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Contested values: Economic expertise in the comparable worth, USA, 1979-1989

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Abstract

The comparable worth principle – a call for a general readjustment of wages according to a measure of the worth of an occupation – gained policy momentum in the United States in the early 1980s. A Supreme Court decision, multiple bills, congressional hearings as well as an arsenal of initiatives from women and labour groups all over the United States shaped the debate both as a technical as well as a political issue. At the core of the quarrel lie diverse opinions on the criteria and practices of setting fair wages. This paper follows the deployment of economic arguments on both sides of the controversy between the start of a national movement in 1979, and when all US government agencies declared the principle unsound in 1985. The dominant view on the origin of biases affecting pay practices and the criteria for rational wage determination shifted radically over this period: from the market to job analysts for the responsibility of the biases, and from bureaucratic procedures to market for the locus of rationality. I document this shift using discussions about scientific evidence brought by economists in legal and political hearings. The paper describes three moments in the relationship between science and policy: first the scientization of policy, second, the politicization of knowledge claims, and finally, the weaponization of economic knowledge.

Keywords: comparable worth; gender discrimination; job evaluation; wage determination.

Introduction

The low wages of 'key workers' relative to the value of their work for society is one of the issues that has been thrown into sharp relief by the COVID-19 pandemic. Care work today is still mostly done by women and perceived as grossly underpaid in comparison to equivalent jobs. In a 2021 report for the UK charity Community Integrated Care, *Unfair to care*, the consulting company Korn Kerry found that roles with 'equivalent scope, complexity and accountability within other public funded sectors' were, on average, paid £24,602 – around £7,000 more annually than care workers.[1] The report relies on a comparison of different occupations by measuring the content of the work itself (e.g. level of responsibility, hardship), rather than comparing the characteristics of individuals (e.g. education, experience). Should care workers be paid more? And if yes, how much more? This debate constitutes a case of comparable worth, an old economic issue dating back to the industrial revolution, focused on the undervaluation of low paying jobs usually done by women.

The comparable worth principle can be defined as a call for a readjustment of wages according to a measure of the worth of an occupation. The term 'comparable worth' first appeared in the 1970s in English; it is a thick concept, referring to a set of interrelated facts and evaluative considerations. Comparable worth is intrinsically linked to series of inferences based on the existence of occupational segregation by sex. The idea that there are men's and women's jobs is old, but the fact that this is an issue of gender equality is relatively recent. It is a problem insofar as women are crowded in a significantly *smaller* number of occupations, which has the effect of depressing wages. In a nutshell: '[t]he more 'female' an occupation is, the less it typically pays' (Reskin, 1984, p. 3). The 'crowding' of women in few low-paying occupations in the United Kingdom was already described by John Stuart Mill, Millicent Fawcett and Sidney Webb in the late nineteenth century (Chassonnery-Zaïgouche, 2019). The empirical relationship between occupational distribution and low wages is also accepted within economics at least since the interwar period and the availability of large-scale data on wages. Explanations, however, from traditions and social norms to women's choices, from the racialized and gendered structures of the economy to market forces, have always been fiercely debated as well as what, if anything, should be done.

This paper focuses on the uses of economic arguments in the political debate in the United States that started in the 1970s. The principle 'equal pay for comparable work' was endorsed by the United Nations in 1948 and inscribed in international (soft) law ('Convention 100' of the International Labour Organisation) in 1951, but it only gained policy momentum from the late 1970s onwards. [2] While equal pay has a global history, this paper tells an American story for several reasons. First, comparable worth was a central controversy in US politics with bills, congressional hearings, trials, immense press coverage and public attention from the 1970s to the late 1980s. While neither the first nor the most successful attempt to implement comparable worth, the US experience was rather spectacular because of its rapid rise to top economic priority under the Carter administration and its dramatic fall from grace in the subsequent Republican government. Second, the specific status of economic expertise and economics in the United States make it a pertinent country to study the use of knowledge in policy. Integrated into the policy process after the Second World War with the creation of the Council of Economic Advisors reporting directly to the White House, economic expertise was further institutionalized within the executive branch of government: it took the form of the creation of 'analytical offices' in almost all federal departments, spreading the model put in place by Robert McNamara at the Department of Defense (Bernstein, 2001). Economics became the language of public policy after the Second World War (Popp Berman, 2022). At the same time the discipline of economics itself was being influenced predominantly by American economics on a global scale (Coats, 1996; Hagemann, 2011). Third, comparable worth was more than a set of ideas, it was an explicit and organized political demand for new reforms for gender equality based on a type of economics that has a specific, if not exclusive, American history: feminist economics (Conrad, 2018; Orozco Espinel & Gomez Betancourt, 2022).

The historiography on the comparable worth movement in the United States has mainly focused on social movements, legal battles, labour organizations and the role of job analysts and management studies (Acker, 1989; Adler, 2020; Dobbin, 2009; Evans & Nelson, 1989; Hower, 2020; Lussier, forthcoming; Turk, 2016). This paper follows one specific occurrence of this debate in the 1970s and 1980s in the United States and the effect of economic expertise. The contribution of this paper is to show how economic knowledge shaped *part* of the comparable worth movement. The type of economic knowledge that was used however, was heterogeneous and evolved over time.

The comparable worth controversy was based on the use of economic expertise from labour economics and studies of wages. A large empirical literature that produced evidence of the correlation between occupational segregation and low wages was used as a policy argument by a coalition of civil society organizations with a lot of influence within the Carter administration. They commissioned the National Research Council (known today as the 'Program units' of the National Academy of Science, thereafter NAS) to investigate comparable worth. The NAS committee covered the ongoing research on occupational segregation, stemming from early feminist mobilization in economics and beyond. Rather than being the fantasies of marginal activists, the concept became part of a major policy discussion stirred by a powerful convergence between grassroots movements' claims and elite political actors. The research and advocacy efforts became increasingly focused on comparison of different occupations within firms, relying more and more on job evaluation as the main tool for change.

Comparable worth was indeed a controversy about the specific use of job evaluation techniques. John Stuart Mill's mid-nineteenth century argument on gender crowding of occupations is not unlike the one made in National Academy of Science committee reports in the 1980s.[3] Mill neither used data to back up his claims, nor did he offer a procedure to settle eventual disputes. In contrast, the modern controversy was not only on how to use data but about specific *tools*. At the centre of the discussions (and misunderstandings) were job evaluation methods: scoring methods used to rationalize wage structures within a firm. Job evaluation is an umbrella term for various evaluation methods of the worth of a job.[4] It aims to measure what a given job is worth to a company: it crucially concerns jobs, and not people. Typically, a questionnaire is used to classify jobs within a firm by describing and assigning points relative to skill, effort, responsibilities and requirements of the job. If the average score in jobs held mainly by minority members do not predict the job's actual rate of pay, the difference signals potential discrimination and indicates a need for readjustment. While job evaluations had been used within big corporations since the Second World War, these methods were reframed as the main tool for applying the comparable worth principle to a readjustment of wage structures in the 1980s.

This paper follows three moments of the controversy: (i) when economic knowledge entered policy, (ii) when economic expertise was discussed in the political arena, and finally, (iii) when economic ideas were weaponized in the public sphere. The first section describes how intellectuals, activists and academics defined comparable worth and how a national political campaign successfully transformed this political claim into a policy position. While decades of grassroots and national campaigns placed the claim on the policy agenda, the scientization of the debate gave its shape to comparable worth in policy circles, giving credence to analytical arguments based on occupational segregation. The strategy was based on the *objectivity* of the measurement of gender inequality and the use of job evaluation, entrenched in a conception of economic knowledge close to what would become feminist economics. The second section focuses on the politicization of the controversy between 1981 and 1985: namely when it entered the political arena and Congress. Prior to this moment, the only experts involved favoured comparable worth. These experts then faced contradiction involving a different conception of the labour market: 'a market position' associated, but not exclusively overlapping with, labour economics emerged and reframed the debate as one of 'abstract principles'. The third moment is the political defeat of the movement from 1985. Comparable worth was reframed as outdated economics. At the same time however, comparable worth was implemented in many state administrations all over the United States, while the use of market surveys increased significantly in private industry.

The paradoxical influence of the idea of comparable worth – a very loud political defeat on the national scene with some (local) implementation – is analysed in terms of a trade-off between the effects of the scientization of the policy pipeline and the politicization of knowledge. Framing comparable worth as an economic issue initially involved bringing in expertise from feminist economics to redefine the value of some occupations. This framing of comparable worth as an economic issue paved the way for the rise of a view that sanctified the 'market' as the decider of value, once the political tide had swung.

Separate and unequal: Opening the case for comparable worth, 1979-1981

Should female prison guards be paid the same as male prison guards? In 1974, four women sued the county of Washington, Oregon, over alleged wage discrimination against matrons. The case went to the Supreme Court, and the subsequent decision left the door open for the interpretation of the principle 'equal pay for equal work' to encompass 'equal pay for *comparable* work'. Settled in 1981, the case was considered as the first (relative) victory of the mobilization. Although debates over wage discrimination did not start then, the major legislation on discrimination was passed from 1963 to 1972 and constituted the background of most government effort to tackle gender and racial discrimination in the United States.

Beyond discrimination

Congress enacted legislation making gender discrimination in employment illegal in 1963 with the *Equal Pay Act*; the *Civil Rights Act* outlawed all forms of discrimination in 1964. The gender wage gap did not narrow over the following 20 years.[5] Reframing occupational segregation as discriminatory became one of the main strategies for ~~the~~ feminist workplace advocates from the 1970s onwards. If the idea of gendered occupational distribution dates back to the nineteenth century, debates were reshaped by the emergence of the gender wage gap as a stylized fact in the 1970s (Hirschman, 2022).

'On the average, women now earn 57 percent of men's wages, which is down from 60 percent', reported Ruth Blumrosen in a 1979 *New York Times* article. Blumrosen, at the time a consultant to the Equal Employment Opportunity Commission, punctuated her figures with a quote from economist Frances Hutner on the persistence of the wage gap over decades:

> In 1939, women earned 58 percent of what men earned. Twenty years later, in 1959, women earned 59 percent of what men earned. And in 1977, women still earned only 59 percent what men earned. [6]

Ruling out educational differences ('women who have completed four years of college earn less than men who have completed the eighth grade'), Hutner pointed to effects on wages of 'female occupational ghettos' – 'half of all working women hold jobs that are at least 70 percent female, and one-quarter are in jobs that are 95 percent female'. Consequently, Hunter argued, legislation on equal pay that considers only strictly equal work is largely ineffective to tackle the gender pay gap and should be replaced by consideration of equal pay for work of *comparable* value. Nominated by Carter to head the Equal Employment Opportunity Commission (EEOC), Eleanor Holmes Norton pitched comparable worth as 'the issue of the 1980s' '…for the average woman who works — who is increasingly the average woman: This is a true sleeping giant'.

The context of these quotes is the first national conference pushing for comparable worth. A coalition of labour, feminist, public interest, legal, government and educational organizations under the name of the National Committee for Pay Equity organized a national conference in October 1979 in Washington D.C. What was new in 1979 was the launching of an national advocacy campaign based on a coalition of organisation that would give a new impetus to the movement for gender equality within the administration.

What came out of the 1979 meeting was a series of advocacy instruments published a year later as the *Manual on pay equity* (Grune, 1980) provided by the hundreds of 'experts and activists who had gathered to share information, discuss problems, and to begin to develop a coordinated strategy to raise women's wages' (Grune, 1980, p. 3). An 'action guide' (Johansen, 1984, p.72), the *Manual* listed legal, policy and bargaining experiences of proponents of comparable worth as well as strategies. Workplace activists, and in particular the AFSCME had published leaflets, documentation and briefs throughout the 1970s (Hower, 2020, pp. 677-679), but by the late 1970s it is the focus on job evaluation that stands out.

The chosen strategy was the use of job evaluation methods to ask locally for wage readjustment. The main advantage of this strategy was to reframe the issue under the 'label of objective job evaluation' (Johansen, 1984, p. 79). The point of entry into policy was the technical issue of personnel's classification systems.

Counting on objectivity

The agency in charge of enforcement of anti-discrimination legislation, the EEOC, and the Department of Labor commissioned research on comparable worth from the National Research Council of the National Academy of Sciences (NAS) in accordance with the council's charter.[7] Within the NAS, the Committee on Occupational Classification and Analysis was set up in 1979. The members of the committee were mainly social scientists – among them two demographers, four psychologists, two economists, one statistician and one sociologist – one law professor, one labour representative and two human resources managers from big corporations. [8] The first reports (Treiman, 1979; Miller *et al.,* 1980; Treiman & Hartmann, 1981) show the scientization of the policy debate between 1979 and 1981. This type of research had previously been undertaken by labour and women's organizations but this was the first time it had been undertaken by the NAS.

The first objective of the Committee was to gather facts on how employers set wages and which methods they use, this knowledge forming the basis for a concrete strategy towards better pay for women's jobs. The research was framed along two lines of inquiry: a comparison of job evaluation methods and an evaluation of the *Dictionary of occupational titles* (*DOT*). The first (interim) report was entirely devoted to the description of various job evaluation systems and edited by the sociologist Donald J. Treiman. Job evaluation methods usually encompass a series of elements — a description of jobs in a specific unit of a company; a list of compensable factors that identified degree of skills, effort and responsibility; a mechanism to link job descriptions and those factors (usually a scale with ranks or points); the sum-up of the ranking or rating in a single score; the use of this synthetic score to assign pay in the firm. A foundational element of job evaluation is 'that it is the job, not the worker that is evaluated and rated' (Treiman, 1979, p. 1). The report offered a description of 12 systems of job evaluation.

This first report of the Committee ends on three problematic features of these methods. First, the methods were framed in a way that was inherently subjective: it was especially feared that scoring procedures might involve stereotyping. This was inherent in the process, for written procedures and standardization could limit biases but could not supress them entirely. Second, scores were dependent on the choice of variables and the weight~~s~~ assigned to them. Most job evaluation methods use market wage rates to establish such weight~~s~~, hence potentially incorporating market discrimination. This element was very clear to practitioners: job evaluation was a mixed system straddling the administrative setting of pay and market-based evaluation. Finally, the diversity of practices of wage settings and the non-comparability of such practices across firms reinforced the discretionary aspect of such practices. Mitigating biases from job analysts — either from previous or current discriminatory practices within the firm or from market valuation — was precisely the goal of a renewed used of job evaluation. Making it more 'objective' using the same method!

Following the interim report, and the first report proper, a second report (Miller *et al.*, 1980) was devoted to the evaluation of the *DOT*. A publication of the department of Labor, the *DOT* was used by employers, government officials, and personnel professionals to describe jobs and ascribe wages (US Department of Labor, 1999).[9] How exactly it was used was part of the inquiry. The NAS Committee on occupational classification was in charge of reviewing the uses of the 1977 edition and pointing to possible ways to reform it, especially by reworking the definitions, content and classification of occupations in the contexts of new challenges — automating the *DOT via* computer systems, the impact of technological innovation on the content of many occupations and the 'proliferation of services' (Miller *et al.*, 1980, p. xix).

Some researchers, such as Mary Witt and Patricia K. Naherny (1975), have accused the *DOT*'s third edition of sex biases in the ranking of occupations. A section of Chapter 7 of the report was therefore devoted to 'sex biases' (Miller *et al.*, 1980, pp.188-191). The authors found no such biases (pp.190-191) but remarked the main inadequacy of the *DOT* being the underrepresentation of analysis of jobs in services, especially in comparison to jobs in manufacturing industries. Other limitations were the lack of rigorous data collection and job analyses (one example is the lack of representativeness of establishments surveyed). The report also pointed to the outdated ('1950s') vision of the variables included to define occupations and measurement of their content, adding that the general inadequacy of classification may have a disparate impact on the classification of women's jobs (Miller *et al.*, 1980, p.11, 164-167).

The committee planned further steps, and another report was drafted. Academic expertise was used in the context of a policy network, engaged in a well-defined relationship to federal agencies. It produced a favourable context for comparable worth claims under the Carter Administration. Policy networks are usually defined as an alliance between parliamentary committees, groups within bureaucracy or administration, and interest groups, mediated by academic research.[10] The type of science and the relation between science and policy displayed in the NAS reports relied on a distinct approach to economics.

Fact and values

Treiman & Hartmann (1981) edited the third report of the committee, exclusively devoted to the comparable worth controversy. The report was interdisciplinary, involving mostly economics, sociology, legal studies and political science. Wage readjustment was justified by empirical evidence of occupational sex segregation resulting in low pay (Treiman & Hartman, 1981, p. ix). Coupled with the interim report's results (Treiman, 1979), the main conclusions were moderate: both market processes and job evaluation systems were deemed potentially tainted by biases. Reviews of empirical evidence showed a consistent and stable wage gap between men and women. Between 35 and 40 per cent of this gap was attributed to occupational differences. The interpretation of the effect of occupational distribution on wages was interpreted using a variety of theoretical hypotheses: theories of labour market segmentation, human capital theory, and socialization.[11]

Concerned with both employment discrimination (defined in the report as being 'denied access to higher-paying jobs solely or partly on the basis of social characteristics' – Treiman & Hartman, 1981, p. 8) and wage discrimination (unequal pay for equal work and unequal pay for comparable work), the committee made the crucial clarification that it did not seek to measure 'intrinsic job worth — whether it exists, on what it should be based, whether it is a just wage' because they 'do not believe the value — or worth — of jobs can be determined by scientific methods' as 'hierarchies of job worth are always, at least in part, a reflection on value' (Treiman & Hartman, 1981, p.10). The authors made a decision to 'limit' themselves to assessing whether current practices for assigning pay incorporated discrimination. To the question of whether the actual structure of wage rates was a good approximation of the worth of a job, the report's answer was no.

> Our ultimate view […] is that the substantial influence of institutional and traditional arrangements makes it impossible to view current wage rates as set solely by the free interplay of neutral forces operating in an entirely open

market, no matter how attractive such a theoretical formulation may be. (Treiman & Hartmann, 1981, p. x)

In its conclusion, the report called for more research and advocated the establishment of a permanent research unit on occupational research (Miller *et al.*, 1980, p.14).

The character of the early comparable worth controversy can be described as the building of a successful policy network between feminist economics and 'femocrats'. On the expertise side, the work of economist Heidi Hartmann seems to have been central. First a member of staff, she then became the director of study. Hartmann received her PhD from Yale in 1974 and was active in bringing feminism into the economics profession: she developed a Marxist-feminist approach to the question of women's work and was active in the gender reckoning in both the Union of Radical Political Economics, and in the mainstream of the discipline, being instrumental in the creation of the American Economic Association Committee on the Status of Women in the Economics Profession (Cohen, 2019, Chassonnery-Zaïgouche *et al.,* 2019).

The economic knowledge on which the successive reports draw can be linked to feminist economics, as this it emerged from the mid-1970s. Among the many new as well as reworked concepts, occupational segregation was central, and its operationalization constituted a strong contribution from economics to feminism in general. One of the first issues of *Signs*: *Journal of Women in Culture and Society*, one of the first women's studies journals, was devoted to the concept of occupational segregation, in which Hartmann (1976) contributed an article on 'Capitalism, patriarchy, and job segregation by sex' ~~(Hartmann, 1976)~~.

On the policy side, the policy network was made up of US 'femocrats' and their allies. 'Femocrat' is a term invented in Australia to describe feminists taking up newly created women's policy positions in government, initially used negatively by conservatives critical of the rise of feminism and by feminists to denounce less radical feminists. It was later used internationally to describe feminists in government in a more neutral way (Sawer, 2016).

The reports from the NAS were the main channel for the scientization of public policy: bringing expertise into the policy process, using the perceived objectivity of science to argue a specific policy position. They drew on a pluralist, feminist blend of economics. The first reports of the NAS can be described as cautious, mirroring the Supreme Court's decision which opened the door to claims in court. It endorsed the principle 'but no policy shift [was] asked'.[12] This pluralistic, open-ended advocacy of more research exhibited a conception of science as limited, and it established a clear boundary between scientific and political decisions, the latter remaining the prerogative of policymakers, not scientists. This was the strategy of the objectivity of science. Following a changing legal context, this conception and use of economic arguments would be contested in the political arena.

Comparing 'apples, pumpkins and cans of worms', 1981-1984

A contested agenda

According to Dixie Lee Ray, Democratic governor of the State of Washington, comparable worth was like comparing 'apples, pumpkins and cans of worms'.[13] This odd comparison was intended to dismiss comparable worth claims as comparisons of incomparable things. Nancy Perlman, director of the Center for Women in Government, a non-profit organisation that was part of the comparable worth campaign, publicly struck back at the governor's remarks with another food comparison: 'You can compare apples and oranges if you compare their nutritional qualities rather than the superficial appearance' (Perlman, ~~1982~~, quoted in Turk, 2016, p.119). Measuring the worth of a job did not yield the same consensus as measuring the nutritional qualities of fruits. With the new political context, quarrels over statistics, definition and values moved to Congress.

The EEOC agenda was aligned with the national campaign and gained traction within the administration during the Carter era. The new political context after Reagan's election in November 1980 radically changed this alliance and the new administration. Indeed, Reagan stopped most EEOC's enforcement efforts. The 1981 Supreme Court decision, argued from March to June 1981, however, pointed into another direction and was considered a partial victory for the comparable worth movement. The decision concerning prison guards (already mentioned in the introduction of this paper) held that a plaintiff did not need 'equal work' to establish a *prima facie* case of discrimination under Title VII. Crucially, it left opened the possibility of claiming discrimination between *comparable* work. As Judith Lichtman, director of the Women's Legal Defense Fund, one of the many organizations involved in the case, declared:

> The door [was] now open to challenge employers who keep women in the kinds of jobs that are low paid solely because they are traditionally held by women.[14]

Right after the decision, the NAS Committee on Occupational Classification and Analysis became the Committee on Women's Employment and Related Social Issues.[15] The committee was now responding to requests from Congress, rather than from Federal agencies. Democrats introduced bills to Congress proposing comparable worth and the debate intensified as experts who disagreed with the committee's previous reports stepped into the conversation. Prior to this moment, only pro-comparable worth or agnostic experts had been consulted. The form and context of testimonies and especially the constitution of a binary opposition between job evaluation and 'the market' directly illustrate the second phase of the use of economic argument: the politicization of expertise.

Experts' battles

With bills creating debates and (few) court rulings pushing for comparable worth, the issue was brought to Congress. The hearings became adversarial and the debate polarized. The first scene of this new confrontation was the Joint Economic Committee (JEC) hearings held in November 1983, at the occasion of the release of the Census Bureau Report on 'American women: Three decades of changes'. A bi-partisan committee, the JEC initiated and sponsored these hearings.

In addition to the writers of the NAS reports, two economists – Barbara Bergmann and June O'Neill – were asked to provide written assessments and oral testimonies on the Bureau's work. Bergmann, a vocal feminist economist, whose pioneering work on occupational segregation went hand in hand with the rise of comparable worth research in academia, produced a political testimony based on the existence of a discriminatory wage structure. She pointed towards the necessity of anti-discrimination laws' enforcement effort, provision of child support and strong interventionist unemployment policies. Calling June O'Neill the 'Phyllis Schlafly of economics' (JEC, 1983, p. 68), referring to the conservative activist, Bergmann insisted that economists who deny the existence of discrimination were 'bigots'. O'Neil, an economist at the Urban Institute, presented a series of 15 studies on earnings differences between men and women, insisting that factors other than discrimination explained the gap and its narrowing (see Table 2, JEC, 1983, pp. 62-63).[16] In the cross examination by members of Congress, it became clear that the two economists disagreed not over the evidence but over how to interpret it. While both agreed that the wage decomposition methods were producing an unexplained residual, O'Neill tended to interpret this residual as a mixture of unmeasured variables and potential discrimination while Bergmann interpreted it as evidence of discrimination, adding that discrimination was probably underestimated.

In the next hearing of the JEC, focused on comparable worth itself, the first expert to testify was Hartmann, who presented the results of the last report of the NAS committee (reiman & Hartmann~~Hartmann & Treiman~~, 1981). In addition to the content of the report itself, she commented on the ongoing political strategy based on the organized 'confusion' and 'alarmism' (JEC, 1984, p.19), while AFSCME's lawyer Winn Newman insisted comparable worth was now used as a 'red herring' (JEC, 1984, p. 26). Newman explicitly pointed towards the extension of the claims by opponents of comparable worth, citing O'Neil's testimonies which were always referring to economy-wide earning studies to counter local, firm-specific ones. What appears very clearly in the testimonies of non-economists was the idea that 'the economists' (JEC, 1984, p. 27) were now referring to a specific use of abstract principles, a 'market position' which did not correspond to the type of economics the members of the NAS committee were practicing. The two economists in the JEC panel fall into this position, where the market is judged to be the appropriate decider of value. In Congress, the pluralist, feminist type of economics used by the NAS was now facing another type of economic knowledge in which the 'economists' view' was leaning towards market-based explanations.

Cotton Mather Lindsay, professor of economics at Emory University and a member of the Mont Pèlerin Society, started from economic theory.[17] He developed the 'slippery slope' argument in full force, grounded in references to 'economic theory': The 'undesired side effects' of the 'universal enforcement' of 'this untested doctrine' on an 'economy-wide scale would create severe incentives, employment, and productivity problems' (JEC ,1984, p. 78).[18] As an almost symmetric and opposed testimony to Bergmann's one the year before, the intervention was a judgement on the remedies, based on the superiority of competition over intervention considered as the two binary alternatives. This position was anchored in a sceptical view on the existence of discrimination itself, for which 'very little evidence' existed according to him (JEC, 1984, p. 78). His main alternative explanations relied on the economic approach to human behaviour as consolidated by Gary Becker (1957) and others during the 1970s: the division of labour between men and women in the household explains their different choices in terms of efficiency, implying that the market is valuing differences in experience and human capital. The circular argument goes as follow: men specialized in market activities as their wage is higher, therefore women accumulate less experience and human capital. Lindsay added that discrimination could also be 'a statistical artefact' due to measurement errors in productivity variables.

While part of his first argument was about the idea that one cannot prove nor disprove discrimination, the second part of the argument started with economic theory: standard competition theory predicts discrimination will disappear and it is indeed, the main result of Becker's (1957) theory of discrimination ~~(1957)~~.

> One of the reasons for this dearth of testing of the discrimination hypothesis is that it is very difficult to develop from standard economic principles a theory in which race or sex prejudice can produce a wage gap. […] Economic theory recognises no such distinction as intrinsically high or low paying jobs. The wages in each occupation are determined by the demand for workers and the numbers seeking employment in each. (JEC, 1984, p. 81)

Relying on an interpretation of the Beckerian standard model, if there were discrimination, some employers would increase their profits by employing equally productive women for less: discriminatory firms would be kicked out the market by non-discriminatory ones. In a nutshell, more competition and flexibility were advocated as the solution, not the cause of the problem. Lindsay's rendition of Becker's model did not engage with the empirical and technical discussion on the use of job evaluation and refers to application of demand and supply applied to the labour market.

Mark Killingsworth, the second economist, professor at Rutgers and a regular expert witness in discrimination trials, appeared more focused on the nuances of data and interpretation while expressing the same doubts on the 'untested remedy' (JEC, 1984, p. 88).[19] While he recognized that employers' discrimination existed, pre-market and 'societal' discrimination were considered more important than market discrimination. Killingsworth pointed to the universal effect of a market economy on the internal pay scale of any companies.

> The whole concept of comparable worth is simply fallacious. […] even in a society where all employers were literally gender blind, there's absolutely no reason on earth to believe that jobs that job evaluation finds to be comparable are necessarily going to get the same pay. (JEC, 1984, p. 85)

The puzzling part of this statement is that it was exactly what employers did until the 1980s (Adler, 2020). While job evaluation methods incorporated market factors, how exactly they did so was not discussed. Killingsworth's policy recommendations lay in the enforcement of existing anti-discrimination legislation based on equal pay for equal work and, in the case of collusive employers' practices to keep some wages down artificially, the solution was more competition via anti-trust legislation.

What became branded as 'the economist view' relied on the familiar supply and demand model and the pre-eminence of market mechanisms. On the opposite end of the spectrum of economic arguments lies the theory of internal labour markets as defended by Blau (1978) and largely developed in the NAS reports. These two perspectives crystallized opposing interpretations of discrimination. Non-statistical evidence and theories, beliefs and intuitions filled the missing data and the incomplete models of the experts. These additions, while not absent from discussions in the seminar rooms, became crucial points when the debate took place outside academia in courts and in Congress.[20]

The values of experts

In 1984, the US Commission on Civil Rights (USCCR), which had turned conservative the year before, organized another consultation with experts. The USCCR had previously published the report *Sex bias in the US code* in 1977 which constituted a guide to the implementation of the previous legislation against gender discrimination, but it had turned conservative following the appointment, by Reagan, of Clarence M. Pendleton Jr. as its new chairperson in 1981. The first Black chair of the commission, and a conservative opposed to any forms of affirmative action, he stated comparable worth was ~~the~~ 'probably the looniest idea since Looney Tunes came on the screen', referring to the popular children's cartoon.[21] The year before the hearings, the Reagan administration had tried to fire three of its members (Berry, 2009, pp.184-187).

The hearing started with the discussion of Claudia Goldin's historical overview of the economic status of women. Her review of the evidence pointed to the existence of gender disparities over the century and the importance of different 'work expectations' for men and women in explaining these differences, mainly crediting factors 'within society and within the family' (JEC, 1984, p. 8).[22] When asked her opinion about the comparable worth claim, she admitted her uneasiness with the 'legal literature', which is 'the reverse of what economists generally do' (JEC, 1984, p. 13).

> [M]y reading of the comparable worth literature from the legal side was that we should look at the attributes of jobs and not the attributes of people. We as economists generally look at the attributes of people, although in competition it wouldn't matter. It just depends upon where your data happen to be better. (USCCR, 1984, p. 6)

Goldin relied on a market explanation for wage differentials: male and female teachers may do comparable work, but they don't have the same opportunity on the market as more jobs are opened to men than women, therefore men command higher wages (USCCR, 1984, p. 8). Teaching has been used as an example of comparable work done for different wages since at least the end of the nineteenth century: justification extended from natural intrinsic differences of men's and women's teaching skills to different market situations (Chassonnery-Zaïgouche, 2019). Then, as in the 1980s, the disagreements over explanation mirrored different approaches to the phenomenon. What became the dominant view in economics looked at the characteristics of the individuals, economy-wide, while other experts were focused on firm-specific characteristics of jobs. In the discussions, how to bridge these two perspectives came into full confrontation.

The panel of social scientists reproduced the binary opposition of how to explain the unexplained gap in earnings studies: economist Andrea Beller and sociologist Paula England started from discrimination, while economist Solomon Polachek and sociologist Brigitte Berger start from women's choices.[23] While the empirical discussions focused on the explanation of occupational distribution and the decomposition of the wage gap, in the end, the main opposition concerned unobservable elements. Beller explained much of the occupational distribution of men and women by the crowding of women due to employers' expectations (USCCR, 1984, p.16), while Polachek insisted on women's choices in labour participation and commitment over the life cycle (USCCR, 1984, p. 19). He also recognized 'societal type preconditioning' (USCCR, 1984, p. 20), broadly in line with England's 'socialization' explanation, but ruled out blatant discrimination as driven away because of the profit motive. While Polachek insisted 'this research on occupations was still at the preliminary stages' (USCCR, 1984, p. 31), he added

> Nevertheless, *I am sure that reasons exist that can be explained by the market mechanism*, which characterise the differences as to why women tend to be more in clerical occupations as opposed to blue-collar occupations. (USCCR, 1984, p. 31, ~~my~~ emphasis added)

Polachek used abstract market principles, assumptions rather than results, as the main epistemic stand when confronted with limited data, in combination with 'common sense' examples, such as women need to be close to a phone for family reasons and choose occupations accordingly (USCCR, 1984, p. 31, 35).

To Polachek's 'voodoo economics' (USCCR, 1984, p. 25), England opposed 'blending the information' from more than one disciplines. In the absence of information on preferences, she quoted survey research to elucidate how employers take actual decisions. Citing a survey of 800 managers asked with hypothetical decisions to make based on written characteristics, she advocated for the existence of a customary way of setting wages, tainted by sex stereotypes. Discrimination concerned the allocation of wages to jobs. She also insisted the problem was not the crowding of women but custom, produced over time, that define the value of a 'woman's job'. The other sociologist also offered a take on values – 'women's values'. Brigitte Berger, who admitted she '[felt], on this panel, like the proverbial rabbit that has unwittingly fallen into a lion's den of economists, lawyers, and the like' (USCCR, 1984, p. 28), also provided survey evidence that women value family more highly:

> One may consider the strong preferences American women give to their families irrational and misguided. But who is to decide upon life priorities in a world that appears to become ever more complex and uncontrollable? (USCCR, 1984, p. 28)

During the cross examination, Commissioner Bunzel asked directly about the epistemic and political values of the experts who saw the 'same data' 'through different pairs of glasses' (USCCR, 1984, p. 37).

> Why do these two very good scholars come at these particular data and, very honestly, as colleagues have differences? I suggest […] that it has something to do with some of the following things: Dr. Polachek believes in the free market and is something of a libertarian. Dr. England believes in something

> that might simply be called more of the welfare state ethic or the role of the government to have a role in trying to remedy inequity, rather than the market. […] I really would like to ask each of you to go beyond your papers, beyond the data, beyond what it is we have been talking about here for the last hour and a half, and just talk with us a bit about what basically are some of the fundamental assumptions based on your own values that lead you to your different views of this question. (USCCR, 1984, p. 37)

England offered both an answer on epistemic and emotional grounds. On the methodological side, the difference, according to her, had to do with the relation of theory to data.

> [Polachek] is trained in the paradigm of neoclassical economics. For neoclassical economists, when the data don't fit the theory, they retain the theory while looking around for data that support the theory. Now, in sociology, we don't have any coherent grand theory, so we look a lot at empirical evidence. We may entertain a hypothesis from economic theory or anywhere else. (USCCR, 1984, p. 37)

In addition, however, she adds that:

> Maybe in the final analysis it does get down to what moves you. It bothers me a little bit to think of concentrations of government power. If they were much more concentrated, I would be more bothered. It moves me a lot to think that women are not earning their worth because employers may take sex into account in setting the wages of jobs. […] That moves me to advocate some prescriptions to eradicate this kind of discrimination. (USCCR, 1984, p. 38)

Polachek denied the differences of opinions were 'philosophical', affirming 'an empirical economist' 'can separate the theory from the numbers, and [that] the conclusions […] does not depend on any underlying theory' (USCCR, 1984, p. 39). Beller agreed the differences were not 'philosophical' while disagreeing with Polachek.

> I am as much of a free market economist as Professor Polachek. We were both trained by the same Chicago-oriented professors, and I agree with England. I think the difference is a difference of experience. Professor Polachek believes

> that there is no discrimination against women in the labour market by employers, and I do. (USCCR, 1984, p. 40)

Following Commissioner Bunzel that ‘there is something here that has to do with values’ (USCCR, 1984, p. 40), emotions, experiences, alongside methodological choices and overall ‘philosophical’ views entered into the formulation of opinions, that goes beyond the mere scientific analysis when put in the political arena. Crucially these set of values became salient when economists go ‘beyond their models’. The strategy of using ‘objective technique’ to settle debates on thick concepts and their implementation proved to have limited reach in a political arena. Experts expressed judgement based on scientific knowledge but were nonetheless entrenched in values, meaning that the disagreements could not be regulated by scientific discussion and science did not bring the closure expected.

This sketch of experts’ disagreements during three different hearings between 1983 and 1984 is at odds with the depiction of the consensus reached within the first NAS committee. Later reports reflect this new situation. Stemming from two different conferences held in 1982 and 1983 respectively and published in 1984 and 1985, more proceedings than collective writing, the reports read as a list of diverging approaches and opinions. The 1985 report was the result of a seminar organized in October 1983 and mainly sponsored by the Ford Foundation and edited by Hartmann (1985). The two papers by economists, reproduced in the report, one by Bergmann, the other by Killingsworth, illustrated the binary opposition seen in testimonies. The report’s conclusion emphasized the fundamental political nature of the debate in relation to diverging conceptions of choice and determinism. While the Committee once again delineated a further agenda for research on comparable worth, the administration’s assault against comparable worth was imminent.

A pyrrhic victory, 1985-1989

In 1985, the same year that the NAS committee published a fifth report (Hartmann, 1985), all the agencies in charge of equal opportunity declared the principle of comparable worth unsound. Starting in 1984, courts reversed most decisions of the early 1980s. No federal legislation was passed. However, in many places, comparable worth schemes were implemented, especially in public employment. It was a victory for its opponent on the national stage, but a costly win as comparable worth was implemented in many states. The defeat of comparable worth was achieved through the use of economic arguments by the Reagan administration. This last section questions the trade-off between the scientisation of policy and the risk that scientific arguments may become weaponized. The scientization of policy relies on the belief that scientific arguments will help settle disputes. It is hoped that experts' *disputatio* – formalized debate designed to establish truth – will provide a clear guide for action. However, as with the use of scientific expertise in general, scientific arguments rarely settle debates over values. In addition, when transferred from seminar rooms to political arenas where they are set in an adversarial context, the scepticism that characterizes the scientific method has different effects: in particular, scepticism is exaggerated as one only need to cast doubt on the main claims of one's opponent, rather than establish consensus.

'A rhetorical issue'

In the 1980 presidential race, Reagan was elected on a clear anti-feminist agenda. For the first time in the US history, the 1980 November presidential election displayed a marked gender gap in voting patterns, a majority of women voting for Carter (Coste, 2016; Carroll, 2018). Addressing this gender gap was on the agenda for the re-election campaign four years later.

The new administration's agenda was based on the rehabilitation of the traditional role of ~~the~~ housewives as the main *choice* of women. As one White House memorandum put it in 1983;

> as real wages once again begin to rise, women who have been *forced* into the labour market to help buttress eroding family incomes will *once again be freer to stay at home* and care for their children (quoted by Coste, 2016, §p.18, ~~my~~ emphasis added).

During a 1983 White House meeting devoted to the next election, Reagan's staff concluded that no concrete gestures had to be made towards women as, according to them, 'the women's issue is rhetorical'. In this regard, 'perceptions are more important than substance'. In other words, all Reagan needed to reassure women was a 'successful communication strategy' (Women's Issue Meeting Conference Report, 6 April 1983, quoted by Coste, 2016, § p. 20).

Another court decision made the 'rhetorical' issue even more burning. In the 1970s, the State of Washington has pioneered comparable worth research as well as its implementation (Turk, 2016, p. 110). Starting in 1982, the State was the site of one of the most important lawsuits following the Supreme Court decision in *Gunther*. In October 1983, Judge Tanner, the first

Black federal judge in the northwest United States, found the state guilty of sex discrimination and ordered it to implement a comparable worth programme, which would have given pay raises to about 15,000 state workers, costing the state an estimated sum of more than $500 million. This decision was still pending during the 1984 campaign.[24]

Confronted with the potential effect of this decision, as well trying to gain back the women's vote, Reagan reoriented his campaign more directly against comparable worth claims. The campaign relied heavily on the extension of the scope of comparable worth beyond what was advocated (the slippery slope trope) and the idea of women's choices, both central to neoconservatism.[25] What comparable worth advocates were designing was the 'feminist road to socialism' and controlled economy.[26] The market left alone was the only decider of value, rather than technocrats and social scientists. Hence, comparable worth was also framed as a threat to capitalism in general, abstracting from the administrative, technical and firm-specific agenda of its advocates. This rhetorical strategy was paralleled by the rise of references to 'economic theory' in both experts' and politicians' discourses. As Turk (2016, p.120) points out in relation to the broader agenda: 'powerful men deployed the abstract metaphor of the free market as an antidote to many of the nation's specific problems'. The relation between this rhetoric and knowledge produced in economics at the time is however not straightforward.

A 'medieval concept' versus modern labour economics

The use of abstract economic principles by politicians was not new and not specific to the comparable worth controversy. What was different was Reagan's explicit belief that experts were 'political tools rather than neutral technocrats' and his reliance on the work of people from 'small but influential network of conservative think tanks' instead of experts in Federal agencies (Popp Berman, 2022, p. 202).

One of the strongest opponents of comparable worth, conservative activist Phyllis Schlafly, shifted her target from the defeated Equal Rights Amendment to the comparable worth principle during the second Reagan campaign. Addressing the Chamber of Commerce in 1984, she urged Reaganites to 'stop in its tracks' the comparable worth movement, a 'tremendous threat to the private enterprise system'.[27] Schlafly's political groups, the Eagle Forum and the Heritage Foundation, started lobbying state legislatures to block comparable worth bills and sent thousands of letters to Congress about the danger of this doctrine.

Heritage Foundation's policy analyst Anna Kondratas (1984) detailed the 'Orwellian definitions' (~~1984,~~ p. 3) of pay equity defined by 'objective numerical rating system' (p. 4). Despite appearance of moderation, implementing comparable worth 'would mean a giant step toward central economic planning, because 'fair wages' would be determined by bureaucrats and consultants instead of employers and employees' (Kondratas, 1984, p. 2). Replacing market value by objective worth makes 'no economic or social sense' as it 'would make women a protected special interest whose wages would reflect not market value but arbitrary bureaucratic edict' (Kondratas, 1984, p. 12). The Foundation's agenda for the Justice Department advocated that 'the fight against comparable worth must become a top priority for the next Administration'. Concrete recommendations were included in a document 'Mandate for Leadership II: Continuing the Conservative Revolution'. As the Associated Press reported: 'After the foundation issued a similar report in 1980, more than 60 percent of its proposals were acted on in the first year of Mr. Reagan's term'.[28]

One key element in the rhetoric was the rejection of comparable worth as a 'medieval' approach to the measurement of worth, interpreted as assigning an intrinsic value to work. The adjective 'medieval' is a direct reference to scholastic thought, in particular to the theory of Thomas of Aquinas, the thirteenth century philosopher. It was common to associate the scholastic theory of just price with the idea of intrinsic value (cost) determining price.[29] In fact, close reading of Aquinas shows that the just price was associated with the current market price 'established in the absence of fraud or monopolistic trading practices … the price generally charged in the community concerned, rather than the price dictated by the preferences or needs of any one individual' (Gordon, 1987). Medieval concepts – or other concepts from the past – have been used to justify current policy by giving it the aura of tradition. The scholastic doctrine of just price taken from various authors have been mobilized to justify the theory of living wage, or to support guild socialism or the corporate state. The recurrent reference in the present case was used to undermine rather than give authority to comparable worth. The reference can be found in Mark Killingsworth's and June O'Neil's respective testimonies to Congress, but the association was most notably publicized by Reagan economic advisor, William A. Niskanen.[30]

In front of a group of women in Washington, Niskanen told his audience that comparable worth was a 'medieval concept of the just price and the just wage […] whose time had passed'.

> Would you want your own salaries to be based on the determination of some committee of social scientists, with the force of government behind them?

The event was a debate between Niskanen and George L. Perry, one of the Democratic presidential candidate Walter F. Mondale's top economic adviser. Niskanen attacked the Democrats' 'only new proposal', 'something called comparable worth, a truly crazy idea'. Niskanen cited extensively June O'Neill's research.[31] This line of argument was partly ignoring that job evaluation were in fact used by major corporations.

Former Carter Labour Secretary Ray Marshall had responded to this line of argumentation in his testimony before the US Commission on Civils Rights in 1984. Marshall argued that conceptions of value as 'just price' were widespread, by which he meant pay practices based on status and perception of equity.

> [I]t is sometimes argued that comparable worth is like attempting to return to the obsolete, medieval concept of the just price. The trouble with this argument is just price or equity still plays an important role in wage determination in internal labour markets, especially in government employment. Governments typically make surveys, but do not translate the results into wage changes, arguing that such survey results are too high or too low — which is an equity and not a market idea. (USCCR, 1984, pp. 120-121)

Marshall's analysis of practices on the labour markets was becoming less and less representative of 'modern labour economics' – which primarily refers to the application of neoclassical price theory to labour issues.[32] What used to be framed as a rational wage policy (using job evaluations) and was the main policy among big firms became seen as based on an obsolete conception of value. While proponents of comparable worth analysed the market as biased, modern labour economics sees bureaucratic processes as biased.

The use of economic arguments by the Reagan administration was different from the way they were used in preceding administrations, including Republican ones. More generally, economic expertise was valued insofar as its conclusions aligned with the Reagan administration's values, and

> Whether one sees the Reagan administration as embracing the economic style of reasoning or rejecting it really depends on where one looks. In social policy domains, Reagan's is remembered as the "anti-analytic presidency." Reagan appointees rejected economic analysis designed to make government more efficient and effective and simply worked toward the goal of reducing the size and scope of government. In other areas, like antitrust, his administration wholeheartedly embraced a mainstream Chicago orientation to policy and expanded the role of economics in lasting ways. And in policy areas beyond the scope of this book, Reagan was even willing to advocate for economic arguments that were rejected by the academic mainstream, like the Laffer-curve claim that cutting taxes would raise revenues. (Popp Berman, 2022, pp. 215-216)

This government radically scaled back its use of economic expertise in social policy by cutting support and staffing to many 'policy shops' and 'analytical offices' in the executive branch. Reagan administration, however, use economics expertise extensively 'for market governance', and especially anti-trust (Popp Berman, 2022, p. 211). This pick-and-choose use of economic expertise was more radical than in the previous period and corresponds to what I named the weaponization of economic expertise.

> Reagan led with his values—an approach that sometimes produced weak or highly debatable analysis, but that prevented the conservative goal of smaller government from being subsumed by the economist's goal of more efficient government. (Popp Berman, 2022, p. 206)

This position on values, using scientific arguments only when aligned with higher goals, undermined the 'objectivity strategy' of comparable worth advocates, in addition to the debates on the proposal itself.

Some concrete implementations

In 1985, the US Civil Rights Commission, the EEOC, as well as the Office of Management and Budget condemned the comparable worth principle as unsound. The same year, a court of appeals reversed the earlier Washington judgement. When the court rejected the appeal, it did so in telling terms: 'Neither law nor logic, deems the free market a suspect enterprise' (Justice Anthony Kennedy, quoted in Hower, 2020, p. 680). Eleanor Holmes Norton had been replaced by Clarence Thomas as the head of the EEOC.[33] Thomas had been stopping the EEOC's main enforcement efforts in relation to anti-discrimination legislation since the early 1980s. Economist June O'Neill would become head of the U.S. Commission on Civil Rights. But comparable worth was 'far from dead', for it was implemented in public services even after the political defeat of the movement.[34]

By 1989, 20 US states had implemented comparable worth programmes and enforced wage adjustments (Hartmann & Aaronson, 1994). Minnesota implemented the most radical plan, twenty-three states conducted studies, and 'dozens of counties, municipalities, and school districts' implemented limited version of comparable worth (Hower, 2020, p. 680). The Washington ruling in favour of comparable worth was overturned but AFSCME secured an historic settlement in favour of the employees.[35] The union reported winning 'more than $450 million in pay equity adjustments during the 1980s' (Hower, 2020, p. 680), leading one AFSCME staffer to tell the *New York Times*:

> Whatever is happening in the courts, we're doing very well at the political level and at the bargaining table' (cited by Hower, 2020, p. 682)

Acker (1989) shows how, in the case of Oregon, the implementation of comparable worth was limited. An *ad hoc* task force on comparable worth drafted a radical proposal to implement it at every level of the state employment structure. What is striking in Acker's analysis is the foundational ambiguities within the coalition in favour of comparable worth. She describes the discomfort of shifting alliances between labour, women, and civil rights organizations and their respective takes on the articulation of gender, race and class: How 'blue-collar' men, for example, resisted the feminist attempts to redefine 'skill'; how some feminists on the task force initially opposed pay increased for underpaid male-dominated job classes, mostly jobs undertaken by non-white workers. Hower (2020), however, insists that over the whole post-war period, the comparable worth movement shows the 'confluence rather than divergence of civil rights, women's rights, and labor rights' activism (p. 661).

What about the status of expertise and knowledge in this 'often-overlooked resurgence of labour feminism in throughout the Reagan era' (Hower, 2020, p. 682)? In 1989, the Committee on Women's Employment and Related Social Issues established a Panel on Pay Equity Research.

Funded by the Ford and Rockefeller foundations, it distributed $150,000 in research funds. The reports based on the proceedings of a workshop held in 1987 concluded that:

> the largest gap in the base of knowledge was not a gap in theory nor a gap in policy measures, but rather a gap in the facts about how the labour market functions, how wages are set, how firms operate in structuring their remuneration schemes, how decisions about promotions and new hiring are made, and for the several instances in which comparable worth legislation has been implemented, how comparable worth worked, and how it was accepted (Michael *et al*., 1989, pp. vii-viii).

Presenting 'new, and, in some instances, contradictory findings,' the purpose of the panel 'was not to draw conclusions and make recommendations for policy' but 'rather to stimulate research' and to encourage (Michael *et al*., 1989, p. ix). The report contained analysis of state-imposed comparable worth legislation in Iowa (introduced in 1985) and in Minnesota (passed in 1982), as well as studies of national policies in Australia and Britain. It contains no new arguments in comparison to the previous reports.

From the 1950s to the 1980s, a majority of US employers used job evaluation methods (Adler, 2022~~forth.~~). By the 1990s, the system was dismantled and framed with new narratives about employers as price takers. Practices of pay setting relying on market-based surveys became the norm in the late 1980s. Market survey use data from typical pay rates in a given market for a given set of jobs, collecting information on how much competitors are willing to pay for certain skills. According to Adler, most companies abandoned the use of job evaluation in response to the increasing risk of liability (Adler 2022). Adler shows 'the unique role of markets in American society, as a construct to which organisations can ascribe responsibility for controversial outcomes' (p. 4). In that sense, the shift from a job's worth to a person's price (Adler's expression) was first imagined before being established in practice. Economists' arguments from 'modern labour economics' were central in the making of this new imaginary.

Conclusion

Comparable worth did not change the world as fully as its champions had hoped or its opponents had feared. Dobbin (2009, p.3) described the 1970s and 1980s as 'the fourth act of the equal opportunity drama', when personnel experts, judges, and bureaucrats were left to define concretely the practical meaning of 'equal opportunity'. In this 'drama', a set of ideas and a specific tool, job evaluation, became the centre of debates. In the present paper, three interfaces between economics ideas and the real world were described: the scientisation of policy with economic knowledge entering policy reports, the politicization of economic expertise with economic knowledge being discussed and challenged in the political arena, and finally, the weaponization of economic ideas as they were appropriated by the 'New Right'. These different labels refer to the different sequences of the controversy in the United States, not to the universal paths of any uses of science in policy.

The resolution of the comparable worth controversy into a political defeat and a (limited) implementation is a case study of how one set of ideas loses out to another in a contested process. The location of biases affecting pay settings and the criteria for rational wage determination shifted radically over the period studied: the source of bias shifted from the market to job analysts; and the locus of rationality shifted from bureaucratic procedures to the market. These shifts occurred both in the dominant view in academia with the rise of neoclassical labour economics and in politics, with the two Reagan mandates. Even if the two were not completely overlapping, they both undermined an advocacy strategy based on the use of objective knowledge to argue for wage justice.

Three elements emerge from this story. First, there is an asymmetry of influence between scientific arguments used as rebuttal and scientific arguments used as proposals: casting doubts on someone's argument is easier than building a case. The use of economic knowledge as a tool to describe a social phenomenon 'objectively', and as a tool for rebuttal of policies or a tool to produce doubt do not have the same effects, for the effects depend on contexts. Second, the difference and nuances between local and general knowledge over a phenomenon are lost or instrumentalized in more general debates. The crucial level of intervention advocated – the firm – was completely overextended in the later debates, as it did not correspond to the unit in most economists' arguments (who were talking about the 'market'). How companies have used job evaluation as a tool for years seems to escape the arguments of most economists arguing against the method as irrational. Finally, extending the concept of discrimination beyond equal pay for equal work proved difficult in the absence of a simple measurement of occupational segregation. [36] This last point is illustrated by the forms of the debates and the emergence of discussion on values rather than measurement.

The trade-off between the benefit of relying on social sciences to make policies and the risk that the politicization of science leads to systematic scepticism largely depends on the contexts that determine the scope, scale and strategy of how expertise is used. Crucially, it is not the scientists who decide whether their ideas are political or partisan but rather politicians tied by electoral and policy agendas.

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Notes

[1] See https://www.unfairtocare.co.uk/ [Consulted on the 7 November 2022]. As reported in a *Guardian* article, the average hourly pay in independent care homes in England is £9.01. In comparison, Starbucks baristas earn over £10 an hour, and Amazon warehouse workers earn a basic wage of £10-£12 an hour. Women make up most of the overall health and social workforce: across OECD countries, around 3/4 of people working in health and social care are women; around 60 per cent in the United Kingdom. 'Half of care workers in England earn less than entry level supermarket roles,' *The Guardian,* 24 August 2022.

[2] For an international overview of the implementation of the 'equal pay for comparable work' principle, see Lemière and Silvera (2021).

[3] 'The remuneration of the peculiar employments of women is always, I believe, greatly below that of employments of equal skill and equal disagreeableness carried on by men.' (John Stuart Mill, quoted in Durbin & Melber, 2001, p. 371). Mention of wage differentials according to skills and disagreeableness is a reference to Adam Smith's (1776) compensating wage differentials (*Wealth of Nations*, Book 1, Chapter 10).

[4] For a history of job evaluation methods, especially the Hay Group's method, see Lussier (forthcoming).

[5] On the deeper roots of anti-discrimination legislation in the US, see Cobble (2003).

[6] Both women are quoted in 'The equal pay issue: Focusing on "comparable worth"' by Leslie Bennetis, *The New York Times*, 26 October 1979.

[7] 'In accordance with the Academy's congressional charter, enacted in 1863, the National Research Council responds to requests from executive branch agencies and the Congress for advice on scientific and technical questions, and on occasion, takes the initiative in proposing studies on topics of national concern' (JEC, 1984, p. 2).

[8] Staffers include sociologists Donald Treiman (study director) and Pamela Cain, economist Hartmann, and applied data scientist Charles F. Turner. Research assistants were Patricia A. Roos and June Price.

[9] The *DOT* was first published in 1939 to supply a classification of occupation to the US public employment service whose origins lies in policies to answer the Great Depression (the *Wagner-Peyser Act* of 1933). Updated version appeared in 1949, 1965 and 1977.

[10] 'Policy networks are sets of formal institutional and informal linkages between governmental and other actors structured around shared if endlessly negotiated beliefs and interests in public policy making and implementation' (Rhodes, 2008, p. 2).

[11] References to recent works in economics include Beckerian and Mincerian empirical analyses on the one hand, and Bergmann, Francine Blau and Barbara Reagan's respective works on occupational segregation on the other hand.

[12] 'Bias on women's pay found, but no policy shift is asked', *The Washington Post,* 2 September 1981.

[13] Quoted in 'The equal pay issue: Focusing on "comparable worth"' by Leslie Bennets, *The New York Times*, 26 October 1979. Dixie Lee Ray had replaced Daniel J. Evans, the former governor of the State who commissioned the first comparable worth study in the early 1970s and advocate for comparable worth legislation. Ray was famous for her punchlines: speaking at a conference in Pasco, she is quoted by the local newspaper saying: 'Beware of averages. The average person has one breast and one testicle' (*The Seattle Times*, October 1991).
[14] 'Justices Widen range of women's pay suits' by Linda Greenhouse, *The New York Times*, 9 June 1981.
[15] Membership in the two committees extensively overlaps, especially with former staff member becoming part of the sitting committee, such as Treiman, Pamela Cain, Karen Oppenheim Mason and Patricia Roos; Hartmann became the study director.
[16] Bergmann was raised in the Bronx, NYC, by a single mother. A Jew and a woman, she faced discriminations continuously in her career. After receiving her PhD in 1959 from Harvard University, she became a senior staff economist in Kennedy's Council of Economic Advisors. After travelling to Peru and Bolivia as part of a Brookings Institution teams studying highway investments, she settled as an associate professor at the University of Maryland in 1965. Trained in input-output analysis and computer simulation, she primarily researched transport economics and regional science. She turned to labour discrimination in the early 1970s, in part in relation to her own experience of discrimination when at the University of Maryland. Bergmann was one of the founding mothers of feminist economics. June O'Neill entered the profession two decades after Bergmann did, when women doing PhD in economics profession was recovering its 1940s level (Forget, 2011). Quitting a pianist career for graduate school at Columbia, O'Neill did her dissertation on the effect of education on interregional migration under the supervision of Gary Becker, then became a research assistant for Jacob Mincer. She held various positions as a researcher at the NBER and Brookings, before joining Nixon's Council of Economic Advisor as staff economist in 1971. Still a member of the CEA during the Ford administration, O'Neill moved to the Congress Budget Office when Carter was elected president, before moving to the Urban Institute. Of her work on comparable worth at the time, she recalled: 'I began to be somebody that, when there were debates about comparable worth, would be on the anti- side'. All quotes and information are from O'Neill interview, 'Slaying the Dragon of Debt: Fiscal Politics and Policy from the 1970s to the Present', a project of the Walter Shorenstein Program in Politics, Policy and Values, University of California, Berkeley.
[17] 'Cotton Mather' (Mather is his mother's maiden name) is a very evocative name: Cotton Mather was a famous puritan involved in the Salem 'Witches' Trials. Lindsay obtained his PhD in economics from the University of Virginia, under the supervision of James Buchanan. He then spent 10 years at UCLA, from 1969 to 1980, before returning to his birth state, Georgia, where he works a year at Emory University in Atlanta, before joining Clemson University, South Carolina. Lindsay spent a year at the LSE, after completing his dissertation on Britain's National Health Service: 'One of his favourite activities in London was to attend the meetings of the Young Socialists Club and to heckle speakers from the back rows' (Maloney & Tollison, 2015, p. 223).
[18] This slippery slope line of argumentation is one of the three types of argument Albert O. Hirschman identified as characteristic of the rhetoric of reaction (Hirschman, 1991). The case against a proposed reform is not assess based on the merits of the reform itself, but on its imagined consequences around several elements.
[19] Mark Killingsworth earn his DPhil from Oxford University in 1977 on labour supply, human capital and job search, under the supervision of James Mirrlees and Derek Robinson. He is a professor of economics at Rutgers University since 1978. He is the son of labour economist Charles C. Killingsworth, a mediator in labour disputes and a specialist of industrial relations.
[20] On economists duelling in court from the 1980s, see Chassonnery-Zaïgouche (2020).
[21] 'Clarence Pendleton blasts comparable pay concept', *Jet Magazine*, 10 December 1984.
[22] Claudia Goldin grew up in the Bronx in a Jewish family, and did her undergraduate studies at Cornell, as Barbara Bergmann. She received her PhD from the University of Chicago in 1972. The topic was slavery and industry in the antebellum United States. Her mentors at Chicago include Robert Fogel as well as Gary Becker.
After holding several positions at the University of Wisconsin-Madison, Princeton and the University of Pennsylvania, she became the first woman to get tenure at Harvard's economics department in 1990.
[23] Sol Polachek and Andrea Beller received their PhD in economics from Columbia University, in 1973 and in 1974 respectively. Polachek worked under the supervision of Mincer on work experience and earning differentials. Beller's dissertation focused on the enforcement of anti-discrimination's law; she was James Heckman's first PhD student. Heckman had taken over Becker's leading role in organization the Labour Workshop at Columbia (Beller *et al.*, 2021). Paula England received her PhD in sociology from the University of Chicago in 1975. Brigitte Berger received her PhD from the New School for Social Research (New York) in the 1950s. Her dissertation was focused on the interpretation of Vilfredo Pareto's theory of elites. The rest of her work was mainly devoted to the traditional (heterosexual, nuclear) family model. She and her husband, sociologist Peter Berger, identified ~~with~~ more and more with 'neoconservatism' following the 1960s (Berger, 2015).
[24] This 1983 ruling was overturned by the US Court of Appeals for the 9th Circuit in 1985.

[25] Neoconservatism, also referred as the 'New Right', usually refers to former liberal democrats turned cultural conservative in the 1960s as a reaction to the 'New Left' rejection of the war on Vietnam. Jacob Hamburger and Daniel Steinmetz-Jenkins showed that the two tendencies of 'neoliberalism' that aimed at 'extending the economic model of the market to new areas of social life', and 'neoconservatism' that aimed at 'waging cultural warfare against the New Left', became companions within the conservative movement of the 1980s (Hamburger & Steinmetz-Jenkins, 2018, p. 2).
[26] Michael Levin, 'Comparable worth: The feminist road to socialism' *Commentary*, September 1984.
[27] 'Conservative urges movement against comparable worth' by Jill Lawrence, *Associated Press*, 18 April 1985.
[28] 'Reagan urged to block comparable pay effort', *Associated Press*, 3 December 1984.
[29] See de Roover (1958) for the debunking of this interpretation.
[30] A 'blunt libertarian economist' (*The New York Times*, 28 October 2011), Niskanen received his BA from Harvard and his PhD in Economics from the University of Chicago. Niskanen worked as a policy analyst at the RAND Corporation and later joined the Defense Department under McNamara's guidance. Leaving the Pentagon quite disillusioned by the Democrat administration, he then joined Nixon's Office of Management, only to leave prematurely for raising criticisms against the Administration. Before joining Reagan's administration, he was chief economists at the Ford Company, who fired him in 1980 for divergence of opinion over protectionism. One of his best-known contributions to the theory of Public Choice is his 1971 model of the budget-maximizing bureaucrats whose incentives are set to increase budgets and their authority rather than serve the public interest.
[31] 'Reagan aide assails comparable worth idea' by Peter T. Kilborn, *The New York Times*, 19 October 1984. The same year, Niskanen caused a 'stir when, in a speech before a group called Women in Government Relations, he suggested that one reason men were often paid more than women in comparable jobs was because women interrupted their careers to raise children. […] A White House spokesman said Mr. Niskanen had expressed his own views, not those of the administration.' See 'William A. Niskanen, a blunt libertarian economist, dies at 78', *The New York Times*, 28 October 2011 [Consulted on 20 December 2022].
[32] The shift toward a 'modern synthesis' in economics in general started in the 1950s (Morgan & Rutherford, 1998) and became the dominant approach in labour economics only in the late 1970's (McNulty, 1980, Boyer & Smith, 2001). The term 'modern labour economics' is usually attributed to Jacob Mincer, when he received the IZA prize in 2002; James Heckman uses the term 'analytical labour economics' instead. See Beller *et al.*, 2021.
[33] Thomas' nomination to the Supreme Court was nearly cancelled as he was accused of sexual harassment. Anita Hill's testimony against him became a landmark in the history of feminism.
[34] 'Comparable worth: Far from dead: The job can be done in legislatures and in bargaining' by Michael Evan Gold, *Los Angeles Times,* 10 September 1985.
[35] In the settlement, more than 35,000 workers received $482 millions. '"Comparable worth" case settlement: Union and Washington State agree to terms distributing $482 million to 34,000 workers', by Sara Fritz, *Los Angeles Times,* 1 January1986. Hower mentioned a $100 million settlement (p. 680).
[36] Unlike the measurement of the gender wage gap, based on a narrower concept of equal pay for equal work, the discussion did not focus on the measurement, probably as the procedure did not achieve the status of a stable convention. Until today, occupational segregation is not a recurrent measurement, by contrast with the wage gap. In 2018, the Office of National Status of the United Kingdom release numbers on both segregation by sex and adjusted wage differentials. Men had more than 60 per cent share in six occupation groups whilst women have more than 60 per cent share in only two groups (ONS, 2018). 36.1 per cent of the gender wage gap between men and women was explained by differences between individual characteristics, of which 23 per cent were differences in occupation. The ONS did not release the same numbers the following years. Office of National Statistics releases, 'Understanding the gender pay gap in the UK', 17 January 2018.