
From Bad to Comparable Worth

Charles Krauthammer

THE LATEST ENTRY on the list of sacred liberal causes is comparable worth. According to that doctrine, it is demonstrable that low-paying female-dominated jobs, like nursing, are worth as much (to employers or society) as "comparable" male-dominated jobs, like plumbing, and that therefore by right and by law they should be paid the same. Comparable worth has become not only *the* women's issue of the 1980s but also the most prominent civil rights issue not specifically directed at blacks. The Democratic party has warmly embraced it. Every one of its presidential candidates has endorsed it. In the 1984 platform, that sea of well-intended ambiguity and evasion, there are few islands of certainty. Comparable worth is one of them.

Comparable worth is advancing in the courts, too. Three years ago the Supreme Court opened the door a crack by ruling, in *County of Washington v. Gunther*, that female prison guards could sue for violation of the equal-pay provisions of the 1964 Civil Rights Act, even

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though they did not do precisely the same work as the better-paid male prison guards. That narrow ruling was broken open last December in a sweeping victory for comparable worth in Washington State. In *AFSCME v. State of Washington*, a federal district judge found the state guilty of massive discrimination because its female-dominated jobs, though paying a market wage, were paying less than "comparable" male-dominated jobs. He ordered an immediate increase in the women's wages and restitution for past injury. The back pay alone will run into the hundreds of millions of dollars.

COMPARABLE WORTH MAY INDEED be an idea whose time has come. Where does it come from? When the plumber makes a house call and charges \$40 an hour to fix a leak, the instinct of most people is to suspect that the plumber is overpaid—the beneficiary of some combination of scarce skills, powerful unions and dumb luck. The instinct of comparable worth advocates, by contrast, is to see the plumber's wage as a standard of fairness, to conclude that the rest of us (meaning: women)

are underpaid, and to identify discrimination as the source of that underpayment. But since overt discrimination on the basis of sex has been legally forbidden for twenty years, to make that charge stick nowadays requires a bit of subtlety.

One claim is that women's wages are depressed today because of a legacy of past discrimination: namely, the "crowding" of women into certain fields (like nursing, teaching, secretarial work), thus artificially depressing their wages. Did sexual stereotyping really "crowd" women into their jobs? Sexual stereotyping worked both ways: it kept women in, but it also kept men out, thus artificially excluding potential wage competition from half the population, and, more important, from about two-thirds to three-quarters of the labor force (because of the higher participation rate of men). Sex-segregation is obviously unfair, but it is hard to see how it caused downward pressure on women's wages when, at the same time, through the socially enforced exclusion of men, it sheltered "women's work" from a vast pool of competitors. Moreover, as the social barriers that kept men and women from entering each other's traditional fields have fallen during the last twenty years, there has been much more movement of women into men's fields than vice versa. "Women's work" is less crowded than ever.

If the crowding argument is weak, then one is forced to resort to the "grand conspiracy" theory. "The system of wages was set up by a grand conspiracy, so to speak, that has held down the wages of women to minimize labor costs," explained the business agent of the AFSCME local that in 1981 struck for and

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won a famous comparable-worth settlement in San Jose. But since to minimize labor costs employers try to hold down the wages of everyone, the thrust of the argument must be that there is a particular desire to do so additionally

in the case of women. In other words, the market is inherently discriminatory. Women nurses are paid less than they deserve, simply because they are women. How to prove it? Comparing their wages to that of male nurses won't do, since their pay is, by law, equal. So one must compare nurses' wages to that of, say, plumbers, show that nurses make less, and claim that nurses are discriminated against because they deserve—they are worth—the same.

What is the basis of that claim? In San Jose, Washington State, and other comparable worth instances, the basis is a "study." A consultant is called in to set up a committee to rank every job according to certain criteria. In Washington State, the "Willis" scale gives marks for "knowledge and skills," "mental demands," "accountability," and "working conditions." The committee then awards points in each category to every job, tallies them up, and declares those with equal totals to have—*voilà!*—comparable worth.

There is no need to belabor the absurdity of this system, so I'll stick to the high points. It is, above all, a mandate for arbitrariness: every subjective determination, no matter how

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whimsically arrived at, is first enshrined in a number to give it an entirely specious solidity, then added to another number no less insubstantial, to yield a total entirely meaningless. (An exercise: compare, with numbers, the "mental demands" on a truck driver and a secretary.) Everything is arbitrary: the categories, the rankings, even the choice of judges. And even if none of this were true, even if every category were ontologically self-evident, every ranking mathematically precise, every judge Solomonic, there remains one factor wholly unaccounted for which permits the system to be skewed in any direction one wishes: the *weight* assigned to each category. In the Willis scale, points for "knowledge and skills" are worth as much as points for "working condi-

tions." But does ten points in knowledge and skills make up for ten points in hazardous working conditions? Who is to say that a secretary's two years of college are equal in worth to—and not half or double the worth of—the trucker's risk of getting killed on the highways? Mr. Willis, that's who.

Conclusions based on such "studies" are not a whit less capricious than the simple assertion, "secretaries are worth as much as truck drivers." Trotting out Willis, of course, allows you to dress up a feeling in scientific trappings. It allows H.R. 4599, Representative Mary Rose Oakar's bill legislating comparable worth in federal employment, to dispose of the arbitrariness problem in the *definitions*. "Job evaluation technique" is defined as "an objective method of determining the comparable value of different jobs." Next problem.

Equal Pay for Potential Work?

A number of advocates of comparable worth, aware of this objectivity conundrum and perhaps less confident that it can be defined out of existence, propose an alternate solution. Instead of ranking the intrinsic worth of the *job* (by admittedly arbitrary criteria), they propose ranking the worth of the *worker*. Barbara Bergmann, an economist at the University of Maryland, believes that people with similar qualifications, training, and experience should be receiving the same return on their "human capital." Breaking new ground in discrimination theory, she claims that "in a nondiscriminatory setup, identical people should be paid identically." And what makes people identical? Their credentials: qualifications, training, experience. This is not just credentialism gone wild, and highly disadvantageous to non-yuppy workers with poor resumes, who need the help of the women's movement the most; it leads to the logical absurdity that people should be paid not for the actual work they do, but for the work they *could* do. We've gone from equal pay for equal work, to equal pay for comparable work, to equal pay for potential work. Summarizing the Bergmann position, the newsletter of the Center for Philosophy in Public Policy at the University of Maryland explains helpfully that "if a nursing supervisor could do the work of a higher-paid hospital purchasing

agent, then her wages should be the same as his." But why stop there? What if her credentials are the same as those of the hospital administrator, or her city councilor, or her U.S. senator? And what about the starving actress, waiting on tables for a living? If she can act as well as Bo Derek (to set a standard anyone can meet), shouldn't she be getting a million dollars a year—that is, if the "setup" is to deserve the adjective "nondiscriminatory"?

Now, even if there were a shred of merit in any of these systems for determining comparable worth, we should be wary of implementing them if only because of the sheer social chaos they would create. The only sure consequence of comparable worth one can foresee was described by the winning attorney in the Washington State case: "This decision . . . should stimulate an avalanche of private litigation on behalf of the victims of discrimination." The judicial and bureaucratic monster comparable worth will call into being—a whole new layer of judges, court-appointed "masters" (there already is one in the Washington State suit), lawyers, and consultants—will not just sit once to fix wages and then retire. The process

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will be endless. Fairness will require constant readjustment. There will still exist such a thing as supply and demand. Even if comparable worth advocates succeed in abolishing it for women's work (remember, Washington State was found to have broken the law for paying women market wages rather than comparable worth wages), it will still operate for men's wages, the standard by which women's (comparable worth) wages will be set. Now, what if nurses are awarded plumbers' pay, and there develops a housing slowdown and a plumber surplus, and plumbers' wages fall? Will nurses' salaries have to be ratcheted down? And if not, what is to prevent the plumbers from suing,

alleging they are underpaid relative to comparably equal nurses?

Which brings us to the equity problem. Almost everyone feels he or she is underpaid. Moreover, even a plumber can point to at least one person or group of persons who are getting more than they are "worth." Why can't he claim that class of people as the equitable standard, and march to court demanding restitution? If comparable worth is simple justice, as its advocates claim, why should only women be entitled to it? Why not comparable worth for everyone?

The whole search for the "just wage," which is what comparable worth is all about, is, like the search for the "just price," inherently elusive in a capitalist system. It is not that justice has nothing to say about wages and prices in a market economy, but that what it does say it says negatively. For example, it declares that whatever the wage, it must be the same for people regardless of sex, race, or other characteristics; but it doesn't say what the wage should be. Even the minimum-wage law says merely that a wage may not be below a certain floor. (Even capitalism has a notion of exploitative labor.) Beyond that, the law is silent. The reason it is silent, the reason we decide to let the market decide, is no great mystery. It was first elaborated by Adam Smith, and amplified by the experience of the Soviet Union and other command economies. Market economies are agnostic on the question of a just wage or a just price not simply because of a philosophical belief that the question, if it is a question, is unanswerable, but also because of the belief, and the experience, that attempts to answer it have a habit of leaving everyone worse off than before.

Finally, even granting that women in traditionally female jobs are underpaid, it is not as if we live in a fixed economy which blocks off all avenues of redress. If secretaries are indeed paid less than they are "worth," they have several options. One is suggested by Coleman Young, the mayor of Detroit, a former labor leader and no conservative: "If a painter makes more than a secretary, then let more women be painters. Equal opportunity and affirmative action is how you do that." A woman entering the labor force today has no claim that she has been crowded into low-paying professions because of discrimination. She has choices.

Older women, of course, who have already invested much in their professions, are more constrained. But they have the same avenues open to them—such as organizing—as other similarly constrained (predominantly male) workers who struggle for higher wages in other settings. In Denver, for example, nurses sought comparable worth wage gains in court and lost; they then went on strike and won. True, in some occupations, even strong unions can't raise wages very much. But as the president of the International Ladies Garment Workers Union (85 percent female) explained in objecting to a highfalutin AFL-CIO endorsement of comparable worth, the problem is not discrimination but the market. His workers have low wages because they compete with workers overseas who are paid thirty cents an hour. Comparable worth doctrine may declare that garment workers ought to be making as much as truck drivers. But if the theory ever became practice, garment workers would be free of more than discrimination. They would be free of their jobs.

WHY IS THE OBVIOUS about comparable worth so rarely heard? Why is it for liberals the ultimate motherhood issue? Because here is a class of people who feel they aren't getting their just due, blame that condition on a single cause (discrimination), then offer a "rational" solution, on whose messy details they prefer not to dwell. But those details add up to a swamp of mindless arbitrariness and bureaucratic inefficiency, shrouded in a fine mist of pseudo-scientific objectivity. And the surest results will be unending litigation and an entirely new generation of inequities. These inequities, moreover, will be frozen in place by force of law, and thus that much more difficult to dislodge.

Comparable worth asks the question: How many nurses would it take to screw in a lightbulb? The joke is that, having not the faintest idea, it demands that a committee invent an answer, that the answer become law, and that the law supplant the market. Even Karl Marx, who also had legitimate complaints about the equity of wages set by the market, had a more plausible alternative. ■

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