

The aesthetics of hierarchy

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Social and political philosopher Elizabeth Anderson's (2017) book, *Private Government*, opens with the evocation of an all but inconceivable time when the market was "left":

The ideal of a free market society, Anderson writes, used to be a cause of the left. By "the left," I refer to egalitarian thinkers and participants in egalitarian social movements, starting with the Levellers in the mid-seventeenth century, continuing through the Enlightenment, the American and French Revolutions, and pre-Marxist radicals of the late eighteenth and early nineteenth centuries. In the United States, the association of market society with egalitarianism lasted through the Civil War. (Anderson, 2017, p. 1)

It would be an understatement to say that the free market society these old-time activists yearned for failed to deliver on its egalitarian promises. Anderson's provocative argument, though, is that early egalitarian radicals were not ignorant of the ills free markets might bring about when it came to inequality in income or wealth. Given the known tendencies of markets to fuel economic inequality, then, what stake did they see in promoting private property and free trade?

To understand this, Anderson continues, we must get beyond a narrow interpretation of egalitarianism in terms of current ideas about distributive justice. Egalitarianism, more fundamentally, is about dismantling or taming social hierarchy. (Anderson, 2017, p. 8)

Because free markets rested on a principle of equality between the parties to a market deal, markets were perceived as engines of destruction of the old hierarchies of rank and privilege that formed the beating heart of early modern England or Ancien Régime France (see also Fontaine, 2014). Even as the churn of the industrial revolution created its own brand of blatantly unequal, hierarchical social order over the course of the 19th century, it seemed as though markets themselves might not be to blame. The unfettered concentration of capital, the ever-expanding grip of a few monopolistic corporations, and the multiplication of ranks within them, could pass as the culprits instead. Unleash the true power of free markets and all of these would soon be eliminated, paving the way for a bona fide society of equal citizens.

Marion Fourcade's "Ordinal Citizenship" is the brilliant diagnosis of a new development of market society, wherein the ideal of a rank-free society of equals, which used to come as a promise of free markets, is now being

crushed by the very logic upon which markets operate. In Fourcade's view, the inner machinery of contemporary markets, combined with our willingness to outsource to markets and private corporations the provision of many of the rights and prerogatives that define individuals' inclusion into a community of citizens, has a tendency to recreate the kind of tiered citizenship systems that were the hallmark of old aristocratic societies. By letting markets take care of citizens' inclusion, that is, we inch away from the democratic ideal of equal citizenship for all.

Fourcade's diagnosis builds on a central insight first laid out in a series of earlier articles (Fourcade, 2016, 2017; Fourcade & Healy, 2013, 2017): modern markets have become engines of moral classification. In an economy that is growing more knowledge-intensive by the day (Thrift, 2005), corporations increasingly make profits off of their ability to predict individual behavior. To get there, they need to sort consumers, insurance subscribers, or mortgage applicants into categories of risk, solvency, purchasing power or creditworthiness.

That market actors would rely on an infrastructure of predictive scores and categories that classify consumers in their eyes is not new. Josh Lauer's (2018) history of the consumer credit rating industry, for example, goes as far back as the 1840s. Novel to modern markets, however, is *how* they build these classifications: through the analysis of troves of individual-level behavioral information, made available by the all-around digitization of contemporary lives. Think of the wealth of behavioral data going into a credit score, for example: one's entire history of credit applications, credit denials, credit utilization, late or missing payments, bankruptcies, etc. In fact, any trace of human activity that can be stored on a computer is now game for algorithmically rating and ranking individuals in the eyes of the market—or of the state for that matter.

Fourcade's key insight comes from unpacking the moral implications of this technical shift: because modern classifications seem to rest on nothing but behavioral information, positions within them are increasingly experienced as morally deserved—the outcome of prior good or bad individual actions and decisions. Algorithmic forms of classifications, therefore, recreate their own hierarchies of moral standing, and data-powered markets, far from ushering in a “free society of equals,” have become machines to stratify individuals by degrees of greater or lesser worthiness. Subjects were once ranked among those who prayed, those who fought, and those who labored (Duby, 1981); we now sort and include citizens based on the value of their credit score. How, then, are we to guarantee equal citizenship for all? How can a system of citizenship provision rooted in the measurement of moral worth not yield first- and second-class citizens? And, how are we to maintain solidarity *across* classes of citizens when membership in a class looks like it rewards individual actions and choices?¹

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In the rest of this paper I want to highlight a different pathway whereby algorithmic classification undermines ideals of equality and threatens to restore aristocratic-like forms of social stratification. Glimpses of this pathway surface at several junctures in Fourcade's argument, yet for the most part it remains in the shadows of her central account. The present piece instead looks to unearth this pathway and to outline its contours in greater detail.

The crux of my analysis consists in asking: where do algorithmic forms of classification get their power to produce legitimate social hierarchies out of a body of supposedly equal citizens? Part of this power, I concur with Fourcade, arises from their tendency to present positions in the hierarchies that they create as the deserved outcomes of individual choices. My suggestion, though, is that another part of data-based forms of classifications' power comes from their tendency to persuade us that it *makes sense* to sort people into hierarchies of worthiness in the first place. Algorithmic forms of classification, that is, do not just make positions in the hierarchies that they create pass as legitimate. They also work to undermine the very belief Anderson's radicals placed at the heart of their egalitarianism: that human beings are fundamentally equal in their worthiness.

To envision this, I argue, we need to shift perspectives on two elements of the picture we are looking at here. We first need to focus on citizens, not as the subjects being rated and ranked by algorithmic techniques of classification, but as *observers* of the ratings and rankings these techniques generate in the social worlds citizens inhabit. Second, we need to look at data-powered ratings and rankings, not as morally meaningful indexes of one's character, but as *aesthetic* entities. By aesthetic I do not mean to say that ratings and rankings are particularly beautiful or pleasant to watch. I just want to stress that they are objects of perception to citizen-observers. In the following paragraphs I flesh out these two analytical moves in greater detail. I then show how they suggest a different pathway through which data-powered classifications create legitimate hierarchy out of supposed equality: by exposing citizen-observers to artificially sharp and clear-cut hierarchies, they make them take the idea of a hierarchy of human worthiness for granted.

1 | CITIZENS AS RIGHTS HOLDERS AND CIVIC OBSERVERS

There are two broad ways one can think of citizenship. As a set of rights warranting individuals' inclusion into a community of peer citizens, first. This view, which is the one Fourcade adopts, regards citizens as the depositories of citizenship, as those upon which it is bestowed. Yet citizenship is not just a form of social standing associated with a series of rights and prerogatives. Another way of thinking about it is as a form of civic behavior—as one's mindfulness of collective affairs. This is the definition we have in mind when we praise a colleague for their citizenship in the workplace, for example. Citizens in this second view are the sources of citizenship, they are the ones volunteering it, the ones in whom it originates.

This civic form of citizenship comes in many flavors, from one's attentiveness to the day-to-day life of one's community to the casting of one's vote in an election, all the way to one's active engagement in a deliberative public sphere (Habermas, 1989). Beyond these differences, I here want to follow Adut (2018) in stressing that all brands of civic citizenship share one minimal feature: in them, citizens are observers of their social environment. To exercise citizenship in the civic sense, actors minimally need to be mindful of the collective worlds they inhabit, and therefore to have a vision—however limited and however flawed—of what these worlds are like. To go back to my earlier example, workplace citizens have a vision of how their workplace is organized. Citizens deliberating healthcare reform likewise bring to their discussion a vision—whether accurate or not—of how healthcare works, of who pays for it, of which groups it primarily benefits. (Note that being mindful of one's social environment is not a tall order, so that all of us routinely exercise civic citizenship to at least a minimal degree.)

That citizens in the civic sense have a vision of their social environment does not mean that they have direct access to it, however. In fact, most of the time our perception of collective affairs is shaped by a set of prisms we observe these affairs through. The news media is one obvious such prism. Increasingly, algorithmic forms of classification are another. As the latter become more ubiquitous, they mediate our vision of an ever-larger share of our social environments: of our colleagues in the workplace, when their performance is evaluated through data-based techniques; of the set of schools we might want to send our kids to, which test-based approaches rank for the quality of the education that they provide; of the charities that may receive our donations, the efficiency of which can now be rated algorithmically.

The question therefore arises: how does the constant exposure of citizens as civic observers to algorithmic forms of classification shape their vision of the social world they inhabit? In answering this, I believe one might benefit from looking at the outputs of algorithmic classification not just as moral indexes of individuals' character, as Fourcade does, but also as aesthetic objects. What are the aesthetic properties of these objects? What type of gaze on the social world do they cultivate in citizens as civic observers? And how might this make citizens more accepting of aristocratic-like social hierarchies?

2 | PUTTING THE WORLD IN ORDERS AND PUTTING IT IN ORDER

Perhaps the most extraordinary characteristic of the ratings and scores produced by algorithmic techniques of classification is that they are simple. To an onlooker they present themselves as clear and straightforward: someone's credit score is their credit score, unambiguously captured on a scale of 300 to 850 in the case of a general-purpose FICO score. If we were to use aesthetic language, we might want to say that scores have a sharpness, a crispness, or a clean-cutness to them. As objects in the world—and unless they come with a confidence interval or a methodological appendix, which they rarely do—they look neat and definitive. Yet let us think again of the mass of messy and heterogeneous information a credit score is based upon: not just one's credit history, but increasingly one's income and employment history, address history, electoral roll status, or record of court judgments. If we take one step back, it feels almost unfathomable that these diverse pieces of information, pointing in different and likely contradictory directions, would be meaningfully summarized into a single, crisp and clean-cut figure. And yet this summary is precisely what we get from an algorithmically generated credit score.

If we look at them as aesthetic objects, then, the real magic of data-powered ratings is not that they appear as records of prior actions and decisions, thereby obfuscating the social forces behind these actions and decisions and casting themselves as mere reflections of one's individual character. The real magic lies in the aura of faux precision through which scores and ratings conceal the messiness, ambiguity, and multidimensionality of the evidence behind the constructs they claim to measure. This was obvious to individuals confronted with early attempts to classify them algorithmically: when the Simulmatics corporation pioneered the business of sorting U.S. citizens into predictive categories in the hope of forecasting their political and consumer behavior, for example, people did not question the predictiveness of these categories, but whether it made sense to try and summarize individuals into predictive categories in the first place. They frowned at the idea of being unambiguously sorted into a computer's "boxes," and an Oregon newspaper worried that Simulmatics was reducing "the voters—you, me, Mrs. Jones next door, and Professor Smith at the university—to little holes in punch cards" (cited in Lepore, 2020, p. 126).

In sum, I am arguing that algorithmic techniques of classification, when applied to sorting people by degrees of risk, creditworthiness, or performance, do more than one thing. On the one hand, they create *orderings*—hierarchical sortings which, because they appear to be rooted in nothing but individuals' purposefulness and agency, can pass for legitimate hierarchies reflecting these individuals' unequal moral worth. Yet these techniques also do something else—something that appears in plain sight if we look at their outputs as aesthetic objects: by vacuuming up the fuzziness and ambiguity inherent to the empirical data they base themselves upon, they inject artificial *orderliness* into the way the world appears to outside observers. Ordinal classification, in short, does not just put the world in orders—to use Brandtner's (2017) eloquent phrase. It also puts it in order.

Let me make two quick points before moving on to how this injection of order might work to bolster the legitimacy of worthiness hierarchies. First, the idea that algorithmic engines of classification inject order into the representations of the world they generate echoes classic accounts in the history and sociology of measurement and statistics. Alain Desrosières (1998) thus famously argued that statistical categories group into conventional "classes of equivalence" empirical entities that we would regard as unique and incommensurable if we were to look at them from the strict perspective of phenomenological experience (also see Espeland & Stevens, 1998; Hacking, 1986; Scott, 1998). The only slight difference is that algorithmic scoring does not create order by way of grouping heterogeneous things. It suspends our disbelief, not that different things are the same, but that any one thing can be meaningfully captured by a tidy rating.²

Second, I should stress that my argument does not relate to algorithmic forms of classification alone. That the latter have a tendency to "put the world in order" comes from the fact that they strive to capture complicated constructs—such as performance or creditworthiness—through crisp and clean-cut things such as ratings and scores. From this it follows that any classification system that obscures the complexity of the evidence it rests upon likewise brings artificial orderliness to the image of the world that it creates. This is what happens when we

grade a batch of essays, for example, or more generally when we claim to measure the complexity of academic performance with marks and IQ scores (Carson, 2007): when we read essays at first, what strikes us is that they are complex feats that are difficult to grade with much precision. In fact, we may wonder whether it makes sense to boil them down to a grade at all. Yet ultimately we do grade them, we give them these crisp and tidy ratings—because we have to in order to make the school system work.

The propensity of classification systems to put the world in order, in short, is not specific to algorithmic forms of classification. In closing this point, though, I should note that neither is their tendency to present the positions they sort people into as the deserved outcomes of these peoples' abilities and character (Fourcade's argument). After all, it was Pierre Bourdieu's (1973) key insight, well before algorithms took over our lives, that school evaluations legitimate social hierarchies by naturalizing academic merit and obfuscating its social circumstances. The production of legitimate social orderings, as well as the production of artificial orderliness, are elementary features of classification systems that long predate our digital age. The datafication of modern social life certainly works to supercharge these features, yet as far as mechanisms are concerned there may not be much new under the social sun.

3 | THE HIERARCHICAL GAZE

It is now easier to envision the second pathway through which algorithmic forms of classification may produce legitimate social hierarchies out of a body of supposedly equal citizens. When citizens as civic observers are exposed to the hierarchies these classifications generate—hierarchies of risk, of creditworthiness, or of academic merit, to cite but a few—they do not just see hierarchies. They also experience artificial orderliness in the way individuals in these hierarchies rank relative to one another. When merit is measured as a crisp score, for example, everyone looks like they can be positioned neatly and unambiguously on a scale of merit (there may be ties, but they will be unambiguous ties). As a consequence, I suggest, observers will be less inclined to question the meaningfulness of ranking on such a scale to begin with. If on the contrary individuals' relative positions were fuzzy and equivocal, for example because different individuals would fare inconsistently on two sub-dimensions of merit—say, English and math—that would not be averaged into a single score, observers would be more likely to wonder whether it makes sense to rank individuals by merit at all.

Along similar lines, when multiple agencies compete to rate and rank individuals in a field, they are likely to return contradictory judgments that will undermine their ability to suggest the existence in their field of a meaningful hierarchy of greatness (Accominotti, 2021). In fact, “if there are too many competing assessment agencies, the entire business of ranking may lose its legitimacy” (Healy, 2017, p. 516). If in contrast there is a single, clear ranking in a field, it will work to suggest to outside observers that greatness is a trustworthy thing, that different people have more or less of it, that it makes sense to think of it in hierarchical terms.

This idea was actually not lost on sociologist Michael Young, who coined the term for what is perhaps the utmost producer of legitimate hierarchies in contemporary societies—that is, meritocracy. Young's most potent critique of meritocracy, in *The Rise of the Meritocracy* (1958), was not that meritocracy is unfair—that it is biased against certain groups in the way it rewards merit and ability (it is). Nor was it that it tends to naturalize inequality by obscuring its social circumstances (it does). Instead it was that meritocracy, through its simplistic assessment of merit, has a tendency to create unduly reified hierarchies—merit-based hierarchies, to be sure, but hierarchies still—when all there is to see is the messy variety and multidimensionality of human worthiness.³

By producing clear-cut hierarchies, then, algorithmic forms of classification do more than presenting positions in these hierarchies as deserved and therefore as legitimate. They also subtly assert that it is warranted to sort people into hierarchies of worthiness in the first place—that there is such a thing as a meaningful hierarchy of merit, of risk, or of creditworthiness. To put it in aesthetic terms, they cultivate a hierarchical gaze in the eyes of those experiencing the world through the sortings that they create.

The cultivation of this gaze matters, finally, because it threatens the very beliefs that form the bedrock of a true society of equals—namely, citizens' embrace of the idea that their fellow citizens should not be regarded as inherently unequal in terms of their worth and deservingness, and hence that they should not be given unequal rank in society (Waldron, 2012, 2017). The ever-increasing exposure of citizens as civic observers—that is, of any one of us really—to the outputs of algorithmic forms of classification chips away at precisely these beliefs. By dissipating any ambiguity from the way we experience worthiness in the world around us, it trains us to think of different people or different achievements as of truly different worth—as of different kinds indeed. It therefore removes one of the most powerful barriers standing in the way of a rank-based, aristocratic-like society: the deep notion that various citizens have more in common than they have that tells them apart.

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ENDNOTES

- ¹ This, of course, does not mean that citizenship was equal for all prior to the rise of data-powered forms of classification. In fact, citizenship has long come in shades: up until the 19th amendment to the U.S. Constitution, for example, white men and women born in the United States were commonly assumed to be citizens, yet white women lacked the basic right to vote enjoyed by white men. Likewise, while free black Americans were granted citizenship status in some northern states prior to the Civil War, they certainly did not enjoy full equality before the law—nor did African-Americans between the end of Reconstruction and the passing of the Civil Rights Act of 1964. Jurists in the antebellum South often referred to freeborn Blacks as “quasi-citizens” (see Foner, 2019, p. 4).
- ² On the contested meaningfulness of precision in numerical measurement, see the essays collected in Wise (1997).
- ³ For more recent takes, see Frank (2016) and Sandel (2020). For an account of how the delineation of crisp hierarchies of merit fuels inequality in the rewards received by the winners and losers of meritocratic contests, see Accominotti and Tadmon (2020).

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