Social Justice and Liberty

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August 31, 2013

If I had the power to strike one word from the English language, I would choose the word "society", as no other word has lead to so much confusion and error. When people evoke "society"—when they talk about what society ought to do, or how kind or cruel society is, or whether society is sufficiently just—in doing so they misapply the language of individual behaviour to an aggregate, one that is composed of individuals but that is itself incapable of deliberate action.

In determining whether social justice can be reconciled with individual liberty[1], the first step must be to define the terms themselves. Ordinarily this step is as straightforward as consulting a dictionary, but with a slippery and self-contradictory term like "social justice", simply settling on an acceptable understanding of it is an ordeal.

Liberty, on the other hand, has the virtue of being well defined. We say

[1]The term "individual liberty" is itself a legacy of the misuse of words. To apply the concept of liberty to anything but the individual is absurd; we might say that North Korea has "liberty" in the sense that it is not interfered with by other nations, but it matters little to the people of North Korea that they are oppressed only by their own countrymen. Thus I will simply refer to "liberty" and not "individual liberty", as the latter is an unnecessarily verbose expression of the former.

an individual has liberty when he is relatively free from the coercion of other individuals, so that he may pursue his goals without interference. If his goals are frustrated by something other than human intervention, this is not an abridgement of his liberty, it is the reality that the human ability to set goals is unlimited while the universe' capacity to see them fulfilled is limited. We already have a term for the ability to fulfil desires despite the reality of scarcity, the term is "wealth", and there is no need to refer to wealth as a form of so-called "positive liberty" unless we want to stealthily bias the public discourse in favour of wealth over liberty, a goal I would not put past the proponents of positive liberty.

Social justice, on the other hand, is so poorly defined as to be self-contradictory. Justice is a trait of action. If a person commits fraud or assault, we say he has committed an injustice. When that person is punished, if the punishment is proportional to the crime and the methods used to determine and administer that punishment are fair, we say that justice has been done. The specific views of what is just and unjust may vary from culture to culture and from person to person, and people disagree as to whether justice stems from the universe itself or from a gradual process of cultural evolution. The distinction does not matter; what matters is that justice is a trait of humans' interactions with each other. The key trait of an unjust act is that the actor can reasonably expect some harm to come to others as a result of the act. There are no accidental injustices; a person who causes harm to others despite taking reasonable steps not to do so has not com-

mitted any injustice. Robinson Crusoe, alone on his island, can act neither justly nor unjustly, because the only person he can help or harm is himself. Nor can nature commit a just or unjust act, since it neither reasons nor acts as a human does.

Social justice applies justice to the "actions" of society. Society is not a person, so it does not truly act, so in applying the concept of justice we anthropomorphize society. The question is, is this an innocuous metaphor or a dangerous misunderstanding? To what extent can society be held accountable for the probable results of its "actions"?

I speculate, based on what people who talk about social justice tend to say, that they see the world according to the following mental model, which I shall call the power model of the world. Society is composed of individuals with varying amounts of power. Individuals use their power to produce outcomes; the greater is their power the larger and more outcomes they can produce. Few outcomes occur without being deliberately caused by a person.

An example of this sort of thinking comes up in discussions of differences in earnings between men and women, or between people of different ethnicities. People often cite wage differentials as *proof* of discrimination. According to this line of reasoning, the wage differential is an outcome, outcomes are deliberately caused by people, the outcome is worse for a certain group, so the person or people who caused the outcome must be sexist/racist.

This reasoning is badly flawed. That wage differentials are caused by discrimination is a hypothesis, not a foregone conclusion. What this mental

model ignores is the unintentional consequences of people's actions. If one thousand people try to drive on the same highway at once, causing a traffic jam, it is very unlikely that any one of them intended to cause the traffic jam. Similarly, if people decide they would like to see more action movies and less romantic comedies, they probably don't intend to change the wage differential between male and female Hollywood stars, although that is a consequence of a shift from rom coms to shoot 'em ups.

Under the power model, social justice makes a lot of sense. If outcomes are deliberate on someone's part, that someone is morally responsible for those outcomes. Thus bad outcomes imply injustice. In a world of unintended consequences, however, social justice does not make sense. A bad outcome caused by the accidental confluence of the actions of many individuals is more akin to an act of nature than to the action of a single individual, and so cannot be unjust, merely undesirable.

Taking as given that liberty cannot survive concerted public opposition—in the long run public policy converges to public opinion, whether through democratic action or violent revolution—the question of whether liberty and social justice can be reconciled is a question of whether people can be convinced of the desirability of liberty without exploding the concept of social justice and the incorrect mental model on which it depends. My answer to this question is no.

The power model of the world implies a broader choice set than does a more nuanced view that accounts for individual incentives and human lim-

itations. Under the power model, society is capable of acting with unified purpose if power is held by those with uniform goals. So, just as Robinson Crusoe can decide how much work to put into cutting logs and separately decide how to distribute those logs across various uses, society can decide how and how much to produce and separately decide how to distribute its product among its constituent members. This view makes inequality a worthy topic of concern, since the distribution of wealth is a choice[2]. In reality, the distribution of wealth is not chosen; it is the product of millions of separate choices and it cannot be overridden without distorting those choices. Thus we cannot extricate the distribution of wealth from the production of wealth, and our choices are limited.

People motivated by social justice aim outside the set of real choices available to them when they attempt to manipulate outcomes without regard to the unintended consequences of doing so. In aiming for an impossible state of affairs, they cannot help but find that reality continually frustrates their efforts. They can react to this in two ways. Ideally they would recognize the errors in their thinking and revise their beliefs. However, if they are to cling to their most fondly-held notions, and to the respect of their similarly deluded friends and colleagues, they must interpret their failures in light of their misguided theory of the world. "Our best efforts are repeatedly frustrated, therefore someone must be deliberately frustrating them," goes

[2]Recognizing that the distribution of wealth is inextricably linked to its production, it makes more sense to be concerned about poverty than about the difference between rich and poor.

the story. They soon discover, to their horror, that the world is replete with moustache-twirling villains, from greedy corporations to the military-industrial complex to the 1% to the people who repeatedly warn them that their views are misguided. With so many villains wielding so much power, the path is clear. If social justice is to be achieved, power must be concentrated in the hands of the virtuous. Some may say this will destroy freedom, but they are really just defending entrenched power for some sinister reason, or so the reasoning goes.

When the great concentrations of power created in the name of social justice are inevitably misused, one hopes that the people who agitated for them would learn their lesson. But if they fail to learn their lesson, they will simply redouble their efforts believing that the moustache-twirlers have won a skirmish. Thus an unwavering commitment to social justice is a recipe for the destruction of freedom and, ironically, for many things that the proponents of social justice abhor.

The best possible outcome is for people to abandon social justice and the power model of the world and to revise their idealism downwards, setting modest but attainable goals. They will find that many, if not all of their new goals can be achieved in a free society. While a free society will probably never eliminate inequality, it is fully capable of the more modest goal of eliminating poverty[3]. Even the least able among us can exploit his comparative advantage in a society organized on the principle of free exchange and the

[3]I refer here to absolute poverty, as relative poverty is another term for inequality.

division of labour. If the least able are insufficiently wealthy for the liking of others, nothing in a free society prevents those others from using their own wealth to correct the imbalance. By abandoning the very concept of social justice, people will find that they create a society that their old selves would have considered fairly, but not completely, just.