

Philosophy Report – October 2019

Equal Opportunity in Employment Elizabeth Long

Following on from our previous discussion on equality, we looked at equality in employment and, in particular, the ideas around reverse discrimination or affirmative action. Most people would agree that the principle of equality is a fundamental assumption of a democratic society and it is generally accepted that equality of opportunity is a 'good thing' and that there is, or has been, discrimination against different groups.

How does equal opportunity in employment work? It doesn't mean that everyone can do whatever job they want. It means that those with the relevant skills and abilities should have equal opportunities, regardless of class, gender, race, religion etc. (where does equality of educational opportunity fit in – is this discrimination before we even get to the employment stakes?). It has been (and still is to some extent) the case that there has been discrimination against some groups when it comes to employment. Women are still fighting for equal pay? Men are only now in the process of being treated equally in terms of pension age.

An egalitarian philosopher would argue that anyone with relevant qualifications should be given equal consideration except in rare cases e.g. a blind person cannot drive a bus or fly a plane (currently!). Some people would go further and say that the imbalance in many professions should be corrected e.g. there are more male judges than female judges.

This led us on to consider reverse discrimination (affirmative action) and whether it is justified? This is where society is trying to redress the balance, by actively recruiting people from previously discriminated against groups. By treating people unequally, albeit on a temporary basis, it is thought to speed up the process of redressing the balance. "Affirmative action" means positive steps taken to increase the representation of women and minorities in areas of employment, education, and culture from which they have been historically excluded. When those steps involve *preferential* selection (selection on the basis of race, gender, or ethnicity) affirmative action can generate intense controversy. e.g. Do you increase representation by appointing discriminated groups even if they are not as qualified or able as others?

The aim of redressing the balance may be egalitarian but it can be seen as unfair and anti-egalitarian. Does the end justify the means? If you are a true egalitarian, it should be wrong to consider any form of discrimination, even if you are trying to redress the balance. Also, there is a strong argument that it may lead to resentment if those not appointed have the perception that those appointed are only done so on the basis of gender, race etc. and not as qualified as they might be. Also, if you have not been appointed because you don't come from one of the disadvantaged groups, you can end up resenting those groups.

Crime and Punishment

Wallace Anderson

We have been looking at Liberty and Equality and the conflict which there seems to be between the two ideas.

Where does punishment fit in?

A starting point for discussion was the concept of the Social Contract.

The essential idea behind the Social Contract was that men and women (and all other genders) originally lived in a state of nature and that they entered into a contract with society to surrender some of their freedoms in return for collective security and well-being.

This involved the consideration of the concept of punishment.

One division within the concept of punishment is to divide its purposes into four, namely Punishment as Retribution, as Deterrence as Protection of society and to Reform

These elements are not mutually exclusive but most people will put heavy emphasis on one of the elements.

Two philosophers approached the concept of the social contract from different starting points.

Hobbes was pessimistic about man's nature and put heavy emphasis on retribution.

Locke was more optimistic and Locke divided the rationale for punishment into those that are backward looking and those that are forward looking which is perhaps the origin of current thinking.

Backward-looking rationale focused on retribution including the right to inflict on the criminal harm comparable to the crime. An eye for an eye.

Forward looking rationale includes deterring crime, protecting society from dangerous people and rehabilitation of criminals.

Locke was very much in favour of the forward-looking rationale and compares the passionate heat or extravagance of will against calm and reason.

We then discussed two current cases especially in the light of the victim and the natural desire for retribution.

The first was the diplomat's wife who ran over and killed Harry Dunn. The second related to the allegations against Leon Brittain and other prominent politicians where the victim was initially believed only for the victim to be the guilty party.

Coincidentally at the full meeting of our U3A group Chris Lloyd spoke about Lewis Carroll and reminded the meeting of the Queen of Hearts in Alice in Wonderland who proceeded on the basis of "Sentence First—Verdict later"!

Future Philosophy meetings:

There will not be a meeting in December.

Our next discussion will take place on 28th January 2020 at Penny's Café at 10am.

We hope to use an online course to develop our philosophical thinking. Come and join us!