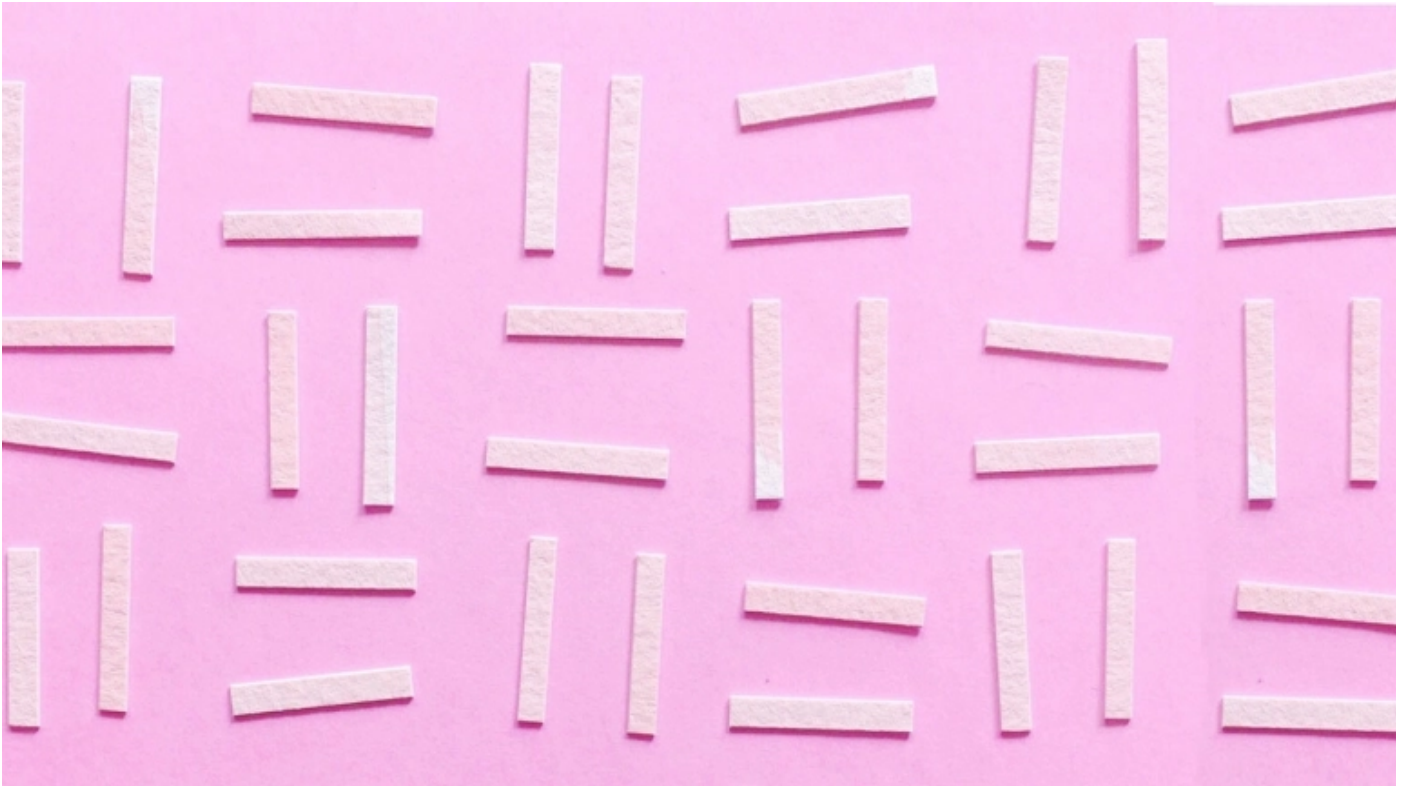


Equal Opportunity: Is it an Underestimated National Priority that Might Lead to a National Crisis?

22 December 2020



By Dr Mamun Ala, Lecturer, Australian Institute of Business.

By Dr Mahan Poorhosseinzadeh, Lecturer, Australian Institute of Business.

Introduction

As a political ideal and social movement, Equal Opportunity (EO) challenges the deep-rooted unfairness in many societies that have a strict hierarchical system to place individuals in superior and inferior positions. Often the placing of individuals in the social hierarchy is determined by ascriptive social status (as at birth). When equality opportunity prevails, some form of competitive process determines individuals' places in the social hierarchy; everyone can compete on equal terms and thereby access superior advantages (based on merits) ([Stanford Encyclopedia of Philosophy](#)). This article aims to present a brief discussion on the importance of EO in terms of ethics, law, human rights and national unity; inequality as a long-standing national crisis; and the role of government in promoting EO.

What is equal opportunity?

In simple terms, 'Equal Opportunity' encourages the elimination of discrimination on the basis of race, ethnicity, colour, gender, age, sexual orientation, faith, or degree of able-bodiedness, marital status, political opinion, etc. Irrespective of any of these personal characteristics, an individual should be able to participate equally and freely in different areas of life.

In Australia, the Human Rights Commission ([AHRC](#)) administer the government legislations relating to EO. AHRC seeks to 'promote an Australian society where human rights are enjoyed by everyone, everywhere, every day'. In line with the principle of the AHRC, over the past four decades, Australia has designed a range of legislations to address the challenges faced by the disadvantaged group in the workplace and the society. Some of these legislations are mandatory as a part of Australian national legal obligations including anti-discrimination and equal opportunity legislation. In 1975, anti-discrimination legislation was enacted addressing discrimination on the grounds of gender, race,

ethnicity, religion, disability, and family status. In the 1980s, equal employment opportunity (EEO) legislation focused on gender equity and sought to recognise and reflect women's increasing participation in the workplace ([Strachan, Burgess, & Sullivan, 2004](#)). Some key laws passed by the Australian Federal Government which aim to protect vulnerable people from discrimination within the workplace include Racial Discrimination Act 1975; Sex Discrimination Act 1984; Disability Discrimination Act 1992; and Age Discrimination Act 2004.

Besides, Australian States and Territories have their own anti-discrimination laws. For example, [the Equal Opportunity Act \(1984\)](#) in South Australia declares it unlawful to discriminate a person because of age, association with a child (in customer service or accommodation), caring responsibilities, disability, gender identity, marital or domestic partnership status, intersex status, pregnancy, race, religious appearance or dress (in work or study), sex, sexual orientation and spouse or partner's identity. The Equal Opportunity Act covers a range of discrimination that occurs in public life (which are essentially unlawful) including work (including volunteers and contract workers), customer service, accommodation, selling land, clubs and associations, education, granting qualifications and advertising.

Inequality as a long-standing crisis even in the largest democracies in the world

While it is unlawful for jobseekers or employees to be unfairly disadvantaged on account of personal characteristics, unfortunately, there exists serious lack of EO across countries irrespective of their economic development. In recent years, lack of EO has caused serious economic and social discontent among people in minority groups and contributed to political unrest in many countries. In an opinion piece in the New York Times, [Joseph Stiglitz \(2013\)](#), the Nobel laureate economist and a former chief economist for the World Bank argues that although America is often termed as a land of opportunity, the country has less equality of opportunity for than almost all other advanced industrial nations. Persistent discrimination is clear from the pay differences between men and women and between whites and non-whites, gender disparities in the workplace, educational performance gap between rich and poor children, and low level of economic mobility.

Stiglitz's observation is supported by recent research by [Alesina, Stantcheva and Teso \(2017\)](#). A survey concludes that in developed countries including the USA, UK, France, Italy and Sweden a larger number of people believe that they are offered with less opportunity to the economic ladder and that the government ought to strive to promote EO, especially through redistribution of resources. [Elizabeth Smith-Pryor](#) Elizabeth, an associate professor of African American History at Kent State University, believes the systematic inequality in the USA is a long-standing crisis, which has been clearly exposed by the police killings of George Floyd and Breonna Taylor as well as the disproportionate impact of the corona pandemic on African Americans, Latinos and Native Americans. In recent past, Black Lives Matter movement across the world including Australia and Shaheen Bagh Protests in India (against [Citizenship \(Amendment\) Act](#)) suggest even big democracies with strong institutions need to combat systematic discrimination and structural inequality (which are often underestimated by governments) through promoting a national commitment to equality.

Why should the government promote equal opportunity?

The preceding discussion indicates the laws alone cannot prevent discrimination or promote equality of opportunity. Essentially, the idea of individual rights depends on social responsibility in which one's individual's rights become another's duty. Some of these rights are preserved in law and others in moral codes, which can make it difficult to determine the degree to which observances is required. Nevertheless, human rights, social justice, economic rationalism and liberalism all provides arguments for promoting and supporting the equality in the society. While the cause of inequality in a society depends on moral values of groups and individuals in the society, government and politicians can play a critical role in accelerating the process through effective implementation of the existing EO legislations. In this regard, [Gupta, et.al. \(2019\)](#) provides some noteworthy examples. In Singapore, the women's labour-force participation rate was only 28 percent in 1970. Over the four decades, the government's gender equality policies aiming towards promoting a work-life balance of working women through implementing a range of incentives such as generous maternity and childcare leave, tax relief and rebates and childcare benefits have increased women's participation to 58 percent in 2016.

Canada also presents an exemplary case in terms of proactive implementation of the EO legislation by the government. Justin Trudeau's 2005 cabinet is termed as Canada's first gender-balanced cabinet. On the other hand, in Japanese society where traditionally mothers have the sole responsibility for raising children under the age of three, the existing Equal Employment Opportunity Law (EEO) has yet to promote gender equality, largely due to gender-based higher education system, recruitment system, male-female wage discrepancy and the male dominant corporate culture ([Assmann, 2014](#)). Interestingly, to promote the culture of men participation in childbearing, [Yasuhisa Shiozaki](#), a former influential labour minister, explicitly declared himself as "Ikumen", which refers to men's role in caring responsibilities. His act has had a great influence in the society and as a result, the participation in the most generous paid paternity leave program has increased from 14 to 40 per cent ([Gupta, et.al. 2019](#)). Below are two pertinent cases for EO:

1. Equal opportunity for a fair and just society

Equal opportunity plays an important part in safeguarding human rights. Essentially, a fair and compassionate society where people can equally live, prosper and contribute to national unity, especially in a multi-cultural society. The United Nations (UN) stresses that equality and non-discrimination should be considered as the basis of the rule of law. Regarding [Equality and Non-discrimination](#), the UN declares: 'all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law'. All member states are obliged to 'respect the equal rights of all without distinction as

to race, sex, language or religion' and therefore international human rights legal framework should include instruments to address various types of discrimination against vulnerable people including women, children, minorities, indigenous people, migrants, people with disabilities and lesbian, gay, bisexual, transgender and intersex (LGBTI) people.

2. Economic costs of inequality

As reported in [the Guardian](#), a World Bank Survey in 2015 revealed that in 155 out of 173 countries (90%) women commonly face legal obstacles in economic opportunities. Another report published by the [World Bank](#) in 2020 found across the world, discriminatory laws persistently threaten women's employment, entrepreneurship, career growth, economic security and work-life balance. Inequality involves huge economic costs. [The McKinsey Global Institute](#) estimated equality for women would have added up to \$28trillion to global GDP by 2025, which is roughly 26% more than under current circumstances, equivalent to the combined GDP of China and USA

Conclusion

Since Inequality is a systematic problem, major political, legal and cultural changes are needed to address it. Scholars recognise the crucial importance of equality in the workplace, education and other areas of life; equally important is how governments and companies communicate about their Equal Employment and Opportunity (EEO) activities such as through annual reports and regulatory filings ([Tower et al. 2009](#)). A high level of transparency in EEO communication by the government, business and community organisations can exert significant influence on society.



Dr. Mamun Ala

Lecturer, Australian Institute of Business

Mamun is Lecturer in Strategic Management and International Business at the Australian Institute of Business. He also serves as the AIB Ethics Committee Coordinator and Indigenous Student Academic Mentor. With a PhD in Applied Economics (International trade regulation) from the University of South Australia (UniSA) and an MPhil in Management, Mamun taught eight years at UniSA and three years at Flinders University.



Dr. Mahan Poorhosseinzadeh

Lecturer, Australian Institute of Business

Mahan is a Gender and Social Inclusion specialist who has undertaken related projects in a global context. Her research focuses on the underrepresentation of women in senior positions. Mahan also holds an MBA with a specialisation in Human Resource Management.