



Spheres of Equality and Distributive Justice

Ámbitos de igualdad y justicia distributiva

Esferas de igualdade e justiça distributiva

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Abstract

Among political and legal theories, there is widespread agreement on equality as a normative principle. The present paper's main argument is constructed as a set, rather than as a system, of isolated positions within the framework of a view of the concepts of justice and equality. The epistemological rejection of foundationalism is accompanied by the methodological priority of politics over philosophy. The central positions derive from the adherence to a pluralistic galaxy of incommensurable values, which function as concurrent variables. The argumentation this paper brings forward is based predominantly on Walzer's approach and views the principles of justice as pluralistic in form. As such, their distribution depends on different reasons, follows different procedures, and involves multiple agents. The most important political question is, thus, whether we should design and control the distribution of these social goods or allow the distribution to be free and, as such, random. In the first case, the next question is which form of equality suits which good; this decision can lead to results more different from each other than the same adherence or non-adherence to the principle of equality. The paper concludes with an attempt to connect specific, socially important goods to types of distributive justice.

Keywords

Equality; Walzer; distributive justice; egalitarianism; social goods.

Resumen

Entre las teorías políticas y jurídicas, existe un acuerdo generalizado sobre la igualdad como principio normativo. El principal argumento del presente artículo se construye más como un conjunto que como un sistema de posturas aisladas dentro del marco de una perspectiva de los conceptos de justicia e igualdad. El rechazo epistemológico del fundacionalismo viene acompañado de la prioridad metodológica que se da a la política sobre la filosofía. Las posturas centrales son resultado de la adhesión a una galaxia pluralística de valores inconmensurables, los cuales funcionan como variables concurrentes. La argumentación que este texto presenta se basa principalmente en el enfoque de Walzer y considera los principios de la justicia como pluralísticos en forma. Como tal, su distribución depende de diferentes motivos, sigue diferentes procedimientos e involucra varios agentes. Por lo tanto, la pregunta política más importante es si debemos diseñar y controlar la distribución de estos bienes sociales o permitir que la distribución sea libre y, como tal, aleatoria. En el primer caso, la siguiente pregunta es qué forma de igualdad se acomoda a qué bien; esta decisión podría conllevar resultados muy diferentes entre sí que la misma adhesión o no adhesión al principio de igualdad. El artículo concluye con un intento por conectar bienes específicos de importancia social con tipos de justicia distributiva.

Palabras clave

Igualdad; Walzer; justicia distributiva; igualitarismo; bienes sociales

Resumo

Entre as teorias políticas e jurídicas, há um amplo consenso sobre a igualdade como um princípio normativo. O argumento principal do presente artigo é construído como um conjunto, e não como um sistema, de posições isoladas dentro da estrutura de uma visão dos conceitos de justiça e igualdade. A rejeição epistemológica do fundacionalismo é acompanhada pela prioridade metodológica da política sobre a filosofia. As posições centrais derivam da adesão a uma galáxia pluralista de valores incomensuráveis, que funcionam como variáveis simultâneas. A argumentação apresentada neste artigo baseia-se predominantemente na abordagem de Walzer e considera os princípios de justiça como pluralistas em sua forma. Como tal, sua distribuição depende de diferentes razões, segue diferentes procedimentos e envolve vários agentes. A questão política mais importante é, portanto, se devemos projetar e controlar a distribuição desses bens sociais ou permitir que a distribuição seja livre e, como tal, aleatória. No primeiro caso, a próxima questão é qual forma de igualdade se adequa a qual bem; essa decisão pode levar a resultados mais diferentes entre si do que a mesma adesão ou não adesão ao princípio da igualdade. O artigo conclui com uma tentativa de conectar bens específicos e socialmente importantes a tipos de justiça distributiva.

Palavras-chave

Igualdade; Walzer; justiça distributiva; igualitarismo; bens sociais.

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1. Introduction

Equality is a persistent and recurring theme in political philosophy, sometimes appearing as a foundation and other times as the purpose of political proposals, as the content of natural justice, or as a component of the concept of justice or well-being. While it remains unchanged over time, the empirical fact that people differ from each other in terms of numerous physical characteristics and, consequently, are unequal in the performance of corresponding social activities, the ethical and social acceptance of this empirical fact has fundamentally diverged throughout history. The recognition of equal moral value in all people, regardless of specific and individual characteristics, is perhaps the most striking achievement of human civilization. Thus, it is widely supported that any political philosophy recognizes as its ultimate goal the same value, equality, and the promotion of its achievement in all aspects of social life.¹²³

Despite this seemingly wide agreement, many questions remain open: on the one hand, practical issues of implementing the principle of equality question its value, on the other hand, the theories that defend it differ significantly from each other. The question that is now being posed is not 'equality or inequality,' but 'what kind of equality,' that is, 'what type of equality' and 'equality of what good?' Given the comparative nature of the concept of equality, the question of 'equality between whom?' also arises.⁴

Thus, while equality as a normative principle comes into conflict with actual inequality, in political theory, this opposition is often expressed as 'equality versus equality.' Different theories recognize different domains of allocation of the principle of equality, and different types of equality come into conflict with each other: formal against substantive equality, equality of opportunities versus equality of outcome, formality equality of opportunities versus precise equality of opportunities, equality in similarity versus equality in difference,

1 Will KYMLICKA, *Contemporary Political Philosophy*, New York, Oxford University Press, 1990, p. 4.

2 Ronald DWORKIN, *Taking Rights Seriously*, London, Duckworth, 1977, p. 179.

3 Theodor NAGEL, *Equality and Partiality*, New York/Oxford, Oxford University Press, 1991, p. 63.

4 Robert K. FULLINWIDER, *The reverse discrimination controversy: A moral and legal analysis*, Totowa, New Jersey, Rowman & Allanheld, 1980, p. 223.

equal treatment versus positive discrimination. These are just some of the conflicts that arise from different 'redress' theories and approaches.

In light of the above questions, the central position of this work is, rather than a system, a set of fragmentary positions within the framework of a general view of the concepts of justice and equality. The scientific rejection of any fixed and immutable foundation is accompanied by the methodological priority of politics over philosophy. The central argument thus stems from the adoption of a pluralistic galaxy of incommensurable and, therefore, non-hierarchical values that do not function as final causes-foundations, but rather as concurrent variables. The basic assumptions are based on a central perception that Walzer (1983) explicitly expresses:

that the principles of justice are themselves pluralistic in form; that different social goods ought to be distributed for different reasons, in accordance with different procedures, by different agents; and that all these differences derive from different understandings of the social goods themselves—the inevitable product of historical and cultural particularism.⁵

Given this plurality, the political question is what goods should be adopted and by which of the different distributive mechanisms. In other words, how much should we design and control the distribution of a good or a burden, which in the context of the dominant distributive ideology would mean to impose it on the principle of equality or to leave the distribution of it free or random. In the first case, the next question is what form of equality suits which good, and this decision can lead to more different results than imposing or not imposing on the principle of equality. The decision on imposition depends on values such as equality, freedom, ethics, effectiveness, utility, well-being, progress, and development, which are necessarily incommensurable and often conflict with one another.

The plurality of values, social meanings of goods, and types of equality, as well as the complexity of social composition and every individual, advocate for a 'complex equality.'⁶ Such a state of 'complex equality' implies the limitation of the possibility of change and accumulation of different goods and the limitation of the autonomy of distributive spheres.⁷ It is opposed to simple equality, which means equality in relation to a good, which is considered dominant because obtaining it implies the acquisition of all other goods.

The assessment of values and the decision-making process requires the distinction between equal and random distribution, the theory of types of equality in

5 Michael WALZER, *Spheres of Justice: A Defense of Pluralism and Equality*, Oxford, Blackwell, 1983, p. 6.

6 Michael WALZER, *Thick and Thin, Moral Argument at Home and Abroad*, Notre Dame, University of Notre Dame Press, 1994, p. 102.

7 WALZER, *Spheres*, p. 17.

relation to goods, and, finally, the correlation between goods on the one hand and the type of distribution and/or equality on the other.⁸ The present paper aims to provide some, albeit limited, answers to these questions. It, thus, presents a critique of the concept of equality and an interpretation of justice based on the work of Michael Walzer, emphasizing his critique of simple equality and his conceptualization of complex equality, which leads to a more equitable distribution of goods. The selection of Walzer's theory as the central framework for this research is a conscious choice influenced by Walzer's profound insights on spheres of justice and complex equality. While acknowledging the richness of political philosophy and the diverse array of thinkers that have contributed to the discourse on equality and justice, Walzer's concepts offer a nuanced and thorough understanding of the dilemmas inherent in any quest for justice and equality. The multiplicity of goods and the pluralism inherent in his theory offer a pragmatic and comprehensive guide in an increasingly diverse and complex world. Other authors, such as Rawls and Sen, also offer compelling frameworks; however, the depth and flexibility of Walzer's spheres of justice provide a more fitting lens for this research. The research methodology employed in this paper is primarily interpretive and analytical, seeking to extract and analyze key aspects of Walzer's work to shed light on the paper's main objective. This includes a detailed study of Walzer's seminal work *Spheres of Justice*, complemented by various secondary sources that further elucidate Walzer's theories. These sources include critiques of Walzer's work, which are vital in providing a balanced examination of the topic. While we center our discussion on Walzer's ideas, we acknowledge and engage with counter-arguments and criticisms to provide a comprehensive perspective, drawing on the works of Gerald Cohen⁹ and David Miller.¹⁰ This methodology allows for a deeper understanding of the theoretical underpinnings of the concepts of equality and justice proposed by Walzer.

2. A Methodological Note

2.1 The Trap of Foundationalism

The attempt to answer such types of questions, namely 'equality: yes, what kind, whose good and for whom,' as well as more generally all the questions that concern political philosophy, has led to the need to uncover—or even invent—foundations for political and ethical views and led to a variety of possible answers throughout the history thought. The most convincing answers include the theory of natural justice, the theory of social contract, and the principle of utilitarianism.

8 *Ibid.*, p. 7.

9 Gerald A. COHEN, "On the currency of egalitarian justice," *Ethics* 99 (4), 1989, pp. 906-944.

10 David MILLER, *Principles of social justice*, Cambridge (MA), Harvard University Press, 1999.

Theories of natural justice believe that reason is the tool that enables human beings to discover pre-existing principles of human behavior. The theory of John Locke on natural rights can be seen as the foundation of this tradition. According to Locke, the Law of Reason and Nature, which is the Voice of God, imposes that all people are free and equal among themselves.¹¹ According to this tradition, even if someone does not accept a theology, they still agree that everything is a matter of common sense.¹² Therefore, even in the case of rejection of a theocratic explanation, this way of thinking continues to be influenced by a metaphysical spirit.

The theories of social contract appear more refined. They establish their political assumptions on hypothetical agreements among logical, free, and equal subjects.^{13,14} The most influential theory of hypothetical social contract, that of John Rawls, uses 'the veil of ignorance,' 'a conception of representation,' as a tool that ensures that justice is the content of the contract.¹⁵ Overlooking that it is rather impossible for the contracting parties, as they are stripped of all their personal characteristics, to have their own goals, Rawls clearly trusts in their logic.¹⁶ Additionally, he recognizes that it presupposes equality as their main characteristic. However, if the fair agreement as the basis of the social contract is only ensured by the fact that the parties are rational¹⁷ and that it is logical for them to be equal and free, then it is difficult to detect any difference between the concept of hypothetical contract and the Reason and Natural Justice of Locke. These, however, are weaknesses that characterize all theories of hypothetical social contract since all are based on the Logic of the parties and their initial equality, regardless of the material conditions of their lives.¹⁸

Utilitarianism accepts overall benefit as its foundation and evaluates all political institutions based on this criterion and measure.^{19,20} However, it is almost impossible to derive equality from benefit. The goal of maximizing total benefit neither presupposes nor implies human equality. An egalitarian utilitarianism is certainly possible under the assumption that the two components, benefit and equality, are chosen separately and combined to avoid the negative results of total utilitarianism.

Considering egalitarianism as the possible foundation of equality would be tautological. Even so, we could consider it the most preferable among all other

11 John LOCKE, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1988, II § pp. 4, 5, 87.

12 Peter LASLETT, "Introduction," in *Two Treatises of Government*, Cambridge, Cambridge University Press, 1988, p. 94.

13 KYMLICKA, *Political Philosophy*, p. 50.

14 Jonathan WOLFF, *An Introduction to Political Philosophy*, Oxford, Oxford University Press, 1996, p. 168.

15 John RAWLS, *A Theory of Justice*, Oxford, Oxford University Press, 1971, p. 136 et seq.

16 *Ibid.*, 142.

17 *Ibid.*

18 WALZER, *Spheres*, p. 79.

19 KYMLICKA, *Political Philosophy*, p. 9.

20 WOLFF, *Introduction*, p. 53.

assumptions, as it acknowledges the element of chance. We can accept equality because we believe it is good, that it contributes to happiness, or that it corresponds to our morality. This, of course, is nothing more than an intuitive idea, just as the perception we have of our common interest is not the result of our feelings and impressions²¹ of the feelings of compassion and disappointment²² for other human beings, but of fear of finding ourselves in the position of the least privileged.

The present analysis departs from the assumption that foundationalism leans toward the metaphysical^{23,24} and adopts an alternative approach: one that accepts a multitude of possible values that underlie political action while recognizing, at the same time, that they are merely random, descriptive, and contested, and, in any case, cannot function persuasively as foundations on a meta-ethical level.²⁵ Through this assumption, foundations that are traditionally considered eternal and immutable appear as relative and limited values, often not comparable to each other. Thinking within such a pluralistic universe of final values allows us to respond to dilemmas by placing them in their social and historical context and basing them on fundamental perceptual ideas, which we try to harmonize into a more or less similar system.²⁶

2.2 Defining the Political

Attempting to avoid a monistic foundation²⁷ and free to attempt combinations of limited values such as freedom, equality, benefit, and democratic consent (the latter as an equivalent of a theory of real social contract), and in the effort to answer questions of political theory, it is imperative to recognize the nature and 'material' of them, the origin, the consequences, the interdependencies, the impacts, and the issues that are intertwined with them.

Given that we do not have in this article the luxury to investigate the notion of 'political' in depth, we will limit ourselves to observing that the notion of political adopted here is based on the following assumptions: Political issues arise from the social coexistence of human beings in organized units, that is, political societies. In other words, two elements constitute or rather generate politics: social coexistence, on the one hand, and the organization of it in

21 David HUME, "Justice and Equality," in Louis P. POJMAN and Robert WESTMORELAND (eds.), *Equality: Selected Readings*, Oxford, Oxford University Press, 1997, p. 47.

22 Jean-Jacques ROUSSEAU, "The Discourse on the Origins of Inequality," in Louis P. POJMAN and Robert WESTMORELAND (eds.), *Equality: Selected Readings*, Oxford, Oxford University Press, 1997, p. 42.

23 Judith BUTLER, "Contingent Foundations: Feminism and the Question of Postmodernism," in Judith BUTLER and Joan W. SCOTT (eds.), *Feminists theorise the Political*, New York/London, Routledge, 1992, p. 7, 17.

24 John E. SEERY, "Castles in the Air. An Essay on Political Foundations," *Political Theory* 27, 4 (1999), p. 469.

25 BUTLER, "Contingent Foundations," p. 3.

26 NAGEL, *Equality*, p. 7.

27 This arguably constitutes Rawls' most pressing concern. Indeed, he attempts to combine the three values of freedom, equality, and economic efficiency.

modern societies through coercive, mainly legal, rules, on the other. Politics, in this sense, is what unites the social with the legal—it is the dynamic element between the two. ‘Political’ is the combative ‘Social,’ the Social that fights to become socially dominant and/or Legal, even if, for this transformation, other established processes intervene.

Following John Dewey, we also consider that the purpose of philosophy is social progress, and we turn, accordingly, our attention more to social reality rather than to supposed eternal and transcendent truths and principles.²⁸ To answer questions about equality in terms of political theory means, accordingly, that we must consider both the social, that is, the historical context, as well as the implications of possible principles of justice and their practical usefulness in a political society.

With these introductory observations, we can proceed to analyze the concept of equality. Our effort is to combine normative implications about equality, not as a historical concept, but as a political plan and social perception that would allow a political community to pursue collective and individual happiness in an equitable, liberal, and democratic way without recognizing, however, that these values remain relative and dominant, even in their specific versions and, particularly, when they conflict with each other. It argues, furthermore, that in questions regarding the priority of these values, there can only be, in the final analysis, underlying and implicit answers in error, which set priorities in an arbitrary way, i.e., political answers. These answers are, to some extent, products of historical conditions, cultural traditions, logical attitudes, political beliefs, values, principles, and feelings. In conclusion, this section serves as an entry point into our exploration of equality, laying the groundwork for our analysis. It underscores the complexities and conflicts inherent in the pursuit of equality within a political community, particularly in relation to the values of equity, liberalism, and democracy. It highlights that these values are not absolute but are contingent on historical conditions, cultural traditions, and political beliefs, among other factors. This understanding of equality sets the stage for the subsequent sections, where we delve deeper into the conceptual nuances of equality and their manifestations in Walzer’s spheres of justice.

3. Sources of Inequality and the Field of Equality

3.1. An ‘Exclusive’ Equality

The ambition of the present paper is limited to examining issues of equality in the context of a political society and, accordingly, refrains from examining

28 Robert HORWITZ, “John Dewey,” in Leo STRAUSS and Joseph CROUSEY (eds.), *History of Political Philosophy*, Chicago, The University of Chicago Press, 1963, p. 851.

issues of international justice and equality. This first distinction, the distinction between ‘us,’ the citizens or residents of a specific political community, and ‘others,’ the residents of other countries and societies, is already revealing of the partiality of the enterprise.²⁹ Concurrently, this distinction is revealing of the partiality and ‘selectivity’ of the concept of equality itself. Despite most political theories discussing ‘inclusive equality,’ I argue that, in reality, they are concerned only with people of a specific society.

To provide a comprehensive examination of this issue, it is essential to engage with the works of key thinkers in the field of political philosophy. This broader view is integral to providing a nuanced understanding of the complexities involved in the concept of equality and how it intertwines with distributive justice.

John Rawls,³⁰ in his *Theory of Justice*, posits a just society as one organized around the principle that social and economic inequalities should be arranged to benefit the least advantaged members of society. Although Rawls’ perspective contrasts with Walzer’s spheres of justice, it offers critical insights into the nature of distributive justice. Amartya Sen’s³¹ capabilities approach advocates for the importance of individual capabilities in determining a person’s ability to lead the life they value. By considering equality and justice through the lens of Sen’s approach, we gain another dimension to enrich our understanding of these concepts. Ultimately, Robert Nozick’s³² libertarian perspective on justice, which emphasizes individual rights and minimal state intervention, provides a counterpoint to both Walzer’s and Rawls’ views on justice. Engaging with Nozick’s perspective allows us to explore and acknowledge the broader philosophical debates surrounding the question of what constitutes a just society. By engaging in this broader dialogue with influential political philosophers, we hope to provide a more complex and nuanced understanding of equality and justice. This integrated approach will also inform our subsequent discussion and analysis of Walzer’s concept of complex equality.

The shift of interest in inequality at a global level would lead to entirely different conclusions from those claimed in a Western liberal and democratic state. A global order with greater equality would immediately raise issues, such as migration and the decline in living standards in Western countries, as a direct result of more balanced energy consumption. Our understanding of equality is characterized by an inherent limitation: It applies to citizens of a Western liberal state and is, therefore, an ‘exclusive’ or exclusionary equality, meaning that it excludes a large part of humanity. This inherent limitation arises from what Walzer calls the ‘particularism’ of history, culture, and participation; in

29 WALZER, *Spheres*, p. 31.

30 RAWLS, *Justice*.

31 Amartya SEN, *Inequality re-examined*, Cambridge (MA), Harvard University Press, 1992.

32 Robert NOZICK, *Anarchy, State, and Utopia*, New York City, Basic Books, 1974.

other words, from historical conditions where states remain dominant in the international order. It confirms, furthermore, the introductory observations in this article, that is, our attachment to equality as a principle derives not from natural law and reason but more from historical conditions, personal interest, and our sympathy (compassion) for other (human) beings, which often arises from or is reinforced by a process of identification.

3.2 Inequality and Justice

Any egalitarian political design applicable under certain social conditions cannot but be incorporated, to a certain extent, into a social model of organization that we are called to implement. Behind something like this, there is inevitably a kind of utopia, more or less feasible, with which we evaluate the present society and which contains all the final values that we adopt and trace our perception of social progress.

The first question is whether, in the context of this 'utopia,' we consider any inequality unjust and unjustified or, in the reverse formulation, if there are inequalities that can be considered fair and, if so, which and under what conditions. The answer depends directly on the source of inequalities. Based on this criterion, we can distinguish three categories of sources of inequalities. First, natural endowments, i.e., talents and aptitudes; second, economic and social stratification, which results in inherited advantages or disadvantages in the possession of material goods and the acquisition of skills; and third, luck. It seems that this classification overlooks two basic categories: negative discrimination and effort. The latter is actually the only one that can be considered to belong to the sphere of the individual's responsibility.³³ The omission of this here reflects the perception that effort is the result of a combination of social and natural factors, mainly social class, negative discrimination, and talent, factors that, in turn, are the product of a natural and social 'lottery.' On the other hand, negative distinctions are not referred to here as an autonomous category because they are considered a by-product of economic and social stratification. Although they can be legally eliminated more easily than their root cause, their elimination still requires changes to the socioeconomic structure.

Below, we attempt to answer the question of whether an individual should be left alone, 'free' against the aforementioned sources of inequality, or whether it is considered fair and morally imposed to intervene consciously in order to raise or balance the resulting inequalities. Regarding bad luck, there is a wide consensus that it is outside the field of personal responsibility and, therefore, the consequences of it should be balanced within the framework of organized social coexistence. For this reason, this case will not be examined further. On

33 NAGEL, *Equality*, p. 108.

the contrary, different views and varied reactions arise as to whether and to what extent individuals are responsible and 'deserve' their social and physical predeterminations.

3.2.1 Natural Endowments

The first type of inequality is what Rousseau calls 'natural or physiological' inequality, which is related to nature and consists of age, health, physical strength, and characteristics of the mind and soul, to the extent that all these characteristics do not depend on and do not originate from the social living conditions of individuals.³⁴ Inequalities that directly stem from differences in human nature could, theoretically, be eliminated in two different ways: the first assumes genetic intervention and genetic changes. Such an attempt would reduce natural inequalities and, at the same time, the multiplicity and diversity of human nature, as well as the unpredictability of human behavior. The rejection of such a wide-ranging plan is probably preferable, even if it comes at the expense of equality, because it protects human freedom and social diversity.

The second way is to refuse to consider the natural advantages in the distribution of social goods since the first can only be attributed to chance and, consequently, does not 'belong' to individuals. This proposition cannot be utilized in a monistic way. Natural characteristics often function as advantages for the individual independently of any other mediating judgment. In other situations, these advantages may, based on an evaluative judgment, have a positive impact on the distribution of goods. However, they are considered or assumed to be independent of the distributed goods. A possible way to counter such unequal treatment would be to negatively discriminate against individuals who are beautiful, gifted, and talented precisely because common experience tells us that these characteristics work positively, even in cases when they are not typified as assets per se. Such a policy comes into conflict with our sense of ethics and justice. It also comes into conflict with the principle of self-ownership, that is, that each person owns their own abilities. All these natural characteristics are the primary material on which and in accordance with which everyone builds their character and personality. Deprivation of a person of these characteristics would signify the alteration of their deeper essence and is, therefore, illegitimate and ultimately impossible. Consequently, inequalities that stem exclusively from natural gifts can be considered just.

We could reach the same conclusion in a more formalistic way by departing from our theory that equality, as a political value, refers exclusively to social goods. Since natural characteristics are not social but natural goods, there is no need to impose their distribution in compensatory mechanisms, and thus, it can be left free, that is, random.

34 ROUSSEAU, "Inequality," p. 37.

On the other hand, it is indisputable that society has an obligation to provide every individual with the opportunity to develop and cultivate this primary material, which is related to social conditions and inequalities. This perspective leads to a broader image of human nature, according to which every person has the potential to excel in a certain field. The diversity and multiplicity of social fields, in combination with fair social conditions and real equality of opportunities, can ensure fair social recognition for all.

3.2.2 Social Inequalities

The second type of inequality is social and economic inequalities, which often lead to political and ethical inequalities. The latter stem from both the socio-economic system and the 'meaning,' or the symbolic value attributed to certain inherited characteristics of individuals. 'Real' — as opposed to symbolic — social inequalities mainly stem from the unjust distribution of wealth, while 'imaginary' social inequalities, which simultaneously stem from and are exacerbated by economic inequalities, are largely due to historical oppression and racist, religious, or sexist prejudices.

Contrary to the natural ones, social inequalities appear rather unjustified, mostly because they do not allow for the development of natural characteristics, the expression of psychological abilities, and the pursuit of personal interests. While the levelling-down of physical characteristics is considered to be rather illegitimate and undesirable, the levelling-down of societal conditions is at the heart of egalitarianism.

This objective certainly finds its limits in the structure of the economic system. A social system in which inequalities would arise only from the physical and psychological diversity of individuals, which we have already accepted as inevitable and even desirable, would require a radical change in the mode of production. Given that such a change is currently impossible due to the dominant technological structures, the defense of justice and equality in this historical context must respect the limits imposed by the economic system and the distribution of work, which produce a wide range of inequalities.

An egalitarian social plan, even if it is not revolutionary or even radical, is forced to impose either the redistribution of initially unjustly distributed resources or the balancing of inequalities caused by the productive and, as a result, social system. Such a redistribution for the purpose of equality may, in some cases, undermine efficiency, and for this reason, it is necessarily related but remains ethically imposed.³⁵

35 Arthur M. OKUN, *Equality and Partiality*, New York/Oxford, Oxford University Press, 1975, p. 48.

A persuasive answer for a fairer distribution of goods is offered by the concept of Walzer's 'complex equality,' which provides different criteria for the distribution of different goods and, as a result, allows different groups of individuals to receive different goods under the assumption of the existence of mechanisms that prevent the accumulation of all goods in the hands of a particular group through the possession of a dominant good. In view of both physical and economic inequalities, such equality often takes the form of a normative value, frequently at odds with reality.

3.3 Fields of Goods Distribution

The answers that every political community is called to give to the questions of what extent it pursues equality, for whom, and in relation to what goods are deep political answers, provided they aim to differentiate a physical and social reality through conscious interventions. The questions, therefore, relating to the distribution mechanism, that is, the free market or political regulation, on the one hand, and the implementation of the principle of equality or the justification of inequalities, on the other hand, often constitute the two sides of the same coin. The answer is not monolithic but depends on the goods themselves, their nature and functions—that is, their historically changing and thus contested social meaning within the framework of the existing social and economic system.³⁶ The division of the social sphere into 'Spheres of Justice,' which must be governed by different distributive mechanisms, is an inescapable necessity given that the distribution of all social goods through the same distributive mechanism is neither possible nor desirable.

Goods can be divided into two major categories: those whose distribution is considered just to be left to chance or the free market and those that are considered just to be distributed by a central agency, for example, the state, the community, or other public institutions, such as universities or schools, based on normative criteria. The decision for centralized distribution of goods implies the distribution of them according to the predetermined principles based on the principle of equality. However, even in this case, the question is what kind of equality (should) normative power develop for each of the goods that are distributed based on compensatory mechanisms.

In conclusion, this section offers an intricate examination of the sources of inequality and the field of equality. It presents the inherently 'exclusive' nature of equality, focusing on the political society and the subsequent differentiation between its citizens and 'others.' The arguments presented by various philosophers underscore the multiplicity of perspectives surrounding distributive justice and equality, shedding light on how these concepts intertwine in diverse

36 WALZER, *Thick and Thin*, p. 27.

ways. An exploration of different types of inequalities — natural endowments, social inequalities, and the distribution of goods — reveals their intricate relationship with justice, challenging us to contemplate whether and how we can rectify these. It underlines the tension between the natural diversity of individuals and the socio-economic structures that inevitably lead to inequalities. Furthermore, it introduces the concept of Walzer's 'complex equality' as a potential avenue toward a fairer distribution of goods. Thus, the exploration in this section further develops our understanding of the complexities involved in the pursuit of equality and sets the stage for a nuanced analysis of Walzer's concept of complex equality.

4. The Content of Equality

4.1 Equality: A Multidimensional Notion

Although it is difficult within the framework of our liberal intellectual tradition to challenge, as a normative principle, the concept of equality under the idea of recognizing the equal moral value in all human beings, it remains difficult to explore the content and consequences of this imperative with certainty. The inference of normative implications from this declarative statement is nothing other than the imposition of 'justice' under the concept of 'equality.' The latter traverses the risk of becoming an empty or self-negating concept (as 'exclusionary' equality, accepting, therefore, by definition, exclusions from its field of application), a concept devoid of effect or even, in its absolute form, unwanted by the canon. Equality, therefore, is not only relative but also multiple and polycentric. This means that there is not only one type of equality but different ones, which are called upon to be applied in different spheres in relation to different goods.

4.2 Aristotelian Types

In Aristotle, the idea is expressed that justice can only be a form of equality and that equality and justice are synonymous concepts,³⁷ as well as the criterion for distinguishing distributive and corrective justice,³⁸ which is based on the fact that the former is expressed geometrically while the latter is expressed arithmetically.³⁹ According to Aristotle's axiom, equal situations must be treated equally, and unequal situations must be treated differently according to their differences.⁴⁰ And that all forms of equality are nothing but applications of this basic principle.

37 ARISTOTLE, *Ηθικά Νικομάχεια* [Nicomachean Ethics], Athens, Kaktos, 1993, Book V, 1130b.

38 *Ibid.*, 1130b-1132b.

39 *Ibid.*, 1131b-1132a.

40 *Ibid.*, 1131a-1131b.

The Aristotelian concepts of equality leave unanswered questions, such as not only the question of ‘equality or inequality of what good?’ but also the question about the criteria that could justify unequal distribution in management.⁴¹ In its conventional form, however, the concept can be considered to include all modern interpretations of equality. On the other hand, it also means that distributive justice for each type is compensatory on the condition that we define the ‘injustice’ of the circumstances appropriately.^{42,43} Therefore, even if it is correct that all forms of equality are nothing but special applications of the basic principle that ‘equal situations should be treated equally,’ there is still a need to transform this formalistic type into a multitude of substantive principles, specifying the criteria that we claim to use to define the equality of situations.

The Aristotelian axiom stipulates that equal situations should be treated equally and unequal situations should be treated differently according to their respective differences. This foundational principle underpins all subsequent forms of equality despite leaving open-ended questions concerning the specific good to be distributed and the criteria that might justify unequal distribution. Even so, this principle provides a valuable framework for understanding justice and equality in contemporary society. However, it also suggests that while all forms of equality may be seen as special applications of this core principle, a transformation from this formalistic type into substantive principles is necessary to articulate the specific criteria we claim to use in defining the equality of situations.

4.3 Forms of Equality

4.3.1 Numeric Equality

The concept of numeric equality as a principle of distributive justice requires that equal portions of the good to be distributed be given to all, regardless of any other characteristics. This form of equality is traced back to Aristotle,⁴⁴ who defines it differently from the principle of ‘equal treatment of equals and unequal treatment of unequals.’ However, in its typical form, it can be seen as a specialization of this principle if a common characteristic in all human beings, such as the same human nature or the status of being a citizen, is considered a definitive criterion.

The consequences of applying numerical equality depend on the distribution field. Equal shares of all goods—if it were ever possible—would signify not

41 ARISTOTLE, *Πολιτικά* [Politics], Athens, Kaktos, 1993, Book III, 1132b.

42 Felix E. OPPENHEIM, “Egalitarianism as a Descriptive Concept,” *American Philosophical Quarterly* 7 (1970), p. 145.

43 This realization appears to validate, to some extent, Westen’s proposition regarding the emptiness of the principle of equality.

44 ARISTOTLE, *Politics*, Book E, 1301b.

only equal but also similar gains. This result would not respect human diversity, personal preferences, and priorities. Equal shares of certain goods in a limited distribution field, on the other hand, would amplify existing inequalities. The distribution, for example, of some selected goods equally among the parties would actually benefit the most privileged among the beneficiaries in reality. The question arises, therefore, as to which goods it would be fair to apply numerical equality in distribution.

4.3.2 Proportional Equality

Based on the Aristotelian Equality of Reason,⁴⁵ proportional equality requires that the quantity of the distributed good or weight be expressed by a function that is genuinely increasing in proportion to the personal characteristics prescribed by the rule. In other words, the quantity of the distributed good increases in an absolute ratio to the size of the characteristic. According to this rule, two individuals receive equal treatment only if the ratio of the quantities of good they receive is the same as the ratio of the characteristics defined concerning that good. This rule can be considered as a special application of the principle of equal treatment of equals and unequal treatment of unequals, taking into account the quantitative parameter. Similar to the general axiom, proportional equality can justify any possible distributive rule.⁴⁶ Its legitimation, therefore, depends on the specific characteristics that are associated with the distribution of specific goods and the evaluations that support this distribution under specific conditions in a given society.

4.3.2.1 The 'Related' (Determinative) Differences

The first and most important specification of proportional equality derives from the specification of the characteristic from which the distribution of a good or weight is derived. This characteristic must be 'related,' i.e., be in a relationship with the distributed good. Although the performance of a characteristic in a person may sometimes be exclusively descriptive, the conclusion or denial of the relationship between a characteristic and a good is always logical, not factual.⁴⁷ Such, as well as any evaluation, depends on time and place, history, and culture.

4.3.2.2 'To Each According to Their Value'

A specification of the principle of equality is 'to each according to their value.' The distribution of goods, according to this variation of equality, is directly

45 ARISTOTLE, *Nicomachean*, Book E, 1131a.

46 OPPENHEIM, "Egalitarianism," p. 145.

47 *Ibid.*, p. 147.

proportional to the value of each person. The principle of meritocracy also implies that equality is something that each person must earn and acquire through their actions, rather than something that is given by nature based solely on human qualities. This interpretation aligns well with modern views on equality, as it accommodates a wide range of inequalities, including, of course, income inequalities.

In this framework, the question at hand is regarding the concept of value or merit, which allows for multiple answers. Value is considered to be a combination of abilities and effort. The argument presented here is that abilities, such as talents and intelligence, are products of chance and, therefore, do not belong to the person and should not be counted as part of their value. On the other hand, it is also argued that effort is often owed to the family environment and family or community values, which are also products of chance. The exception of talents and intelligence from the value of a person is not only practically impossible but also normatively undesirable for reasons in line with those that make rights and physical abilities. A further problem with this variation of equality is the evaluative character of its definition. Not only is the definition of value a relative evaluation, but also the attribution of value to a person. Questions of who evaluates whom cannot be answered outside of a specific context and, of course, do not always find single and unanimous answers.

It must be noted, furthermore, that a broad application of the meritocratic principle disregards social conditions from which many differences in value and talents arise. It blinds itself, in other words, to existing social inequalities. This principle can only be considered truly just when opportunities for all people to develop their natural abilities are equally held. Given the separation of the distributional spheres, the combination of equality of opportunities and aristocracy could lead to unequal results, as different people would enjoy different goods in different quantities, depending on their natural inclinations, personal choices, and individual values. This variation of equality, which always assumes the actual equality of opportunities, also allows for other values of social coexistence, besides equality, such as utility and freedom, to be taken into consideration.

4.3.3 Inclusion as Equality

According to this type of equality, the larger the group of people who receive a good, the more egalitarian the relative distribution rule is. This criterion is related to the recipients of goods and not directly to the characteristics defined as determinants for distribution. The most equitable distribution rule, therefore, is the one that defines 'equal shares for all,' provided that, according to it, everyone is a recipient of the same amount of goods. To put it a little more into context, we would say that the distribution of some good or weight is as

equitable as the percentage of people who receive it or the size of the group of people who receive it from those who are excluded from its distribution.⁴⁸

This criterion, contrary to the previous ones, is measurable given its quantitative nature. On the other hand, however, it often comes into conflict with our sense of equality. For example, according to this criterion, the non-taxation of low incomes is considered less equitable than taxing everyone. Indirect taxes are considered more equitable, while regressive taxation is less so, in line with equality.⁴⁹ In general, this criterion does not consider, nor does the absolute version of 'equal shares for all,' existing inequalities. Like the latter, equality as inclusion is actually equitable only if it is implemented in a broader social context. The wider the distribution field in which this criterion is applied, the more equitable the results of its application are.

4.3.4 Positive Discriminations

Positive discrimination represents a specific expression of proportional equality. In this case, too, a ratio is maintained between the distributive goods and the determining characteristics, but this ratio is rather reversed in a sense. The distribution of goods is associated with negative characteristics, as opposed to the original concept of meritocracy, which associates them with positive qualities and abilities.

The policy of positive discrimination, in contrast to the naked meritocracy espoused by other positions, considers the social and personal histories of the subjects. It extends beyond the apparent value of the individual, instead exploring the origin of that value. As the term implies, positive or reverse discrimination, which is a form of corrective justice, aims to rectify situations or compensate for past negative discriminations, for existing social inequalities, and for bad luck.

Positive discrimination is based on the basic moral intuition that, although all improvements in people's conditions have some value, improvements in the lives of those in the worst condition have greater moral weight than improvements in the lives of the privileged.⁵⁰ The policy of positive discrimination can operate preventively and/or remedially. It is difficult to distinguish between these two operations, as often one implies the other. It focuses more on the future and aspires to positively impact those individuals who would otherwise experience the negative consequences of their life circumstances.

48 *Idem.*

49 *Idem.*

50 NAGEL, *Equality*, p. 12.

4.3.5 The Presumption of Equality

This is not a substantive principle of equality but a procedural one,⁵¹ according to which equal treatment should be ensured for all people unless there are good reasons for different treatment.⁵² It is clear that this procedural principle can support almost any form of equality previously referred to.

In conclusion, this section provides a thorough examination of various forms of equality, each with unique implications and challenges related to the concept of distributive justice. The exploration began with the concept of numeric equality, presenting the idea of a uniform distribution of goods and considering the potential outcomes of such an approach. While it is rooted in the fundamental principle of equal treatment, this type of equality leaves room for critique regarding respect for human diversity and the potential to exacerbate existing inequalities. Proportional equality, with its Aristotelian roots, brings in the dimension of personal characteristics in the distribution of goods. It introduces the concept of ‘related’ or determinative differences and the principle of ‘to each according to their value.’ These interpretations both enlighten and problematize the discourse around equality, raising questions about the evaluation of value and the considerations of social conditions and inequalities. The concept of inclusion as equality broadens the discussion to include the size of the group receiving a good as a measure of equality. While this approach provides a quantifiable criterion, it tends to overlook existing disparities and may come into conflict with common perceptions of equality. Positive discrimination serves as a tool for corrective justice, emphasizing the moral imperative of improving the conditions of those who are worst off in society. By focusing on negative characteristics, it seeks to offset past discrimination and social inequalities, highlighting the potential of this approach in fostering a more equitable society. Finally, the presumption of equality encapsulates the procedural aspect of equality, reinforcing the notion of equal treatment as the default position unless justifiable reasons for differentiation exist. Overall, these perspectives collectively elucidate the complexity of equality and underscore the need for careful and context-specific consideration when discussing and implementing concepts of distributive justice.

4.4 The Opposite of Equality

Although linguistically, it appears easy to form the opposite of ‘equality’ as ‘inequality,’ it is ambiguous whether this opposition is valid in normative terms, as inequalities in distribution, for example, of goods, are often necessary for achieving greater egalitarian outcomes. Given that inequalities can be justified if they are based on ‘determining differences,’ it can be argued that

51 OPPENHEIM, “Egalitarianism,” p. 148.

52 Peter WESTEN, “The empty idea of equality,” *Harvard Law Review* 95, 3 (1982), p. 540.

the real opposite of equality is ‘random’⁵³ or arbitrary, that is, unjust and unfair⁵⁴ inequality of treatment.⁵⁵ Justified or fair inequality of treatment is not only allowed but also imposed with the goal of equality.

This proposed antithesis underscores the deeply political character of the concept of equality precisely because it presupposes a political intervention in the free and random flow of nature and, mainly, of history, that is, of social and economic relations and the relations of oppression and unfreedom that they produce. For this reason, the concept of equality can never be politically and philosophically neutral and “innocent.” It comes into opposition with freedom only if the latter is understood as the natural process of historical development. Conversely, equality expands the ability to enjoy freedom if the latter incorporates its social meaning and becomes one of the distributed goods.

Exclusion from the enjoyment of a good can be seen as opposed to equality to the extent that such exclusion is not based solely on physical or justifiable differences. However, exclusion cannot express the quantitative dimension of equality. The ability to enjoy a good does not necessarily imply equal opportunities for enjoying that good. Walzer proposes as an antithesis to equality the concept of ‘tyranny,’ the existence, in other words, of a medium that reigns supreme over everything else.⁵⁶ The rule of such a medium, such as money today, combined with the ability to concentrate it in the hands of some, opposes the concept of complex equality.

In conclusion, we attempted to address the challenging task of defining the antithesis of equality. It grapples with the paradoxical notion that inequalities in distribution might, at times, be necessary for greater egalitarian outcomes, leading to the proposition that the real opposite of equality is ‘random’ or arbitrary inequality of treatment. This perspective frames justified inequality not only as permissible but as an essential tool in the pursuit of equality. This highlighted the political nature of equality, emphasizing its inevitability of clashing with concepts of freedom, particularly when freedom is understood as a natural course of historical development. However, it also opens up a path for a harmonious relationship between equality and freedom when the latter is seen in its social context and is treated as one of the distributed goods. Further, exclusion from the enjoyment of a good is also offered as a

53 A possible objection to this counter-definition could be that the distribution of political offices in ancient Athens through lottery, i.e., randomly, was in accordance with the (limited within the context of the era) principle of equality. This conclusion, however, is subject to controversy in the present day, if the differentiation of the concept of democratic representation in post-modern democracies is taken into account.

54 Samuel SCHEFFLER, “What is Egalitarianism?” *Philosophy and Public Affairs* 31, 1 (2003), p. 22. This assumption does not recognize the hierarchical systems of power, oppression, and economic and social inequalities, but it holds true because of these things. In ideal conditions of economic and social equality, the random distribution of goods would only correspond exclusively with individual talent and preferences and could, therefore, be considered ‘fair’ in the sense of justice.

55 Wolfgang VON LEYDEN, “On justifying Inequality,” *Political Studies* 11, 1 (1963), p. 59.

56 WALZER, *Spheres*, p. 17.

potential opposite of equality, but the section acknowledges the limitation of this perspective due to its inability to express the quantitative dimension of equality. Additionally, it is pointed out that the capacity to enjoy a good does not necessarily equate to equal opportunities for enjoying that good. Walzer's idea of 'tyranny' is proposed as another antithesis to equality. Altogether, this section attempted to offer a nuanced understanding of the possible opposites of equality, showing that the concept is much more intricate than the simplistic 'equality versus inequality' dichotomy. It brings attention to the need for justified inequalities and thoughtful political intervention to ensure fair and equitable societal outcomes.

4.5 Instances of Social Goods Distribution

As already mentioned, the main concern in a complex equality regime is the distribution of goods in accordance with their social meaning and the prevention of the dominance of a single means or criterion over all others. The distribution of goods must be done with different criteria in each distributive sphere, criteria that may be difficult to identify but remain robust. In any case, the autonomy and non-penetrability of the distributive spheres are relative as the different spheres interact with each other.⁵⁷ So, while specific criteria need to be applied to each distributive sphere, the proposed distributive scheme, using a variety of criteria, aspires to respond overall to a multiplicity of values. In other words, it dares to say that Walzer's "complex equality" surpasses simple equality, being something qualitatively different from it, not only because it denies the exclusivity of one and unique criterion but also because, by incorporating the fear of tyranny, it succeeds in accommodating equally the values of freedom and social well-being.

Income equality or equality of resources, although it appears attractive as an idea precisely because of the dominant position of money, is nonetheless a non-realistic goal, at least within the framework of the specific economic system, both because of the division of labor and because "if one wanted to sustain simple equality over time, one would require a 'monetary law' like the agrarian laws of ancient times or the Hebrew sabbatical, providing for a periodic return to the original condition."⁵⁸ Regarding income, therefore, what appears possible and realistic is not equality but rather the idea of redistributive justice.

The analysis that follows can only be selective, partial, subjective, and, inevitably, incomplete. It refers to specific social goods that are considered significant in our society and are desired by a large number of people within our cultural environment.

57 *Ibid.*, p. 10.

58 *Ibid.*, p. 14.

4.5.1 Human Value

The proposition that 'all human beings have equal value among themselves,' regardless of any differential characteristics, constitutes today a consensus of our ethical and political sense, although it is equally difficult to define the precise content of this value. Its minimum content is the abolition of slavery. No human being belongs to or can belong to another in any way. The proposition includes primarily the notion of equal freedom. This first stage translates into the rejection of all types of negative discrimination and supports the normative proposition of legal equality and equal rights for all. According to this proposition, all humans are equal in the eyes of the law, even if, in this first stage of equality, the law can be legitimately unequal for certain individuals based on differences seen as defining.

4.5.2 Political Rights

An inseparable part of the legal civilization of our era is the principle of equality in the enjoyment of political rights, where our society consistently prioritizes equality over economic efficiency. This equality, of course, depends on participation in the political community, the identity of its members, age, as well as social characteristics, such as responsibility and cognitive ability. A special expression of political equality is the principle of equality of the vote. This principle, however, knows limitations, as reflected in a more or less proportional and, in any case, not absolutely proportional electoral system. These limitations are legitimized by other principles, such as that of effectiveness, which, in this case, acquires the meaning of efficiency and stability within the framework of the state's parliamentary system of governance.

This, however, the form of simple equality, expressed as equality of the vote, is insufficient in the field of distributing political power. Democracy, of course, requires and presupposes equal rights of access and not necessarily equal political power. The complex equality in the field of politics means, therefore, that it is not the power that is shared but the opportunities to attain it. More active forms of citizen participation coincide with complex equality for two main reasons: First, these more active forms of participation reduce the distance between those who govern and those who are governed, as each citizen is both a participating power and a political power.⁵⁹ And secondly, they enhance the significance of the enterprise in political discourse, through which a political community arrives at its own truth.⁶⁰ The sovereignty of democratic political power, in contrast to the sovereignty of any other criterion, does not result in tyranny; on the contrary, it represents the end goal.⁶¹

59 WALZER, *Spheres*, p. 309.

60 *Ibid.*, p. 308.

61 *Ibid.*, p. 311.

4.5.3 Social Welfare

The intuition that there are some very basic needs that people tend to satisfy before others, less important, and that the elimination of pain and basic deficiencies is more important than improvements in a higher standard of living, plays an important role when we are called upon to decide on the distribution of resources affecting social welfare.⁶² Based on the assumption that there is a hierarchy of social needs or a series of primary social goods, it can be argued that “transferable resources will usually benefit a person with less more than they will benefit a person with significantly more.”⁶³ This assumption is obviously a subjective stance between equal distribution and sought-after benefit. Walzer underlines that recognizing needs entails recognizing one’s inclusion in the political community, within which the distribution of well-being (and security) is attempted.⁶⁴

The ‘non-utopian possibility’ of a high minimum level of social wealth, with healthy, comfortable, and dignified living conditions and respect for each person, constitutes a convincing *prima facie* goal.⁶⁵ The elevation of all human beings to a minimum decent standard of living, as well as the elimination of poverty and degradation, exploitation, and oppression, must take priority over the enjoyment of cultural products or leisure, for example. Although the desirable and legitimate goal of the latter may be difficult to challenge, a just social policy must aim at gradually improving the position of those who are in the worst situation, even if this situation is not so bad.

This last observation raises another issue of prioritizing. A working hypothesis that is based on goods or needs must be supplemented by the underlying assumption that, for the enjoyment of the same good, priority is given to those who are in a worse position than the holders and possessors. And then, that is, the achievement of the initial goal of a dignified standard of living for everyone, with regard to ‘luxurious’ provisions, priority must be given to socially and economically disadvantaged people. Such provisions may include, for example, free higher education, access to affordable cultural products, vacations, transportation, and additional educational opportunities. The number and proportion of those benefiting from such provisions must necessarily be balanced between different factors. The priority position regarding social needs introduces the problem of ‘perfectionism’ into social policy, as every state intervention is ‘necessarily’ subjected to perfectionist derivations, to some extent, and therefore contradicts Rawls’ political liberalism⁶⁶ and the state’s neutrality, according to Dworkin.

62 NAGEL, *Equality*, p. 13.

63 *Ibid.*, p. 65.

64 WALZER, *Spheres*, pp. 78, 84.

65 *Ibid.*, p. 124.

66 RAWLS, *Justice*, p. 325.

If that is the case, then 'neutrality' is yet another chimera that simply conceals the nature of politics, which is necessarily biased and, consequently, in a sense, perfectionist. This perfectionism is evident in every political decision and is easily legitimized when it entails the satisfaction of extended needs rather than the prohibition of social behaviors. In any case, the hierarchy of needs and their satisfaction necessarily includes the perfectionist ideal.

4.5.4 Education and Health

The thoughts that follow are based on the initial intuitive assumption that health and education are essential for individuals in our society and, therefore, should be distributed under conditions of equality, an assumption that coincides with the social idea of these goods. Health constitutes the foundation of all other goods and the prerequisite for their enjoyment, as it relates to the physical ability of human beings. Education derives its special significance from the fact that our social organization is largely based on literacy. Equal access to medical care and education is often hindered by the unequal distribution of money from which access is often derived. From the above conclusions, it is inferred that the goods in question should not be distributed randomly, i.e., their distribution should not, according to the distinction we made above, be related to nature and/or the market but should be provisions of the political community. This is a first assumption, i.e., it is of interest to us to have an egalitarian policy regarding education and health.

This concern could be satisfied with the principle of 'equal shares for all.' The best possible outcome for a community would be to secure both medical care and education for all its members, especially on equal terms and in a satisfactory manner. Given, however, that resources are always limited, the question of a satisfactory level becomes decisive. Such choices can only be political choices and arise through democratic processes. These decisions take into account, on the one hand, the level of social well-being and, on the other hand, the available resources and the needs and social importance of these needs. Such decisions operate within the framework of a given political society with certain existing inequalities. Although the equal moral value of people means 'equal portions for all,' the limited resources create a dilemma between ensuring a minimum level of medical care for all and making a positive distinction in favor of the disadvantaged.

This can have a double meaning: the first refers to the goods to be distributed, and the second refers to the individuals involved. In the first case, more resources must be allocated for the most basic needs. For example, preventing an immediate death is a more pressing need than preventive medical care. Primary education takes priority over the free provision of higher education. As for the second meaning, in relation to the beneficiaries of the goods, a positive distinction of the disadvantaged means the allocation of more resources

to all those who are not able to obtain the desired goods through their own means. Additional funding is required, for example, for people who work under unsanitary conditions. Additional education should be provided to children from socially marginalized families in order to overcome the inherent disadvantages of such a family environment.

According to the detailed differentiation proposed above, positive discrimination in education operates in a proactive manner. The preferential support of children or adults from marginalized social groups, aimed at combating discrimination or their professional training, anticipates the need for positive discrimination in terms of employment opportunities or the provision of social benefits. Proactively functioning legislation in the fields of health and education can have a beneficial effect in the future, not only for the recipients of preferential treatment but also for the rest of society, as it increases future benefits and, to the extent possible, prevents both negative and positive future discrimination.

4.5.5 Work

The social significance of work and employment as a source of income, social position, and psychological balance justifies the reflection of compensatory attitudes toward the distribution of employment positions. A first differentiation is made between positions in the private sector and those in the public sector. A second differentiation concerns the nature of employment and distinguishes employment positions from other 'positions-roles,' such as holding an office. According to Walzer, "an office is any position in which the political community as a whole takes an interest, choosing the person who holds it or regulating the procedures by which he is chosen."⁶⁷ The differentiation between a simple employment position and a position-role is obviously evaluative and is more the result, rather than the criterion, of a political decision. The differentiation lies in the fact that the more skills someone needs to acquire in order to complete their job, the more that position can be considered an office.

With regard to the first distinction, the private sector is inherently less bound by egalitarian policies than public institutions. And they are, of course, limited and obligated to avoid negative distinctions such as racism or sexism. They are, for reasons of justice, obliged to be honest in the case that they claim to choose based on specific criteria, but they cannot be prevented from deciding based on underlying criteria to the extent that these decisions do not directly impact public space. A greater interest, therefore, from the perspective of equality, is the distribution of job positions in the public sector.

67 WALZER, *Spheres*, p. 129.

The first idea related to the distribution of job positions is the need to apply a type of proportional equality known as ‘positive discrimination’ or ‘preferential treatment’ in this sector. The negative characteristic that the distribution should address is the ‘need.’ In the case of limited job positions, priority among equally qualified candidates should be given to those with greater need (i.e., those with dependents or fewer chances of finding another position or those who have been unemployed for a long time and are in a potentially difficult economic and social situation).

On the distribution of offices, on the other hand, the principle of meritocracy prevails. If allocating these is a special task and people can prepare for it, it seems logical that those who prepare better should be rewarded with the appointment. Additionally, if the political community has a special interest in fulfilling the relevant duties, it takes precedence over social solidarity, which has normative weight in cases involving simple job positions. Meritocracy appears persuasive and fair under certain conditions, namely, the absence of negative discrimination, on the one hand, and genuine equality of opportunities, on the other. The value is a reflection not only of talents and efforts, as is often suggested, but also of social conditions, where the three aforementioned factors interact decisively. Negative social conditions can be mitigated and corrected to some extent through affirmative action policies aimed at creating conditions of real equality of opportunity.

If real equality of opportunities does not exist or does not exist at a satisfactory level or for as long as it does not exist, the government should consider the differences in social conditions as factors that shape value equally with talent and effort. Although talent and effort can be considered ‘relevant,’ i.e., determining, for securing a position, factors based on the status quo that pertain to the expected benefit from capable workers, social and family conditions cannot be considered as such factors. This means that a person is punished for experiences that are not their fault and that prevent them from further developing their abilities. With equal talent and effort, individuals from a disadvantaged social environment are valued less in comparison to those who are socially privileged. On the other hand, with equal overall value, a candidate from a disadvantaged social background either has more talent or has put in more effort, or both, than a socially privileged candidate.

This leads to the conclusion that social conditions for which the individual is not responsible must be ‘removed’ from the result referred to as ‘value’ so that only the constituents of value that are ‘relative’ to the position, i.e., talent and effort, are counted positively. To achieve this, ‘reverse discrimination,’ or preferential treatment of the socially disadvantaged, appears inevitable—although it often only results in a burden on the most marginalized group by the group considered privileged, at least in cases where the overall value is

equal.⁶⁸ This conclusion is drawn not only based on corrective justice but also on purely meritocratic standards. However, given that meritocratic judgments have a quantitative character, it could be predicted that social disadvantages would count positively to a certain extent, so that ultimately, in some cases, the recruitment of a socially disadvantaged candidate would be possible due to these additional elements. Both the decision on which characteristics, since they operate negatively in the given social context, should be counted positively and the extent to which these characteristics should be counted are political standards based on sociological measurements, but they still contain the element of evaluation. This is an open process, constantly evolving, inevitably controversial, and inherently subject to errors, but less subject to errors than the absolute absence of it, which validates past and permanent social injustices.

Within the framework of wider social concerns and given the high level of unemployment, the concern for egalitarian employment policies leads to the adoption of long-term policies aimed at reducing full-time employment (short full-time work). The distribution of employment into more part-time positions would lead to a reduction in individual hours and an increase in the number of employment holders. This result leads to compensatory action, particularly against social groups that, as demonstrated by sociology, tend to be more easily and quickly excluded from the labor market than others under conditions of reduced job supply. This refers to social groups (such as, for example, women and immigrants) who have recently entered the labor market and, therefore, have not secured their position in it. They are also the social groups that show higher percentages in part-time positions. Such a policy would provide more job opportunities and, therefore, the ability to recruit and employ more individuals with appropriate skills or needs. The equality of the form 'to each according to his needs or value' would be reinforced through 'inclusive' equality.

This section provided a detailed examination of the intricate process of distributing social goods, focusing on key elements such as human value, political rights, social welfare, education, health, and employment. Each area has its distinct criteria for distribution and carries unique challenges. At its core, complex equality seeks to navigate the myriad dimensions of these sectors to ensure fair distribution and minimize the dominance of a single distributive criterion. While the execution of such a distribution scheme is undoubtedly intricate, the necessity of its pursuit is evident in promoting a society where freedom, social well-being, and justice coexist. The challenge lies in navigating the intricacies of the distribution process, striking a balance between competing needs, maintaining social harmony, and ensuring that the most vulnerable

68 *Ibid.*, p. 154.

segments of society are not left behind. As we continue to grapple with these issues, we strive to create a world that is not just equal in theory but also in practice. The pursuit of complex equality, therefore, remains a vital endeavor in our ongoing journey toward a just and fair society.

5. Concluding Remarks

As underscored throughout our exploration, the principle of equality, particularly as it pertains to the allocation and reallocation of societal resources, is anything but a simplistic endeavor. Indeed, it is a multifaceted process intricately woven into the rich tapestry of historical precedent and cultural heritage. Within these established boundaries, it balances on a razor's edge of objectivity and subjectivity, navigating the unpredictable seas of emotion, randomness, and fervent debate. Its inherent openness paves the way for a kaleidoscope of equitable, albeit incommensurable, alternatives, each contingent upon an array of subjective judgments. Constructing definitive yardsticks for assessing the justice and alignment of the principles selected at each junction poses a complex challenge. It is rendered so due to the characteristics these yardsticks themselves possess—they are inferential, context-dependent, and continually contested within the discourse.

Politics, the lifeblood propelling societal evolution and enabling conscious human intervention in the course of history, is undoubtedly pivotal. It is an architect, both in the realization and subsequent evaluation of these principles. This political entity, itself in perpetual evolution, serves as a reflection of humanity's enduring aspirations, encapsulating diverse ideological perspectives and ushering in the possibility for transformation and advancement. The emergence of this political facet signifies a liberation of the processes that formulate and establish it, whilst conservative approaches, which seek to maintain established systems, claim their own niche in the annals of history. Set against the broader canvas of social evolution, shaped by historical parameters and the formidable sway of politics, the principle of equality stands in the spotlight, performing a delicate balancing act. It is the embodiment of an inherent dynamism, persistently shifting, adapting, and aligning itself to most accurately reflect the collective sentiment and political decisions of each society. As such, equality is far from a stagnant principle; it is a shapeshifter, a chameleon, constantly modulating in response to the spirit of each era and the idiosyncrasies of different societal contexts. This paper has navigated these complexities and variations, providing an in-depth examination of the multifaceted nature of equality in the distribution of social goods, ultimately underlining the principle's enduring relevance in our ongoing quest for a just and fair society.

References

- ARISTOTLE, *Ἠθικά Νικομάχεια* [Nicomachean Ethics], Athens, Kaktos, 1993.
- ARISTOTLE, *Πολιτικά* [Politics], Athens, Kaktos, 1993.
- BUTLER, Judith, "Contingent Foundations: Feminism and the Question of Postmodernism," in Judith BUTLER and Joan W. SCOTT (eds.), *Feminists theorise the Political*, New York/London, Routledge, 1992.
- COHEN, Gerald Allan, "On the currency of egalitarian justice," *Ethics* 99 (4), 1989, pp. 906-944. DOI: <https://doi.org/10.1086/293126>.
- DWORKIN, Ronald, *Taking Rights Seriously*, London, Duckworth, 1977.
- FULLINWIDER, Robert K., *The reverse discrimination controversy: A moral and legal analysis*. Totowa, New Jersey, Rowman & Allanheld, 1980.
- HORWITZ, Robert, "John Dewey," in Leo STRAUSS and Joseph CROSEY (eds.), *History of Political Philosophy*, Chicago, The University of Chicago Press, 1963.
- HUME, David, "Justice and Equality," in Louis P. POJMAN and Robert WEST-MORELAND (eds.), *Equality: Selected Readings*, Oxford, Oxford University Press, 1997.
- KYMLICKA, Will, *Contemporary Political Philosophy*, New York, Oxford University Press, 1990.
- LASLETT, Peter, 'Introduction,' in *Two Treatises of Government*, Cambridge, Cambridge University Press, 1988.
- LOCKE, John, *Two Treatises of Government*, Cambridge, Cambridge University Press, 1988. DOI: <https://doi.org/10.1017/CBO9780511810268>.
- MILLER, David, *Principles of social justice*, Cambridge (MA), Harvard University Press, 1999.
- NAGEL, Theodor, *Equality and Partiality*, New York/Oxford, Oxford University Press, 1991.
- NOZICK, Robert, *Anarchy, State, and Utopia*, New York City, Basic Books, 1974.
- OKUN, Arthur M., *Equality and Partiality*, New York/Oxford, Oxford University Press, 1975.
- OPPENHEIM, Felix E., "Egalitarianism as a Descriptive Concept," *American Philosophical Quarterly* 7 (1970).

- RAWLS, John, *A Theory of Justice*, Oxford, Oxford University Press, 1971.
- ROUSSEAU, Jean-Jacques, "The Discourse on the Origins of Inequality," in Louis P. POJMAN and Robert WESTMORELAND (eds.), *Equality: Selected Readings*, Oxford, Oxford University Press, 1997.
- SCHEFFLER, Samuel, "What is Egalitarianism?" *Philosophy and Public Affairs* 31, 1 (2003), pp. 5-39. <https://doi.org/10.1111/j.1088-4963.2003.00005.x>.
- SEERY, John E., "Castles in the Air. An Essay on Political Foundations," *Political Theory* 27, 4 (1999), pp. 460-490. DOI: <https://doi.org/10.1177/0090591799027004003>.
- SEN, Amartya, *Inequality re-examined*, Cambridge (MA), Harvard University Press, 1992.
- VON LEYDEN, Wolfgang, "On justifying Inequality," *Political Studies* 11, 1 (1963), pp. 56-70. DOI: <https://doi.org/10.1111/j.1467-9248.1963.tb01048.x>.
- WALZER, Michael, *Spheres of Justice: A Defense of Pluralism and Equality*, Oxford, Blackwell, 1983. DOI: <https://doi.org/10.2307/j.ctvpj75nh>.
- WALZER, Michael, *Thick and Thin, Moral Argument at Home and Abroad*. Notre Dame, University of Notre Dame Press, 1994. DOI: <https://doi.org/10.2307/1340593>.
- WESTEN, Peter, "The empty idea of equality," *Harvard Law Review* 95, 3 (1982), pp. 537-596. DOI: <https://doi.org/10.2307/1340593>.
- WOLFF, Jonathan, *An Introduction to Political Philosophy*, Oxford, Oxford University Press, 1996.