The central aim of this paper is to shed light on a difference between two types of inequality that is at once a product of modern social thought and constitutes a dividing line between what the modern world treats, or can treat, as permissible as against impermissible forms of inequality. The paper argues that modern society can tolerate a considerable amount of gradual inequality, which is in principle compatible both with its structural mode of organization and its ideational foundations, but cannot accommodate persistent categorical inequalities, which have been rendered historically obsolete and are fundamentally at odds with this society's self-understanding. Gradual inequalities are inequalities of degree that differentiate people in terms of income, wealth, material life chances, skill levels, organization membership, position status, etc., but that constitute neither insurmountable barriers to social mobility nor gradations of recognized social worth. Categorical inequalities, by contrast, do precisely that. They serve as mechanisms of vertical differentiation, dividing the social universe into groups of people inhabiting entirely separate spaces with no or little intercourse between them, except in a strictly hierarchical manner that sustains and constantly reaffirms their differential worth, merit, dignity. While the former are legitimized by the (putative) openness of the social order and the institutionalized expectation that all individuals be treated as equals in some respect, the latter rely on social closure across the board, endorsing, at least tolerating, the exclusion of many and treating the very notion of equality as meaningless.

Needless to say, this is an ideal typical distinction, because in the real world the two types of inequality almost always overlap. Heuristically, the distinction is nonetheless useful as it helps map different worlds of inequality and draws attention to the need for public policies addressing exclusionary practices and developments if modern society is to live up to its egalitarian ideals. Following a conceptual part linking the distinction to the theory of modernity (section II), empirical illustrations will underscore its relevance for a sociology grappling with contemporary inequalities (section III). Contrary to what some critics of West- or Eurocentrism maintain, an individualistic normative order that renders categorical inequalities illegitimate (and that alone provides the intellectual means needed to do that in a coherent fashion) is not unique to the West, but emerges wherever a transition to modernity
takes place (section IV). At the same time, gradual inequalities, even though not fundamentally at odds with that order, are also far from unproblematic (section V). The paper ends with a few hints about the difficulties facing those who wish to address them (section VI).

II

Genealogically, categorical inequalities are rooted in, and reflect the mode of structuration typical of, premodern societies; more precisely: of the high civilizations that replaced the segmentary differentiation characterizing archaic societies with stratificatory differentiation as the primary mode of societal organization. Under this regime, society is differentiated into unequal but interdependent strata, with ascribed and inherited status determining everyone's place, functions and recognized worth in society. Stratification becomes the dominant mode of societal organization as and when a social order that does not use lineage for sorting the population into differently ranked groups becomes inconceivable. Hierarchy is viewed as the natural order of things, hence as unchangeable. The highest stratum, typically a noble class of warriors and priests, extracts and monopolizes the usage of economic surpluses. Group closure is achieved through strict endogamy. According to its self-understanding the elite represents society itself, and both its members and commoners view this group as a distinct class of human beings, one that cannot be meaningfully compared with others, let alone judged by the same standards. This applies especially to legal matters, e.g. to criminal offences committed by higher ranked people against lower ranked ones, but it pervades the whole structure of society. Communication across strata boundaries is highly ritualized and organized in a manner that reflects the involved parties' superiority or inferiority vis-à-vis each other (Luhmann 1997).¹

This order is subverted and eventually destroyed when functional differentiation becomes the primary mode of societal differentiation. Functional differentiation means that a multitude of subsystems in charge of separate functions – such as making collectively binding decisions, securing want for material satisfaction/economic production, the peaceful and rule-

¹ In the 1960s and 1970s, feminist scholarship conceptualized gender inequalities as yet another form of stratification (see Collins et al. 1993 for an integrated version of different paradigms developed at the time).
bound resolution of conflicts, the production of true knowledge, and so forth – emerge, all of which are necessary for society's reproduction, but not easily prioritized in terms of their relative importance. At the level of their operational rules the various systems are structurally autonomous from one another, meaning that each follows its own peculiar sub-rationality or function logic and that each employs its own criteria for determining successful conduct within its domain. Inclusion into these systems is premised to be an option for everyone and not to be based on descent but on characteristics and capabilities that are determined by technical, realm-specific requirements. A functionally differentiated society has thus no use for categorical inequalities that sort people according to pre-conceived status differentials because it has no way of "knowing" ahead of time and independent of an individual's personal attributes and/or conduct where and how to place him or her. Moreover, characteristics relevant to one type of concern may be irrelevant for others, thus inducing systems to abstract from differences that make no difference in their realm. Whatever differences emerge from the systems' selective engagements with and of individuals are therefore outgrowths of equal consideration, of discrimination processes that bring to bear the same standards on all. Inequalities emerging from these processes are gradual variations among people of equal worth. Moreover, their effects must be contained within the boundaries of each system, must not spill over to other institutional realms because cumulative advantages/disadvantages across boundaries would subvert the function logic that alone can legitimize realm-specific inequalities.2

It does not take much realism to recognize that this is an idealization rather than an adequate depiction of existing social arrangements. This idealization is, however, far from sterile insofar as it informs the construction of "world models" (Meyer et al. 1997) that powerfully shape modern society's sense of rightness and directionality, of what can and cannot be legitimized in light of its normative ideals, and of where future developments should be headed to realize them. These premises constitute a radical departure from the assumptions guiding premodern thought.

The transition from premodern to modern society, from stratificatory to functional differentiation is far from smooth, and it is an ongoing process, with different societal entities

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2 For a philosophical treatise making a similar argument and at least implicitly employing a differentiation theoretical perspective along the lines outlined above, see Walzer 1983.
located on different points of a continuum of change that affects all parts of the world, albeit to different degrees and with different speed in different locations. The human rights discourse accompanies, and in important ways prepares, this process (Donnelly 2003) by providing semantics of societal self-description, a set of interpretive schemes that render egalitarian premises for the sorting and placement of individuals meaningful (Luhmann 1980).³ By positing that all human beings are born free and equal, it shifts the burden of proof to those insisting on inequality, whose case becomes weaker over time because whatever "evidence" they mobilize to support it rapidly loses credibility, not least due to the corrosive effects of science, including social science which contributes substantially to the deconstruction of "received" notions of superiority/inferiority. This clears the ground for movement toward a regime of gradual differences between individuals rather than immutable differences between social categories rooted in the natural order of things.

A product of the European Enlightenment, the human rights discourse was initially used as a vehicle by the ascending bourgeoisie to undermine the rule of the aristocracy. Not surprisingly, therefore, candidacy for membership in the club of rights bearers was conceived as being much more narrowly circumscribed than it is today (see e.g. Bayly 2004: 74). In fact, the majority of the world's population did not qualify for full membership in the views of even the most outspoken exponents of the liberal doctrines that advocated these rights in the 18th and 19th centuries – women, of course, did not, nor did most non-Caucasians, non-Europeans, non-Christians, especially members of the various "under-races" (Kant 1996) that were believed to inhabit much of America, Africa and parts of Asia. Owing to their perceived "sub-human" nature and likened to "unenlightened children" (Hegel 1986) who are incapable of culture and civilization, the best they could hope for was benevolent treatment by their colonial and/or paternal masters – equality of status or recognition was totally out of the question. Only in the late 19th/early 20th centuries did the barriers to granting equal personhood systematically begin to erode, with the American slaves, the European working

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³ How radically this discourse undermines the taken-for-granted assumptions of premodern thought is reflected in the following note of the Duchess of Buckingham that characterizes (Methodist religious) doctrines demanding equal rights for all as "most repulsive and strongly tinctured with impertinence and disrespect towards their Superiors, in perpetually endeavoring to level all ranks and to do away with all distinctions. It is monstrous to be told you have a heart as sinful as the common wretches that crawl on the earth" (cited in Whiteley 1938: 328). The sentiments expressed in this note are typical of those harbored by 19th century European elites, and they survived until at least the Second World War. Traces of this mode of thought can still be found in many practices, e.g. in the selection of recipients for life-saving medical resources according to candidates' "social worth" (see, e.g., Schmidt 2004), but today a public sphere exists wherein such thought, when openly expressed, is likely to be challenged.
classes and Jews perhaps the first groups to be partially emancipated from the fetters of tradition, gradually to be followed by other groups, most importantly women, until eventually virtually everyone was granted eligibility – as attested by the 1948 United Nations Declaration of Human Rights.4

Like the transition to functional differentiation, this emancipation is an ongoing process.5 It has progressed farther in some locations than in others, but it is nowhere complete, and it may never be completed once and for all because the dynamics of modern development constantly produce exclusions that, if left unaddressed, can easily ossify,6 transforming what begins as gradual inequalities into new forms of categorical inequality.7 The next section is devoted to illustrating the persistence of deeply ingrained categorical inequalities with examples drawn from three continents: Asia, especially South Asia; South and North America; and Europe.

III

The first example is India's caste system, which persists to the present day despite its legal abolition many decades ago. As is well known, this system divides the population into closed hereditary groups ranked by ritual status. Intermarriage and interdining across caste boundaries are prohibited, and the relationships between the various groups included in the

4 That the logic of equality is incompatible with "selective inclusion" of some in a "favored category" (Sen 2009: 117) at the cost of others who are excluded from that category is not an insight of the 20th century, but was in principle available as early as the 18th century, as demonstrated, amongst others, by the writings of Mary Wollstonecraft (1995). However, only in the 20th century has this insight become so compelling that it is now virtually impossible to reject it without marginalizing oneself in public debate.

5 Neo-institutionalist scholarship suggests that once a breakthrough toward expansion of the inclusionary logic of egalitarianism has occurred somewhere, it becomes increasingly hard to resist it elsewhere (see Ramirez et al. 1997 illustrating this for the case of women's suffrage and citizenship). And the more categories are included or, to put it differently, the more inclusion is universalized and individualized (i.e. decoupled from ascribed group membership), the more difficult it becomes to justify ongoing exclusion or unequal treatment of others (see for instance Frank and Mceneany 1999 for the treatment of homosexuals and same-sex sexual relations, which are increasingly decriminalized).

6 Or, to put it another way, they can become "durable" inequalities, as Charles Tilly (1998) calls them. Tilly, too, uses the distinction between gradual and categorical inequalities but fails to fully exploit its analytic potential because he lacks a sufficiently sophisticated theoretical framework. The assumption underlying this paper is that the differentiation theoretical school offers the requisite conceptual tools.
system are strictly hierarchically organized, with the upper castes controlling positions of political as well as economic power, and the lower castes relegated to positions reflecting the lesser social worth or value ascribed to them. The centuries-old link between caste and occupation, and, consequently, material wealth or poverty has become less rigid since the 19th century, but socio-economically privileged groups are still predominantly upper caste and vice versa. Much worse than the situation of members of the lower castes, however, is that of the so-called untouchables or Dalits and of numerous tribal peoples, who fall outside the caste system and hence have no place within the boundaries defined by that system whatsoever. According to a recent study, this group, comprising an estimated quarter of the Indian population, faces extreme forms of exclusion, humiliation, exploitation, deprivation. Especially in rural India, where 70 percent of Indians live, many Dalits are denied basic rights of citizenship, such as protection against acts of violence or the confiscation of property, voting, access to public services, selling or buying of goods at public markets, entering temples, free choice of places of residence, sometimes even marriage. Frequently kept in conditions of debt-bondage, they suffer from the imposition of forced, unpaid or underpaid labor (remunerated below market rates and often at the unrestricted discretion of quasi-feudal landlords), sexual abuse, as well as visible acts of subordination and public insult such as having to wear filthy clothes, to stand with bowed head, to walk naked in public, etc. (Shah et al. 2006; see also Sooryamoorthy 2008; Thorat and Newman 2010). Alongside other minorities (especially the Muslim population), they are also strongly discriminated against in the public education system, whose systematic underfunding and poor quality further contribute to locking low status groups into their disadvantaged position (see, e.g., Dubey 2009).

While the caste system is unique to India (or more precisely, to South Asia), social exclusions of the sort it produces are not; much of Latin America, for instance, exhibits similarly entrenched divisions between quasi-hereditary status groups. Throughout the 20th century and possibly much longer, Latin America has been one of the world regions with the greatest inequalities in incomes, living standards, and other parameters of well-being. These inequalities are highly correlated with group status. Unlike in India, categorical inequalities in Latin America are not rooted in religiously founded divisions, but rather in racially and

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7 Moreover, new categories of socially excluded people are continually "discovered", not least through the politicization of exclusionary practices by social movements that render formerly unnoticed or unacknowledged exclusions visible and give voice to those affected by them.
ethnically determined cleavages, with indigenous people, descendents of African slaves imported during colonial times and mestizos systematically poorer than whites of European descent. The state apparatus and other important political, economic and cultural institutions are often controlled by small elites who lack commitment to improving general social welfare and who tailor these institutions to their advantage. Thus, even the spending of public resources often leads to regressive distributional outcomes. For instance, while institutions of public elementary schooling are notoriously underfunded, resulting in poor performance quality, the tertiary education system is generously subsidized. The reason for this pattern is simple: whereas public schools cater to the educational needs of the poor (because the rich send their children to private schools), access to universities is de facto restricted to children of wealthy parents because they alone are able to pass the entrance tests. The political systems are fragmented, making it difficult for subordinate groups to institute reforms that benefit them even under formally democratic conditions. Highly stratified social structures manifest themselves in strictly vertical forms of political connection that are sustained through personalistic, clientelistic ties, and corporatist organizations. Justice systems are characterized by widespread corruption, and judges often bend the law in favor of the wealthy. Arbitrary use of force and excessive violence against the poor, who often constitute 50 percent or more of the population, are common, as are disproportionate prosecution and conviction of crimes they commit by the judiciary. Cultural prejudice against and contempt of the poor further exacerbate their plight because they increase the social distance between them and the elites that harbor strong feelings of superiority (Schepers-Hughes 1992; Weyland 1996; Larrain 2000; de Ferranti et al. 2004; Transparency International 2007).

Contempt is also what faces large sections of the socially worst off in the economically advanced countries of the West – in addition to their relative material deprivation. Pejorative labels such as "white trash" express the disdain with which certain socio-economically marginalized groups are treated by parts of the better-off population in the contemporary United States, not to mention the condescension experienced by other minorities, especially the black poor. To Talcott Parsons (1977: 184ff.), the latter's incomplete inclusion into what he called the "societal community" constituted an instance of "ascriptive stratification" that

8 It is, however, worth noting that the trend of growing inequality has begun to be reversed, albeit slowly, during the past decade in parts of Latin America, including Brazil, where governments have strengthened existing and introduced new social safety nets, such as conditional cash transfer programs (see, e.g. Fiszbein et al. 2009). Less progress seems to have been made in India and South Asia as a whole, where much of what is said about Latin America above applies as well.
subverts the egalitarian premises of modern society. But while in his time optimism prevailed that such problems were largely residues of the past that would soon be overcome, today we are witnessing a massive return of social exclusion not only in the United States, but also throughout Europe (both western and eastern). The globalization of product and labor markets, in conjunction with the outsourcing of production processes to low-wage countries, have rendered tens of millions of (mostly low-skilled) workers and job aspirants economically redundant. Over time, this has led to deep cleavages between durably unemployed or permanently temporary workers on the one hand, and better educated, skilled workers on the other, seriously undermining social cohesion, integration and solidarity. Physical segregation further exacerbates the predicament of the urban outcasts, increasingly relegating them to derelict and dilapidated neighborhoods that both express and solidify their precarious situation. Poor infrastructure and public services, especially in the field of education, together with a widespread sense of hopelessness and indignity, contribute to passing on marginality from one generation to the next, thus creating veritable poverty traps (Wacquant 2008).

IV

Advanced marginality, as Loïc Wacquant (2008) aptly calls this miserable condition that is rapidly spreading amidst unprecedented opulence, is a new phenomenon. Poverty as such is not; on the contrary, it was the norm for much of humanity throughout most of the species' history. Only with the advent of modern economic growth that set in roughly 200 years ago did the means become available to eradicate at least the most extreme forms of poverty. Poverty used to be a production problem because pre-industrial technologies simply did not yield a sufficiently large social product to lift everyone above the poverty line. Today that is no longer the case. Now poverty, and hence also the deprivation it causes, is a distribution problem that could be eliminated if existing riches were shared more evenly – locally as well as globally (Firebaugh 2003). It is arguably this state of contingency that turns poverty into a scandal.10

9 This optimism was not entirely unfounded. By the time of his writing, Parsons had witnessed three decades of declining inequality in the United States and sizeable parts of Europe. He could hardly have foreseen the reversal of this trend which set in a decade later.

10 Using indicators such as per capita income, educational attainment, life expectancy, etc., the United Nations Development Programme (2010) shows that human well-being as measured by the HDI has increased in all
Poverty is a scandal not just because it causes unnecessary suffering, but also because its effects are cumulative, disadvantaging people across the whole spectrum of activities and in all or most spheres of life, rather than just making them materially less well off. Poverty stifles mobility and it stigmatizes, creating a sense of shame, eroding people's self-esteem and depriving them of the opportunity to participate meaningfully in communal and associational life. It also leads to negative stereotyping resulting in discriminatory exclusion, and social exclusion, as mentioned before, is inimical to modern society's self-understanding that demands the inclusion of all on equal terms.

Discriminatory exclusion is a feature that poverty shares with all forms of categorical inequality. Discriminatory practices on the basis of perceived differences were common in many premodern civilizations that distinguished clearly between superior and inferior social groups – both internally and in relation to outsiders who were often characterized as barbarians. What these civilizations lacked, however, was the concept of discrimination itself. In other words, they may have engaged in practices that would now be deemed discriminatory, but they possessed no language rendering their practices problematic. The concept of discrimination becomes available and meaningful only when differential treatment of people qua membership of a particular group is no longer taken for granted and when, rather than assuming inequality, equality of treatment, respect and recognition becomes the normal expectation. Then what used to be reflective of the rightful order of things becomes discrimination, a deviation from established norms that calls for remedial action.

This change of perception is a product of, and further deepens the transition toward, a normative order that places the individual at the centre of social purpose. Premodern society invariably treats collectivities of one kind or another as the primary unit whose survival, integrity and reproduction must be secured above all else. To the extent that an awareness of individuality exists, the individual is typically expected to submit to the purposes and interests of the world during the past two decades, especially in regions that started from a comparatively low position. This finding, however, is not taken to suggest all is well. Instead, like numerous other publications, the report points to persistent inequalities (and inequities) in life chances facing people in different parts of the world and strongly urges to address this "problem". But there would be no problem were it not for a globally shared conviction that preventable harm or suffering or disadvantage should be addressed. This conviction, in turn, inspires a global justice movement which further spreads world models promoting (greater) human equality (see, e.g., Pogge 2008).

As was demonstrated in section II, this expectation co-evolves with the transition to(ward higher levels of) modernity. Like the structural transformations that the modern condition involves, its normalization is a lengthy process, but once it had grown firm roots in the semantics of modernity, it probably became ineradicable.
of the larger collectivity, and when society becomes more complex, then this collectivity is sub-divided into graded groups – the hereditary strata already alluded to. Modernity turns this logic on its head. Now the individual becomes the primary unit in relation to which social arrangements and collectively binding norms must legitimize themselves.12

This is a familiar story. Critics object it falsely projects specifically European or Western ideas and values onto the (modern) world as a whole, but that critique is mistaken.13 True, the West was the first world region to have experienced, against strong resistance of conservative forces (see e.g. Bendix 1977: 369ff.), the gradual individualization of society's normative order, and actors from the West have doubtless advocated similar transformations elsewhere. But there is nothing uniquely Western about normative individualism. Instead, it seems to be a universal outcome of sustained modernization processes. Accordingly, the values it reflects are not Western values but modern values. Modernity first emerged in Western locations and became a genuinely global phenomenon only during the past half century (Schmidt 2007). Shifts toward modern value structures tend to be slower than socio-economic transformations and can take several succeeding generations (Inglehart and Welzel 2005). But as comparisons between world regions of roughly equal levels of development show, eventually such shifts cannot be contained; the observable trends point in remarkably similar directions (Schmidt 2011).14

Assuming the emergence of a normative order that gives pride of place to the individual were a peculiarly Western phenomenon, then it would be hard to explain that categorical inequalities, which imply group-specific gradations of social worth and entitlement, have come under fire almost everywhere, in all world regions and civilizations,

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12 The functional differentiation of society "reduces" a person's existence to the form of a "private individual", says Niklas Luhmann (1980: 30). Individualism is thus built into the very structure of modern society. Hence, the difficulty to defeat it once and for all – as and where it is temporarily pushed back, it mostly reappears later.

13 Nor is it the preserve of non-Westerners. Communitarian rejection reflexes against individualism have accompanied its rise in the West as well. For a discussion of the most recent wave of communitarianism in the West, see Phillips 1993.

14 Culturalist critics of sociological theories that postulate converging trends of modernization around the world often point to late modernizing countries in East Asia as counter evidence, claiming these countries' cultural and institutional orders are much more collectivist than their Western counterparts, despite having reached similar levels of socio-economic development. However, recent research, reporting massive waves of compressed individualization in Japan (Suzuki et al. 2010) and South Korea (Chang and Song 2010), casts serious doubt on the claim of East Asia's "otherness". Moreover, it shows that the Confucianism often invoked
with critics utilizing the same language of discrimination to scandalize them, to measure progress in the attainment of equal treatment, etc. Not everyone subscribes to its implied egalitarianism, but where the notion of discrimination is invoked at all, it invariably refers to practices that disadvantage people on the basis of ascribed group membership – be it caste, ethnicity, religion, gender, skin color, or race. And the yardstick that renders these practices illegitimate is normative individualism, the premise that the same standards should be applied to all people regardless. Exclusion of individuals by particular organizations, from access to certain goods and services, from various rights and duties, etc., may be unavoidable. But it is acceptable only if based on reasons that are specific to the person in question, rendering him or her ineligible. If, on the other hand, it occurs on the basis of group variables, then it will prima facie appear as illegitimate, and hence require a strong justification if it is to be upheld.

Modern society is progressively running out of reasons that have the capacity to justify exclusions and discrimination on the basis of ascribed characteristics and perceived superiority-inferiority distinctions. Both in their interpersonal relations/interactional encounters and in relation to societal institutions people are increasingly assumed to be, as well as expected to treat each other as, equals.

to account for the region's alleged uniqueness is very much a product of social engineering (Kwon 2007), rather than reflecting innate dispositions rooted in unchanging local traditions.

15 The growing call for (mostly minority) group rights is sometimes presented as evidence that puts this primacy into question. But where group rights are claimed on behalf of people who are disadvantaged by existing institutions and conventions, this already implies the (moral) impermissibility of discrimination, and the normative structure of the case against discrimination is inherently individualistic. Moreover, all group rights face the potential problem of ascribed membership status that comes to the surface whenever bodies which (claim to) speak or act on behalf of a particular group impose (group) norms on individuals considered as members who might not be agreeable to this; either because they do not identify with the group in question or because they object to differential treatment by the authorities or institutions of the larger community of which the minority is a sub-group based on morally arbitrary factors such a birth, which happens to be the most widely used criterion for assigning group membership. For a illuminating discussion of groups rights, see Kymlicka 1995.

16 A prominent and widely taken-for-granted case for discrimination on the basis of ascribed membership is national citizenship and its attendant rights and duties. However, not even this case is safely shielded against criticism. As the world begins to describe itself as one global community, the normative basis for upholding privileges tied to national citizenship seems to be eroding.

17 A court decision of the London Judicial Committee from 1929 that ended a decades-long struggle about the recognition of women as "persons" plainly acknowledges the lack of justification for upholding an exclusion once firmly believed to be grounded in reason (or tradition or custom, for that matter) by stating: "The word 'person' may include members of both sexes, and to those who ask why the word should include females, the obvious answer is, why not?" (quoted in Berkovitch 1999: 12). The "why not" shifts the burden of proof to those who want to uphold exclusions, and once such shifts are made, they usually reveal the weakness of
Violations of the norm of equal treatment are, of course, widespread, and they occur everywhere. There are probably two main roots or sources of such violations: (1) the pervasiveness or survival (of aspects) of premodern social structures, as well as of cultural traditions that sanction them and that endure despite their historical obsolescence; and (2) the functioning mode of modern social arrangements that, paradoxically, tends to systematically generate phenomena that are at variance with the "morals of modernity" (Larmore 1996). Here, only the second source can be briefly attended to.

Modern organizations constantly exclude aspirants from membership, and they have to do that even in the absence of discriminatory intentions because all organizations have limited membership needs and inclusion capacities. However, the aggregate effect of many single (quite possibly unrelated) acts of access denial can be whole-scale social exclusion of the type described in section III, even if none of the organizations involved engaged in any form of illegitimate discrimination.

Whatever the causes, the exclusion of entire social categories constitutes an embarrassment to modern society that will not go away if left unaddressed. Political actors may choose to ignore it, they may be indifferent to the plight of the excluded or openly hostile to their concerns, but as and where modernity progresses, pressure will probably mount to address the problem in one way or another. The most widely used means for addressing it are equal-opportunity policies on the one hand, and empowerment policies on the other. Equal-opportunity policies aim at leveling the playing field through the enactment of laws against discrimination and through affirmative action provisions that reserve certain quotas of goods or positions for members of historically disadvantaged categories. Empowerment policies, by contrast, are directed toward developing people's capabilities through improved public education, health care or housing, provision of access to required resources such as capital or land, and (other) measures that help boost their ability to function in a modern whatever reasons may be adduced to support or sustain exclusionary practices – sometimes through sheer exposure to public scrutiny.

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18 They may even instrumentalize it, as in countless cases of identity politics that invoke certain particularistic identities against some defined “other” that "we” must (or have the right to) defend "ourselves” against, distance "us” from, etc. Many skilled political entrepreneurs have built (and are continuing to build) their careers around such issues which, from a purely political perspective, can prove highly effective (Hardin 1995). The consequences are at best harmless, at worst catastrophic, e.g. when they fuel genocidal politics.

19 This is to be expected even in the case of widespread local acquiescence or suppression of critical voices because the world media have contributed to the emergence of a global public sphere which treats violations of world cultural norms and expectations as scandalous regardless of where they occur.
environment and their self-esteem.

The two types of policies are not alternatives but often complement each other. Where they succeed, modernity comes closer to approaching its normative ideals; where they fail, these ideals are subverted and suspended. But they cannot be permanently suppressed, as attested by their worldwide appeal and motivational power.

V

Compared to categorical inequalities, *gradual* inequalities – mainly income inequalities amongst otherwise equal citizens – appear to be less disturbing. As mentioned in the introduction, they are in principle compatible with the mode of structuration characteristic of modern society, because there is nothing in the mechanism of functional differentiation that makes them normatively dubious *as such*. At the same time, they are far from unproblematic and socially "innocent" because they can have quite disturbing effects and because modern society lacks a universally agreed upon metric for determining the right amounts of gradual inequality that should prevail.

One indicator of the general acceptability of gradual inequality is that most modern conceptions of justice, even those firmly committed to the ideal of equal citizenship and to social redistribution, do not advocate eliminating all inequalities in income or wealth, a notion that philosopher Anne Phillips (1999: 45) says would be "absurd". Instead, taking an egalitarian baseline as their point of departure, they go on searching for reasons and conditions that can render certain inequalities justifiable. And while there is much debate in the pertinent literature about what exactly qualifies as a good reason, the very act of posing that question presupposes the assumption that finding a convincing answer must be possible.\(^{20}\)

Once a fundamental agreement has been reached that some inequalities are acceptable or even desirable because of the positive externalities that they are believed to generate,\(^{21}\)

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\(^{20}\) The currently most influential work representing this mode of thought is John Rawls' theory of justice (1971).

\(^{21}\) An example would be incentives inducing both the socially advantaged and the less well off to work harder, which is believed to increase aggregate social welfare.
various "thorny" problems arise. The first problem is to determine the appropriate levels of inequality that everyone can be expected to accept. As is well known, even the political economies of welfare states, which provide a floor of basic goods and services to all citizens, vary enormously in terms of the income disparities they exhibit, as evidenced by the Gini coefficients of the Scandinavian countries on the one hand, and the Anglo-Saxon countries on the other. Defenders of high levels of inequality typically point to efficiency gains that they claim can be reaped when policy makers refrain from "too much" intervention into markets, thus increasing the overall social product and, through slow but certain trickle-down effects, safeguarding that everyone, including the lower social rungs, benefit(s). However, the premises underlying this argument have been repeatedly found to be wanting, not only because the poor are mostly better off in countries with lower income inequalities, but also because "too much" inequality can actually be harmful for growth, the purpose it is supposed to serve (see, e.g. Persson and Tabellini 1994), while policies of redistribution, when well devised, have the capacity to "increase economic efficiency" (World Bank 2006: 2). Findings such as these render justifications for high inequality questionable

A second, and related, problem is that it is extremely difficult to come up with a meaningful measure for determining a socially just income scale. Position holders within and across work organizations are remunerated very differently, with the differences typically explained and justified by reference to different workers' positions' relative significance to an organization's output/performance. It is, however, virtually impossible to disaggregate this output/performance in a way that permits an accurate attribution of each individual's contribution. Moreover, the "value" added by different occupational groups to the welfare of a (local, national, regional) community can also diverge substantially from their respective remuneration levels, as has been argued repeatedly with regards to bankers after the financial crises of 2008. Should that be taken into account by policy makers, e.g. by levying penalizing taxes on groups whose net contribution is (deemed) negative and rewarding those whose contribution is positive, but who are poorly paid, with special allowances? If income inequalities are to be just, then so must wages, for wages typically constitute a large fraction

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22 The list of problems that follows is not meant to be exhaustive. It only serves as a pointer to the kinds of difficulties facing modern society once it seriously reflects upon the normative basis of seemingly justifiable inequalities.

23 Once the perception gains ground that institutions are the products of our own making, i.e. contingent, they must be justified. The most fundamental norms for the justification of modern society's institutional order are
of a person’s income. But whatever the overall merits of notions such as "meritocracy" – the preferred language to justify income inequalities in modern society –, in contexts of wage determination they often serve a largely ideological function, camouflaging what are in fact the outgrowths of asymmetrical power relations as the proper workings of an ideal that is ironically most strongly advocated by those whose privileges it is least likely to support because in a market order, it is extremely hard to explain these privileges by virtue of an individual's deservingness (Rubinstein 1988). Markets do not and cannot reward anything, only people and policies can. Instead, whatever distributions emerge from their operations are simply a function of demand and supply relations.

Third, while it may seem that problems of the second type could be avoided by aborting all attempts to determine "just" pay levels and resorting instead to the play of free market forces (market-based distributions are to be accepted not because markets enhance efficiency or justice but because of their freedom-affording qualities), this proposal does not work either. The functioning of labor markets is a case in point. Where such markets are left relatively unregulated, as tends to be the case in the so-called "unorganized sector" of the "informal economy", workers, especially low-skilled ones, often find themselves subject to extremely exploitative conditions and to forms of marginality that extend well beyond the reach of those markets. Where labor markets are regulated, on the other hand, they are no longer free markets, thus raising legitimate concerns about their distributional effects and the sources of their justification. Realistically speaking, the notion of a "free" labor market is a chimera anyway, as has been forcefully argued by Claus Offe (2010). For labor markets are often deeply embedded in a framework of public policies that powerfully shape the pre-contractual environment wherein market participants conduct their contractual relations/transactions. Offe mentions conditions such as mechanisms of wage determination; the existence or non-existence of regulations stipulating minimum wages and maximum work hours; the structure of benefits tied to labor market participation; the quality and types of educational/vocational institutions that impart and certify skills; the rules that specify the skills required of an employee to be eligible for a particular job; macro-economic policies, justice norms (Rawls 1971). Incomes are to a large extent a function of the workings of institutions which can be altered. Against this background, income inequalities become susceptible to judgments of justice.

24 An example is Robert Nozick's (1974) libertarianism which favors the “anarchy” of free market forces over all forms of "patterned distribution" which the author says violate the rights of property owners and hence are almost certainly illegitimate.
public sector employment, retirement and migration regimes that (co-)determine the levels of demand and supply for labor; and many others. All of these – politically contingent – factors have a deep impact on the distributional outcomes achieved in labor markets. If that is the case, however, then the burden of justifying these outcomes falls to a very large extent on the political system (rather than the superior rationality of an "invisible hand"), thus bringing the question of justice back in.

Fourth, and finally, even in the unlikely event that the various normative problems in the justification of income differentials could be overcome in a philosophically compelling manner, "too much" inequality might still have adverse effects that would render them socially problematic. This line of reasoning emerges from a globally comparative study that examines the effects of inequality in a number of highly important dimensions of welfare (Wilkinson and Picket 2009). As it turns out, countries with high levels of income inequality have, everything else equal, higher crime (especially homicide) and incarceration rates; a higher incidence of teenage pregnancy and births; lower educational performance amongst students; lower life expectancies; a greater prevalence of health problems (including problems of mental health); and various other "ills" than countries with lower levels of inequality. Also countries with high levels of inequality have low levels of trust, which disincentivizes engagement in public affairs. To the authors, these findings strongly suggest the desirability of measures that reduce existing inequalities. Remarkably, they claim that even the wealthy, who would have to shoulder a larger tax burden in the event, would be better off if such measures were implemented, because their quality of life too suffers from the negative externalities produced by high levels of inequality.

VI

This paper has argued that different types of inequality raise different normative questions. But while categorical inequalities are completely indefensible, gradual inequalities are in principle compatible with the structure and self-understanding of modern society. Now, while it is easy to point to existing problems and to deconstruct ideologies that render them invisible or that serve to perpetuate socially obsolete/unjustified privileges, it can be quite difficult to

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devise appropriate strategies for overcoming such problems. There are several reasons for this. The most trivial is arguably that different social groups have differential access to power resources, which obviously favors the more powerful in struggles for/against change, thus enabling them to "veto" or dilute policies that go against their interests. A second factor is the inertia of established institutions, conventions, traditions, modes of thought that often lock the least well off (or most strongly oppressed) into their disadvantaged position by making them believe they deserve no better; or that create stakeholders in their continuation, thus limiting the possibility space for future policies (cf. the notion of "path dependency"). And thirdly, policies that may be suitable for addressing one set of problems can have negative effects for other aspects of people's well-being, thus requiring trade-offs and rankings for determining their relative urgency.

Of all the factors that hinder change toward a more just social order, this one seems to attract the least amount of attention amongst researchers examining social inequalities, especially amongst sociologists. The reasons for their negligence are beyond the scope of this paper. It is, however, important to be aware of trade-offs in order to avoid simplistic conclusions that suggest all it takes to tackle a problem is to understand its causes and then to implement the "right" policies, as though it were always unambiguously clear what these are. But the content of the "right" policies is not even evident in the field of inequalities alone. It becomes even harder to establish when, in addition to a policy's effects on inequalities, its consequences for other goals must be factored into the equation as well.

Confining ourselves to trade-offs between policies affecting different equalities or inequalities, from what has been argued above, one priority would seem to be relatively straight-forward: whenever policies that involve both categorical and gradual inequalities point in different directions, then the former should take precedence over the latter. Things become more complicated when a policy that addresses one gradual inequality results in the creation/increase of another.26 One reason why this is a lot more complicated is that people can reasonably disagree over the relative weights the problems under consideration should be accorded. So they may arrive at contrary conclusions as to which policy is preferable. Given the value pluralism characteristic of modern society, this predicament is unavoidable even in the unlikely event that complete knowledge exists about a policy's effects. Under these

26 For a sense of the many dimensions of (gradual) inequality and how they relate to each other, see e.g. Sen 1992.
circumstances the only way to resolve conflicting views peacefully is to resort to mechanisms of procedural justice that oblige all affected parties to accept the outcome – for the time being and until the losers manage to garner enough support for reforms that are more in line with their own values, preferences, interests. Needless to say though, resorting to proceduralism is not without problems either (Schmidt 1997).

References


