

Here we might think that our notion of personal identity itself was beginning to give way; we might well wonder *who were* the people whose advantages and disadvantages were being discussed in this way. But it would be wrong, I think, to try to solve this problem simply by saying that in the supposed circumstances our notion of personal identity would have collapsed in such a way that we could no longer speak of the individuals involved—in the end, we could still pick out the individuals by spatio-temporal criteria, if no more. Our objections against the system suggested in this fantasy must, I think, be moral rather than metaphysical. They need not concern us here. What is interesting about the fantasy, perhaps, is that if one reached this state of affairs, the individuals would be regarded as in all respects equal in themselves—for in themselves they would be, as it were, pure subjects or bearers of predicates, everything else about them, including their genetic inheritance, being regarded as a fortuitous and changeable characteristic. In these circumstances, where everything about a person is controllable, equality of opportunity and absolute equality seem to coincide; and this itself illustrates something about the notion of equality of opportunity.

I said that we need not discuss here the moral objections to the kind of world suggested in this fantasy. There is, however, one such point that is relevant to the different aspects of equality that have been discussed in

[5] A yet more radical situation—but one more likely to come about—would be that in which an individual's characteristics could be *pre-arranged* by interference with the genetic material. The dizzying consequences of this I shall not try to explore.

this paper as a whole. One objection that we should instinctively feel about the fantasy world is that far too much emphasis was being placed on achieving high ability; that the children were just being regarded as locations of abilities. I think we should still feel this even if everybody (with results hard to imagine) was treated in this way; when not everybody was so treated, the able would also be more successful than others, and those very concerned with producing the ability would probably also be over-concerned with success. The moral objections to the excessive concern with such aims are, interestingly, not unconnected with the ideal of equality itself; they are connected with equality in the sense discussed in the earlier sections of this paper, the equality of human beings despite their differences, and in particular with the complex of notions considered in the second section under the heading of "respect."

This conflict within the ideals of equality arises even without resort to the fantasy world. It exists today in the feeling that a thoroughgoing emphasis on equality of opportunity must destroy a certain sense of common humanity which is itself an ideal of equality.[6] The ideals that are felt to be in conflict with equality of opportunity are not necessarily other ideals of equality—there may be an independent appeal to the values of community life, or to the moral worth of a more integrated and less competitive society. Nevertheless, the idea of equality itself is often invoked in this connection, and not, I think, inappropriately.

If the idea of equality ranges as widely as I have suggested, this type of conflict is bound to arise with it. It is an idea which, on the one hand, is invoked in connection with the distribution of certain goods, some at least of which are bound to confer on their possessors some preferred status or prestige. On the other hand, the idea of equality of respect urges us to give less consideration to those structures in which people enjoy status or prestige, and to consider people independently of those goods, on the distribution of which equality of opportunity precisely focusses our, and their, attention. There is perhaps nothing formally incompatible in these two applications of the idea of equality: one might hope for a society in which there existed both a fair, rational, and appropriate distribution of these goods, and no contempt, condescension, or lack of human communication between people who were more and less successful recipients of the distribution. Yet in actual fact, there are deep psychological and social obstacles to the realization of this hope. As things are, the competitiveness and considerations of prestige that surround the first application of equality certainly militate against the second. How far this situation is inevitable, and how far in an economically developed and dynamic society, in

[6] See, for example, Michael Young, *The Rise of the Meritocracy* (London: Thames and Hudson, 1958).

which certain skills and talents are necessarily at a premium, the obstacles to a wider realization of equality might be overcome, I do not think that we know. These are in good part questions of psychology and sociology, to which we do not have the answers.

When one is faced with the spectacle of the various elements of the idea of equality pulling in these different directions, there is a strong temptation, if one does not abandon the idea altogether, to abandon some of its elements: to claim, for instance, that equality of opportunity is the only ideal that is at all practicable, and equality of respect a vague and perhaps nostalgic illusion; or, alternatively, that equality of respect is genuine equality, and equality of opportunity an inegalitarian betrayal of the ideal—all the more so if it were thoroughly pursued, as now it is not. To succumb to either of these simplifying formulae would, I think, be a mistake. Certainly, a highly rational and efficient application of the ideas of equal opportunity, unmitigated by the other considerations, could lead to a quite inhuman society (if it worked—which, granted a well-known desire of parents to secure a position for their children at least as good as their own, is unlikely). On the other hand, an ideal of equality of respect that made no contact with such things as the economic needs of society for certain skills, and human desire for some sorts of prestige, would be condemned to a futile Utopianism, and to having no rational effect on the distribution of goods, position, and power that would inevitably proceed. If, moreover, as I have suggested, it is not really known how far, by new forms of social structure and of education, these conflicting claims might be reconciled, it is all the more obvious that we should not throw one set of claims out the window but should rather seek, in each situation, the best way of eating and having as much cake as possible. It is an uncomfortable situation, but the discomfort is just that of genuine political thought. It is no greater with equality than it is with liberty, or any other noble and substantial political ideal.