

Two Wrongs don't make a Right: How Not to Bring about Social Justice

By Philip Carl Salzman

The early Greek version of the Hippocratic Oath included the following commitment: "I will use treatment to help the sick according to my ability and judgment, but never with a view to injury and wrong-doing." A Latin version states, "I will utterly reject harm and mischief." A later version is from the Hippocratic school: "Practice two things in your dealings with disease: either help or do not harm the patient." Thus comes our sense that "do no harm" is a basic principle of medicine.¹

In dealing with social relations, we teach our children a similar lesson: Two wrongs do not make a right. If an injury is done to you, do not multiply the harm by doing an injury back. This is a rejection of the law of talion: "Lex talionis--the principle or law of retaliation that a punishment inflicted should correspond in degree and kind to the offense of the wrongdoer, as an eye for an eye, a tooth for a tooth; retributive justice."²

Lex talionis is the law of tribal societies based on balanced opposition among groups, potential retribution being the main form of deterrence against attack.³ But, what worked in tribal societies does not necessarily work in complex civil societies, particularly in liberal democracies. Civil societies require civility; replying to injury by injuring back is a violation of civility, lowering all parties to uncivil behaviour. We say: do not lower yourself to the level of the one who injured you. Two wrongs do not make a right; two wrongs double the initial harm. We urge: be the bigger person who is strong enough not to retaliate. We teach: be civil, and if others are not, that is on them, not on you. We plead: be civil; do no harm.

The principle "do no harm" is, however, in our time being violated by those who claim to be champions of "social justice." These activists, many of whom would identify themselves as "progressives", strive to advance the interests of those who they claim are victims of oppression, and they strive to constrain those who they deem to be oppressors. Identification of victims and oppressors is not on an individual basis. Rather, progressives see people divided according to categories of gender, sexual preference, race, religion, class, ability/disability, ethnicity, etc. Certain genders, sexual preferences, races, religions, classes, etc., such as women, gays, blacks, Muslims, workers, Indigenous, and disabled, are victims, and other groups, such as males, heterosexuals, whites, Christians, middle and upper classes, and able bodied, are, in their eyes, oppressors. Now there is no doubt that in the past many people have been oppressed, have suffered, and have failed to reach their potentials, among them many women, blacks, homosexuals, workers, and Indigenous people.

I am sympathetic with these people because I come from a community that has historically suffered enslavement, forced displacement, discrimination, pogroms, and attempted genocide that killed at least 6 million Jews in Nazi Germany.

The solution to oppression for "progressive" advocates of "social justice" is to provide advantages for members of oppressed categories, and to create disadvantages for members of what they call oppressor groups. However, the problem with privileged access and special benefits for some is that it victimizes those in other categories who received reduced access and a reduction in benefits.

For example:

The de facto discrimination [in elite university admissions] against Asian and Asian-American students is spectacular, undeniable, and shameful. They are in effect subjected to the same quota system that the Ivy League once used to keep down its Jewish population — the "bamboo ceiling," some call it. Asian-American groups pursuing litigation against these policies have demonstrated that students of Asian background on average have to score 140 points above white students to have similar chances of college admission — and 270 points higher than Hispanic students, and 450 points higher than

black students. The “Asian penalty” is especially heavy in places such as California’s prestigious state universities.⁴

Excluding members of “oppressor” categories, Asians in this case, while encouraging members of “oppressed” categories, Blacks and Hispanics, is the basic “progressive” strategy of creating a fairer civil society. A recent example is the announcement of research grants for social justice journalism at Brandeis University, for which only females and people of colour are eligible.⁵ White males, obviously members of the paradigmatic “oppressor” category, are excluded. Presumably that would also include Jews, who, as everyone knows, have never suffered any oppression. On the other hand, I suspect that Hispanics, who are considered white by the U.S. Census, would be considered people of colour by the Brandeis bureaucrats.

The reverse racism, reverse sexism, and reverse ethnic, class, and sexual orientation discrimination that characterizes “progressive” measures such as “affirmative action” try to right a serious wrong by committing another serious wrong. Progressives seem to believe that two wrongs actually make a right. But, in fact, great harm is done to individuals who happen to fall into an alleged “oppressor” categories, no matter their personal characteristics, social relations, or political commitments.

Contemporary anthropologists have largely rejected essentialism, the idea that members of a ethnic, racial, or sexual orientation group all have the same essential, positive or negative, characteristics. Nevertheless, progressive social justice advocates, the so-called Social Justice Warriors (SJWs), reduce everyone from being unique individuals to being no more and no less than members of gender, racial, ethnic, and sexual categories.

In the real world, anomalies abound, of course. For example, blacks and Indigenous people from well-to-do middle class families are favoured over whites from poor working class families and one parent families. Jews, once blocked or greatly restricted from entering elite universities, as they were excluded from many neighbourhoods and social organizations, are now deemed by progressive SJWs, some themselves Jewish, to be members of the white oppressor group, and not to be counted as minorities that have been oppressed throughout history.

In Canada, “affirmative action” is seen in favouring members of Indigenous youth for university places and posts. This is not a benign action which does no harm. Rather it excludes, not only the bad colonial Euro-Canadians, but also Canadian visible minorities from East Asia, South Asia, the Pacific, Africa, Australia, and elsewhere, who are disadvantaged by this “corrective” reverse racism. Policies advocated by these “progressives” do serious harm to many people simply because of the categories that have been imposed upon them. Some advocates glory in every strike landed against individuals in disfavoured categories. This may be vengeance, but it is not justice.

“Justice” is not a transparent concept. It has been the subject of inquiry and debate throughout the history of law and philosophy.⁶ This is not the place to rehearse this history, but it is useful here to make a distinction between the progressive and the classical liberal perspective. While progressives focus on categories and collectivities, favour statist government impositions, and aim for equality of results between categories and groups, people who take a classical liberal point of view focus on individuals rather than categories and groups, aim for equality of opportunity, and prefer collaborative arrangements among free individuals rather than state imposed measures. For such a classical liberal, victimizing members of disfavoured categories is unjust. The liberal view is that all individuals should be treated fairly, with equal opportunity. No disadvantage should be visited upon any individual because of a category imposed on that person by others, particularly not by institutions like governments or universities. The criterion for success should be meritorious performance, not the category in which others have placed you. Liberals therefore approve of musicians auditioning by playing behind an opaque curtain so that only their performance is assessed. Some liberal professors, including this author, grade student papers “blind”, not knowing which student wrote it because the papers is identified by the student’s numbers rather than a name. True liberals insist that justice is equal fairness to all people irrespective of gender, race, ethnicity, religion, class, or sexual orientation. For them, all societal institutions should treat individuals as individuals with no distinction based upon category labels.

There are other rationales for illiberal policies that favour individuals in some categories and punish individuals from other categories. A prominent one is “diversity.” In fact, the United States Supreme Court ruled that reverse racial discrimination, affirmative action, is a justifiable consideration in a holistic consideration of university admissions in order to enhance diversity, but not to correct past wrongs.⁷ The result of discrimination to advance diversity is the same as to aid the oppressed: people of some categories benefit from special consideration, while people of other categories are disadvantaged by exclusion.

But, discrimination to advance diversity has the same flaws as discrimination to aid the oppressed: individuals are not treated as unique persons, but rather as members of categories defined by their biology, skin colour, ethnic identity, class, or religious affiliation. Members of each category are seen as essentially alike, and markedly different from members of other categories. Such reductionism has long been rejected by serious social scientists and by pretty much any thinking person. The response to the “wrong” of category homogeneity is the wrong of categorical discrimination, which cannot be considered justice in any liberal sense.

Top down social engineering is often unfair to individuals, which is why liberals are sceptical of planned transformations and oppose the particular policies to implement them. Those who are committed to social change should take an example from the medical profession, and profess to “do no harm.” We have seen too many wrongs implemented to correct previous wrongs. Asserting “social justice”, as the so-called SJWs do, does not justify injustice to individual people.

About the Author



Philip Carl Salzman received his B.A from Antioch College, and his M.A. and Ph.D. from the University of Chicago, and he is Professor of Anthropology at McGill University. He founded the Commission on Nomadic Peoples of the International Union of Anthropological and Ethnological Sciences, and its international journal, *Nomadic Peoples*, for which he received the IUAES Gold Award. In recent years, he has been a Senior Fellow at the University of St. Andrews, an Open Society International Scholar at the American University of Central Asia, an Erasmus Mundus International Fellow at the University of Catania, and a Visiting Professor at the University of Sydney, Australia. He has engaged in extensive ethnographic field research in Baluchistan (Iran), Gujarat and Rajasthan (India), and Sardinia (Italy) which has provided the foundation for many articles in academic journals, and for books such as *The Anthropology of Real Life: Events in Human Experience* (1999), *Black Tents of Baluchistan* (2000) (winner of the Premio Pitrop-Salomone Marino Award), *Understanding Culture: An Introduction of Anthropological Theory* (2001), *Pastoralists: Equality, Hierarchy, and the State* (2004), *Culture and Conflict in the Middle East* (2008), *Postcolonial Theory and the Arab-Israel Conflict* (2008), and *Thinking Anthropologically* 3rd Ed, (2010). His latest book is *Classic Comparative Anthropology: Studies from the Tradition* (2012). In public affairs, he was a member of Middle East Strategy at Harvard (2008-2010), a member of the Board of Directors of Scholars for Peace in the Middle East (2004-2012), and is currently a member of the Academic Council of the Canadian Institute for Jewish Studies, a Fellow of the Middle East Forum (2015-), and a member of the Board of Directors of Scholars for Peace in the Middle East (2016-). He has published articles and reports in the Middle East Forum, Gatestone Institute, the Canadian Institute for Jewish Research, and the Macdonald Laurier Institute.

¹https://en.wikipedia.org/wiki/Hippocratic_Oath

² <http://www.dictionary.com/browse/lex-talionis> <http://www.jewishvirtuallibrary.org/talion>

https://en.wikipedia.org/wiki/Eye_for_an_eye

³ Philip Carl Salzman, *Culture and Conflict in the Middle East*, Humanity Books, 2008.

⁴ http://www.nationalreview.com/article/450127/departments-justice-affirmative-action-directive-campus-discrimination-asian-admissions?utm_source=Sailthru&utm_medium=email&utm_campaign=20170805%20Weekend%20Jolt&utm_term=Jolt. See also <https://www.insidehighered.com/news/2009/11/03/elite>

⁵ <https://www.thecollegefix.com/post/35334/>

⁶ Bertrand Russell, *History of Philosophy*, Unwin, 1961 (originally published in 1946). George H. Sabine, *A History of Political Theory*, 3rd Edition, Holt, Rinehart and Winston, 1961. Two major recent figures in this debate: John Rawls, *Justice as Fairness: A Restatement*, Belknap Press, 2001, and A. R. Lacey, *Robert Nozick*, Princeton U. P., 2001.

⁷ [http://www.chronicle.com/article/What-You-Need-to-Know-](http://www.chronicle.com/article/What-You-Need-to-Know-About/240820?cid=at&utm_source=at&utm_medium=en&elqTrackId=46f27803a77241e58ab77979f0739955&elq=7ebb51069cb147949e8330b9786efe79&elqat=14990&elqat=1&elqCampaignId=6357)

[About/240820?cid=at&utm_source=at&utm_medium=en&elqTrackId=46f27803a77241e58ab77979f0739955&elq=7ebb51069cb147949e8330b9786efe79&elqat=14990&elqat=1&elqCampaignId=6357](http://www.chronicle.com/article/What-You-Need-to-Know-About/240820?cid=at&utm_source=at&utm_medium=en&elqTrackId=46f27803a77241e58ab77979f0739955&elq=7ebb51069cb147949e8330b9786efe79&elqat=14990&elqat=1&elqCampaignId=6357)