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WHY AND WHICH EQUALITY?

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Abstract.

Equality is a main social ethical value. It first raises two essential questions. The operational question “equality of what?”, and the apparently more basic and primitive one: “why equality?”. There turns out to be several reasons for equality of very different nature and scope, from pure rationality (“equal treatment of equals in the relevant characteristic”, “permutable treatment of equals”, plus “full determination”) to tautology (everybody should have some specific item) and to identity with the most basic freedom (non-domination). This article analyzes all forms taken by social equality with their reasons, consequences and the many relations between them, including the logically puzzling “non-sufficient reason for inequality”; the various equalities of liberty; the structure of the overall distribution of goods, income or welfare in social justice; responsibility-free equality; equalities of opportunity; equity-no-envy and identical domains of choice; political equalities; impartialities; relational equality; reciprocity; ontological equality; a society of equals.

Keywords: justice, equality, rationality.

Summary

Equality is a main value of social ethics. Interest in inequality implies interest in the corresponding equality. But why is equality valued? It seems that the basic question “equality of what?” can be answered only when the more basic question “why equality?” has been answered in the first place. It turns out that there are many reasons against equality. And the reasons that lead to it are also many, including a purely logical one (equal treatment of equals in the relevant characteristics), an identity with the most basic liberty (non-subjection), and a tautology (everybody should have some item). Actually, equality is only secondarily an end-value in itself and is generally a derived value only. Moreover, it is applied to a variety of domains. Nevertheless, the central place it holds in social ethical judgments makes the clarification of these issues a necessity. This includes the rationality of equality, the necessary property of “permutable treatment of equals”, the strange logic of the often-repeated “non-sufficient reason for inequality”, equality *as liberty* (non-subjection) and the various equalities *of liberty*, the various different but equivalent equalities that determine overall distributive social justice given different capacities to earn and to enjoy, responsibility-free equality and equal joint responsibility, the variety of equalities of opportunity, fundamental insurance, comparative egalitarianism (and “equity-no-envy”), rationales and forms of impartiality, political equality (including *isegoria*, the equal right and means of talking to all others), comparisons and measures of inequalities, positive relational equality and reciprocity, ontological equality and its consequences, equal basic worth and equal respect and consideration, equality of conditions, and a society of equals.

1. The problem of equality

1.1 *Dual passions*

Equality is a mathematical concept that induced the guillotine (notwithstanding liberty and fraternity). This conclusion of the Enlightenment shows the astounding and unnatural duality of the two faces of the coins in this currency. With equality, contrary to Hume’s view, a notion from reason sets passions ablaze. For no other issue can a mere structural property stir up so intense emotions. Anger is the common reaction to the irrationalities of arbitrariness and partiality. On the one hand, indeed, throughout human history, in revolutions and wars of independence many people chose to die for equality and no fewer to kill for it. Lack of

equality ignites social protests and fuels social movements. It arouses the most burning social sentiments, whether righteous indignation against injustice or pitiful feelings of envy, jealousy, inferiority, superiority or condescension. Instances are the outrages of subjection, domination, discrimination, exploitation, starvation amid plenty, favouritism and nepotism. On the other hand, however, the analysis of social equality (the discipline of *isology*) also arouses passions of another kind, mathematical, by being one of the most formalized and logic-intensive field of social science. It includes, for instance, the logic of equal treatment and non-sufficient reason (a topic shared with the philosophy of probabilities), the modern developments of Aristotle's "arithmetic or geometric" dichotomy, the parallel roles of equality in the theory of justice and of symmetry in that of physics, and the concept- and theorem-rich formal theories of social justice, fairness, equity (the latin name for equality), equality in liberties and opportunities, reciprocity, envy and its absence, the many equalities of optimum and just distribution and taxation, impartialities and "original positions", and the comparison and measure of inequalities.

1.2 Why compare? Evils of equality and of its absence

Is, however, equality the right question? It is a comparison. But why compare? Isn't what matters what each person has – in goods, possibilities, welfare, dignity, respect, consideration, etc. –, full stop? Why nosy comparisons with others? Why not care about each person's own situation only? Shouldn't she mind her own business and shouldn't we respect this preference? If we compare because this person is envious, jealous or covetous, is this a good reason? Should we give her the other's good to sooth this pain? Or shouldn't we discard, indeed blame and condemn, such ugly and vicious feelings (envy is "the most odious and anti-social of sentiments" John Stuart Mill wrote, "not a passion but a disease" Jon Elster added). If the comparison arouses some painful sentiment of inferiority or judgment as such by others, or more serious shame, or sentiments of superiority, pride and vainglory for the other person, should these feelings be taken into account – at least to what extent – or should they rather be adjusted by education and the progress of morality or psychoanalysis? At any rate, are not comparative sentiments, whether righteous or vicious, the sole responsibility (or accountability) of their holders?

On general grounds, is not the peculiar choice of equality arbitrary, unjustified, irrational? Why "choose equality if there is no reason for inequality", as so many have

proposed, since the same logic leads one to choose any inequality as well if there is no reason for anything else? Is “why not?” a serious answer to “why?” Is not valuing equality just the mere aesthetic appreciation of evenness or symmetry – a rather bourgeois or military taste, but what else can be the motive, in art-loving Greece, of Procrustes who equalizes people’s height by shortening or extending passers-by to make them equally match the size of his bed in a kind of anticipation of the egalitarian revolutionary guillotine? Is not equality the levelling of ambitions (“He who rises up will be brought down” – *Celui qui s’élève on l’abaissera* – says the popular revolutionary song *Ça ira*), the flattening of natural diversity, possibly the erasing of the variety of cultures which constitutes the main value of mankind? Is not famously equality the enemy and destroyer of liberty? Equal incomes jeopardize incentives to earn, savings for growth, support of the arts (and, indeed, both equal self-ownership and equal happiness since people have different capacities to earn and to enjoy). Aren’t we better protected by hierarchical armies, more efficiently fed by hierarchically organized productive firms? Aren’t the masterpieces of civilizations the product of vast labour exploitation often of the most insufferable and odious kind (no Louvre, Versailles or Taj Mahal with equality, no exquisite pieces of literature or subtle philosophy without a leisure class, no Athenian punctiliously egalitarian but time-consuming citizen’s democracy without slaves) – as it is unfairly said, the free and equal Swiss produced the coucou-clock.

Hence, are not claims of equality superfluous, obnoxious, unfounded, dangerous, undefined and a priori contradictory?

Well and good. Observe mankind, however, and in its facts that are intrinsically linked to inequality.

Slaveries (still 100.000 *haratins* – literally, “captives” – in a country this author lived in, Mauretania). Racisms (including “ethnic cleansing” by Nazis, in Rwanda or in Bosnia). Apartheids. Sexisms of all kinds and intensities. Cultural dominations and discriminations. The waterfall of disregard, contempt, prohibitions and conditions of caste systems. The feudal “order” system attacked by a Revolution which defined what it violated as liberty, equality and fraternity (“someone who has not lived in the *Ancien Régime* does not know what the pain of living is” said Talleyrand). Then, from equal rights of property taken to mean liberty, the class system with exploitation of man by man in equal formal freedom, starvation amid plenty and vast inequalities of opportunity. Revolutions against it leading to Nomenklaturas of

“more equal than others”, the gulag and the rule of force. Dictatorships. Nepotism. Add, whatever their sources, wealth inequalities and average group life expectancies with differences of 50 years. The utmost violation of *isegoria* – the Athenian basic democratic equal right to public expression – by our mass-media democracies where only journalists, media owners and politicians speak to the rest of the people. The view of Rousseau (a former servant) that one should be neither so poor as to have to hire oneself nor rich enough to be able to rent someone. And “saved-skin” as the West Indian name for babies born with a clear complexion (*peau sauvée* in Martinique).

But also, in the then crystallizing caste system, the birth of the antidote, the enlightened emancipating lightening of the Buddha admitting in his *sangha* (community) a *chandala* woman – a bastard of an outcaste and a foreigner, the lowest and worst of all ranks – thus inventing the universal equal value of all humans, later transmitted to stoicism and from it to Christianity (Saint Paul’s “there is no longer neither slave nor free man, man nor woman, Jew nor Gentile”) and to the modern world. The common demand of equal treatment of equals in the relevant characteristics, implied by the simple rationality of the possibility of justifying, giving a reason for (section 4) – at least *prima facie*, in the absence of an overpowering reason (e.g. impossibility or the possibility of making everybody better off with inequality). *Faute de mieux*, finally, the eschatological dream-time equalities of the classless society, the chain of karma lives, and the Christian equalizing positive discrimination of the inverse wealth-related accessibility to paradise.

1.3 Equality as first virtue of society

This vast array of facts, emotions and reasons establishes the overwhelming importance of both the question of equality and of its necessary conceptual clarification. Equality may sometimes be so bad that only one thing can be worse: its absence. “Inequality is the source of all evil” is Rousseau’s (1755) clear-cut conclusion of a nevertheless elaborate investigation. Aristotle and John Rawls see justice as actual or ideal equality and find it to be the first virtue of society. Indeed, “Justice is equality, as everybody thinks it is, quite apart from other considerations” is Aristotle’s teaching to the king’s son in *Nicomachean Ethics*. *Social ethical equality*, the topic here, is almost consubstantial with the concepts of justice in the same field (social justice, distributive justice, compensatory justice, restorative justice, commutative justice, *diorthic* justice, etc.).

1.4 Of What?

Of course, equality can a priori be of many things, with often opposite actual consequences.

The equalities classically claimed have been of various types, including:

Equality of income or goods.

Equality of basic rights or liberties.

Equal right to the product of one's labour or capacities.

Equality in psychological welfare (happiness, satisfaction).

Equality in "real" freedom of choice.

Equality of opportunity.

The political equalities.

Relational equality, equality in social relations.

Equality in dignity.

Equality of consideration.

A society of equals.

Ontological equality, the equal moral worth of humans.

Equality is commonly thought to mean equality in incomes or goods. It can also be in liberty, however. Historically, in fact, the first and main demand for general equality was equality in rights and notably in basic rights which are essentially liberties ("men are free and equal in rights" is the opening statement of the 1789 Declaration of the Rights of Man and of the Citizen). This freedom from forceful interference can also be and has been seen as forbidding income redistribution, thus as meaning equal full self-ownership (i.e., each person is entitled to the effects and products of her own capacities to work and earn, and to enjoy) and hence implying a precise opposite of income equality! Equality may be not in goods but in the (psychological) welfare or "happiness" people derive from them thanks to their capacities to enjoy. On the contrary, it can be in the (other) resources given to society, and therefore in the "real liberty" of using them, thus complementing the "formal liberty" provided by the basic rights. If these resources are attached to the individuals, as their earning capacities or social conditions are, transfers or specific policies achieve this equalization. This can give various equalities of opportunity. Equality can also be in the variety of social relations, processes, statuses, situations or conditions. Of particular importance is political equality, equality in political power and civic duty, and its manifestation in democracy.

Finally, one kind of equality is particularly fundamental in the ethics of modernity: that of the basic moral worth of humans as such, with the attached respect, consideration, dignity and social and material consequences. This “ontological equality” refers to our common humanity which should be respected in all its instances (basic moral equality). In Kant’s words, all humans are equal in the kingdom of ends, and no one should consider any other as a means only. Equality can also appear in different types of rules that permit to determine individual situations. It is, for instance, an equality of weights in utilitarianism or in the highest social income (highest sums of individuals’ utilities or incomes). Equality is also sometimes *rule-equality* (or *functional equality*), that is, the items of individuals are derived from their specific given or chosen characteristics by the same rule or function. As is noted below, this is the very structure of rationality in the sense of providing a reason for, with important consequences.

1.5 Equality and Modernity: Formal and Real Equalities

The equalities considered here are results of choices by society, often by institutions but sometimes by individuals. In almost all societies there are peer groups with some values of equality between their members, and, often, equalities of certain types with larger extensions. However, we are also particularly interested in equality in the ethics of modernity. The logical analysis of equality will apply to all cases. The ethics of modernity is characterized by the acceptance or demand, by large majorities of populations, of certain equalities for large populations, universally for some equalities. These ideal values are, first, moral basic worth, classical basic rights and some sort of democracy. Respect, and basic rights when the distribution of resources is given, are non-rival (that is, one individual’s benefit from an item does not prevent or impair similar benefits for others) and therefore the demands may simply be that each person should have them, which implies their equality. In contrast with these consensual values of the ethic of modernity, this ethic is deeply divided with regard to the distribution of goods – the economic values. The polar positions are, on the one hand, a divided family of “egalitarians” who favor equality in incomes, goods, resources or welfare and, on the other hand, “classical liberals” who advocate self-ownership of all personal capacities (to earn and enjoy) – and hence, by the way, equal self-ownership for all. This issue and the resulting structure of the optimum distributions are discussed below. Note that since (*prima facie*) equal treatment of equals in the relevant characteristics turns out to be a logically necessary property of a determinate social choice with minimal rationality (cf.

section 4), equality appears in two different ways in social choice: (1) as this rationally necessary property of all social ethics which applies to the particular equalizand and scope of this ethics whatever they are – it can in particular be an equal freedom, for instance; and (2) as the particular values of the noted family of distributional “egalitarians” (in goods, incomes, resources or welfare).

We will point out various relevant structural properties of the object of equality. Just note for now that equality can be between individuals but also between groups or institutions variously defined (with, possibly, the problem of relating the situation of the group to that of its members). For simplicity in presentation, however, we will use expressions of equality between persons or individuals only.

2. Why Equality?

Equality raises two classical questions: “of what?” (including between whom and under what circumstances) and “why?”. The operational question is “of what?”. However, it seems that it can be answered if and only if we first have the answer to the other, apparently deeper question, “why?”. The issue is more subtle, however. Consider, for instance, the very common claims that all humans should equally have something such as, for instance, “the basic rights”, or “at least the food needed for survival.” This “of what”, whatever its own reason, constitutes the reason for this equality, it explains it. Then, the answer to “equality of what” entails the answer to “why equality”. In this case, the mention of equality is in fact redundant. Yet it is often emphasized for reasons noted below. In another example, the very commonly given reason “I divide this cake equally because I see no reason to divide it otherwise” has a puzzling logic analyzed shortly (section 4). In other cases, equality and its reason or value are just two different names for the same thing, as with the most important equality as non-domination or non-subjection (the two faces of the same relational coin).

When reasons for equality are considered, the striking fact is that there is not one reason or motive for equality but many of them, of very different and often unrelated kinds. The two most important types of reason for equality are of totally different natures. One is *equality as logic or rationality*. It concerns the reason for “equal treatment of equals”, the logic of justification, the property of “permutability” and the meanings of justifying equality by the absence of a sufficient reason for inequality (section 4). The other type is social. It is

equality as non-subjection and non-domination, a protective or negative relational equality, justified by this type of liberty and of dignity, and extending to the general properties of relations between equals. Equality as rationality can apply to all issues – economic, social, political.

Logic – if one dares say – provides also another reason for equality which is trivial from its viewpoint, a tautology, and is nevertheless often repeated, sometimes with great emphasis and a great importance attached to it. This is *equality as generality or universality*, meaning that each member of a given group has or should have some given property of any nature. This is extended into a comparison: each member has, all members have, all members equally have. This property then is general to the members of the group. It is “universal” in this group, but the term “universal” is often reserved for cases in which the group is all mankind. Logically, this mention of equality is redundant. Its presence may have two reasons aiming at reinforcing the claim or value. One is to draw attention to the fact that, in the present or past states, some members only have or had the property. Another may be to appeal to other reasons for equality, namely comparative fairness (section 3) based on the logical reasons mobilized by the emphasis that the persons in question have the same relevant characteristics (section 4).

Comparative equality results from the comparison of persons’ endowments of the items relevant in nature and in measure (e.g. perhaps the appropriate relative concepts – relative to some specific characteristic of the person). Equality then results from sentiments of relative fairness, and it prevents the various social sentiments that may be aroused by inequality (such as envy or sentiments of injustice, unfairness, inferiority or superiority). This fairness, however, is based on the notion that the persons have the same relevant characteristics (no one deserves, needs or is entitled to or accountable for more than the other) and on the logical reasons presented in the section dealing with rationality as a reason for equality (4). Relatedly, the principle of “equity-no-envy” saying that each person prefers to have her own allocation or situation rather than that of any other person holds a central place in equality analyses, because it actually amounts to the result of an *equality of freedom of choice* in the strict sense of an identity of domains of choice (section 7).

Equality, therefore, is essentially a derived value. It derives from direct (end-) values by implications which are varied and opposite in type and direction. In the various cases, it is

a condition, a cause or a consequence. For non-domination, equality is factually identical with it and hence its moral value can be a consequence of it. Directly comparative approval of equality results from some sentiment of propriety perhaps supported by the justification from rationality. However, it is not sure that equality is or can be valued as an end in itself, directly, although it may look like this in some egalitarian judgments that appear as gut feelings or flashes of moral intuition, prior to considered analysis (the opposite of the search for a good reason). This may concern, in particular, the basic worth of humans, relational equality in itself (relation between equals), comparative fairness, the absence or impossibility of a reason for inequality, and the pure quasi-aesthetic value of balance and symmetry.

When the relevant equality is impossible or costly on other grounds, some reasons for it or judgments favoring it can extend to preferring lower corresponding inequalities. This extends considerably the complexity of the problem and constitutes a vast field of studies. When what is wrong with inequality is that people who have the least have too little, and if another situation can improve their situation sufficiently without costs in the other people's endowments of this item or of other nature that would make the overall situation worse, the solution may be to maximize the lowest endowments or "maximin" ("practical justice" for interpersonally comparable ("fundamental") ordinal utilities in Kolm (1971), the "difference principle" for an index of "primary goods" in Rawls (1971), or Parfit's (1995) "prioritarianism").

Finally, some equalities induce, entail or require others. This can result from the existence of strictly complementary goods. For instance, enjoying some right or liberty may require some condition such as the access to some amount of some good. But the most famous and classical example is Pigou's derivation of equal income from the utilitarian highest sum—hence with equal weights—of identical concave individual utility functions. A more elaborate similar property is the basis of the present-day welfarist theory of comparisons and measures of inequality (section 10).

The essential question of the relations between equality and liberty will be split in two: *equality as liberty*, the historically most important defensive relational equality of non-subjection and non-domination (section 3), and *equality of liberty*, including the basic rights and the various cases of equality of freedom of choice and of opportunity (section 6).

3. Equality as liberty: the defensive relational equality of non-domination and non-subjection

Equality, nowadays, is commonly considered as opposed to liberty. This usually refers to inequalities in income and wealth resulting from free exchange, and to interferences by public redistributions tending to reduce these inequalities. It sometimes also refers more philosophically to freedom permitting the manifestation of differences in preferences in a diversity seen as an inequality. However, liberty and equality entered—and founded—the modern world not as enemies but as associates, or, rather, as identical situations. Such a radical change as overthrowing the “feudal” order required the association of these two powerful values. The principle that “men are free and equal in rights” (the 1789 Declaration) transmutes dominated subjects (and their masters) into equal and free citizens.

The absence of the relation of subjection and domination is, indeed, in a society, both the most basic equality and the most basic liberty. Relations are more intrinsic to society than comparisons are, and, in a relation, freedom from the other’s command and equality are practically synonyms. Domination is a person’s power to compel another do something, notably by force or threat. By nature, the corresponding subjection is the most vicious of unfreedoms since, in it, a person’s will determines another’s acts. It is in essence worse than a simple constraint, not only because of the a priori uncertainty, but, much more basically, because it constitutes a kind of amputation of part of the dominated self, and this substitution of wills, this occupation of the other’s command center by force (or ruse), is the annihilation of the condition for agency, autonomy, self-respect and dignity. Domination is usually maintained by force, but it may be worse when the dominated subject endorses the situation in “voluntary serfdom” as Etienne de La Boétie put it. The situation admits of degrees, however, depending on possibilities and costs of avoiding the domination. Slavery is one extreme, and there are many forms of it. Avoiding subjection is sometimes prevented by a status of lower category (caste, etc.) one is born in. Serfdom of diverse types also exists, as do lifetime servants of the same master. Domination sometimes masquerades as free exchange, which is fictitious when the alternative is starvation or the lack of satisfaction of some essential need. The wage relationship differs from an exchange of services by its being subjection to the boss’s orders within some limits, and the wage earner may have no real alternative or, perhaps, has the only choice to replace one master by another. This limited possibility to leave the relation also results in a low wage, hence inequality in this respect too, and situations of

unequal exchange and exploitation. Intrafamily domination and emancipation from it towards equal status, power and rights and duties is a major problem of mankind. The domination can also be group-wise, as with colonial situations, and equal status obtained by independence or liberation (or by equalization by integration). All this covers, of course, a large variety of situations according to cases, places and historical periods.

The absence of subjection, or of strong forms of it, is jointly an equality in itself – a relational equality –, and, if all members of a group (or of mankind) have to be free from the corresponding domination, an equality *of* liberty and an equality as generality (or universality).

4. Equality From Logic

4.1 Overview

The basic property of *equal treatment of equals in the relevant characteristics* results from logic for two different reasons. In one, *equality as rationality*, it results from rationality in the relevant and most common sense of providing a reason – justifying. This holds whatever the reason, and even from simply being favourable to provide a reason since the equal treatment of equals turns out to be a necessary condition for all reasons. The second way in which logic requires equal treatment of equals is the property – explained shortly – of “permutable treatment of equals” plus the requirement of full determination (uniqueness) of the result. However, this equality of equals is sometimes an inferior solution and, then, “permutable treatment” is the second-best logically egalitarian concept. The next two sections discuss these topics. Then, the famous principle of “insufficient reason” for inequality is examined and shown to be either fallacious, tautological in two possible ways, or any of the two above reasons.

The relevant characteristics may include, notably, a description of the relations to possibilities. At any rate, this equality can be *prima facie*, that is, in the absence of an overriding reason which may be impossibility or the joint relevance of some other value (which may be the ideal equality of something else, a unanimous benefit from leaving equality, and so on).

4.2 Equality From Rationality

Equal is rational, rational is equal. Indeed, rational, in its most common sense, used here, means to give a reason, to justify, or to begin to do it or at least to intend to. It opposes the irrational, unjustified or arbitrary. Assume individual i receives x_i of the relevant item of any nature (goods, income, wealth, position, right, freedom, power, respect, honour, reputation, consideration, bundles of these, interpersonally comparable level of satisfaction, etc.; the item may even be a rule providing something to an individual as a function of some facts possibly including some characteristics of hers, and the equality is that the same rule is used for various persons, a derived *rule-equality* which will shortly appear to be the very form of rationality itself). If this specific x_i is intrinsically justified, given a reason for, this reason a priori refers to a number of relevant characteristics of individual i , of any nature. The set of these relevant characteristics is denoted as y_i . The reason that leads to choose x_i because of y_i is described by a function

$$x_i=r(y_i). \quad (1)$$

Note that we write (1) rather than $x_i=r_i(y_i)$ with a function r_i proper to individual i because, in this case, the reasons, a priori proper to individual i , that leads one to write r_i should be included in the set of relevant characteristics y_i and the function takes form (1). Moreover, a complete social choice determines a unique x_i , and then r is a proper function. Then, if another person, j , has an identical (equal) set of relevant characteristics, $y_j=y_i$, relation (1) implies that she receives $x_j=x_i$. This equality is derived from the simple requirement of justifying, giving a reason, that is, from rationality applied to this social issue.

Note that this rationality provides, in fact, two (equivalent) types of equality: a *conditional equality*, $x_i=x_j$ if $y_i=y_j$, and a *functional equality* meaning that the same function r is used for all individuals, which manifests the universality of rationality (giving a reason) fully applied. The former is also *substitutability*, that is, if another individual j than i , for which $y_j=y_i$, is substituted to individual i , then $x_j=x_i$. The latter is also called *rule-equality*, that is, the same rule r , rather than specific rules r_i possibly different for different i , relates y_i to x_i ; rationality (in this most common sense) implies rule-equality. (The converse is not true, although it generally holds; most rules describe reasons; logically, however, there can be rules not justifiable from a “reason” – at least from any reason other than the simple desire that there be some general or universal rule for instance for helping forecast or indeed just for securing equal treatment of equals). The equality $x_i=x_j$ results from a requirement of

rationality when $y_i=y_j$ (if direct comparisons are furthermore introduced, function r may also depend on x_j for $j \neq i$ for describing these comparisons; then, it should also depend on y_j , and $y_j=y_i$ entails the comparison between x_i and x_j which favors $x_i=x_j$).

In this pure rational equality, there is no direct comparison between x_i and x_j . Sentiments of justice or fairness refer in particular to the choice of the relevant characteristics y_i . This choice implies the answer to the question “equality among whom?” A particular form of characteristics y_i is simply “belonging to a certain set of individuals I ”; then the x_i of all these individuals should be *prima facie* equal (“equality from generality”).

The property of equal x_i for equal y_i holds *irrespective of the specific reason r* . The simple fact of giving a reason, justifying, suffices for this result. This is common grounds of all reasons and a necessary property for the existence of a reason. Hence, the mere a priori posture or intention to provide a reason whatever it is suffices for the result “ $x_i=x_j$ if $y_i=y_j$ ”. This is strictly minimal rationality. A reason which yields unequal results ($x_j \neq x_i$) is applied to different sets of relevant characteristics ($y_j \neq y_i$).

A remarkable consequence is that if one has to share something perfectly divisible between a number of persons who have no other relevant different characteristic, their y_i is – or amounts to – belonging to this group and hence is the same for all, and general a priori rationality (and more generally any particular rule consistent with the constraint) requires equal sharing. No reason can give another choice: any other choice is necessarily without a rule and hence without a reason – i.e. irrational. Equal sharing is the only rational (and ruleful) solution (a unique one if all the good is distributed). This is, of course, what is usually done. An example can be drawing lots between these persons: rationality requires allocating equal probabilities to them (actually, this is a kind of normative application of the basic Condorcet-Laplace axiom of the theory of probabilities).

4.3 Permutable Treatment of Equals

Denote as $z_i=(x_i, y_i)$ the pair of x_i and y_i . Choose the set of characteristics y_i as being sufficiently encompassing for z_i to include all that concerns person i for the judgment under consideration. Then, if individual i is attributed z_j instead of z_i whereas individual j is attributed z_i instead of z_j , the two social states are not relevantly discernible and are equivalent

for this evaluation. Hence, any permutation of the z_i between the persons i creates equivalent social states. Consider now that all the individuals i belonging to a subset I have the same sets of characteristics $y_i=y$. Then permuting the $z_i=(x_i, y)$ between persons i of I is identical to the same permutation of the x_i only between them. Hence, these permutations of the x_i give equivalent social states. This is *permutable treatment of equals in the relevant characteristics*. If, for instance, the social choice is made through a social ethical maximand function of the x_i (in a particular case they are individuals' welfare), this function should be symmetrical in these x_i . Consider three applications of the property of permutable treatment of equals.

4.4 Full Determination

If some of these x_i differ from one another, these permuted social states are not all identical since at least one individual has different x_i in some of these states. However, a virtue of a principle of social choice is that it be *complete*, providing *full determination*, that is, it designates one of the alternative social states only rather than several alternative – for instance equivalent – ones. Indeed, notably, action and implementation is the realization of one of the mutually exclusive possible alternatives only, and the principle fully plays its role of guiding the choice solely if it has this property.

Now the states derived by the permutations of the x_i between the persons i of I (with $y_i=y$) are one and the same state if and only if all these x_i are the same. This is equal treatment of equals in the relevant characteristics. Therefore, *permutable treatment of equals plus full determination implies equal treatment of equals*.

For illustration, consider a society of two individuals 1 and 2, equal (identical) in their relevant characteristics ($y_1=y_2$). Write (x_1, x_2) , in this order, the overall allocation in the society. Then, (a, b) and (b, a) are equally good (permutable treatment of equals). But they differ if $a \neq b$ since each individual then has a different allocation in each of these two states (overall allocation). They constitute the same solution as required by full determination if and only if $a=b$, that is, equality.

4.5 Permutability as Second-Best Equality

However, it may be that, actually, some unequal treatment of equals is better than equal treatment of equals. For instance, some collective tasks are better performed with a hierarchical organization of the people, even if they a priori have the same capacities. This is conspicuous for the military defence of society, but it is also the case for many productive or administrative tasks: firms and administrations have everywhere a hierarchical organization. Then, people have different powers, which usually entails different statuses (and unequal pay). Society (and all its members) may also benefit from a differentiated education of people, even if their abilities in all respects are a priori identical, thus creating efficient “specialists”. Savings provides another example. Aggregate savings become investment and provide growth. Since people usually save a larger fraction of their income when this income is larger, an unequal distribution of income provides higher aggregate savings even if people have the same propensity to save (as a function of their income), hence a priori a higher growth rate. For a similar reason, private support of the arts benefits from unequal income distributions (with rich sponsors). There may also simply be a number of non-divisible consumption goods or tools lower than the number of individuals, and it is usually better that they be actually distributed and used rather than not using them at all which is the feasible equality. In all such cases, unequal treatment of a priori equals is generally better than possible equal treatment. It may be that everybody benefits from it in the end.

In such situations, permutations of the different x_i – ranks, education, incomes or items – between individuals i with identical relevant characteristics $y_i=y$ provide social states that cannot be judged otherwise than “equally good” from an external standpoint although they are not so for each of these individuals. This permutable treatment of equals is the “egalitarian” property of such cases. The property it keeps from equal treatment of equals is the equal social value – in some sense – of permutations of individuals’ allocations. It is a kind of second-best egalitarianism. The drawback is that the corresponding social choice is no longer fully determined by the problem alone, since one of the socially equivalent permuted states has to be chosen. A strictly egalitarian desire to equalize the individual situations leads to an overall worsening. Using lotteries or rotation are classical means to face such situations (both were used, for instance, by the Athenian democracy to fill official positions). Lottery provides a choice with the possibility of ex ante equality, but it leaves the actual, ex post, inequality. Similarly, rotation achieves inter-temporal equality at the cost of permanent inequality at each date.

4.6 The Principle of Insufficient Reason

Answering the question “Why equality?” by the trivial “Why not?” seems hardly serious. However, “if there is no reason for inequality, choose equality” (or “if there is no good, valid or sufficient reason for it”) is the “reason” for equality proposed by innumerable people, including some of the best minds (Aristotle in the *Nicomachean Ethics*, Thomas Hobbes in *Leviathan*, John Locke in the *Second Treatise on Government* – with the addition “If God wanted us to treat them unequally, he would have given us a sign” –, Condorcet in his 1789 proposal for a Declaration of Rights, and nowadays, after Isaiah Berlin in 1956, Richard Peters, Herbert Hart, Benn, Graham, Hugo Bedeau, Stephen Lukes, Bernard Williams, Richard Brandt, Brown, Richard Hare, William Frankena, Chaim Perelman, Grinsberg, Brian Barry, Derek Parfit, David Miller, Agnar Sandmo, Anthony Atkinson, Louise Marcil-Lacoste, Wayne Norman, Ernst Tugendhat, John Rawls who proposes that a good reason for inequality would be that everybody or the poorest benefit from it, and so on). Consider, however, the following properties of this most famous position for equality.

(1) Indeed, if there is no reason, or good or sufficient reason, for inequality, what else can one advocate but equality? This seems to be a tautology about providing reasons. Any other choice would be irrational or arbitrary.

(2) However, if this argument in favor of equality is of any use, this implies that there is no other sufficient reason for equality either. Then, consider any state with inequality. There is no reason for any other state, with equality or inequality. Therefore, the same argument leads one to advocate this specific unequal state. Finally, this argument leads one to choose any state, equal or unequal. This apparent tautology is in fact worse: a fallacy.

(3) The same reasoning is the “principle of non-sufficient reason” which is the basis of the axiomatic epistemic foundation of the theory of probability, introduced by Laplace and... Condorcet (the philosopher of the pair): if there is no reason for an event to be more likely than another, attribute equal probabilities to them. However, the principle is, in this context, actually an axiom. This suggests that, in social ethics, this statement could just express a “moral taste”, an a priori preference for equality. What it adds to just expressing this is open-mindedness: if there is a reason, a fortiori a good or valid reason, and unavoidably a sufficient reason, for states with inequality, one is ready to abandon this preference. However, equality and inequality are a priori unevenly treated: a reason is required for inequality, not for

equality. This is a *prima facie* preference for equality. But not a justified one, so far. Why this unequal treatment of equality and inequality, this asymmetrical status of symmetry and asymmetry?

(4) However, preferences do or may also intervene for deciding what counts as a good, valid, acceptable, and in the end sufficient reason for inequality, that is, one that can override the choice of equality. Then, the statement just is: “I choose equality if I do not prefer something else to equality”. However, this can mean two things, depending on whether preference alone is considered or the necessity of choosing also is. First, we have pointed out that this choice of equality is to be seen as resulting from a preference. Hence, the statement just says: “I prefer equality if I do not prefer something else to equality”. This is a strange preference structure which omits indifference (and is not given a reason for). Second, in fact, a choice has to be made between mutually exclusive alternatives. Then, the statement becomes: “I prefer to choose equality rather than anything else if I do not prefer to choose anything else rather than equality”, which now is a tautology.

(5) Nevertheless, the absence of reason for inequality may also mean two other things. One is that no imaginable reason for an overall allocation gives inequality. This certainly implies that all possibly relevant characteristics y_i – which could a priori be used for such a reason – are identical for all i . Then, for any reason r , the definite $x_i=r(y_i)$ are also identical for all i . This simply is the general a priori equal treatment of equals.

(6) In particular, we may have to choose the allocations x_i to the individuals i who belong to a certain set I , while we have no (other) reason for this choice. Hence, the relevant characteristic of these individuals is only that they belong to the set I . This is y_i for all these i . Hence these y_i are identical. Then any reason based on them gives identical x_i for all i . Note that, here, there is no a priori other reason neither for equality nor for inequality.

(7) A different type of reason can justify the principle. With sufficient sets of characteristics y_i , permutations of the individuals' pairs $z_i=(x_i, y_i)$ among the individuals are not discernible. Then, if all these y_i are equal (perhaps just for i belonging to the set I), this permutation is identical to a permutation of the individual allocations x_i only among the individuals. These permutations are therefore equivalent for any evaluation of the social state. If one is a solution, so are the others. Yet, when the x_i are not all equal, some of these permuted states differ from one another since at least one individual receives different x_i . However, a

complete social choice consists of a unique solution. Then, this can only happen if the x_i are all equal. Equality results from permutable treatment of equals and the requirement of full determination of the choice, as already noticed. Sharing the cake between two equal individuals in proportions $(1/3, 2/3)$ or $(2/3, 1/3)$ is equivalent in moral terms although it is not equivalent for each individual. For the proportion $(1/2, 1/2)$ only this multiplicity is avoided. We have pointed out cases in which equal treatment of equals is less good than unequal permutable allocations, but the outcome in the latter situations is not uniquely determined.

Finally, the insufficient reason for equality is either a fallacy, one of two tautologies (direct and concerning preferences for choice), or any of the two basic logical possible reasons for *prima facie* equality (providing a reason and permutability plus full determination).

5. Equalities Determining the Overall Distribution

5.1 The Five Alternative Equalities of Distributive Justice

Besides the equalities protecting against force in non-subjection, basic rights and democracy, the most important role of equalities may concern the overall distribution of the resources of society. Equalities are used in many types of relations. Inspired by Max Weber's remarks about people's ethical judgments, Michael Walzer (1983) argues that this is how it should be with equality in each of a variety of "spheres of justice". One sphere, however, is much more important than others in volume: that in which income distribution is determined (especially since various services can optionally be bought with disposable income – i.e. put in the market sphere). This overall distribution of the resources of society through income belongs to the domain of "macrojustice" – that John Rawls calls "social justice", but the common use of this term is sometimes more extensive (including, for instance, the question of handicaps). This contrasts with the multifarious issues of "microjustice" specific as regards goods, people or circumstances, and with issues of "mesojustice" concerned with specific goods but important ones that concern everybody (e.g., education and health).

For macrojustice, five polar theories of the appropriate distribution are classical and important claims. As for all theories of justice, they are characterized by what they hold should be equal. These equalizands are characterized by two aspects. One is their substance

(material, currency, metric) such as income or resources, welfare as happiness, or, in an equality from generality, self-ownership. The second aspect is their structure, as with an ideal equality in individuals' income, resource endowment or welfare, or an equal weight in the highest sum of welfare (utilitarianism) or of incomes. Figure 1 shows this overall structure of the issues. The values of liberties, responsibility, entitlement, happiness, needs, deserts and merits are implicit, as we will see shortly.

Figure 1. The Topology of Equality

These five polar equalities of social justice are very different in nature. The most tangible of these equalities is that of incomes. Welfare classically means, in this context, psychological welfare, for instance satisfaction or happiness. Economists classically and basically represent it by individuals' utilities. Concepts of equality, addition, or other operations, concerning such notions may, of course, be problematic, but classical theories consider them and this may more or less provide rough guidelines for policies. Income egalitarians differ from welfare egalitarians by their holding that individuals are accountable for and entitled to their own different capacities to enjoy (utility functions). This may be from a concept of the self "respecting" the "core self" that provides the evaluation of sensations and the choices of actions, or because this "utility" is replaced by preferred aims, objectives, ambitions or "life plans" (Rawls) chosen by the agent who then is responsible for them. If, in addition, people are also entitled to their own capacities to produce and earn (and hence to their resulting income), the result is equal self-ownership. It suffices, for it, to say that each individual has self-ownership – hence it is also an equality from redundancy, generality or universality.

Equalities in welfare or income from which it is not possible that everybody has more whereas income transfers are a priori possible can also be described as maximizing the lowest individual endowment of these items, or "maximin". If equality is desired because individuals who have little of the item have too little, and if some situation with inequality can give more to everybody than situations with equality, equality is to be replaced by maximin (for instance Rawls's (1971) "difference principle" for "primary goods" and Kolm's (1971) "practical justice" for interpersonally comparable welfare). This assumes that policy can improve the

lowest endowment without excessive cost (notably in terms of lowering those of other people).

Equality in weights is a priori anterior – more “upstream” – in the evaluation. Nevertheless, the egalitarian aspect of utilitarianism due to equal weight is classically forcefully (and redundantly) emphasized by Jeremy Bentham and quoted by John Stuart Mill: “each is to count for one and nobody for more than one”. It is the basis of Richard Hare’s (1981) defence of this philosophy as an interpretation of Kant’s view that each individual should be given equal consideration (it seems, however, that the product of individual utilities would not give them less equal consideration than their sum – it amounts to comparing relative variations in utilities rather than their absolute variations).

5.2 The Equivalent Multiple Equalities of the Overall Distribution

If everybody, which includes voters and officials, holds that some social principle is irrelevant for a problem, this principle cannot be implemented for this question on social grounds. Now people actually hold that the comparison of individuals’ capacities to enjoy (hedonistic capacities) or their variations, and of their tastes, is relevant for allocative choices in two types of cases: when they refer to suffering and when the distribution is between people who sufficiently know one another to feel empathy towards the others. Allocations in a hospital or in a family are typical cases. If national fraternity actually ruled the minds, or in case of national disasters creating general suffering, the principle of overall national distribution (for instance for the income tax) would be in the welfarist family. In the other cases, people’s opinions about income distribution are instances and associations of the other two cases only, income egalitarianism on the one hand, and the self-ownership of classical liberalism on the other. The resulting social and political synthesis or compromise is a mix of these two values.

The normal way of representing the resulting incomes is that they are the sum of two parts, an egalitarian income and a classical liberal one. For clarity, denote as i one of the n individuals, y_i her income, ℓ_i her labour, w_i her wage rate. Her earned income is $w_i \ell_i$. The average wage rate is \bar{w} . The *egalitarian income* is the *equal* sharing of individuals’ earnings during an *equal* labour k , $k w_i$ for individual i . This egalitarian income is $k \bar{w}$. Above that,

however, individuals are *free* to work ℓ_i and keep their earning from the extra labour, $(\ell_i - k)w_i$. Their disposable income is

$$y_i = k\bar{w} + (\ell_i - k)w_i.$$

For individuals participating in this redistribution, the equalization labour should be such that $k \leq \ell_i$ because people do not accept taxing leisure $k - \ell_i$ at the value of labour (if $w_i > \bar{w}$), and providing a wage supplement (of $(\bar{w} - w_i)$ if $w_i < \bar{w}$) to hours $k - \ell_i$ which provide no wage seems absurd.

This redistribution is egalitarian in various respects. On tangible grounds, it is the more egalitarian the higher the equalization labour k is (it is not at all for $k=0$, the pure self-ownership of classical liberalism). On rational grounds, it has a number of remarkable egalitarian structures. It transfers *from* each *equally* in labour (k or in equal proportion of her capacities kw_i), and *to* each *equally* in income ($k\bar{w}$). It implies an *equal minimum income* $k\bar{w}$. It amounts to each receiving an *equal universal basic income* $k\bar{w}$ financed by an *equal labour* k of each or in *equal proportion* k of each capacity w_i . It also amounts to *each individual i equally yielding to each other the product* $w_i \cdot (k/n)$ of an *equal labour* k/n in a kind of *general equal labour reciprocity*. It is also *equal free exchange* (of labour for a wage) *from an equal allocation* (of $k\bar{w}$ in income and k in labour or the complementary leisure). The two parts of income are *equality according to deserts* (equal income $k\bar{w}$ for the equal labour k) and *to merit* (i.e. including the effects of personal capacities w_i for labour $\ell_i - k$), respectively. Individual i 's leisure is $\lambda_i = 1 - \ell_i$ if total time is measured as 1. Individual i 's *total income*, including the value of her leisure, $w_i\lambda_i$, is

$Y_i = y_i + w_i\lambda_i = w_i + k(\bar{w} - w_i) = k\bar{w} + (1 - k)w_i$. But $P_i = k\bar{w} + (1 - k)w_i$ is the value of a price index for the two prices of income or consumption goods, 1, and leisure, w_i for individual i , with respective weights $k\bar{w}$ and $1 - k$. Hence, Y_i/P_i is the same for all i . But Y_i/P_i is by definition the corresponding "real income" or "purchasing power" of individual i . Therefore, the distribution in question also amounts to *equal purchasing power*, which is a kind of *equal real liberty*, for individuals' choices of income (or consumption) and leisure (or labour). This equal liberty is not an identity of domains of choice (with different w_i).

Note that basing a tax on the wage rate can be done as in the present French tax law, by exempting overtime labour earnings from the income tax, over a low benchmark. There is

de facto no cheating (because it would be too complicated to hide this basis from the possible controls). The full theory adds dimensions of labour other than duration, notably formation (Kolm, 2004, 2008a, 2010).

6. Equality of Liberty

6.1 Basic Rights or Equal Negative, Protective, or Civic Liberty

The use or threat of force may be steady or occasional. A person may incur it from others as individuals, in groups or through institutions. The absence of such forceful interference defines a freedom called social, protective, negative (a term of Kant, John Stuart Mill and Isaiah Berlin) or civic (John Stuart Mill). Its application to various specific issues constitutes the basic rights or basic liberties. With this freedom, a forceful constraint on someone can only implement a previous acceptance of it and notably a previous agreement (possibly an implicit one) of this person. This absence of force in inter-individual relations is an equality, and a general basic demand of modern society is that all individuals benefit equally from such liberty (equality as generality or universality). This demand is even that this liberty has priority (this is the first and main statement of the corresponding constitutions).

Is this general equal liberty with priority possible, however? This raises an essential conceptual issue with important consequences. Many thinkers, such as Rousseau, Condorcet, the text of the French Declaration of the Rights of Man, John Stuart Mill, and John Rawls have held that these basic liberties or rights should be, with priority, “equal for all and, then, maximal” (Rawls even admits inequality if this permits each or the least endowed in these liberties to have more of them, as he does about “primary goods”). However, they consider jointly these rights and liberties plus some means to make them actual possibilities or “real” (as Marx puts it). They want to face Anatole France’s objection that: “rich and poor people alike have an equal right to sleep under the bridges” (the traditional shelter of Paris tramps). However, there is no a priori limit to these means (to the number of private planes and airports for freedom to move, the size of private cathedrals for freedom of worship, the privately owned media for freedom of expression). Then, this principle uses all the resources of society without even a principle for choosing between these various real liberties. The solution of defining some amount of means for each right is a priori arbitrary. Moreover, any equality of these means for all would be found worse by everybody than some other, unequal

solution because people make different uses of these rights and have different preferences about them.

The rational solution consists in distinguishing the formal rights from the means of benefiting from them, and in putting the question of the means in that of the general distribution and of the free exchanges of goods resulting from it (with the possibility of some minimum income – see section 5). Then, when actions or intentions of different individuals oppose one another and cannot be implemented jointly, this opposition can be attributed to the means and is solved by the property rights concerning them (for instance, the occupation of the same place at some time) and not to the “formal” rights in themselves. Then these rights are non-rival between them and can be equally held in full and used at satiety by everybody.

6.2 Equal Real Liberty

The next issue about liberty concerns people’s means of free action, which was the topic of the section on the overall distribution (5). The necessary distinction between general “macrojustice” and more specific issues of “microjustice” and “mesojustice” is explained there. The basic liberties imply equal freedom of exchange, given the overall income allocation. The theory of macrojustice obtains a structure of distribution which can be defined in various ways as equal liberty (although with different domains of choice as a result of the different earning and productive capacities of the individuals – see section 5.2 and Kolm 2004, 2008a, 2010).

6.3 Equality of Opportunity

Equality of opportunity describes a set of cases of equality of liberty to be found in various issues of justice at all levels. A priori it means the identity, for various agents, of a set of alternatives among which each can choose. In the standard and most common meaning, this refers to social conditions of access to certain benefits, positions, situations, jobs or possibilities (such as access to various types of education) – for instance, with regard to various types of discrimination or family influence. The concept has been extended to transform these formal freedoms into more “real” ones, and these direct choices into their outcomes, by adding the effects of personal capacities and social settings and thus considering opportunities for income, achieved level of education, or the actual performance permitted by

jobs or positions (perhaps for given levels of effort). One could also consider equality of opportunity for welfare as happiness or satisfaction by adding the consideration of capacities to enjoy or be satisfied. Equality of opportunity thus describes cases that are different and sometimes opposed. This explains why politicians of all kinds love the concept whereas practically all philosophers criticize it severely.

The initial motives for equality of opportunity arose or arise from two different and opposed perspectives, one for realizing an equality and the other for criticizing another equality. The equality to be realized is that of some possibility of choice, as the name indicates (for example, one wants access to certain positions without discrimination or other obstacle for some people). The other motive is the objection to policies of equalization or uniformization, for different people, of outcomes due in part to their actions, and the demand to replace this equality by that of domains of choice in which these agents choose, thus replacing an equal outcome by an equal liberty to pursue this end. Since this change generally leads to unequal results of actions, this stance is anti-egalitarian in this sense. The emphasis is often not only on the comparison between the agents but also on some competition between them, for which the equality of opportunity is supposed to provide fair conditions. This elicits the classical leftist judgment, preferring not only the “actual” outcome equality but also or mainly the possibly convivial relationships jeopardized by the competition, as expressed in the statement that “equality of opportunity is good for horse races but not for humans”. However, equality of opportunity includes both liberty and equality in possibilities; the absence of such equality includes cases that are generally considered to constitute the most viciously unjust features of societies.

The basic feature and difference between the cases consist in the definition of equal versus unequal opportunities. The main one refers to discrimination that limits choices on the basis of such criteria as race/ethnicity, family, caste, feudal-like order, gender, religion, and so on. Apart from formal discrimination, the principle often refers to advantages provided by family relations, including favoritism, nepotism, social networks, information, direct support, and the role of families in education at home or at school. A basic issue is whether personal capacities, innate or due to family influence, notably in childhood, are counted among the sources of the opportunities in question. The famous meritocratic slogan “the career opened to talents” refers to a situation in which positions are allocated according to talents alone, banning other social discrimination. Policies described as “positive discrimination” are

usually attempts to compensate for disadvantages resulting from social setting and family influence.

The simple slogan “equality of opportunity” thus covers a number of cases that are quite different and can belong to opposing ethical positions. Formally, there are several types of equality of opportunity.

Negative equal opportunity in action bans formal social discrimination of all kinds.

Positive equal opportunity in action helps people who cannot perform some relevant action to actually perform it.

Equal opportunity in action and result implies that if some people choose to perform the same action, they will obtain the same outcome, possibly with help for those who are disadvantaged as a result of unfavorable personal capacities or circumstances (notably social environment).

The next step would simply be equality in outcome, which is not equality of opportunity from the point of view of its causes, but which can be equality of opportunity for the further use of the outcome in so far as it is an intermediate product – such as wealth or education or health as used for further choices and actions.

6.4 Equality and Responsibility: Responsibility-Free Equality and Equal Joint Responsibility

Responsibility is the assignment of the effects of an action to the actor. It requires freedom, which conversely implies responsibility if this issue is raised. The allocative principle of responsibility holds that this should determine the allocation of benefits and costs (and not only blame or praise). This principle can be equally applied to several or all actors. If this is the only principle, facts of society which do not result from members’ actions have no particular reason for their allocation and therefore their value should be equally shared (from rationality). However, beneficial or detrimental aspects of society are generally joint products of the actions of several people and of given facts. Apart from particular structures of the effects of the acts (separability, additivity, symmetry), there is no a priori solution to the corresponding allocation of costs or benefits. However, when several agents’ acts and the allocation of the resulting benefits or liabilities are collectively chosen by a required unanimous agreement between these people, each of them has a veto power on the realization;

therefore she is fully responsible for it, and hence in particular for her own act and her benefit or liability. When there is some impediment to this general agreement (in the nature of a “transaction cost”), a solution is to estimate what this agreement would have been were this impediment absent and to impose the obtained sharings and acts (this is a “liberal social contract” – see Kolm 1985). Recently, the responsibility-free equality has been emphasized by Gerald Cohen (1989), and closely analyzed on philosophical grounds by Mat Matravers (2007) and on economic grounds by Marc Fleurbaey (2008). A particular important application on a delicate point differentiates two main theories of what should be equal. John Rawls (1971) and Ronald Dworkin (1981) hold people fully responsible for their own tastes, preferences, capacities to enjoy (and hence “utility functions”), which is a priori rather strange but can be defended by considering people’s ends, desires or values as “ambitions” or “life plans” chosen by them. In contrast, the ordinary “welfarist” theories include compensations derived from differences between individuals’ hedonic capacities. E. Anderson (1999) provides particularly penetrating and cogent criticisms of the various scholarly theories of this responsibility-free (or “brute luck”) egalitarianism.

6.5 Fundamental Insurance: Equal Hypothetical Liberty

A “fundamental insurance” is a hypothetical mutual insurance undertaken by people against the risk of some disadvantage that in fact they already have. This may be, for instance, having a poor health or having received a poor education because of family environment. This theory provides a rationale for corresponding compensating transfers that mitigate the inequality. It rests on a putative free choice (an exchange, which makes it be a kind of “social contract” in the technical sense of a putative collective agreement) and it also is a “partial original position” with a “partial veil of ignorance” (see below). Its assimilation of a choice concerning justice to a choice in uncertainty is a priori problematic but is to be accepted if this is general opinion. This is the case, for instance, for the European system of public health insurance; the fact that what people pay does not depend on their given propensities to be sick implies a “fundamental insurance” of these handicaps. This particular kind of “liberal social contracts” (the impediment to the insurance agreement is the “arrow of time”) has also been directly suggested by Ronald Dworkin (1981).

7. Comparative Egalitarianism

Sentiments favouring equality are often the result of direct intuition-like comparative judgments. However, the logical “equal treatment of equals in the relevant characteristics” certainly lurks behind such emotions. Nevertheless, such judgments seem close to aesthetic ones, as remarked by Kant and confirmed by brain location on resonance imaging (*fair* comes from a Germanic word referring to beauty, and the Greek and Latin concept for beauty, *kalon* and *pulchrum*, were never neatly and consistently distinguished from the moral good).

When the individual items that are compared have several dimensions about which the individuals can have different preferences (this is the case, for instance, for bundles of commodities), it is possible that *no individual prefers any other's "allocation" to her own* without these individual allocations being identical. This principle, called *equity-no-envy*, is one of the most commonly used in egalitarian studies since the early 1970s. Its egalitarian properties are readily seen. If there is one (desired) dimension only, the principle implies equality. If the individuals have identical preferences, the principle implies that they are indifferent between all individual allocations. However, the most important egalitarian property of this principle is that it amounts to an equality in liberty. Indeed, it is satisfied *if and only if there exists a domain of choice such that each individual's allocation can be chosen by this individual* (with her given preferences) *in a domain identical to it*; the “if” is obvious and the “only if” is easy: the set of the individual allocations plus any individual allocations that no individual prefers to her own constitutes such a domain. The analysis of this principle in Kolm (1971), after mentions by Jan Tinbergen and Duncan Foley, was followed by a large number of applications and variants reviewed by William Thomson (2008). It cannot be called “no envy” by itself because the sentiment of envy arises from the joint presence of the other's and one's own allocation in one's “utility function”, but it is formally related to structural properties of a genuine theory of envy deriving individuals' “envy-free preferences” from their possibly envious preferences (Kolm 1995).

8. Political Equality: Democracy

One of the most important application of equality is to politics, in the realm of democracy. The Athenian four equalities of democracy still provide the basic framework:

Equality in the eyes of the law, or *isonomia*.

Equality in voting, “one man one vote”, or *democracy stricto sensu*.

Equality in public expression for influencing others, or *isegoria*, applied in Athens as a

right to equal time of speech in the assembly of citizens.

Equality in the *access to official positions*, implemented there by drawing lots or by rotation.

This was for a middle-sized society, with officials but a priori the possibility of mutual influence between citizens. Women, slaves and foreigners were excluded, and official positions soon became the privilege of members of affluent families.

Later democracies had a variety of restrictions to voting rights or access to positions. In present-day mass societies, the most violated democratic equality is *isegoria*, since the flow of public messages is that of the mass media in which a tiny aristocracy of journalists, media owners, and politicians send views, values, information (and entertainment) to the mass of the people who are gagged in this respect (internet opens new possibilities which already have had some important political effects, but it is not sure whether this will or can develop at the level of the overall problem). As is well known, although democracy has led to important inequality-lowering redistributive transfers in many countries, it also allows corporate and other interest groups to buy favourable laws with contributions to campaigns. The various specific rules of particular democratic systems also raise innumerable issues with respect to equality. In the end, the main egalitarian virtue of democracy is as a barrage against dictatorship, the harshest inequality.

9. Equality and Impartiality

From a social point of view, humans manage to shelter two opposed selves “in their breast” as Adam Smith puts it. Their self-centered and partial self favours themselves and the people they like or have particular relations with only. However, the “mirror neurons” in their brain also provide them with an impartial self able to take an objective view putting everybody – themselves included – on the same footing: This is what Thomas Nagel (1986, 1991) calls “the view from nowhere” – but is there such a place as nowhere or is it, rather, from everywhere jointly?

A priori, the distribution most favourable to someone’s strict interest is without equality. Moreover, among situations with equality of some kind, one (in general) is most favourable to this person’s interest than the others. For instance it is equal incomes (barring

incentive effects) for people with low earning power, and equal self-ownership in the free market for people with high earning capacities. The person's impartial self, however, will generally make some other choice with some sort of equality. But will this latter impartial choice be the same for everybody? This is often believed, for instance by Adam Smith implicitly, by John Stuart Mill who takes the equality to be that of the weights in an egalitarian sum of utilities (and probably by Thomas Nagel). However, the a priori only logical structural requirement of an impartial judgment is that it respects equality of some sort. Hence, there is a priori a very large choice for such a judgment. Moreover, the impartial individual evaluation uses some psychological characteristics of this person which a priori differ from one person to the other. Therefore, there tends a priori to be different impartial evaluations (hence with different equalities) for the various individuals – other phenomena such as a common moral culture or mutual influence through dialog can change this.

However, since an individual's impartial judgment of society does not depend on her own specific interests, she produces such a judgment if she is asked to judge when she does not know which specific person she is, which specific situation is hers. Each individual may still be purely self-interested, but her ignorance prevents her from favouring her own actual self-interest. One can think of this as a time sequence, with evaluations "before" the individuals know which specific person they will be, before the actual individual situations – with the specific interests attached to them – are assigned. John Rawls (1971) calls this state the "original position", in which individuals evaluate "behind the veil of ignorance", and this way of thinking is the most famous modern theory of impartiality. A first result appears straightforwardly: if the individuals in the original position face the same (uncertain) prospect, and if they have the same preferences about this uncertainty, their evaluation there has to be the same: they make an equal, *unanimous* "original social choice." Rawls then assumes that some possible risks faced by these individuals are so severe that they choose maximal protection thanks to three principles in order of priority: (1) the basic liberties (equal and maximal, discussed above); (2) non-discrimination; (3) the "difference principle", that is, the highest possible level of the lowest individual endowment of "primary goods" (one of which is income or wealth), which is not an equality because incentive and disincentive effects permit unequal allocations to induce a higher production, hence to provide more to the least endowed. This implies, however, that the individuals in the original position, who are assumed to make a social contract for the adoption of the "principles of justice", do not also agree not to follow their self-interested impulses when working in real life (see Cohen, 2007).

Rawls built this theory in order to provide an alternative to utilitarianism, then the prevailing view in English-language philosophy. However, John Harsanyi (1976), working out the theory of the original position with the classical theory of “rational” choice in uncertainty and the noted assumption of identical individual preferences shows it to have a utilitarian-like structure! The individuals in the original position want to maximize a sum of individuals’ utilities obtained from the mathematical expectation of utility with equal probabilities of being all the actual individuals. However, the added utilities are the particular von Neuman-Morgenstern specification for choices in uncertainty, which a priori differs from a specification which could represent “happiness” and variations of it, as required by classical utilitarianism. Moreover, the individuals may also be risk-seekers, which leads to the most unegalitarian result (e.g. when they value having all society’s wealth so much that they accept, for this risk, large chances of having nothing). Furthermore, the various individuals, in the original position, should in fact have different maximands because they a priori differ with respect to (1) their preferences for being the actual individuals (some prefer to be rich, others prefer to be liked or famous, still others prefer to be good), and (2) their risk-aversion. For both theories, to begin with, the reduction of a choice of justice or social optimality to a self-interested choice in uncertainty is problematic: the former is accountable to society and ethics, as the second is not. The theory of “moral time-sharing”, which asks the individuals to consider that they are the various actual individuals successively in time is another impartiality theory which, however, raises similar problems.

10. Equality as Lower Inequality

Philosophers discuss equality, but since large equalities do not exist in real life, sociologists study inequality (Melvin Tumin, 1967, provides a good overview) and economists compare and measure inequalities. This comparison and measure of inequality has developed into a very large field of studies from the mid-1960s on. Questions such as the following are analyzed. Does income inequality increase or decrease when all incomes vary in the same proportion or by the same amount? Does a transfer from a richer person to a poorer one diminish inequality (it augments the inequalities between the poorer and the equally poor and still poorer, and between the richer and the equally rich and still richer, yet it may be favoured on the grounds of welfare if the poorer suffers from this poverty)? Are the relevant inequalities relative or absolute? And so on (Kolm 1966). Multidimensional inequalities and

inequalities in liberty are also studied. The *Handbook of Income Inequality Measurement*, edited by Jacques Silber (2000), gathers reflections of most of the experts.

Multidimensional equalities and inequalities raise particularly thorny questions. Can the inequality in one good be morally compensated by equality in another, or, rather, by a distribution in this good negatively correlated with the distribution in the former? Is there a difference in income which can compensate a poorer health inducing living one year less? Max Weber's (1962) remark that people want equality in each good induced Michael Walzer's (1983) theory of "spheres of justice" with a priori equality sought in each "sphere". However, in a society with an extensive market (justifiable by freedom of exchange), one "sphere" is particularly large in volume, that of income received and spent.

Multidimensional equalities, that is, equalities in each of several goods, are in general such that other, unequal distributions are preferred by everybody, because people a priori have different tastes. However, among allocations of these goods that are not so dominated, some can be defined as "more equal" than the others. But if each individual consumes some of each good, these solutions turn out to amount to equal incomes (Kolm 1977, 1996b). One famous proposal of such multidimensional equality is Sen's (1985) for individuals' "capabilities"; the noted result applies to it.

11. Positive relational equalities, reciprocity

Equality in social relations does not solely involve the noted absences of domination, too unequal distribution or envy. It has many other dimensions. Equality can also be with respect to status, respect and consideration, with, notably, mutual respect and consideration. In such a society, people relate to one another on an equal footing and interact with others as *alter ego*. They are knights of the round table of society. Such a *society of equals* is something other than an egalitarian society, although it certainly limits inequalities of various types. It adds a requirement of liberty in the consideration of others, which situates these relations on the verge of fraternity (or sorority). Relations between equals are described in particular by Marcel Mauss (1924) and David Miller and Wayne Norman in A. Mason (1998). P. Rosanvallon (2011) shows their various forms in the modern history of Western societies. E. Anderson (1999) shows how their principle can solve the various social problems in a society of "democratic equality".

These positive relational equalities can be supported by a basic sociopsychological property of humans: the tendency to treat others and relate to them as they treat you and relate to you; such reciprocity is a relational egalitarian reaction that is a main cement of society (Kolm 1984, 2008b).

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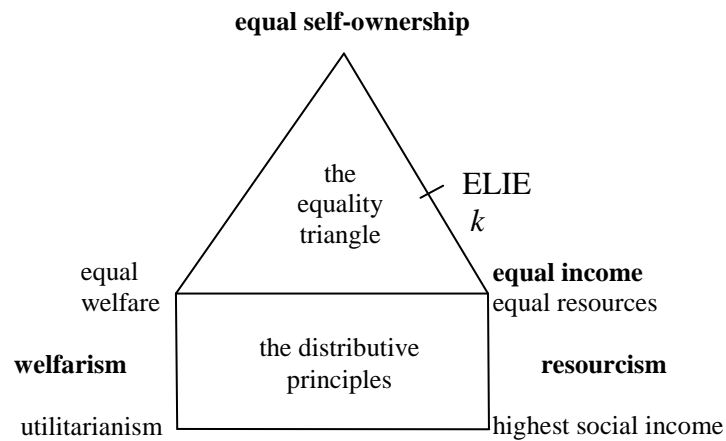


Figure 1. The topology of equality