

EQUALITY, EQUITY & EGALITY

Words have Meaning

The first two words of my title are commonly used to identify the opposing ideologies engaged in the ongoing social justice wars. In this sense, Equality stands for equal opportunity while Equity stands for equal outcomes. The final word of my title is designated by the Oxford English Dictionary as 'obsolete'. I resurrect it, however, to highlight the misuse of Equity to imply equal outcomes.

Equity is, in fact, the second rail of Anglosphere jurisprudence, the first being the Common Law. While the Common Law concerns questions of right and wrong, guilt and innocent relying on past precedent, Equity concerns fairness relying on the principles of Equity application of which do not usually result in equal outcomes. In fact, until the 1880s there were separate courthouses, judges and procedures in Courts of Common Law and Courts of Equity across the Anglosphere. To repeat, Equity concerns fairness and fairness does not necessarily imply equal outcomes. For example, in taxation, vertical equity means unlike treatment of unlike while horizontal equity means like treatment of like.

All three words share some sense of Equality. It is, however, the differences in meaning that is important. Equality, in legal terms, means equal standing before the law following the dictum that all (hu)men are created equal. Similarly, Equity means equal standing before the law judged according to the principles of Equity, *a.k.a.*, fairness. Equality, on the other hand, is the root of Egalitarianism from which springs equal outcomes.

To conclude, in the social justice wars words have meaning. Misuse of words is a weapon in this war. Accordingly, the appropriate formulation is not Equality vs. Equity (fairness) but rather Equality vs. Equality (equal outcomes).

Dr Harry Hillman Chartrand, PhD

Cultural Economist & Publisher

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