

Equality of opportunity essay

[Science](#), [Genetics](#)



Equality of opportunity is a central issue in the inequality of modern capitalistic societies. Indeed, over history the concept has achieved widespread popularity as an ideal. However, political theorists disagree over what the concept truly means, let alone what coercive measures of justice it should engender. The cause of disagreement is the goal of equality of opportunity – to ascertain what such a policy should resemble.

I argue that a commitment to equality of opportunity entails the compensation of social contingencies and the needs of the disabled. I will first define the key terms in the question: “equality of opportunity” (EOp), “natural abilities and capacities,” and “compensation.” For the purposes of this essay, EOp will be defined as open and fair competition by allowing all members of a society to perform up to the level of their natural abilities. Since the question relates to compensation policies, EOp will be considered as a deontological requirement rather than an idealist and valuable state of affairs. As long as all individuals have equal chances in social competition, EOp is not against hierarchy. Natural abilities and capacities denote those that are inherited and unchosen. It must also be clear what is meant by “compensation”.

Compensation for a lack of natural abilities and capacities will mean anything provided to the affected individuals to make up for their undesirable condition. Arneson’s distinction between formal and substantive EOp promotes the compensation of those lacking natural abilities and capacities. Whereas formal equality only demands fair competition open to all those who apply, irrelevant of their ability to compete in equal terms, substantive

equality ensures that “ sufficient opportunity to develop the qualifications needed for successful application is open to all” (Arneson 2002).

Making up for naturally disadvantaged individuals is essential to Arneson, reflected in his idea that substantive EOp is the hardest to satisfy. Arneson’s justification of EOp as an ideal of a society free from discrimination on race, religion, and sex entails what Swift calls the minimal conception of EOp (2001). The exception is statistical discrimination, which is justified because it relies upon the criterion of profitability. Likewise, since negative social contingencies of the “ social lottery” can reduce one’s financial power to develop the qualifications needed for successful competition (Rawls, 1999), they should also be offset. Though individuals with wealthy families will have an unfair advantage in formal equality, substantive equality — or the conventional EOp (Swift 2001) — ensures that those disadvantaged by family income or disability can compete equally. This is also known as Ex-ante Compensation, in which inequality exists between circumstance-homogenous groups, or types, with the goal of minimizing the differences. Also, Ramos and Van de Gaer’s Compensation Principle (2012) seeks to eliminate inequalities due to one’s circumstances. Arneson’s advancement of substantive equality leads to compensation for the naturally disadvantaged.

Arneson’s support for substantive equality fails to address the need to allow the disabled to participate in “ open and fair” competition. Arneson posits that the satisfaction of substantive EOp can still be an unjust society if there is too little opportunity provision for its disabled members — expressing the need to weigh out the concept with other forms of social justice. But with this

in mind, a society that provides fewer opportunities to the supposedly “untalented” disabled people does not satisfy real substantive EOp. While they could be said to have a smaller portion of the “normal opportunity range” due to compromised abilities (Daniels 1985), assuming they have no talents and cannot contribute to society violates EOp. Instrumental for “a diversification of opportunities,” the concept cannot ignore the morality of inclusion, meaning a wide recognition of worthy talents, and sufficient inclusion (Arneson 2002). To suppose that a person disabled at birth is an unequal member of a society not deserving the same level of opportunity provision as the other members is “to treat an equal member unequally,” an injustice according to Aristotle. Indeed, discrimination based on factors unrelated to merit should be compensated for as it bequeaths an unfair disadvantage on people born into undesirable circumstances.

For example, if a hearing-impaired professional applied for public office, it would be unfair if she had the most merit to refuse her simply because she could not use a mobile phone. Indeed, if the valued traits of a society shift over time — i. e. the use of mobile phones — policy-makers must be attentive to those whose unchosen circumstances cannot keep up with societal changes. Whatever the good enough level opportunity provision so that all individuals are able to partake in the activities of a decent life in a society, a commitment to EOp strives to achieve such a goal. With the morality of inclusion in mind, a true commitment to Arneson’s substantive equality requires compensation for those with compromised natural abilities and capacities. Rawls’ formulation of Equality of Fair Opportunity principle (EFO) also demonstrates that a lack of natural abilities and capacities should

be compensated. It must be noted that Rawls' 2001 specification is different to that of 1991 (2001): " Fair equality of opportunity is said to require not merely public offices and social positions be open in the formal sense, but that all should have a fair chance to attain them.

" EFO — based on the hypothetical contract of the original position — expresses the need to balance out unchosen social contingencies since the formal " careers open to talents" slogan does not guarantee fair competition. The idea that those with the same endowment and ambition should have equal prospects of success regardless of class of origin in part justifies compensation for those born into lower social classes. Indeed the key argument for compensation is Rawls' " starting gate position" argument in which the outcome should be equal irrelevant of social background luck, *ceteris paribus* (1999). The moral arbitrariness of the social lottery threatens EOp, and its negative effects are numerous: lack or a less decent education, inability to pay for needed qualifications for certain jobs, lack of useful contacts, and often an environment that discourages one from developing one's natural talents. For example, if a child were born into a poor family, EFO would be satisfied if the child was compensated by social resources such as education and socialization to make up for the parents who can't give the child a competitive edge due to low social status. In other words, EFO seeks to remove the moral arbitrariness of the " social lottery.

The need to compensate those who suffer from social background luck is not out of desire to create a classless society. If there is to be inequality in rewards and benefits, EOp contends that competition for such positions

should be open to all and ensure all have a fair chance to successfully compete. Because socio-economic factors are an illegitimate cause of inequality of outcome, EFO demonstrates that EOp should be compensated.

EFO's compensation for social contingencies and ensuring that every one can perform up to the level of their natural abilities is at the heart of Frankel's vision of EOp. Similar to formal and substantive EOp, Frankel differentiates meritocratic and educational conceptions (1971). The meritocratic conception judges all who decide to apply in terms of performance or merit, whereas the educational conception focuses on the potentialities of enabling all to fully develop their natural abilities, reflected in Rawls' EFO. Indeed, it is Frankel's belief that real equality of opportunity is not satisfied " unless we successfully modify those aspects of the individual's situation which prevent him from performing up to the level of his natural abilities" (Frankel 1971). Frankel's viewpoint is a strong case for compensation of the unchosen disadvantages. Although there are certain limits to what the public and policy-makers think should be modified — i. e. the family, a source of unfair comparative advantage — factors such as one's environment, motivation, and physical health can be altered.

Since natural abilities are deemed un-modifiable, ambition to fully develop the latter should be fostered, lest one individual has more success thanks to more propitious circumstances. This is reflected in the Liberal Reward Principle that no further redistribution should be performed beyond what is required by the Compensation Principle. Statistical or historically invidious

discrimination can in fact cover up racial, sexual or disability prejudice, and is unjust when the concerned individuals have the most merit.

But if the modifiable aspects can be optimized for more and more members of these groups, then their discriminating employers will lose out in efficiency. Frankel's notion of educational EOp highlights that true equality of opportunity should compensate for social contingencies and factors subject to wrongful discrimination. I will now attempt to refute three objections.

The first is the Level Playing Field ideal in which the quality of one's choices should be the only determinant of success. A very similar formulation is Risse's Dichotomy, which states that only what one is responsible for should determine success so that social background and genetic luck are entirely neutralized – also known as the radical conception of EOp. In the same vein, Roemer and Fleurbaey (in Lefranc, Pistoiesi & Trannoy 2009) introduced the idea of Ex-post Compensation, that all those who exert an equal amount of effort should have equal success regardless of circumstances. The equilizandum is all unchosen circumstances so that all are born with “ equal resources”, as supported by Dworkin (in Dryzek, Honig & Phillips 2008). The problem with this objection is that it analyses EOp as a concept independent of other values of social justice. Rawls advances the EFO to serve the Difference Principle, which seeks to maximize the interests of the worst off. Despite the contradiction between Ex-post Compensation and preserving genetic luck, talent equalization is unbeneficial for society and the worst off who would benefit otherwise — for example through funding to develop one's talents.

Not only is the model unattractive, but it violates non-comparative desert, the principle legitimizing individual rights by basing it on individual need rather than comparative inequality. Indeed, by deriving the need to equalize talents from comparative desert, it overlooks the very basis of humanity that we are differentiated by different skill sets and qualities – not by equal levels of talent. Also, the libertarian principle of “ self-ownership” argues that “ agents [should] be entitled to the full benefit of their natural personal endowments” (Nozick 1974). Although talent is a rather illegitimate source of inequality, if “ merit is ability plus effort” then talent has no value without effort (Daniels 1978).

Talent may give an individual a head start but effort and one’s ambition is the true source of outcome inequality, with everything except talent held equal. Thus, compensation should not aim to neutralize one’s inborn talents, but to equalize chances to develop one’s talents however small they are, under an educational conception of meritocracy. Therefore, the Level Playing Field Ideal of Ex-post Compensation is an unattractive model for efficiency, feigns non-comparative desert, and breaches self-ownership.

Another possible objection is that because profitability is the merit-based criterion for selection processes, the disabled should not receive any form of compensation if the cost-effective distribution would produce more benefits for others without disabilities. If EFO entails compensation to satisfy the Difference Principle and benefit the worse off, why should social resources that could benefit them go instead to the disabled? The answer is two-fold. One the one hand, this objection ignores the particular situation of the

disabled and the uniqueness of their moral claims for compensation. As a result, on the other hand the selection process for job recruitment can rely on profitability, whereas public and private compensation for the disabled cannot. According to Brock, there are two reasons why benefit maximization must be rejected for the disabled (2000). First, access to job opportunities and public facilities are essential under EOp because they lack the same abilities and capacities that non-disabled individuals enjoy. Second, compensation for undeserved circumstances of the “ natural lottery” is grounded upon moral claims of desert, not cost-effectiveness or relative benefits. Indeed, Norman Daniels states that because disabilities can limit major life activities and deny them opportunities that otherwise similar non-disabled individuals benefit from, inherited disability and disease denies them EOp with other non-disabled individuals.

Likewise, Frances Kamm’s “ non-linkage principle” argues that “ the fact that some undeserved bad thing has happened to you [should] not make it more likely that another bad thing will happen”(in Brock 2000). Therefore, the criterion of profitability in competition for jobs should be decoupled from the need of compensation to fulfill the moral claims of the disabled, debunking the cost-effectiveness argument. A third possible objection is the fact that with advancements in genetics, ability to lessen one’s undesirable traits and increase one’s desired ones reduces the need for compensation. This entails two consequences that would undermine compensation. First, one could boost one’s own talents and subsequent prospects for success in applying for jobs with privileges; therefore, the worse off could better their situation independent of compensation and in accordance with the Difference

Principle. Second, the disabled would be able to lessen their disabilities reducing the need to compensate them for access to job opportunities and public facilities.

Notwithstanding, the objection fails to realize that such a possibility to modify one's social background and genetic luck would not be accessible to everyone. Genetic modification would be, in the short-term at least, particularly expensive making it more available to the wealthier families — which would only create even more inequality of opportunity. This in turn would raise the need for compensation of the social lottery so that everyone has equal chances to modify their talents. Although it seems that the onset of genetics would decrease the need for compensation of natural disadvantages, it would actually increase such need in light of social contingencies. A commitment to equality of opportunity entails compensation for social contingencies and the needs of the disabled.

Since it is undesirable to equalize one's talents, the sole determinant of success should be one's effort. Therefore, compensation is necessary to deal with the ex-ante unequal opportunity sets reduced by social status or disability, ensuring that one's outcomes in social competition depend on effort. Indeed, compensation ensures equality of opportunity regardless of the social and natural lotteries, the most obvious injustice of natural liberties.