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Moral equality and social hierarchy

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Abstract

Social egalitarianism holds that justice requires that people relate to one another as equals. To explain the content of this requirement, social egalitarians often appeal to the moral equality of persons. This leads to two very different interpretations of social egalitarianism. The first involves the specification of a conception of the moral equality of persons that is distinctive of the social egalitarian view. Social (or relational) egalitarianism can then claim that for people to relate as equals is for the relations between them to conform to this conception of their moral equality. I will argue against this type of view. Instead, I will argue that social egalitarianism should propose a distinctive conception of social equality as a purely sociological phenomenon. I will show how this conception allows us to formulate the types of normative claims social egalitarianism should make. On this picture, social egalitarianism, instead of identifying social hierarchy as a distinctive kind of wrong, makes standard normative claims about a distinctive kind of social phenomenon.

1 | INTRODUCTION

Social egalitarianism holds that justice requires that people relate to one another as equals. To explain the content of this requirement, social egalitarians often appeal to the moral equality of

persons. This leads to two very different interpretations of social egalitarianism. The first involves the specification of a conception of the moral equality of persons that is distinctive of the social egalitarian view. Social (or relational) egalitarianism can then claim that for people to relate as equals is for the relations between them to conform to this conception of their moral equality. I will argue against this type of view (section 4). Instead, I will argue that social egalitarianism should propose a distinctive conception of social equality as a purely sociological phenomenon. I will show how this conception allows us to formulate the types of normative claims social egalitarianism should make (section 3). On this picture, social egalitarianism, instead of identifying social hierarchy as a distinctive kind of wrong, makes standard normative claims about a distinctive kind of social phenomenon.

2 | SOCIAL EGALITARIANISM: FALSE OR TRIVIAL?

I started with a very general statement of social egalitarianism's central claim that ignores a lot of diversity and nuance in the literature. People disagree, for example, about the scope of the requirement (should all people relate as equals, or the members of a given society, or some other group?) and about the nature of the requirement (is it a requirement of justice, or a moral principle, or are unequal relationships objectionable in some other way?) I will turn to some of the nuances below, but what matters for now is that social egalitarianism proposes a normative demand for equal social relationships.

Social egalitarians in turn commonly claim that this demand is grounded in, or otherwise closely tied to, the idea of the equal moral worth of persons. Here are two passages from the two agenda-setting articles of contemporary social egalitarianism:

> 'Egalitarian political movements [...] assert the equal moral worth of persons. This assertion does not mean that all have equal virtue or talent. Negatively, the claim repudiates distinctions of moral worth based on birth or social identity—on family membership, inherited social status, race, ethnicity, gender, or genes. There are no natural slaves, plebeians, or aristocrats. Positively, the claim asserts that all competent adults are equally moral agents: everyone equally has the power to develop and exercise moral responsibility, to cooperate with others according to principles of justice, to shape and fulfill a conception of their good. Egalitarians base claims to social and political equality on the fact of universal moral equality' (Anderson 1999, 312–13).

> 'Equality [is] a moral ideal governing the relations in which people stand to one another. [...] It claims that human relations must be conducted on the basis of an assumption that everyone's life is equally important, and that all members of a society have equal standing. [...] As a moral ideal, it asserts that all people are of equal worth and that there are some claims that people are entitled to make on one another simply by virtue of their status as persons. As a social ideal, it holds that human society must be conceived of as a cooperative arrangement among equals, each of whom enjoys the same social standing. As a political ideal, it highlights the claims that citizens are entitled to make on one another by virtue of their status as citizens, without any need for a moralising accounting of the details of their particular circumstances' (Scheffler 2003, 21–22).

Claims of this kind are made throughout the social egalitarian literature.[1] The idea, as I understand it, is that social egalitarians claim that people ought to stand in equal social relationships to one another, where this claim is distinct from demands for an equal distribution of one or another good. This demand for social equality is grounded in the equal moral worth of persons. Egalitarian social relationships are the actualisation of our moral equality in social life. Given this strong connection between moral and social equality, we can state the central normative claim (still very generally) as follows:

> *Social Egalitarianism*: the moral equality of persons requires that they relate to one another as social equals.

What does it mean to be one another's moral equals? Moral and political philosophers frequently appeal to the basic moral equality of persons as a notion of fundamental importance; they less frequently explain what this means or what justifies it. Scanlon illustrates this well:

> 'One important idea of equality that I will presuppose but not argue for is what might be called basic moral equality—the idea that everyone counts morally, regardless of differences such as their race, their gender, and where they live. The increased acceptance of the idea of basic moral equality, and the expansion of the range of people it is acknowledged to cover, has perhaps been the most important form of moral progress over the centuries' (Scanlon 2018, 4).

I will largely follow this peculiar tradition. I will not say anything about what might justify the idea, and I will set aside two issues that *have* been the focus of sustained debate: the question of its extension (are all and only persons one another's moral equals, or human beings, or some other group?), and the question of its ground (in virtue of which property or feature are all the beings in its extension moral equals?)[2]

Our basic moral equality is compatible with all manner of differences between us, including morally significant differences. If one person is in need but another is not, for example, this may give us moral reason to help the one but not the other. Further, some people may be good people—they may be virtuous, or stably disposed to act in accordance with moral principles—while others are bad. Relatedly, some people may be fitting targets of blame, punishment, anger, praise, or admiration, while others are not. The kind of moral equality I'm concerned with remains in place regardless of such differences.

I make two further assumptions about the moral equality of persons. First, our moral equality is tied to moral principles. This tie can be understood in terms of a grounding relationship: we each have the same moral worth, and our moral worth grounds a range of moral principles that entail that others (and perhaps we ourselves) ought to treat and regard us in various ways. Alternatively, we may accept a more deflationary conception of our moral worth, according to which our moral worth consists of a range of moral principles that specify how we ought to be treated and regarded. On each of these views, we can either connect the moral worth of persons to the moral law in general, or we could think of our moral worth as connected to a more specific subset of valid moral principles covering, for example, interpersonal morality, or what we owe to each other.

[1] See, for example, O'Neill (2008, 131); Kolodny (2014, 299-300); Fourie (2015, 117-18).

[2] See, for example, Carter (2011), Waldron (2017), Sangiovanni (2017), and many of the contributions in Steinhoff (2015).

Second, the idea of our basic moral equality is compatible with a wide range of substantive moral views. The *concept* of the equal moral worth of persons is neutral with respect to a range of substantive moral views; different particular substantive moral views each provide a distinctive *conception* of the equal moral worth of persons. For example, it is often held that the categorical imperative offers a conception of moral equality in requiring the humanity of each person to always also be taken as an end in itself. The principle of utility conceives of the moral equality of persons in terms of the equal weight it attaches to the happiness of each. Similar remarks can be made about Nozick's Lockean side constraints, or about Scanlon's contractualist principle. Of course, if some set of moral principles is correct, then only those principles capture our actual moral equality.[3]

We are moral equals, no matter the social relationships between us; we should be social equals to reflect our moral equality. What is it to relate to one another as equals in social life, and what is its inverse, social hierarchy? The literature on social hierarchy and equality is vast, and I will not attempt to survey it here. One of the main tasks of section 3 is to present a detailed account of social hierarchy, and to show how this account can provide an attractive picture of the claims social egalitarianism makes. Since I'm concerned with the relationship between social hierarchy and moral equality, I will here limit myself to the most common kind of conception of social hierarchy given by social egalitarians. These authors provide lists of different aspects, dimensions, types, or elements of social hierarchy or equality. Viehoff (2014, 357), for example, holds that equal control over a relationship, equal freedom, equal consideration, and equal rights are distinct elements of relational equality. Anderson writes of three types or dimensions of social hierarchy: of authority, esteem, and standing (2017, 3). Similarly, Kolodny holds that social hierarchy 'has to do with' relative power, *de facto* authority, and consideration.[4] I will use the term "cluster conceptions" to refer to views of this kind.[5]

Cluster conceptions can be read in two main ways. The first is positivist: whether a social structure, or a set of social relationships, is equal (or hierarchical) depends on social facts and not on its merits. On this picture, the presence of (in)equalities in any of the dimensions, aspects, or elements in a given social relationship is taken to be a matter of social fact. This is a natural reading of Kolodny's view, which understands power in terms of the ability to determine outcomes, takes the authority at issue to be *de facto* authority, and thinks of consideration in terms of (un)favourable attitudes like esteem or contempt.[6] On this picture, *Social Egalitarianism*

[3] There are also (sets of) moral principles that are incompatible with the basic moral equality of persons, and that do not represent a conception of our moral equality. One example would be a principle just like the principle of utility, but which assigns different moral significance to the happiness of different people based on differences in, for example, sex or race. Another example would be a principle requiring us to always treat the humanity of some but not other people always also as an end in itself. I do not have a general theory of how (sets of) moral principles that do offer a conception of our moral equality are to be distinguished from those that don't, but I will proceed on the assumption that we can make this distinction, at least in paradigm cases.

[4] Kolodny (2014, 295-6); Kolodny narrows this down to two dimensions in his more recent work (2023, chapter 5).

[5] Not all proponents of relational or social egalitarian views accept cluster conceptions. See, for example, Scheffler (2015), and Lippert-Rasmussen (2018, chapter 3).

[6] This reading fits with the idea that disparities or asymmetries of power, authority, and regard constitute social hierarchies. Sufficiently tempered disparities or asymmetries are unobjectionable social hierarchies, insufficiently tempered ones are objectionable. Kolodny often writes like this in his recent work, but he also repeatedly presents things in a different way (2023, chapter 5). On this alternative reading, only insufficiently tempered disparities and asymmetries are genuine social hierarchies, and all social hierarchies are objectionable. This would give us a non-positivist version of Kolodny's cluster conception.

then makes a normative claim about a non-normative sociological phenomenon: our moral equality demands that the social relations between us are equal and not hierarchical.

The immediate problem is that it turns *Social Egalitarianism* into such a sweeping claim that it has little plausibility. The conceptions of social hierarchy offered by Kolodny, Viehoff, and Anderson are very inclusive. It is hard to think of any realistic social relationship that is not characterised by inequalities in authority, esteem, standing, freedom, rights, consideration, or control over the relationship. If all such relationships are violations of the moral equality of their participants, then it would seem that by and large all social relationships, past, present, and future, are wrongful or unjust. This is implausible because social hierarchies are social structures that can play an important role in organising and coordinating the actions and attitudes of groups. This can function to realise certain aims, and those aims can in principle be sufficiently morally important to outweigh some of the burdens imposed on participating individuals. Moreover, a range of what Kolodny calls "tempering factors" may be present to undercut objections we may have against hierarchical social relationships: they may be specific to time, place, and context, narrow in scope, easily avoidable, and so on (2023, section 5.4). Authority hierarchies of the kind you find in police forces, the military, or the civil service may be examples here, or the mentor-mentee relationships prevalent in academic settings or music instruction. To be sure, actual examples of those relationships often are objectionable. But, some may not be, and we can imagine somewhat idealised versions of these relationships that are unobjectionable but nonetheless clearly hierarchical.

The natural response is to restrict the scope of social egalitarianism's normative claim: only some hierarchical social relationships run counter to our moral equality, and our moral equality only requires certain dimensions, aspects, or elements of social equality, or only in specific contexts. My main aim in section 3 is pursue this response, using a more detailed and precise conception of social (in)equality.

The alternative reading is non-positivist: whether a social structure or set of social relationships is equal (or hierarchical) depends not just on the social facts, but also on its merits. For social egalitarians, equality will involve some kind of positive normative qualification, hierarchy a negative one. We would get a non-positivist reading of Viehoff's conception, for example, if we read "authority" as genuine moral authority, or of Anderson's view if we take "standing" to refer to moral standing. Scheffler also suggests a non-positivist view in arguing that in equal social relationships, the parties regard and are disposed to treat each person's equally important interests as equally weighty in shared decision-making (2015, sections 1.2 and 1.4). Whether a relationship is hierarchical depends not just on the parties' views or dispositions, but also on whether various interests are given appropriate weight given their importance.[7]

On this picture, social egalitarianism says that the moral equality of persons demands relationships between persons that are defined as in some respect meritorious (and the absence of relationships that are defined as objectionable). This avoids the problem of the positivist reading: no overly sweeping claim is made when we say that our moral equality demands that we do not relate in objectionably socially unequal ways. The obvious price is that this risks trivialising *Social*

[7] Lippert-Rasmussen's conception of social equality can also be given positivist and non-positivist readings depending on how crucial terms like 'basic normative social rules and axiological principles,' 'equal importance,' and 'fundamental social significance' are understood (2018, 83). Viehoff suggests a non-positivist view as well, in arguing that an adequate conception of social hierarchy must explain why describing a social arrangement as hierarchical counts as a complaint against it (2019, 16-19).

Egalitarianism. Section 4 discusses attempts to avoid triviality by providing a more specific and detailed conception of the moral worth of persons. On this kind of picture, social egalitarianism does not make a standard normative claim about a non-normative sociological phenomenon; instead, it seeks to identify social hierarchy as a distinctive kind of wrong or injustice.

3 | THE SOCIAL REALISATION OF MORAL EQUALITY

3.1 | The valuing view

If social equality and social hierarchy are non-normative sociological phenomena, then we need social egalitarianism to make a more nuanced normative claim than the blanket assertion that our moral equality demands that we be social equals. In this section, I present a more precise and detailed positivist account of social hierarchy than those usually offered in the social egalitarian literature. I will argue that having such an account provides crucial materials for sharpening up the kinds of normative claims we should make about these social structures.

I will primarily rely on the account of the nature of social hierarchy I developed in a recent article (van Wietmarschen 2022).[8] The first key component of this account is that social hierarchies are sets of social norms (van Wietmarschen 2022, 923–925). These norms require different patterns of attitude and behaviour, depending on who you interact with and depending on who you are. One is (normatively) expected to treat and regard lords, renowned professors, and medical doctors in certain ways, and how one is expected to treat and regard them depends on whether you are like them or a mere commoner, graduate student, or nurse instead. My argument here does not require that I settle on a particular conception of what social norms are. What I say will be consistent with, for example, Bicchieri's view, which takes social norms to be patterns of preferences to conform to rules, conditional on the believed normative and empirical expectations of the members of the relevant population (2006). But also with the view of Brennan *et al.* (2013), which says that social norms are patterns of normative attitudes which individuals take to be grounded in social practices. What will matter for my purposes is that the presence or absence of a social norm in a given population is a matter of social fact. Social norms are patterns of attitudes, and even if the attitudes are normative attitudes, whether the relevant people have the relevant attitudes is not determined by the merits of these attitudes or of the resulting social norm.

Mere diversity in the ways social norms require different individuals to interact with others does not make for a social hierarchy yet. The second key part of the account says that sets of social norms constitute social hierarchies just when the patterns of attitude and behaviour they require amount to valuing some members of the group more than others (van Wietmarschen 2022, 925–927). In a prestige hierarchy, for example, people are expected to look up to, admire, praise, and emulate high-placed individuals, and to frown upon, scoff at, and ignore low-placed individuals; such patterns of response constitute valuing high-placed individuals more than low-placed ones *as*, for example, academic philosophers or musicians. Social hierarchies that revolve around power, dominance, and authority seem harder to fit this account. My view is, first, that brute differences in power are not social hierarchies. Second, in dominance and

[8] Another relatively well worked-out and detailed account of social hierarchy and social equality in the social egalitarian literature is Lippert-Rasmussen's (2018, chapter 3). His account can be read as a positivist account, and could then be used to replicate at least some of the claims I make later in this section.

authority hierarchies—think the military, the mob, or the playground—there are social norms that require individuals to defer and give *de facto* authority to others. Giving some individuals greater standing than others to determine our conduct and will is plausibly a way of valuing the former more than the latter.[9] Social hierarchy, on this view, is not understood in terms of unanalysed differences in "social standing" or "social worth," but in terms of norm-required patterns of individuals valuing people more or less than others. It's important to emphasise that the account leaves open in which way, or in which respect, some individuals are valued more than others. Social hierarchies may revolve around valuing people as more or less pious, pure, noble, beautiful, wise, etc., no one need be accorded greater or lesser *moral* worth. I will refer to the resulting account as the "valuing view" of social hierarchy.

One further feature of social hierarchy will be important for my discussion: hierarchical (and egalitarian) social relationships are relative to a social context (see van Wietmarschen 2022, 922). Sergeants are superior to privates in the context of the military, bishops to deacons in the Catholic Church, and so on. A single individual can occupy different positions in different contexts, and so be in relatively high and low social positions at the same time. In some cases, the relevant social context may be an entire society. Some cases of race, gender, class, and caste hierarchies may be examples of this, and the all-encompassing character of such hierarchies may partly explain what makes them especially problematic. The valuing view captures this feature in virtue of the context-sensitivity of social norms. Social norms are patterns of attitudes in a given population making reference to the normative and empirical expectations, or the social practices, of that population. Different patterns of attitudes can be present in, and make reference to, different (sub)populations.

The valuing view is positivist. Social hierarchies are constituted by sets of social norms, and those norms are in turn constituted by certain patterns of attitudes in the relevant population. The presence or absence of such patterns is a matter of social, or psychological, fact. The content of these norms is given by the content of the attitudes present in the population. Whether that content is such that the norm-required patterns of attitude and behaviour constitute valuing some people more than others is, again, a matter of social or psychological fact. Though the account is explicitly about social hierarchy, it fairly obviously yields a conception of an egalitarian social structure as a set of social norms that requires patterns of attitude or behaviour that do not amount to valuing some members of the group more than others.

The valuing view is a lot less inclusive than the cluster conceptions discussed above. This is one advantage of understanding social egalitarianism in terms of the valuing view, compared to cluster views. Much of the significance of social egalitarianism stems from its close connection to the kinds of social structures that profoundly shape the lives of individuals—hierarchies of race, class, caste, and sex are salient examples, as are various kinds of marginalisation and stigmatisation of people with certain disabilities, sexual orientations, or gender identities. On the valuing view, these kinds of social structures plausibly count as paradigm instances of social hierarchy. The valuing view also includes social arrangements that many deem much less problematic, such as command hierarchies in police forces or the military, or prestige hierarchies in academia, but even here the question of whether these arrangements actually are just, or in keeping with the moral equality of persons, seems salient. Of course, cluster views will also capture the paradigm cases of social hierarchy. However, as indicated above, cluster views cast a *much* wider net, covering more or less every realistic social relationship. Consequently, a positivist reading of the cluster view

[9] See van Wietmarschen (2022, 927-929) for more detail on these points.

does not identify a distinctive kind of sociological phenomenon in which we have a normative interest.

That being said, even on the valuing view it remains implausible that all social hierarchies are in conflict with the moral worth of persons (or otherwise unjust or wrongful). On this view too, hierarchical social structures can serve morally important goals, they can be narrow in scope, easily avoided, etc., and intuitively unproblematic examples still fit the account. *Social Egalitarianism* is still in need of refinement.

3.2 | Against hierarchy

We can think of social egalitarianism as making a positive and a negative claim: the social relationships between people should be equal, and they should not be hierarchical. In terms of my concern with moral equality, the negative claim would become:

> *Anti-Hierarchy*: the moral equality of persons requires that the social relationships between them are not hierarchical.

Given a positivist conception of social hierarchy this claim is too general, but the solution for this is simple. Social egalitarianism should claim that *some but not all* hierarchical social relationships are contrary to the moral equality of persons.

Social egalitarianism, as far as its negative claim is concerned, would then become a project of applied ethics (or applied normative political philosophy). The task would be to determine, for a wide variety of instances or types of social hierarchy, whether they are in conflict with the moral equality of persons. Social egalitarianism can make this negative claim, and engage in this task, on a cluster conception of social hierarchy just as well as on the valuing view. Of course, the valuing view will produce a much more limited range of social phenomena that would be up for normative assessment in this way compared to the cluster views mentioned before, but the overall structure of the project remains the same. In this regard, the valuing view has no distinctive advantage over cluster views.

The identification and analysis of hierarchical social structures that are in conflict with the moral equality of persons (or are otherwise wrongful or unjust) strikes me as an obviously worthwhile intellectual pursuit. It may lead to informative accounts of problematic kinds of social hierarchy (terms like subordination, stigmatisation, and marginalisation may refer to such kinds) and to more casuistic analyses of specific social arrangements. Much work has been done in this direction, and nothing I say takes away anything from the value of such work. However, some social egalitarians hold that the view should limit itself to this negative project. Jonathan Wolff provides the most explicit and elaborate argument for the view that social egalitarianism should limit itself to the identification of manifestly unjust forms of social hierarchy, and should refrain from trying to formulate a positive conception of social equality (2015, 213–222).[10] My concern with this proposal is that it makes social egalitarianism redundant. Social hierarchies are complex social phenomena with profound effects on the lives of their participants. Any plausible

[10] Kolodny's exclusive focus on claims against inferiority (rather than claims to equality) reflects a similar view (2023, 87-156). See Anderson (1999, 312) and Tomlin (2014, 158-159) for different formulations of the distinction between positive and a negative social egalitarian claims.

conception of the equal moral worth of persons will hold that some hierarchical social relationships violate the equal moral worth of persons. Consequently, any position that accepts the moral equality of persons will accept the, on this view central, social egalitarian claim that some but not all social hierarchies are compatible with our moral equality. Further, there is nothing special about social hierarchies that make them (sometimes) opposed to the moral worth of persons. Since the moral worth of persons grounds, or is constituted by, a set of moral principles, any practice, social structure, or even individual action that violates those principles conflicts with our basic moral equality. An unequal distribution of resources, insofar as this wrongs people, is also in conflict with our basic moral equality, and so is, to use Etinson's example (2020, 357), having your bicycle stolen.[11]

One way to avoid this redundancy is by restricting the negative claim of social egalitarianism in a different way. I have focussed entirely on saying that some but not all social hierarchies are unjust, wrongful, or contrary to the moral equality of persons; we could instead say that *all* social hierarchies are *pro tanto* objectionable. Cases in which social hierarchy does not seem to conflict with the moral equality of persons are simply cases in which this *pro tanto* objection is outweighed by other considerations. Social egalitarianism avoids redundancy by making this unified normative claim, a claim not shared by every conception of the moral equality of persons that places significant restrictions on hierarchical social arrangements.

I am personally quite sympathetic to this view. However, I do not have a positive argument for this view, nor do I know of any such argument from the literature. There would be a straightforward way to disprove the view, if we could give a clear example of a social hierarchy that is *entirely* unproblematic. It is sometimes suggested that mentor-mentee relations might be like this, or certain student-teacher relations. However, the *pro tanto* reason we may have to object to such a relationship may easily be outweighed, and it may be of little weight in the first place, so that any moral remainder is of minimal significance. Given this, I do not know how to tell the difference between my judgment that there is no *pro tanto* reason to object to an imagined mentor-mentee relation at all, and my judgment that although there is *some* reason to object to the hierarchical nature of this relationship, this reason has little weight and is outweighed by all the benefits of the relationship. This being said, the valuing view makes it significantly easier to defend a *pro tanto* objection to social hierarchy compared to typical cluster views. Cluster views tend to think of social hierarchies in terms of asymmetries or disparities of authority, power, esteem, and regard, without requiring the presence of a social structure in the form of a set of social norms. This makes cluster views much more inclusive, which in turn makes the claim that all hierarchical relationships are *pro tanto* objectionable much more sweeping.[12]

[11] A more specific conception of the moral equality of persons might avoid this conclusion. I will discuss such proposals in section 4. We could also try to avoid the redundancy by claiming that social egalitarianism is committed to a particular set of conclusions about the wrongfulness certain (kinds of) social hierarchies. This would seem arbitrary, and precludes debate among social egalitarians about which kinds of social hierarchy are to be opposed.

[12] This is one reason, I think, why Kolodny rejects such a claim even though his view comes very close to defending it. Kolodny (2023) provides an elaborate justification for the idea that we have a standing claim against relationships of inferiority; arguing that this claim is necessary to explain the wrong of corruption, discrimination, gerrymandering, and other phenomena. This standing claim against inferiority, however, is a *prima facie* and not a *pro tanto* claim: tempering factors, as Kolodny calls them, can undercut and not merely rebut this claim. When we are someone's inferior in a hierarchical social relationship, then the presence of sufficient tempering factors does not mean that our claim against inferiority is outweighed, it means that we do not have a claim against it at all (2023, section 5.4).

3.3 | The social status of a moral equal

The main advantage of the valuing view is that it provides a conceptual basis for adding a substantive positive claim to social egalitarianism. The generic statement of this positive claim is that the moral equality of persons requires that they relate to one another as social equals. What might this involve? I have been assuming that the equal moral worth of persons is tied to a set of moral principles, either because those moral principles are grounded in our equal moral worth, or because these principles partly constitute our equal moral worth. If we assume that we are of equal moral worth, and hence that the relevant set of moral principles is valid, then it does not follow that these principles are reflected in our social relationships. This suggests a simple formulation of social egalitarianism's positive claim: the social relationships between people ought to conform to their equal moral worth. This, however, would be a more or less trivial claim: any view will hold that insofar as social relationships can violate the valid moral principles grounded in or constituting our equal moral worth, they should not.

According to the valuing view, social hierarchies are constituted by sets of social norms, and so are non-hierarchical or egalitarian social structures. Social norms, on the two views I mentioned before, are patterns of attitudes in a given population (patterns of conditional preferences on Bicchieri's view, or patterns of normative attitudes grounded in social practices on the view of Brennan *et al.*). In either case, there being a valid moral principle with a given content, and even the universal compliance with that principle in a given population, does not imply that there is a social norm with that content in that population. This gives social egalitarianism a substantive positive claim to make: the moral equality of persons requires that all persons have an equal social standing as a moral equal. This social standing is constituted by a set of social norms, and the content of those norms mirrors the moral principles grounded in or constitutive of the moral equality of persons.

Stated in this general way, this claim is incorrect. Social norms are context-specific in a way that the moral norms associated with the moral equality of persons are not. Social norms apply in a particular social context and make demands of the members of a given social group. To claim that all persons in the world should come together to constitute the kind of social group to which social norms apply seems unreasonably demanding. It seems more plausible to hold that when there are substantial social relationships among a given set of persons, their moral equality requires that there is a set of social norms that gives them an equal status as a moral equal in that group.[13] I will not try to specify when social relationships are "substantial" so as to trigger this requirement, but this is a key point at which social egalitarianism is a view in normative social or political philosophy, and not a general moral theory.

Even with this restriction in place, social egalitarianism's positive claim is still too general. Social norms are pieces of social reality, constituted by various preferences or normative attitudes, including (believed) readiness to enforce the relevant rules. The presence of social norms has its own costs and benefits, aside from the desirability of general conformity to the principles that form the content of these norms. These costs and benefits can make it the case that it would be bad, wrong, unjust, or otherwise objectionable for certain (valid) moral principles to be encoded in social norms. This idea is familiar from legal theory.[14] Laws, similar to social norms, are complex

[13] Kolodny makes a similar point, claiming that relations of inferiority can only exist between persons who genuinely relate to one another, and where "genuine relations" are understood to be social relationships, broadly construed (2023, 89).

[14] See, for example, Bentham 1988 (1781, 170-177), and Feinberg (1992).

institutions, and there are various reasons why it would be objectionable for these to be laws mirroring the full content of (valid) moral principles. It might be too costly to legally regulate certain moral requirements, effective enforcement may be too intrusive, any sanctions or punishments may be worse than the crime, it may be morally required that we have a legal right to engagement in some kinds of (morally) wrongful conduct, and so on. These same reasons apply to social norms as well. The upshot is that the moral equality of persons at most requires a subset of the associated valid moral principles to be encoded in social norms.[15]

A further complication is that moral principles may leave certain matters unspecified. For example, it may be that, under certain circumstances, individuals have moral claims to external objects that take the rough shape of property rights. However, the relevant moral principles may leave underdetermined which precise set of social or legal norms should regulate people's claims to external objects in a given social context. Social groups may 'select' any set of social or legal norms from a certain range, but the relevant moral principles require that one such set is selected. This produces an addition to the social egalitarian claim I am considering: the moral equality of persons not only requires that, for a given society, there are social norms of which the content mirrors a subset of the moral principles founded in or constituting their moral worth; in addition, the moral equality of persons demands the presence of sets of social norms that constitute permissible specifications of valid moral claims.[16]

Anti-Hierarchy represents the negative part of social egalitarianism: the moral equality of persons requires that certain kinds of social hierarchy are not present. This subsection considers the positive part of social egalitarianism: each member of a given society is to be provided with a social status as a moral equal. Naturally, the social egalitarian would claim that this social status as a person of moral worth is itself to be an *equal* social status. But this presents us with a problem. I have been assuming that certain (sets of) moral principles represent a conception of the equal moral worth of persons, and that others do not. As I said, I do not know how to distinguish between the two in a general manner. But if we start from (a set of) moral principles we assume to be egalitarian in this way, it does *not* follow that a set of social norms that encodes a subset of those principles, in combination with some permissible specification of valid moral claims, is itself egalitarian. A positivist theory of social hierarchy that explains when a social position is above or below another can resolve this difficulty. On the valuing view, a set of social norms gives each participant an equal status just when the required patterns of attitude and behaviour constitute valuing each individual equally.

Taking all this together, we can formulate the positive side of social egalitarianism a bit more precisely as follows:

> *Social Status as a Moral Equal*: the moral equality of persons requires that, in a given society, there is a set of social norms that (a) encodes a particular subset of the moral principles grounded in or constitutive of each person's equal moral worth;

[15] I will not try to specify what this subset is. Given the kinds of considerations that determine which social norms there should be, this subset will vary from one social setting to the next.

[16] Eidelson (2023) emphasises moral requirements to express our recognition of one another as equals, and to refrain from expressing a view of others as our inferiors. For my purposes here, I will treat such requirements as part of the valid moral principles grounded in, or constitutive of, our moral equality. As Eidelson's discussion highlights, these kinds of principles are especially likely to leave underdetermined which specific social rules or conventions are suitable given a broader social context. Moreover, any such social rules would have to be compatible with the social norms capturing other aspects of our social standing as moral equals.

(b) provides a permissible specification of those moral principles that require specification; (c) gives each individual an *equal* social status.

As with the *Anti-Hierarchy* principle, this is still merely a *type* of claim for social egalitarianism to make. Much of the force of social egalitarianism lies in the specification of the content of a generally formulated principle like this. My point is that the valuing view can give these types of claims distinctive content, compared to the trivial claim that our social relationships should conform to our equal moral worth.

The *Anti-Hierarchy* and the *Social Status as a Moral Equal* principles are not reducible to each other. This is fairly obvious in one direction. There could in principle be a society in which there is no social hierarchy, but in which the moral principles that should be encoded in social norms are routinely violated. Perhaps there is no effective protection of claims to external objects, or no guarantee and protection against physical assault, but this is equally true for all members. In such a society (if you can call it that), *Anti-Hierarchy* would be satisfied, but people would not enjoy the social status of a moral equal. *Anti-Hierarchy* can also not be reduced to *Social Status as a Moral Equal*, because of the context-sensitivity of social norms. There could be social norms that apply to all members of society and that give each person a social status as a moral equal. This is compatible with the presence of hierarchical social relationships in other contexts. In this way, the equal social status of all persons as moral equals may be compatible with, for example, command hierarchies in the military or prestige hierarchies in academic settings. Some such social hierarchies may violate the *Anti-Hierarchy* principle. Such objectionable social hierarchies may also run counter to the moral principles encoded in the social norms required by the *Social Status as a Moral Equal* principle, but since these social norms do not encode all valid moral principles they need not. Furthermore, even if the behaviour and attitudes prevalent in the local hierarchy violate the social norms of our social status as a moral equal, this does not show that the *Social Status as a Moral Equal* principle is itself violated: there can be a (morally required) set of social norms, even if those social norms are not always followed.[17]

4 | SOCIAL HIERARCHY AS A NORMATIVE IDEA

I have presented a picture of social egalitarianism according to which the moral equality of persons requires that certain types of social hierarchy are absent, and that people are given a social status as a moral equal. On this view, social egalitarianism makes a non-distinctive type of normative claim about the distinctive social phenomena of social equality and social hierarchy. I now return to some of the claims of social egalitarians, cited in the introduction, which suggest a much closer connection between social hierarchy and moral equality.

One idea suggested by Scheffler, Anderson, and others is that social equality is an ideal that consists in the realisation or actualisation of our equal moral worth in social life. There is a way

[17] This points to a complicated issue in our understanding of social norms. It is clear that the existence of a social norm does not require universal compliance with that norm, but routine or pervasive violations of a social norm do put pressure on its (continued) existence. This means that although the *Social Status of a Moral Equal* principle can be satisfied in the presence of local social hierarchies that violate the norms associated with that principle, if such hierarchies are sufficiently prevalent or pervasive they would conflict with the principle. It is hard to be more precise about the relevant thresholds without a much larger discussion of social norms.

to interpret this type of suggestion so that I have no significant objection to it. *Anti-Hierarchy* and *Social Equality as a Moral Equal* are general statements of the type of normative claim social egalitarians should make. These statements need filling in with detailed accounts of which hierarchical social relationships are unjust and why, and which kind of equal social standing each person is to have. If we take this concrete normative content of social egalitarianism together, we could then propose to label this the "ideal of social equality." This would be fully in line with what I have proposed, it would simply attach a label to the resulting normative view.

A more substantial interpretation of this suggestion is that social equality and social hierarchy should be *defined* in terms of the moral equality of persons. Social structures or relationships are egalitarian just when they conform to, or reflect, our basic moral equality; they are hierarchical when they fail to conform to our basic moral equality, or when they reflect a purported moral inequality between people. This would be a rejection of positivism about social hierarchy and social equality: the moral equality of person is a normative notion, so that whether a given social structure is egalitarian does depend on the merits of that structure. This aligns with frequent talk among social egalitarians of social equality as an ideal, it also fits with Viehoff's idea that an adequate analysis of social hierarchy must explain why social hierarchy is inherently problematic (2019, 11–18), and with the idea that the claim that a social arrangement is hierarchical is a complaint against it (2019, 11).

How we should view this type of non-positivist proposal depends on how we construe the equal moral worth of persons. Throughout this paper, I have worked with a generic view of the equal moral worth of persons. Our moral worth is tied to a set of moral principles, but any set of moral principles that falls into a broad range of more or less modern moral views represents a conception of our equal moral worth. If we combine a non-positivist definition of social equality—as social relationships that reflect our moral equality—with such a generic conception of what this moral equality consists of, then my concern is that social egalitarianism would not have anything interesting to say. Whichever conception of the basic moral worth of persons one endorses, it is tied to some set of moral principles, and those moral principles will inevitably place certain constraints on how social structures and relationships are to be arranged. Trivially, one would hold that social structures and relationships are to be arranged in keeping with those principles and hence in such a way that they conform to, or reflect, our equal moral worth. If that makes one a social egalitarian, then just about any view that is taken seriously in contemporary normative theorising counts as a socially egalitarian view.

This problem can be avoided if we introduce more specific moral principles to characterise our basic moral equality. Some social egalitarians have done precisely this. Scheffler, for example, appeals to a principle requiring that we assign equal significance to the equally important interests of different people (2015, 35–36). Anderson (2010) proposes that the fundamental disagreement between relational egalitarians and distributive egalitarians concerns their conception of moral justification. Distributive egalitarians adopt a third-personal conception of justification, relational egalitarians a second-personal conception. This second-personal conception of justification is in turn explained in contractualist terms: we ought to act in accordance with principles which no one could reasonably reject, the principles regulating our interaction are to be justifiable to all, we all have the standing to hold each other accountable for our conduct.[18] Both Scheffler's

[18] Anderson draws on the work of Scanlon (1998) and Darwall (2006) to give content to this view. Lippert-Rasmussen (2018, 185-192) argues that relational egalitarianism is not committed to a second-personal conception of justification (and that luck egalitarianism is not committed to a first-personal conception of justification). My claims in this section are different from but aligned with Lippert-Rasmussen's argument.

and Anderson's principles can be seen as a specific interpretation of (part of) our basic moral equality.

We can then propose that social structures are egalitarian just when all participants abide by the relevant principle. Each participant assigns equal significance to the equally important interests of each other participant, or each participant accepts that all others have the authority to hold them accountable for their conduct. Social structures are non-egalitarian or hierarchical to the extent that these principles are violated by their participants. On this interpretation it would, of course, be trivial to claim that the moral equality of persons requires that they relate as equals, or that social hierarchies are unjust. But the identification of a set of social relationships as hierarchical would constitute a substantive normative claim, and, moreover, a normative claim distinctive of social egalitarianism because it is made in terms of a distinctive account of the moral equality of persons.

This view proposes a concept of the equal moral worth of persons, or of the associated moral principles, and labels itself "social egalitarianism." There isn't much wrong with this use of the label, but this proposal loses its grip on most of what makes the social egalitarian project worthwhile. Social hierarchy is an important and widespread type of social organisation. Many people, throughout history, have lived their lives as participants in hierarchical social structures, and this participation has shaped their behaviour, motivation, and prospects in life. People's navigation of social hierarchies gives rise to characteristic emotions such as pride, shame, disgust, contempt, and admiration. It is not surprising that social hierarchy is the subject matter of a vast body of empirical literature, spanning a wide range of academic disciplines such as sociology, anthropology, psychology, history, economics, and political science. Much of the force of the social egalitarian project lies in bringing *this* social phenomenon into the centre of normative social and political theorising. This is what has helped direct attention away from distributive questions, and towards questions about class, gender, race, disability, and caste, and about marginalisation, stigmatisation, and domination.

All this can be said given a positivist conception of social hierarchy. Those who accept and find unproblematic a hierarchical social arrangement can participate in it, and can recognise it as a social hierarchy, as much as those who reject and revolt against it can. Social scientists can study social structures, and can identify them as hierarchical, without having to determine whether they are objectionable or not. Given a moralised conception of social hierarchy, however, it's an open question whether any of these social structures are in fact hierarchical. This will depend on whether they run counter to our moral worth—on whether they conform to a principle requiring interests to be counted equally, or to a principle of mutual accountability. The result is a version of social egalitarianism that is disconnected from our everyday experience, and our social scientific investigation, of social hierarchy.

The disconnect runs in the opposite direction as well. There will be all sorts of social arrangements in which equally important interests are not assigned equal significance, or in which people act or relate in ways that cannot be justified to all, but that are not recognisable as hierarchical social structures. There are social structures in which some people are simply wronged because such principles are being violated, without being made the inferior of anyone. Our moralised conceptions would make social hierarchies of all such structures, again driving a wedge between such conceptions and the way we live and investigate hierarchy in social life.

This disconnect is problematic in its own right, but it also invites equivocation. When social egalitarians write about social hierarchy, social equality, or social inequality, it is not always easy to tell whether they mean to refer to a particular kind of wrong or injustice, or to a sociological phenomenon. It is also not always clear that the meaning of these terms is held constant through

all the steps of an argument. My proposal, of course, is for social egalitarians to consistently use a positivist conception of social hierarchy and social equality. My hope is that even those who reject this proposal might be more explicit and consistent in their use of social hierarchy as a normative notion.

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