EQUAL OPPORTUNITY AND
LIBERAL EQUALITY

BY

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THESIS

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DECLARATION

I declare that the thesis submitted for the degree Doctor Philosophiae by me at the Rand Afrikaans University, is my own work, other than resources acknowledged by me, and has not been submitted previously for any other degree or diploma to any other tertiary institution

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ABSTRACT

The purpose of this research was to answer the following question: *Can a feasible liberal model be developed and defended that promotes and integrates egalitarian and "non-egalitarian" and aggregative values, while at the same time respecting the individual as an autonomous agent, who, as such, may be held accountable for the consequences of his decisions and actions but not for those consequences that may be attributed to his circumstances?* In order to answer the research question a systematic examination of the leading liberal conceptions of equality, with special attention to an alternative approach in terms of a substantive equality of opportunity model, is undertaken.

The research falls into three distinguishable parts. In the first part the role of equality in Rawls's theory of justice as fairness was critically analysed. The conclusion reached was that whereas Rawls's theory provides valuable insights on which to base a liberal theory of equality his theory fails to provide specific guidelines on which to make the crucial distinction between autonomous choices and choices dictated by the person's circumstances. In the second part the conceptions of equality found in the work of Nozick, Dworkin, Sen and Walzer were compared with that of Rawls and explored for its potential for grounding a liberal conception of equality based on equality of opportunity. Limited support for the compound equality of opportunity model is found in Nozick's libertarian conception of equality as formal equality of opportunity. Conceptually Dworkin's conception of equality as equality of resources was found to be a powerful model to distinguish between those circumstances over which the individual has no control and therefore should not be held accountable and those choices over which the individual exercises control and hence should be held accountable. Moving from the equality of resources approaches, as exemplified by Rawls and Dworkin, to the equality of opportunity approaches, Sen's equality of capability is discussed. Of particular importance is Sen's insight that equality of opportunity requires one to take into consideration the individual's capacity to convert the means at his or her disposal into ends and henceforth that these differential conversion capacities should be equalized. The compound equality of opportunity model proposed in this thesis in important part rests on the assumption that equality is a complex value which derives its value from the context in which it is employed. As such Walzer's idea of complex equality is valuable in that it recognizes the plurality and the contextuality of the ideal of equality. In the third part the compound equality of opportunity model is introduced by distinguishing between equality of results and equality of opportunity approaches. It is then argued that it is possible, even though imperfectly, to distinguish

between circumstances and autonomous choice by means of statistical techniques whereby people may be grouped by identifying independent variables predicative of success in the different spheres of life. It is shown how this approach may enable us to hold people accountable for their autonomous actions and choices but not for their circumstances. It is further argued that efficiency and aggregative considerations may operate as moderating variables in the different spheres of life. It is also argued that this model will promote accountability at the individual as well as the institutional level and how substantive equality of opportunity should predominate at the early stages of life while formal equality of opportunity should prevail at the point where positions of some importance are distributed so that third party interests are protected. This thesis is concluded with the claim that conceptually the model is feasible and capable of implementation. If we take seriously the idea of individual autonomy and accountability, and the notion that equality of opportunity provides the means to isolate the consequences of individual effort and motivation from the consequences of (undeserved) circumstances, then something like the compound equality of opportunity model may provide the means to give expression to our convictions.

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<u>DEDICATION</u>

To the Memory of my Daughter,

Pulani Magdeléne van Wyk

[26-04-1986 to 31-01-2001]

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ALL THE HONOUR TO GOD