

Equality

"Equality" has two meanings, too.

First, it has used in context as an adjective with meaning of "it is given to all people for no reason". For example, people are equal in the sense that everyone dies.

This equality is not a social norm nor standard nor philosophy for any judgment. This is an ancestral idea and it bears a norm which should be socially protected as discribed below.

Equality as a norm is a problem when someone does or asks to do something.

Since it is an philosophy which can be cited in wide range, there is even a view that equality is justice itself (Aristotle).

In recent years, this philosophy has attracted attention of people due to the widening gap in economics and the decresed clarity of division of labor by gender.

However, people often insist on what they think to be "equality", and cannot discuss on a common ground. Terms such as "equality of results", "equality of opportunity", "uniformity" and "substantial equality" are also complicated.

We must start from the ground for discussion.

Equality is consisted from two-step evaluation.

First is "theory of comparison".

We have to decide the range of people to compare asking "in any population (1)".

And We have to decide the attributes to comapre asking "what attributes should be focused on (2)".

Next is " theory of distribution ".

We will see the allocation is appropriate or not. The question is "what (3)" and "how (4)".

In the past, (3) has been discussed as a problem of "equality of results" and "equality of opportunity".

(4) as a problem of "uniformity" and "substantial equality".

(1) and (2) has been discussed as requirements to verify the validity of those conclusions.

In Aristotle's way, it might be said that "corrective justice" is the focus on "theory of comparison", and "distributed justice" is the focus on " theory of distribution ".

Common to two theories, there always exist implicit purpose, the benefit of equality such as living (ultimate one) or more specific one.

We shall take a closer look below.

Let's start with the theory (2) .

Although an "individual " is protected by "equality", there are various attributes in an individual which claims equality for themselves (gender, occupation, ability, and so on).

Some attributes are common to others, and some are different. For example, a person has different skin color. However, it is common that the skin is not as hairy as other animals. Some people are good at math and others are not , but they are common in that they have five fingers to count.

The attribute determines whether a person is same or different from other. Attributes always come to light in relation to the scene. What kind of attributes should have priority and shourld be compared with others is depend on what is the purpose of the equality problemed.

Multiple purposes can have conflict (they are called "opposite profit" or "counter interest" each other).

Equality essentially has possibility to stand in opposition to other kind of equalities. The complexity of the principle of equality comes from the reason that individuals can be subdivide in terms of attributes.

For example, if we insist only on "poor" and do not focus on "ability" and "effort", we will invite a heaven of lazy. But, if we focus too much on "effort", it will be cruel to those who do not even have enough time to make an effort.

And the amount and character of resources to be distributed affect to what is the purpose in the scene and what attributes is important for the purpose.

In addition, what kind of attribute is focused on is greatly depending on personal opinion, and we often forget it.

The content of (1) is who should be compared to those who belong to "what kind of population", that is, the range of people to be compared.

For example, should we achieve equality in one country or beyond it? The difference between rich and poor in Japan is smaller than the difference between the Japanese average and the Cambodian average. Can we ignore the larger difference?"

Again, It should be judged by the purpose of the scene.

On the other hand, concepts such as "equality of results" or "equality of opportunity", "uniformity" or "substantial equality" are developed as "theory of distribution" that asks how to treat each person.

"What (3)" is firstly a problem of the type of thing to be distributed.

For example, economic equality has two types.

One is equality of results. This is about the allocation of "goods".

The other is equality of opportunity. This is about the allocation of "social title that can obtain goods".

The quantity of title is finite no matter how rich society becomes. Therefore, when one person obtains it, another person shall be excluded from it. (Equality of opportunity also means the possibility of change in social position. So, it may seen that is not a problem of equality. But it is. Because some persons are sorted out.)

"What (3)" includes the question about quantity, or level of security.

For example, about equality of results for homeless (socially vulnerable), there can be discussions whether free meal is enough or warm and safe shelters or even healthy and cultural recreation is necessary.

Talking about Equality of the opportunity for blacks and women, it will be enough if they are not excluded from taking employment exams in companies and government offices in minimum sense, but in maximum sense it can be caught that blacks and women should be given preferential treatment in employment exams (affirmative action). In the middle, it can be thought that free education and providing study shelters for poor children are needed.

In "How (4)", it has been asked whether uniformity should be achieved or substantial equality should be realized, in other word, whether should we focus on the common attribute and treat them uniformly, or focus on the different attribute and treat them differently.

Disparity and differency sometimes inherit equality, and sometimes realize it.

Uniformity is likely to be adopted in situations where distinction is wasteful for certain purpose. For example, to increase social mobility and realize mass production and mass consumption, the market treats uniformly the labors having equal ability (in short term efficiency) or consumers with equivalent resources.

On the other hand, substantial equality is likely to be adopted in situations where different treatments are beneficial to society.

For example, nobody will try to improve their abilities if the difference in rewards between the capable and the incapable is unequal and injustice.

Modern legal system also treats people differently due to differences of each person in attributes within the basic principle of equality under law. The Criminal Code clearly declares only public officials are accused of bribery. Only the persons in charge of protection (such as a parent) are accused of abandonment by omission of rescue because only such inaction should be prohibited strongly. Although many porns are tolerated actually, when famous intellectual published obscene work he was prosecuted in Japan. This is because the impact on society is different due to the social status of the doer.

The amount of allocatable resources can be affects what attributes (2) should be the preferred criteria.

It sometimes appears as the judgment whether uniformity and substantial equality is appropriate.

If you just allocate the goods need to maintain the life of the poor, you don't need that much resources. It's not difficult to procure that much goods, "uniformity" is likely to be appropriated in such low-level "equality of results" .

However, considering that "living" is not only about the maintenance of life but also about human beings demonstrating their abilities, expanding their possibilities, and ensuring it at a high level, like Amartya-Sen said, it is impossible to provide such opportunities for everyone uniformly.

With regard to such "equality of opportunity", "substantial equality" that pays attention to the difference in "what kind of efforts have you made?" is likely to be appropriate.

These judgments (1) to (4) are interrelated and are greatly influenced by personal views.

For instance, does the changeability of attributes by oneself affect whether uniformity or substantive equality should be applied, and whether should we adopt equality of result or equality of opportunity?

Some people will say NO, and others will say YES.

On top of it, the status in which the sum of the profits realized by "equal treatment" and the counter interests harmed by the treatment is maximized under the actual resource limits is called "equality".

When we face to an actual social problem, we have to take procedure to change opinion in the phases (1) to (4) one by one, weigh the counter interests that have changed accordingly, and seek a valid conclusion. (Most people seem to make this kind of judgment unknowingly.)

Equality must be balanced with all other ideas such as autonomy, empathy, and freedom.

It is not right that you don't care about anything else to keep equality. Also It is not right that you think equality is subordinated to a specific idea (for example efficiency.)

For instance, equality in the amount of goods can be achieved simply by destroying the wealth of the rich without redistributing to the poor. But such equality can't be suitable for social justice.

New goods created by innovation are priced higher. If such goods increase, prices will rise as a whole and moderate inflation will progress. Even as inflation continues in this way, the prices of traditional goods, such as agricultural products, remain unchanged and farmers become relatively poor. Inequality also come from innovation. But without innovation, there can be no increase in wealth.

If everyone should stand on an equal starting line on birth, it is better not to allow the inheritance system and to

allow the national treasury to confiscate all property when the owner dies. If individuals should be screened purely on their innate abilities, then the care for children by wealthy parents should also be prohibited.

However, inheritance is also the source of parents' willingness to work. Also, children are difficult to grow up without strong connection with certain adults. Therefore, the above mentioned movement is not seen anywhere in the world so far. Even if a higher inheritance tax is imposed, equality does not seem to be pushed further.

The medieval society with unequal identity system was operated in a stable manner as it was. It will become indirect evidence that equality is just one of idea to manage the society.

Both counter interests and judgment methods are greatly influenced by personal views.

It should be recognized that it is difficult to achieve equality that many people can sincerely consent to.

In the field of actual judgment, we can't help accepting that it's enough if people think "that's not bad."

We may need to be calm about the value of the principle of equality.

Equality may be used in combination with other principles.

Even if the inequality is not unbearably terrible in itself, it will be severely criticised as injustice when other principles are damaged at the same time.

For example, inequality with exclusion that lacks empathy or respect is called "discrimination" and regarded injustice very often.

I will feel discrimination and resentment when a white pubmaster mock me saying "I won't let slitty eyes drink here, get out." Conversely, I can leave with a feeling of calm while being dissatisfied, if he said "This place is for local regulars. If an Oriental gentleman here, every others wouldn't feel at home. I'm sorry, but you can't get in." Because, In the latter, I am respected with a sense of empathy and not discriminated.

I suppose some feminists' anger are directed at the lack of empathy rather than inequality itself. School and the media teach gender equality as an issue that society should address in the future, but they don't have time to teach the actual situation of society where gender equality is realized in balance of various philosophy. Girls suddenly have to deal with such balance of profit in the real world. In a sense, this is a tricked situation, and as a result it can be said that it is a kind of state being not sympathized or empathized. Moreover, some feminists might think "I know the situation in which a concrete solution is difficult to come out the gender equality. But I want men to think together how to treat it ." However, men tend to dislike a talk which will not have conclusion. It may be taken as lack of empathy and symrathy.

On the other hand, there is situation with no discrimination despite the severe inequality of position.

Once upon a time, Jingoro, the craft master, who is staying in a dirty travel inn was asked the value of the bamboo work narcissus which he made for lodging fee from a servant of county load staying in a luxurious hotel. He answered, "It is 20 million dollars for other lord, but your lord is a man who has respect for craftsmanship. So I say it is 10 million dollars ". And the lord was happy to hear it and said "I thought it may cost 100 million dollars ."

So how has japan's judiciary judged on equality?

Overall, it remains in modest approach.

Judiciary has remedied with public coercion as an infringement of the right only for strong inequality when it is contested head-on as legal right.

That is, for example, those with strong exclusion (nationality is not allowed, inheritance rights are not recognized,

etc.) and punishment (too heavy statutory penalty for parricide, etc.).

In somewhat milder cases (for example, "employment refusal" or "heavy tax"), the complaint has been rejected or the decision is suspended by settlement.

"Social rights", in other words the right to claim redistribution, can be said to be another face of equal right. When we focus on the content of benefits, it will become a social right. If we focus on the standard of life brought by the benefit, it will become equality.

Free compulsory education is not a problem because it has been realized before the judicial decision, but if legislation is done that would eliminate this, it would be an infringement of equality and social rights.

On the other hand, some social rights aiming high level guarantees are interpreted as an ideal or goal to effort shown to the government and parliament by Constitution (and not legally entitled rights). And judgments are withheld for them.

Despite of such judicial attitude, Japanese society seemed to have maintained the equality at slightly high level as a consensus of society (that cannot be said to be a good life but not poor on the condition of contribution regardless of efficiency).

However, after 1990, the rudder was turned. We have come to pursue the efficiency more strictly and tolerate large disparities.

On the other hand, it was also an opportunity to re-question equality in society.

In particular, "equality between men and women" attracted attention.