

# The Many Evils of Inequality: An Examination of T. M. Scanlon's Pluralist Account

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*Why Does Inequality Matter?* T. M. Scanlon (New York: Oxford University Press, 2018), 192 pp., \$25.95 cloth, \$9.99 eBook.

What, if anything, is morally bad about inequality, and which obligations do we have to remedy it? In *Why Does Inequality Matter?*, the American philosopher T. M. Scanlon analyzes the objections we might have to different forms of inequality, and connects his thoughts on equality both to other philosophical issues (such as the question of what we deserve) and to pressing real-world political problems (such as affirmative action and requirements of just taxation). It is a thoughtful and careful philosophical examination of the multifaceted nature of our concerns about inequality, and it draws on empirical work from economics and political science throughout in order to demonstrate the relevance of such reflection. As a result, this short book is of great value to the philosophical reader already versed in normative debates about equality and inequality as well as to the general reader who wonders about the significance of inequality—in particular the rising inequality in some social contexts, including in the contemporary United States.

The book's value should come as no surprise, as it is the outcome of decades of work. Specifically, it is based on Scanlon's 2013 Oxford Uehiro Lectures, which in turn developed the themes of his 1996 Kansas Lindley Lecture on "The Diversity of Objections to Inequality." Scanlon's position has already been influential in

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recent debates about inequality in political philosophy, and with this book his influence is set to continue.

Scanlon makes no grand, unifying claims about the reducibility of various objections to inequality to any overarching master concern(s). That is precisely the point of his approach. His central claim is that there are a variety of reasons to object to different forms of inequality, and that the shape and strength of these reasons always depends on how agents who might be called upon to counteract inequality (be they institutions or individuals) are implicated in its production, and how they are socially related to those who suffer relative disadvantage. As central claims go, this is, self-consciously, not a particularly catchy one. As has been the case throughout all his work in moral and political philosophy, Scanlon's imperative is to do justice to the complexity of moral and political phenomena, and thus not to aim at simplicity where none can be had.

As the book eschews any such grander, more general claims, it is best to start by surveying its key claims and arguments. Doing so will help illuminate a few critical observations—not so much substantive objections to Scanlon's arguments, but invitations to reflect more on what unites, or perhaps fundamentally distinguishes, different forms of objectionable inequality. In short, this essay suggests that Scanlon's position may be even more pluralist than he acknowledges, and this invites questions about whether any more principled pluralism is available. Specifically, I will focus on two of Scanlon's concerns—status inequality and control—and argue that it is not sufficiently clear what, if anything, they have in common with other concerns treated in the book or whether, in the case of control, Scanlon's objection is egalitarian at all.

## THE CORE ARGUMENTS

The introduction sets out how what might seem to be very different objections to different forms of inequality are actually connected. What unites the objections is that they are never (only) objections to the *consequences* of inequality, but to inequality as such. Taking the basic moral equality of people as a given, Scanlon's guiding question is as follows: "When and why is it morally objectionable [in itself] that some people are worse off in some way than others are?" (p. 3). The organization of the material in terms of objections to inequality, rather than positive reasons to aim at equality, mirrors Scanlon's well-known contractualist approach, which assesses the case for certain principles, actions, and arrangements

by asking whether we can “reasonably reject” them.<sup>1</sup> Crucially, the introduction also clarifies that Scanlon’s approach to inequality is intended to be fully “relational” (p. 9). That is, its requirements either apply to social relations (status, control, political influence) or are grounded in there being such relations (such as that between institutions and those subject to their power), without which no agent would have the respective obligations.

Next, Scanlon takes up the requirement of equal concern, which applies paradigmatically (but not necessarily exclusively) to state institutions charged with delivering certain benefits, such as public goods. Equal concern does not require that these benefits are distributed strictly equally, which might invite the well-known charge of “leveling down,” since equality of benefit might require foregoing or destroying benefits that are not equally available to all. Instead, for Scanlon equal concern requires “that the interests of all those affected [are] given equal weight” (p. 19), which rules out waste and is compatible with unequal benefits—for example, those in natural disaster-prone areas should get more protection against disasters—and sometimes even lotteries.

Scanlon then spells out the evils of status inequality. This occurs when some people deny others important opportunities and goods, including such associational goods as friendship, because they hold “that certain facts about them, such as their race, gender, or religion, make them less entitled to these goods than others” (p. 26). Scanlon argues that this not only deprives the individuals who are subject to discrimination of goods and opportunities to which justice entitles them (and may harm their self-respect and self-esteem) but also denies both parties “the important good of being able to relate to each other as equals” (p. 28).

Further, Scanlon worries that status inequality might well occur not only in cases of unjustified, arbitrary discrimination but also when it is based on talents and abilities that we have good reason to cherish and develop. He submits that it is possible to value these without believing that their possession or lack thereof makes one superior or inferior to others—though in practice it is quite difficult. Whether feelings of inferiority or superiority are prevalent depends also on whether people are reasonably able to avoid the wrong kind of comparisons. They may be able to if society consists of many “non-comparing groups” (p. 36), and people can find confirmation of the value of their abilities mainly within their own groups—an idea Scanlon borrows from John Rawls.

Scanlon then develops a three-level model of equality of (economic) opportunity. This model states that (1) all institutions introducing differential rewards

for positions requiring certain skills and abilities require an independent justification for the inequality introduced; (2) these institutions must operate in a procedurally fair manner, seizing only on the abilities and qualifications relevant for step 1; and (3) no one who is excluded from competing for the positions because they do not possess the required abilities and qualifications must have a complaint based on lacking substantive opportunity to develop and acquire them (especially through education).

This is a powerful, coherent model, and is the part of the book that comes closest to delivering a self-contained theory. It improves much on Rawls's discussion of fair equality of opportunity. Importantly, Scanlon argues that societies have wide leeway in step 1, and that affirmative action policies therefore need not be regarded as deviating in any way from procedural fairness (step 2), because combating society-wide discrimination and status inequality can be part of the legitimate aims of institutions introducing differential positions. Similarly, the model need not require fully equalizing educational opportunities in the name of sufficient initial substantive opportunity (step 3), which is very hard to achieve, especially without depriving the economically privileged of opportunities to bestow advantages on their offspring in ways Scanlon finds excessive, such as leveling down the education of rich kids. It can instead be done by downsizing the level of abilities and qualifications required in university selection (step 2). That would also have the consequence—and a welcome one for status equality—of discouraging the *overvaluing* of special skills.

Understandably, Scanlon develops no principled model of the aims institutions might legitimately have (step 1). But the wide leeway he assumes raises the question of how much of the egalitarian work is done here by independent assumptions about what social cooperation generally has to look like to be justifiable to all.

After explaining this model, Scanlon tracks the various ways in which economic inequality undermines political equality. Unequal influence based on superior wealth not only renders political institutions unlikely to abide by their obligations to deliver acceptable results, including in terms of equal concern, but also undermines the special, independent demands of political fairness and legitimacy, which require a form of equal access to the means for influencing policy and the electoral process.

Scanlon anticipates objections from libertarians to state policies aimed at limiting inequality and shows how conflicts between liberty and equality are

overstated, making two key claims. First, he writes, taxation does not undermine property rights because for institutions of property to be legitimate they must be beneficial to all. This is an internal argument for taxation limiting inequality. For example, a functioning housing market based on stable property rights is of little use to those who will never have the means to buy property. Second, libertarians worry about state coercion in the name of equality. Scanlon agrees with libertarians that what is bad about coercion is not just that it keeps you from doing what you want but that it can subject you objectionably to the will of another. That, however, can also happen in ways other than through coercion, as Scanlon points out. Your employer often cannot coerce you to do what she wants, but she can fire you. To limit such control or its consequences, redistribution, such as via a basic income, is needed to ensure that workers, especially those without sought-after skills, retain enough control over their own lives (p. 116).

The final task Scanlon sets himself is to analyze what is wrong with economic inequality as such. He argues that moral desert is never a reason for differential economic rewards, and that what is objectionable about present levels of income inequality is not simply that they undermine status equality, equality of opportunity, and political fairness. Economic inequality is also unfair in itself if it cannot be justified in terms of being required by important personal liberties, or of being beneficial to all. Scanlon notes that this requirement is ostensibly weaker than Rawls's difference principle, which requires that any inequality benefits the worst off *as much as possible*, but in the end comes close to it, because an optimal justification for inequality does have to look at whether there are less inegalitarian ways of achieving "the same productive advantages" (p. 151).

## STATUS AND CONTROL: WHAT INEQUALITY?

As noted, the breadth and nuance of different objections to inequality that Scanlon manages to pack into such a slim volume is impressive. In these respects, his approach contrasts positively with more "monolithic" approaches to the injustice or badness of inequality, such as the well-known luck egalitarian one, which takes "(non-voluntary) inequality to be bad wherever it occurs" (p. 10). As the title of the book suggests, what is supposed to unite Scanlon's objections is that the different kinds of inequalities at stake are still recognizably instances of the same phenomenon. However, that is questionable for at least two cases—status and control—that have received much attention in recent literature on social

equality and nondomination. In these cases it is not sufficiently clear what form of inequality, if any, Scanlon's objections are based on, and how these relate to the others. The problem is *not* that Scanlon does not deliver a principled answer to the question of how much each form of inequality should matter overall. That would clearly be too much to ask of this book. It is more simply and fundamentally that the shape and base of the respective objections need further scrutiny, including of the respects in which they are egalitarian. Clearly, the common form of inequality underlying all others is not economic inequality. That is merely Scanlon's springboard into discussing different forms of inequality. Some of the objections to economic inequality are precisely based on its effects on other inequalities, such as of political influence, status, and control, and Scanlon is looking for more than merely instrumental objections to inequality.

Let us take the case of status inequality. As explained above, Scanlon's guiding question is why it is "morally objectionable that some people are *worse off* than others" (p. 4, my emphasis). Those subject to stigmatizing status differentiation, based on such markers as gender or race, are thereby deprived of important opportunities, and may very well suffer blows to their self-respect and self-esteem. But that, as Scanlon makes clear, is not all there is to this inequality. "Being treated as *inferior to others* in a demeaning way" (p. 5, emphasis in the original) is a problem in its own right. Here one may ask whether the problem is mainly that one is being treated as an inferior, or that there may be something demeaning about such treatment. Or is being treated as an inferior always demeaning, at least in some respect (whether or not it harms the self-respect of the person demeaned)? The next question that then arises is whether the alleged evil can be subsumed under "being worse off" in terms of a specific relational good (status), or whether inequality is about being made worse off *or* being treated as inferior, where the problem is not centrally about some such good.

But Scanlon's problem with status inequality goes even further. He notes that a tendency toward status differentiation deprives "*both* those who discriminate and those who are discriminated against . . . of the important good of being able to relate as equals" (p. 28, my emphasis). If that is so, this would seem to lead entirely beyond the paradigm of comparative disadvantage or worse treatment. The fundamental problem here is not that both discriminator and discriminated lack a good that others may have, but simply that they lack it. It is not, in the first instance, about equality *in* some good, or *of* some treatment, as perhaps a second-order good, but about a form of social equality that may itself be the primary good

in question. This good may not be subject to necessary scarcity or give rise to distributional conflicts, as the more classic goods of economic resources and power typically do.

Unfortunately, Scanlon does not explain this good any further, even though he does seem to regard it as very important. As noted above, he worries about problematic status inequality possibly arising even when differentiations are made purely on the basis of talents and skills that we do have good reason to value, so that unjust, or otherwise arbitrary, differentiation is not in play. These are skills such as those needed for desirable economic positions, which in turn may be justified in terms of greater productivity, whose fruits can, and should be, distributed not too unequally. Scanlon submits that such problems can be solved by learning to avoid the “evaluative error” of inferring one’s superiority from the possession of valued skills, or of feeling “looked down upon” (p. 35) because one lacks them, practically difficult as this may be. As explained above, he notes that it is important to this end to have a pluralistic society in which one does not compare oneself too much to the wrong kind of reference group.

But some of this feels a little semantic. If you have a host of reasonably valued skills whose exercise is reasonably specially rewarded, and I have none, what keeps us from concluding that you are superior and I inferior? It does not seem much of a response to say “but this is only superiority in *one* respect,” because, *ex hypothesi*, this respect matters a great deal in society. Will your protestations of humility about your talents be convincing, and assuage my worries about being looked down upon, or will they make things worse, even if they are sincere (“*she* can afford to be humble”)? Or if not semantic, the proposed solution is at least one that seems to rely quite heavily on moral exhortation, that is, we should realize that regarding each other in this way is not good for either of us. This is at least possible, and it might be precisely this common realization that can forge a bond of equality between us.

However, if this is very difficult to achieve, as Scanlon insightfully demonstrates, and the good of being able to relate as equals is important, societal solutions may be called for that go beyond encouraging the formation of a plurality of reference groups. This solution may, after all, simply mean that people do not have much to do with each other, not that they enjoy the good of being able to relate as equals. An interest in access to this good may, for example, have significant weight in the balance of reasons for or against having certain kinds of social and economic differentiation at all. Consequential lack of access to this good may outweigh, for

example, economic benefits we reap from differentiation, even if we all do so fairly. We might even ask whether we could reasonably reject arrangements that privilege us over others simply because they deprive us of this good. The implications might be radical. In short, we need to know more about the good of being able to relate as equals to have an idea of its significance, especially as the form of our concern about it may be quite different from the more familiar one about the fairness of distribution, or even about being treated as inferior. Perhaps some of it is not about justice, or fairness, at all.<sup>2</sup>

Somewhat similar considerations affect Scanlon's treatment of control, though here the question is less about the potentially atypical nature of the good and more about whether Scanlon's concern about it is really egalitarian. Scanlon thinks that all economic inequality (at least among those who are somehow socially related) requires justification, and that the presence of equality of opportunity does not itself justify inequality of rewards. Does the same apply to control? Are all inequalities of control problematic, or is it merely some kinds of control that are objectionable? Control, unfortunately, does not get a chapter of its own; different control issues are discussed in different chapters. For political control, the case is clear. It is a comparative requirement applying to a specific set of relations, where Scanlon's objection is to some people having (much) more control than others in the form of greater means to influence policy and elections.

The more general discussion of control, however, sometimes objects to an "unacceptable degree of control" (p. 5), and sometimes to "objectionable *forms* of control" (p. 6, my emphasis). This leaves open the possibility that what makes such forms of control objectionable is not inequality of control as such; rather, there might be a relatively fixed, and perhaps quite circumscribed, list of things that just should not be under the control of others, such as intimate personal affairs or basic liberties more generally. This list may be grounded in independent commitments that may or may not be egalitarian. Scanlon makes some insightful suggestions about the kinds of factors that make control salient and particularly bad: the personal qualities of the controller and one's relation to them, how much discretion the controller has, how intimate the issue is over which she has control, and whether control is indeed exercised for bad ends (pp. 98ff.).

Problems such as these are hotly debated in the recent neo-republican literature about nondomination, to which, unfortunately, Scanlon makes only a passing nod. Neo-republicans worry about arbitrary power, or unaccountable control, and disagree about whether what makes power arbitrary (or makes unaccountable control



wrong) lies more in the kind and significance of the interests of those subjected or more in their simply having less control than others over whatever may be of significance, including having an insufficient share in *collective* control.<sup>3</sup> In the former case, objections to control may be significantly moralized, relying, for example, on an independent conception of interests. It is then a further question as to what best protects those interests. The latter alternative would seem to push more directly toward abolishing all unequal control, or democratizing it. To be sure, neo-republicans also tend to claim that nondomination is the paramount value of political morality, under which other concerns can, at least largely, be subsumed. Scanlon is bound to find that claim unpersuasive, and the force and nuance of his pluralist approach gives us strong reasons to agree with him.

However, the central problem of control needs to be pinned down further, and this is not only a matter of theoretical clarity but also of practical political and economic importance. Scanlon argues that employees need to be protected against abuse by employers, and need to have freedom of occupation and enough resources to have control over their own lives. However, he also takes for granted that employers must have far-reaching exclusive control over economic decisions, including hiring and firing, in the name of the “efficiency of a market economy” (p. 115). It is not entirely clear whether this is supposed to be because Scanlon has implicitly decided that the trade-off between efficiency and equal economic control favors the former or whether the latter was not supposed to matter very much to start with.<sup>4</sup> The nature of objections to unequal control will significantly influence a society’s choices about what kinds of unequal economic and social positions to have, if any, even if these could survive other egalitarian objections based on the resulting distributions of income.

Incidentally, we might also question the extent of the trade-off at stake. Scanlon, while drawing on literature in economics and political science throughout, seems implicitly somewhat beholden to the U.S. context, where employer control is very far-reaching.<sup>5</sup> Both the German and Swedish economies, for example, allow for significantly more worker co-control, including in matters of hiring and firing, especially in larger enterprises. Neither economy seems a hotbed of inefficiency. Still, at some point there will likely be a significant trade-off, and having a clearer account of the problem of control is needed to know what exactly is at stake.

None of this is to say that the problems of status and control are bound to burst Scanlon’s pluralist framework, or to insist that all salient inequalities must be similar in order to warrant billing objections to them as objections to inequality. It is

merely an invitation to consider the problems of status and control further, and to account for what is similar to and different from other egalitarian objections.

#### NOTES

- <sup>1</sup> T. M. Scanlon, *What We Owe to Each Other* (Cambridge, Mass.: Harvard University Press, 2000).
- <sup>2</sup> See David Miller, "Equality and Justice," in Andrew Mason, ed., *Ideals of Equality* (Oxford: Blackwell, 1998), pp. 21–36.
- <sup>3</sup> For arbitrary power over interests see, for example, Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1999); and Ian Shapiro, *Politics Against Domination* (Cambridge, Mass.: Harvard University Press, 2016). For equal control and accountability, or equal shares of collective control see, for example, Philip Pettit, *On the People's Terms: A Republican Theory and Model of Democracy* (Cambridge, U.K.: Cambridge University Press, 2012); Christopher McCammon, "Domination: A Rethinking," *Ethics* 125, no. 4 (2015), pp. 1028–1052; and Rainer Forst, *The Right to Justification: Elements of a Constructivist Theory of Justice* (New York: Columbia University Press, 2011).
- <sup>4</sup> For different neo-republican accounts of workplace equality see, for example, Alex Gourevitch, *From Slavery to the Cooperative Commonwealth: Labor and Republican Liberty in the Nineteenth Century* (New York: Cambridge University Press, 2014); and Iñigo González-Ricoy, "The Republican Case for Workplace Democracy," *Social Theory and Practice* 40, no. 2 (2014), pp. 232–54.
- <sup>5</sup> Elizabeth Anderson, *Private Government: How Employers Rule Our Lives (and Why We Don't Talk about It)* (Princeton: Princeton University Press, 2017).

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Abstract: *Why Does Inequality Matter?* is the long-awaited book-length development of T. M. Scanlon's views on objectionable inequality, and our obligations to eliminate or reduce it. The book presents an impressively nuanced and thoughtful analysis as well as succinct explanations of different objections to various forms of inequality. It is not only set to further cement Scanlon's influence on philosophical debates about equality but also makes a good guide to the problems of inequality for the nonspecialist reader. The book is not without faults, however. Even within a pluralist approach to inequality such as Scanlon's, it is not sufficiently clear what, if anything, his specific objections to status inequality, and to control over other people's lives, have in common with his other egalitarian objections to inequality of political influence, opportunity, and income and wealth—or whether, in the case of control, the objection is egalitarian at all.

Keywords: T. M. Scanlon, equality, inequality, pluralism, status, control