

The Injustice of Equality

By Russell Kirk

[The Heritage Foundation](#)

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Let me commence with two aphorisms, widely separated in time and substance.

The first is the observation of Aristotle that it is unjust to treat unequal things equally.

The second is the declaration of Marx that to establish equality, first we must establish inequality.

These two assumptions have been at war one with the other during the twentieth century.

What did Aristotle mean by writing that to treat unequal things equally is unjust? He meant that not all human beings are worthy of the same deserts, that not all actions are equally honorable and commendable, that not all works are of equally enduring value; so to confer equal rewards upon excellence and mediocrity would be profoundly unjust to the more deserving of praise. "To each his own."

What did Marx mean by asserting that inequality must be established before equality might be attained? He meant that the mighty must be pulled down from their seats, the alleged exploiters expropriated, whole classes destroyed-presumably by a general blood-letting-before the earthly paradise of communism might be realized. The bourgeois and all other opponents of socialist progress must be thoroughly discriminated against by the revolutionary proletariat. The bourgeois should be indulged no equality with the son of toil.

The Marxist regime in the Soviet Union fell at last after seven decades of terror and suffering; but the notion that "social justice" means equality of condition still works among us. In the connection, I commend you to three books: F. A. Hayek's *The Mirage of Social Justice*; Helmut Schoeck's *Envy: A Theory of Social Behavior*; and Gonzalo Fernandex de la Mora's *Egalitarian Envy: The Political Foundations of Social Justice*. The second book is by a German, the third by a Spaniard; it is a sign of the surviving domination of socialist assumptions about justice in America that these latter books scarcely were reviewed at all in the United States, though editions of both were published here. They deny the notion that there can exist a perfect social justice, attainable by positive law and social engineering; and their authors are agreed that the perfectly egalitarian society would be an unjust society. Let me suggest, also, that those present today would find a keen analysis of socialist errors about justice in a book of yesteryear of which I brought out a new edition some three years ago: W. H. Mallock's *A Critical Examination of Socialism*.

"All the four authors I mentioned a moment ago touch upon the vice of envy and its ruinous personal and social consequences. To that vice the Marxists appealed successfully in much of the world. "Why shouldst thou sit, and I stand?" cries incarnate Envy, in Marlowe's play *Dr. Faustus*. "Come away!" Social justice will be attained, the poor are told, when they have unseated the affluent and supplanted them in their possessions. Such doctrines have devastated most of Asia and Africa ever since the Second World War, causing the massacre of the old leading classes, most hideously in the Congo-now Zaire-Portugese Timor, Portuguese Guinea, Chad, Viet Nam, Cambodia, and China. Yet the earthly paradise of social justice did not result from this slaughter: instead, squalid oligarchs and men of blood succeeded to power, and general impoverishment has been experienced. Perhaps we see today the beginning of such a progress toward social justice in the Republic of South Africa. Such is the justice of "the good old rule, the good old plan, that they shall take who have the power, and they shall keep who can."

Until recent decades, nevertheless, socially ruinous envy of this sort was not really powerful in the United States, and did not provoke a powerful political movement for such a restructuring of the economy as would even the scores. During several years of the Great Depression, my parents and my little sister and I lived in an old dwelling near the railway yards at Plymouth, Michigan, my father being a railroad engineman. Our house had no bathroom; its *necessarium* was an outdoor privy, inconvenient under snow. (We had thought we were buying the house on land contract, but it turned out that the man who pretended to sell the dwelling to us had no proper title to it himself, and so my parents lost their investment and went back to renting; they never did succeed in owning any house, lifelong.) Weekly there arrived in our house the newspaper of the Railway Brotherhoods, entitled *Labor*. In almost every issue there appeared a cartoon of a literally bloated Capitalist, in evening dress, smoking a bloated cigar; and such exploiters of the working poor were denounced in editorials.

But these circumstances and publications did not wake envy in my parents. They took it for granted that some people, whether by talent or by inheritance or by mere chance, prosper materially in life, while other people do not; this, they knew, was in the nature of things. They had a subsistence, and kinfolk, and love. The caricatures of the Bloated Capitalist did not rouse my father's wrath; my father did indeed think that the railroads were ill-managed, and that increasing centralization of the economy was to be regretted, and that pride would have a fall on Wall Street, as indeed came to pass; but I never heard my parents utter a word of envy. Things will be as they will be, they took it.

Blessed are those children reared in a household innocent of the deadly sin of envy. Their lives will not be tormented by a grinding resentment that they are not beautiful, or famous, or favored with the gifts of fortune. They will not demand as a natural right or an entitlement a presumptuous personal equality with everybody under the sun; nor maintain that their opinions are as good as anybody else's. They will not covet a neighbor's goods. And thus they may come to know peace of soul. They will perceive the wisdom in these lines of a very early poem in Scots vernacular:

*I saw this written on a wall:
In what estate, man, that thou fall
Accept thy lot, and thank thy God of all.*

But I do not mean to imply that every form of equality is the work of envy. The Christian doctrine of equality has worked much moral good. This is the teaching that all souls are equal in the ultimate judgment of God; that God is no respecter of persons. Yet God separates the goats from the sheep; in my Father's house are many mansions, but they are not all on the same floor. God's ultimate judgment is not affected by rank and station, wealth or power, here below. All that matters, in the end, is goodness of heart; so sometimes the last, at the judgment seat, shall be first.

And the jurisprudential principle of equal justice under law, too, has worked much social good. The law also is no respecter of persons: the king himself is under the law, as Bracton put it in medieval times. Neither in civil nor in criminal cases, declares the system of law which Americans have inherited from Britain, does any class of persons enjoy privileges or immunities. This doctrine keeps the peace; and to keep the peace is the object of all law.

Whether political equality has worked much good is another matter. In most of the world, attempts at enduring and peaceful democracy have failed. Constitutional democracy of the successful sort has been confined chiefly to English-speaking countries, which have inherited the British historical experience. And even in such countries, who can doubt that democracy, political equality, is in grave trouble nowadays? Is not the United States being converted into a "plebiscitary democracy," with an election of the temporary dictator every four years, actually governed by a centralized bureaucracy nominally under the supervision of a body of squabbling politicians. How much genuine democracy of the sort discerned in America by Tocqueville, what Brownson called "territorial democracy," will remain by the middle of the twenty-first century?- Even today, indeed, how much political equality remains in elections determined chiefly by what candidates have the most money to spend on television broadcasts?

But political equality is too large and complex a subject for me to discuss today. I turn, therefore to the subject of equality of condition-that is, equality of incomes and other material rewards, equality in education, equality of mores, manners, lodgings, and tastes. It is this envious passion for equality of condition against which Tocqueville warned his time and ours. The total triumph of the doctrine of equality of condition would be a triumph of injustice. Unthinking demands for an equality allegedly just notwithstanding, a society in which everybody should be precisely in the condition of everybody else would be a thoroughly unjust society.

Zealots throughout the centuries have endeavored to establish communities totally egalitarian; all those endeavors have failed after much suffering. Utopians in the Greek and Roman eras, the Levellers and Diggers of England in the seventeenth century, Babeuf and his fellow conspirators of 1791, and the communist ideologues who held power in the Russian system for seven decades-these are only some of the enthusiasts for equality who for a time established a domination of equality in misery, collapsing soon or late because contrary to human nature. Yet, as Hegel wrote, we learn from history that we learn nothing from history. What failed disastrously in the late Soviet Union, a good many Americans now seek to enact in these United States.

The instrument of the doctrinaire egalitarian in America is not violent revolution, but employment of taxation-which, as John Marshall declared in the Dartmouth College case, is the

power to destroy. A leveller pulls down the more prosperous classes in society through crushing taxation, levied to pay for "entitlements" for an abstraction called The Poor-in effect, to maintain a growing proletariat that contribute nothing much to society except their offspring. Rostovtzeff and other writers on Roman times have drawn the analogy between bread and circuses and the modern dole or "welfare" measures: in the Empire, the emperor with his soldiery united with the Roman mob to extort revenue from the propertied classes-until at last the ancient economy collapsed, and the frontiers could not be defended. Clinton Caesar, eager to placate the Welfare Lobby, proposes to establish new overwhelming "entitlements," particularly medical ones, to be paid for by employers-for of course the wealth of employers is assumed to be inexhaustible. As in the age of Diocletian men fled from public offices, lest they be taxed and regulated to extinction, so by the approaching end of this century employers may be inclined to flee to some other condition of life-but to what?

The mentality of the American leveller nowadays may be sufficiently suggested by a proposal advanced by some of Clinton's inner circle but not presented to the Congress. This was a new tax: a levy upon persons dwelling in large houses. If the residence should contain rooms which might have been rented, had the owner desired, to paying lodgers (or perhaps non-paying homeless persons)-why, the owner of the dwelling would be taxed for the rooms that might have been occupied by other people. This tax would have been a federal levy, not a local real-property assessment. It is just the sort of tax to have been devised by some former hippie, now a bureaucrat, spiritually akin to President Clinton, former hippie himself. The real purpose of this strange proposal clearly was punitive, meant to punish those wicked rich who possessed spare bedrooms. Make them pay through the nose for such undemocratic private possession of domestic amenities! An Englishman's home once upon a time may have been his castle; but now an American's home should be his own only upon the sufferance of the Washington bureaucracy. If such a one should lodge homeless persons in his dining room, say, he might be indulged in a partial remission of taxes. One is reminded of housing in Moscow about the year 1919, when the communist regime requisitioned even the lavatories of private residences as night lodging for the underprivileged. Envious egalitarianism as implemented by Clintonian zealots might not be satisfied until the whole population of this land should be lodged in immobilized "mobile homes"-a universal rookery of trailer camps. Why should anybody be indulged in domestic comforts not readily available to all citizens?

Have I carried to absurdity my argument against equality of condition? Nay, not so; for the enthusiasts for total equality are not to be satisfied with small concessions. I commend to you a dystopia, -a longish short story, by Jacquetta Hawkes, that brilliant Englishwoman of diverse talents, published in her collection *Fables*-which volume appeared in 1952, during Britain's disagreeable experience with a socialist regime.

This fable is entitled "The Unites." God, having sensed no impulses from the planet Earth for a long while, dispatches a humble angel to investigate and report to Him. This emissary, who had visited Earth once long, long before, discovers on this later expedition that humankind has suffered a startling change for the worse. No longer, indeed, do men and women call themselves humans: they style themselves "Unites," for all are united in a kind of sub-human state, everybody precisely like everybody else. These degenerate beings live in some 500,000 Life Units dispersed about the globe, and subsist by primitive agriculture. Private property has been

abolished altogether. Every Life Unit consists of four standard tenements: the Pink Block for the young, the Green Block for the cultivators, the Red Block for the industrial workers, the Black Block for the administrators and the governments. Kinship and family life have been swept away, as disruptive of social unity. If equality is the whole aim of existence, why should one person outlive another? There must be equality in death as in life. So on attaining the age of sixty-six, the older Unites are herded into the Finis Chamber of the Black Block, suffocated there, and their bodies incinerated. The only amusement in these Life Unit communes is a colossal sort of motor-drome in which some of the performers bloodily perish, to the crowd's satisfaction.

In short, through the doctrine of equality of condition what once was the human race has transformed itself into a moral condition scarcely distinguishable from that of the beasts which perish. And yet a few true human beings, eager to subvert this life-in-death, have survived somehow in Life Unit 1457. The visiting angel learns that this handful of young people are contriving to bring down the dreary system of equality. Indeed their slogan "Equality must be destroyed" prevails; the stupidity of the egalitarian administrators cannot resist the innovators; and in one Life Unit, at least, inequality is happily triumphant. But even so, the angel detects some ideologue of equality plotting already to bring back equal misery; thus the struggle between the forces of individual achievement and the forces of equality runs on in human societies. There are no lost causes because there are no gained causes.

Jacquetta Hawkes's fable or parable is set in a distant future; but in the closing decade of this century we move in that egalitarian direction. Equality is demanded in politics and in monetary incomes; more, it is demanded in formal education. My wife, Annette, ten years ago was a member of the Commission on Excellence in Education appointed by President Reagan. She promptly found that many folks in the federal Department of Education, and many educationists in teachers' colleges and teachers' unions, were concerned chiefly for what they called "equity"-that is, equality, sameness, at every level of schooling. Some insisted that American education must have both excellence and equity, a manifest absurdity: for the word "excellence" means to exceed, of course, to do better than others; while "equity," or uniformity, necessarily implies mediocrity. The more equality in schooling, the lower the achievement; and the greater the injustice toward students possessed of some talents. Forty years ago, I resigned a university post in disgust at a deliberate policy of lowering standards in the interest of "equity"-that is accommodating more students who, from stupidity or indolence, ought not to have been admitted to a university at all. In general, American standards for an education allegedly "higher" have declined still more since I departed from the Ivory Tower.

Egalitarian pressures are exerted in virtually every country to push into the universities most of the rising generation, however dull, bored, or feckless a young person may be. The consequence of this movement is to make the higher learning lower. Avoiding the dullness of most graduate studies in the United States, in 1948 I went abroad for my higher learning-to St. Andrews University, still -somewhat medieval in appearance, the oldest of Scottish universities, situated in a charming medieval town. Nowadays St. Andrews is under political pressure to change its character by admitting many more students, which would destroy the tradition of learning there by the North Sea. For what reason? Why, to "give everybody his chance." Perhaps we ought to confer the doctorate upon every infant at birth, and reserve the universities for people really

interested in right reason and imagination, so eliminating degree-snobbery and degree-envy. The present disorders of the intellect on most campuses result from the combination of ideologue egalitarians among the professors with ignorant -and bored students.

Permit me to suggest some probable long-run consequences of national infatuation with equality of condition.

First, great injury to the leading class that every society requires for its success. This leading class is not identical with sociological "elites"; to ascertain the distinction, read T. S. Eliot's slim book *Notes Towards the Definition of Culture*. This leading class, even in the American democracy, is made up of public-spirited men and women of property; well-educated professional folk, lawyers among them; honest politicians who take long views; publishers and writers who help to shape public opinion on a diversity of matters; the clergy; persons experienced in military affairs, foreign affairs, and the arts of political administration; local leaders in charitable and civic concerns; those people of industry and commerce who know that there is more to life than getting and spending. I am even willing to acknowledge among this leading class some of the better professors of arts and sciences-although Nietzsche reminds us that in politics the professor always plays the comic role.

The authority of this class of persons in America has been declining in recent decades, from a variety of causes; and the decay in public and private morality, the decadence of education, the shallow populist tone of our politics, and a number of other afflictions result in considerable part from that decline of authority. Now a renewed demand for levelling assails this leading class. For one thing, it was possible for members of this leading class to take part in public and charitable concerns, and to set the whole tone of life in their communities, because most of them possessed some private means; they were not daily money-grubbing. Increasingly this class is being pushed to the wall by heavy-nay, savage-taxation. Most people here will have noticed how in the past few years various deductions and exemptions have been eliminated from income-tax returns, particularly for persons with incomes exceeding \$100,000; for such folk, medical deductions from income are a thing of the past. Now the Clinton Administration imposes new burdens, falling principally upon the class I have just been describing. Many will pay more than half their incomes in taxes- federal and state income taxes, real-property taxes, sales taxes, and the rest. What margin will remain for such people to exercise the functions of voluntary leadership?

The late Michael Harrington, a few years past, was addressing a crowd of poor people. He said that too many affluent people were paying less than half their incomes in income tax. He was surprised by the reaction of his audience. They were indignant at Harrington's proposal that the state should take more than half a man's income, however large that income. "That's just not fair." some of them cried. His audience was right and Harrington wrong. And perhaps some in his audience perceived, better than did Harrington, what would happen to a society-including persons of very modest incomes-in which the Leviathan state should kill the goose that lays the golden eggs.

Already many of you here today, and for that matter your servant, are paying more than half their incomes in taxation. Our time occupied in trying to make ends meet, how much leadership shall we be able to offer? More and more, in such circumstances, the remnant of authority and the

power of decision-making are usurped by a centralized bureaucracy-and in the name of "democracy."

Second, an obsession with equality commonly results in general impoverishment, by diminishing saving and capital accumulation, and by "humanitarian" welfare measures that diminish the incentive to work for one's own subsistence. Egalitarian "entitlements" already have so increased the national debt that, as matters are drifting, the amount of interest on the national debt, annually, will come to exceed the total federal revenues collected by the present tax structure!

Decreased economic productivity, caused by a virtual oppression of industry and commerce, will afflict the poor worst of all-even though the mistaken policies of government were undertaken in the name of equality of condition for the alleged poor.

A third consequence of deliberate levelling in society would be grave intellectual damage, already in progress. Over the centuries there was developed in all civilized countries an elaborate edifice of schooling, originally religious in character, meant to impart some measure of wisdom and virtue to the rising generation. Aristotle instructs us that the process of learning cannot be made easy. The higher learning is concerned necessarily with abstractions, in large part; but the common man tends to dislike abstractions. As T. S. Eliot said once, there ought to be many different kinds of education for many different kinds of people; but the egalitarian zealot would enforce uniformity of schooling, perhaps of the "outcomes education" sort to produce conditioned responses, now being pushed in Virginia, Michigan, and other states.

The black-militant outcry against the study of the works of "dead white males" suggests what a thoroughly egalitarian system of schooling would discard. Thought always is painful; so let us get on with the rap sessions.

Those intellectual disciplines that nurture right reason and moral imagination, requiring real thought, are unpopular with the egalitarian, who regards them as archaic and snobbish. The egalitarian much prefers utilitarian schooling and vague "social studies." But both private wisdom and public order require that a substantial number of people be well acquainted with genuine works of the mind. The natural sciences, humane studies, and the philosophical habit of mind neglected, the person and the republic sink into ignorance and apathy; but the egalitarian zealot does not perceive these ruinous consequences until the decline no longer can be arrested. The condition of most of our public schools today, and the inferior performance of most colleges and universities by contrast with their work half a century ago, ought to suggest to us how far, as a people, we already have slipped down the slope toward intellectual failure. What I say of American education is quite as true of British education nowadays, and, with few exceptions of Europe generally. But the educational egalitarian is not deterred-not quite yet: so long as "everybody has equal opportunity" to spend four or five years in an educational establishment professedly higher, social justice has been achieved, he fancies.

In short, ladies and gentlemen, I have been arguing that it is profoundly unjust to endeavor to transform society into a tableland of equality. It would be unjust to the energetic, reduced to equality with the slack and indolent; it would be unjust to the imaginative, compelled to share the schooling and the tastes of the dull; it would be unjust to the thrifty, compelled to make up for

the losses of the profligate; it would be unjust to those who take long views, forced to submit to the domination of a majority interested chiefly in short-run results.

But I shall not labor this point, already made forcefully by Alexis de Tocqueville and other writers whose talents exceed my own. The egalitarian society, far from satisfying desires for "social justice," would be unjust to the very people who made possible a tolerably orderly and prosperous society. Eric Voegelin remarks that the tolerably just society is one in which the more aspiring natures are free to exercise their talents, but the large majority of people, who desire merely a quiet life, are secured against oppression by the aspiring natures. Mediocre necessarily, the egalitarian society would discourage or suppress enterprising talents-which would result in social stagnation. Life in a social tableland of equality would be infinitely boring.

Yet don't I believe in equality of *opportunity*? No, friends, I do not. The thing is not possible. First of all, genetic differences cannot be surmounted between individual and individual; Thomas Jefferson and the whole school of "created free and equal" knew nothing whatsoever of human genetics, a science of the late nineteenth and the twentieth centuries. Second, opportunity depends greatly upon family background and nurturing; and unless it is proposed to sweep away the family altogether, as in Jacquetta Hawkes's fable, the rising generation of one stock will differ greatly in opportunity from the rising generation of a different family. For instance, I read every evening to my four little daughters, or told them stories; while my neighbors did not so instruct and converse with their children; accordingly, my children have enjoyed superior opportunities in life. It would be outrageously unjust to try somehow to wipe out these advantages of genetic inheritance or familial instruction.

Inequality is the natural condition of human beings; charity may assist those not favored by nature; but attempts to impose an artificial equality of condition and intellect, although in the long run they fail, meanwhile can work great mischief in any society, and-still worse-damage human nature itself.