



The Owl of Athena

CONTRATYRANNOS

The Natural Law Theory of Human Progress Website

EXCURSUS #20

One of a series of monographs that expands the discussion of important topics examined in *The Natural State of Medical Practice*.¹

AUTHORITARIAN TRAPS AND THE IMMORALITY OF SOCIAL EQUITY

“Social equity recognizes that each person has different circumstances and allocates the exact resources and opportunities needed to reach an equal outcome. Social equality means each individual or group of people is given the same resources or opportunities.”²

Summary: With contemporary politicization of the term “equity,” its principle of fairness is changed to unfairness and its quest for equality to inequality. It restricts opportunity for some by purposeful exclusion and pits one ethnicity against another, thereby regressing to the tribal authoritarian trap that has afflicted human society since its beginning. In doing so it duplicates the immorality that it argues should be reversed. Although the issue is relatively minor for now and reveals the charity of present-day Americans more than their shortcomings, social equity concentrates power in central governance, creates a privileged segment of citizens, enforces homogeneity, restricts progress, and yet is no guarantor of success. All these are characteristics of an authoritarian state.³ Thus, social equity is a convenient tool for the authoritarian and his political structures, and the mechanism and threat are explained.

¹ Volume, chapter and page number of otherwise unreferenced statements in this monograph refer to the version of the four volumes as published by Liberty Hill Press:

Vol. 1 – *The Natural State of Medical Practice: An Isagorical Theory of Human Progress*

Vol. 2 – *The Natural State of Medical Practice: Hippocratic Evidence*

Vol. 3 - *The Natural State of Medical Practice: Escape from Egalitarianism*

Vol. 4 – *The Natural State of Medical Practice: Implications*

² This definition of social equity is from an internet source (United Way of the National Capital Area, dated Aug. 27, 2021)) and is an excellent and clearly stated definition that (1) does not obscure the essential role of centralized government in its implementation, (2) avoids the more abstract or obtuse terminology of many definitions in which the true goal of social equity is not clearly expressed, and (3) clearly delineates the important goal of enforcing homogeneity of society. Others have pointed out its similarity to the Marxian quotation: “From each according to his ability, to each according to his need” (“Jeder nach seinen Fähigkeiten; jedem nach seinen Bedürfnissen,” August Beder in *Was wollen die Communisten?*, Lausanne, 1844).

³ Communistic governance is an example of an authoritarian State, and, as per the Manifesto, intends no concentration of power *but* removes all power of the individual, it intends no elite class *but* puts control of all production and pricing in the hands of its political hierarchy and its regulators, intends to free the individual *but* abolishes inheritance, provides schooling appropriate for production, and confiscates the products of one’s effort,

Introduction

It is a bit like the forest and the trees. We get so caught up with matters of deemed personal importance that they receive most of our effort and so deny attention to the bigger flow of events. But the latter, too, must receive our attention, for, should it be overlooked, personally important issues may quickly become irrelevant.⁴

The critical importance of the politicization of natural rights and natural law that has emerged in the West in recent centuries is a primary focus of *The Natural State of Medical Practice*.⁵ Although only partially and sometimes minimally implemented in Western governance, recognition of natural rights and natural law, their source, credibility, universality, pivotal role in community and progress, and place in the history of civilizations is today apparent in all Western nations in words, if not in deeds. And despite the limited extent to which the idea of natural rights has become inserted into global conversations and constitutions, in the past three centuries it has brought forth a previously unimaginable flourish of new ideas, discoveries, associations, and political movements, each vying for its place in the sun as a betterment for mankind.

It is important, therefore, that new generations of our citizens be aware of the perpetual global Dark Age that afflicted mankind, especially common men and women, prior to the Reformation, and that today's freedom to join or initiate popular movements or causes is *unique in the history of mankind*. The freedom to continue to do so must be protected at all costs, and it is therefore our responsibility to battle authoritarian political forces as they appear, or, as explained in *The Natural State of Medical Practice*, we will disappear. It is in anticipation of new threats to our freedoms that might emerge from some currently popular social movements that this excursus explores the contemporary significance of the previously deceptively simple synonyms, equality and equity, and their relevance to authoritarian governance and human progress.

Terminology

Equality is a noun, the state of being equal in something; equity is also a noun, the quality of being fair. The former is a state of being and tends to be measurable, whereas the latter is a quality and is used as a standard of something against other similar things. Although both terms

intends to remove inequality of outcome for workers *but* owns all means of production and by putting operation in hands of the workers inhibits progress by removing motivation and opportunity, and has never in history been successful at anything except in eradicating internal opposition and stealing the ideas of others.

⁴ For an analogy, elsewhere I have commented on the pacifism of the Quakers. This is an ongoing issue of serious internal discussion, and the importance of nonviolent resistance cannot be diminished. But it is without doubt that Quakerism has been permitted to endure for centuries not because of its pacific message and nonviolent resistance but because others have chosen to resist violence with violence and thereby have provided the opportunity for their freedom of conscience to triumphantly emerge. The rule of authoritarianism has encompassed humanity throughout prehistory and history because of its threats and use of force, and only since the Reformation in the West has a pacific sect had any chance of survival unless it is completely submissive to a ruling authority, or, as Confucius put it in the context of the dynastic authoritarianism of China, "whichever way the wind blows, the grass bends."

⁵ For this excursus it helps to have read beforehand Excursus 6 (*Natural Law, the Ten Commandments and the Golden Rule Compared*). This is included in volume 4 of *The Natural State of Medical Practice*.

ultimately derive from the Latin *aequus*, equality tends to be measurable, whereas equity tends to be a matter of judgment.⁶

Equity and equality traditionally and over many centuries have, when applied to social issues, been primarily understood to mean “fairness.” In dictionaries, both terms include “fairness” as a synonym.

Merriam-Webster defines equity (1a) as justice according to natural law or right, specifically, freedom from bias or favoritism. That aspect of the term was underscored in jurisprudence by Sir Henry Maine who noted that equity could supersede civil law because of its “superior sanctity.” The Oxford English Dictionary (I, 1) defines equity as “The quality of being equal or fair; fairness, impartiality; evenhanded dealing,” the essential component of its definition being “freedom from bias or favoritism.”

Recent interpretations and their weaknesses

The two terms are similar insofar as fairness is a basic interpretation of each. But recent political discourse has focused on a distinction between them and the appropriateness of equality and equity as goals of society in implementing a variety of social programs, the issue being the relative importance of equality in opportunity versus equality in outcome (equity). Details of this discourse have been subject to much scholarly interpretation and are not a part of present discussion.⁷ The definition of equity that opens this excursus is sufficient, one that sets boundaries by the qualifying term “social.”

“Social equality” in this definition presents an immediate problem, for the definition indicates that opportunities within a society are “given” by that society, which implies they emanate from society’s governance. This calls into question the definition’s relevance, for in a free society, opportunities are created or taken by citizens themselves, not dispensed as in an authoritarian society, just as natural rights are protected, not granted, by our Constitution. It is by the use of our natural rights that we can improve our personal circumstances by making or taking advantage of opportunity.

“Social equity” in the definition also presents an irrelevancy in that governance of a society is proposed as the source of the gift of social equity to a segment of the population. This requires partiality on the part of government, and our government was founded on the idea that there is to be no such thing as a privileged segment of our society, meaning, of course, political privilege.

Finally, it also presents an inconsistency in logic in that it assumes that each individual in the population that is to receive the benefit of social equity desires to obtain a position occupied by the nonrecipients rather than to create or discover his or her own opportunities and uniquely develop them. In other words, it assumes the total population is homogenous in its preferences

⁶ Etymology of equity: *aequus* > *aequitas* > *equite* (Fr.) > equity

Etymology of equality: *aequus* > *aequo* (-are) > *aequalis* > *aequalitas* > equal > equality

Cassell’s Latin Dictionary: As an adjective: *aequus*, a, um - equal in itself, even; equal to something else, in amount, dimensions or generally; in battles = indecisive; patient; just. As a noun: level ground, fairness, equity

Both are related to *aequo* (-are) - to make level, to form a line, to compare, to equal, to come up to;

aequalis, e, - level (ground), same age (time); transf. – equal (with dative, same time or age);

as a noun: comrade, person of same age.

⁷ See: *Pushing “Equity” Under the Guise of “Unity,”* by Mike Gonzalez, Heritage Foundation, Feb. 17, 2021, and Guy, M. E. and McCandless, S. A., *Achieving Social Equity: From Problems to Solutions*, Irvine CA, 2020.

for livelihood, that occupation of a finite number of specified positions is a zero-sum game, and that change (i.e., progress) is not anticipated. But nothing could be further from the truth, for in our society we make our own opportunities as well as take advantage of them. Furthermore, the blueprint that leads to human progress relies on diversity of ideas, not homogenous thinking. This aspect of individuality in a free society indicates an irrelevancy of the introductory definition to a free society, although it fits perfectly in a rigid authoritarian structure.

The point of this section is to highlight the limited homogeneity of thought that has developed in all segments of society in the post-Reformation West, the consequence of recognition of the importance of every individual. The resultant freedoms, unanticipated at the onset of the Reformation, have been shown in *The Natural State of Medical Practice* to be the source of human progress. The kinship tribalism that throughout human history has, in authoritarian hands, fostered fear and pitted one group against another, in effect ethnicity against ethnicity, exists no longer in the West except for populations that have retained some of those ancient ties, usually being endogenous populations that decline to fully accept the liberties and protections of natural rights and natural law that guide, to varying degrees, modern nations. This creates a problem that is seemingly unfair, but efforts to retain an ancient way of life founded in the tribalism of kinship are incompatible with natural rights and natural law. It is the “ancient way” that is immoral in its denial of individual liberty, and it should be permitted, if not assisted, to disappear (see Excursus 19, *Natural Law and American Colonialism and Expansionism*). That an ethnicity said to be affected *in toto* by previously imposed limitations on opportunity must seek recompense retroactively from an ethnicity *in toto* said to be inherently guilty of that imposition is a reversion to practices of tribal kinships that have dogged humanity since its first societies.

Background

Human progress requires inequality. Were we all truly equal and responded similarly to common threats, we would have little more to look forward to than clever ants. Humans are born unequal, bred unequal, and have unequal capabilities, experiences and needs. We also have an infinite variety of opinions on everything. This is normal, arguably purposeful, and, as proposed in *The Natural State of Medical Practice*, it is the free interaction resulting from human variation and the ideas therefrom that, since the post-Reformation protection of natural rights in the West, has produced the first documentable civilizational progress in human history (see Excursus 12, *Validation of the Natural Law Theory of Human Progress*). Despite this, there are those today who view this as a bad thing which they attempt to change by imposing a homogenized society, one method being enforcing equity. This is the authoritarian world view through which such persons hope to imprint their honestly held but hubristic idea of what is good and bad on everyone else, for then the citizenry will march where told and mind their manners.⁸ Diversity of opinion is the authoritarian’s mortal enemy, but if there is no diversity there will be no progress, which is to say there would be no improvement in the human condition. Diversity of opinion in a free society may create a myriad of minor problems, but it is the engine of progress and it dismantles the threat of authoritarian stagnation and coercion.

⁸ Merriam-Webster: authoritarianism – (1) of, relating to, or favoring blind submission to authority, (2) of, relating to, or favoring a concentration of power in a leader or an elite not constitutionally responsible to the people.

But achieving ethnic diversity in various groups, institutions, committees, classes, etc., has been touted by some as a secondary reason for social equity because ideas and opinions may be heard from a variety of ethnicities that otherwise would not be heard. Diversity as applied to entire groups (hereafter for convenience termed “ethnicities”), however, is not the same as diversity of individual ideas and opinions. Some argue that ethnic diversity will provide individual capabilities, opinions or experiences that might not emerge in their absence. But in a free and open society an equally broad range of ideas and opinions will be found in all individuals who will also have a wide range of interests and capabilities. There is no ethnic cloistering of good ideas and opinions in a free society. As I have noted before, a Stone Age child brought up in our society could well be class valedictorian. In a free society ethnicity is but one minor descriptor out of thousands that define the individual. In this sense there is absolutely no association between ethnic diversity (there are fifty ethnic groups in America) and diversity of opinion in the citizenry (there are almost three hundred fifty million individuals in America).

But social equity has become a contemporary issue of political importance in an attempt to make up for past imposed severe limitations on opportunity for some ethnicities, especially as it applies to the history of slavery. Yet each ethnicity contains a full range of diverse opinions and abilities, and therefore some individuals prefer, find, or make opportunities beyond those that are, or were, limited, thereby being unaffected by such limitations. Others may find the offer of social equity to correct unfairness generations past as unseemly and condescending or consider it charity and therefore decline it.

As for the ethnically imposed limitations themselves, the ethnicity of the population that is claimed to have initially imposed slavery or other severe limitation on opportunity also has its range of opinions, and many in that population will have either disagreed with the imposition or have had no experience with or knowledge of such a thing. And as time passes in an otherwise relatively free society the immorality imposed by those limitations will become apparent throughout the population and those persons who imposed them recognized and criticized for what they have done. Thereby that population will be increasingly morally aware of the issues and can ensure the limitations are removed and the wrong is not repeated (see Excursus 18, *The Reformation, Enslavement, and the Natural Law Theory of Human Progress*).

And lastly, the genetic intermingling in America over three or four generations is such as to make all Americans of several generations more like cousins than ethnically distinct.⁹ It is probable, therefore, that the size of the populations of individuals that either immorally imposed the limitations or would justifiably benefit from social equity to correct generational guilt is actually quite small.

The number of ethnicities that might claim restriction of opportunity at one time or another in our nation’s history is approximately fifty. To counter the inherent weakness stemming from the fractional distribution of that claim, therefore, the offending ethnicity is used to unify it. Thus, it has been specifically identified as Eurocentrism, with “Eurocentric” defined as an ethnicity “centered on Europe or the Europeans, especially reflecting a tendency to interpret the world in terms of European or Anglo-American values and experiences.” Eurocentrism is at the core of the desire to associate Caucasian skin color with oppression, a combination implying that anything that diminishes Eurocentrism and its oppression is associated with a non-Caucasian skin color. This is a clever modification because now the

⁹ See, for example, a recent study of “white ethnics” in America (including Irish, Jewish, Italian and German) *ca.* 1900: Logan, J. R. and Hyoung-jin Shin, Assimilation by the Third Generation? Marital Choices of White Ethnics at the Dawn of the Twentieth Century, in *Soc. Sci. Res.*, 41:1116-1125, 2012.

“guilty” population is many times larger and includes an entire continent, whereas before the “guilty” population would have been small and difficult to physically identify.

Ironically, however, it was the center of Europe that became the sociological vessel that, through the Reformation, promoted natural law and natural rights to political heights in Western governance. In doing so it has provided a fair judicial and legislative system for society that, with varying degrees of success, has permitted most global ethnicities to live together, interact economically and socially, and to thrive. It also was the epicenter for the moral abolition of slavery, unique in the history of mankind. Had the same fundamental recognition and protection of natural rights first occurred in Asia, Africa or pre-Columbian America, the same remarkable results would have followed, its leadership, its membership, and its successes then being attributed to some variety of non-Caucasian ethnicity rather than Eurocentrism. But it didn't. *In either circumstance the lodestone would be recognition of the political relevance of natural law and natural rights, not epidermal pigmentation or tribal address.*

But there are those who do not trust the common citizenry with sufficient intelligence to guide themselves and would impose political tribalism on society. Other authoritarian forces are unable to resist an opportunity to foster mistrust within the community, to increase the centralized power of government, and to eliminate diversity of opinion by enforcing homogeneity of thought through education and government affiliations. Now comes an attempt at enforcing homogeneity of means by limiting opportunity of selected ethnicities, one that is guaranteed to cause resentment. What better way to tribalize, divide, and conquer?

A dangerous generalization

It is pertinent that, in Excursus 18 (*The Reformation, Enslavement, and the Natural Law Theory of Human Progress*) of *The Natural State of Medical Practice*, volume 4, the moral abolition of slavery was argued to be a product of the common citizenry in the West as natural rights came to be protected and diversity of opinion flourished. This was an example of the beneficent evolution in public opinion that can result when the authoritarian political shadow imposed by those minimizing the evil of, and profiting from, slavery was removed by the common citizenry once the truth of slavery was known, its infraction of natural rights exposed, and the political voice of the common citizenry able to be expressed and heard. And yet, despite this great moral victory over slavery emanating from the West, the legacy of slavery is today universally placed primarily on Great Britain and the United States. It might be concluded from this inordinate blame that natural rights and natural law are features held and endeared in common by all civilizations, past and present, and that immoral policies identified with a civilization are characteristics of our faulty civilization. This is a grave error, for, with regard to slavery and in addition to the moral victory mentioned above, it implies (1) that other civilizations were not only guided by natural law but are blameless, and (2) that an entire people are to be judged as an entity for infractions of a relative few. Both claims are patently false.

Individuals and culpability

In Excursus 6 (*Natural Law, the Ten Commandments and the Golden Rule Compared*) the common nature, if not identity, of natural law and the Ten Commandments, herein the

Decalogue, was described, with the five ethical Commandment proscriptions for the individual applicable to other individuals in such a way that everyone was, in a sense, to be protected from everyone else.¹⁰ The ethical Commandments required the individual to *not do* something rather than to *do* something. Thus, the essential function of natural law was to permit a communal existence, while at the same time placing no restrictions on individual liberty and allowing people to do as they pleased so long as there was no transgression of another's rights. And it did this by the blunting of fear of one's neighbors rather than advocating loving them.

Excursus 6 also pointed out that the individual is the starting point for natural law, and if every individual obeyed natural law the major conflicts between groups, institutions, and nations would be prevented. This was underscored by the wording of the Decalogue, for it was specifically directed at the individual, namely "you," for its verbs are in the 2nd person, singular, masculine in both Greek and Hebrew versions. The five ethical Commandments separately considered are not directed at a nation, institution, or ethnic group. Thus, one purpose of this excursus is to highlight the importance of individual responsibility under natural law, not collective responsibility. Common sense would then dictate that blame for infractions apply just to the active participants, not to general citizenry.

The common denominator for all these ruminations is clear: the individual. But it is an assumption by advocates of social equity that a specific group must bear the blame for inequalities. This is the thinking of an authoritarian, who can blame an entire group for a social wrong because in his mind all who are of an opposing opinion are not only wrong but also are homogenous in their thinking generally. In contrast, traditional liberal thinking on human liberty is in terms of the individual. Thus, solutions are reached quite differently in a free society. A variety of opinions will be openly discussed and tested in a free society and the individuals of a free society will argue, bicker, and complain, but ultimately and usually it will pick the correct option, ideally one that will not interfere with individual liberty. In contrast, authoritarianism tends not to bicker. It will prefer homogeneity, suppress opposition, enforce conformity, and, when all this fails, threaten conflict, and sometimes precipitate war.

Who, then, can be indicted for instigating conflict and misery between tribes or nations, the citizenry or the leadership? Who can be indicted for the deaths, mutilations, enslavements, and social destruction of lives of combatants and civilians when most of the perpetrators are innocent conscripts with no role and no desire for any complicity in the planning and implementation of that carnage? Yet all on each side of a conflict view the other as enemy. What a scheme it is, that the authoritarian can recruit or compel a large population into diabolic complicity, a scheme that for 50,000 years has caused all human societies to crumble. What misery that compliance of the common citizenry in authoritarian schemes has brought down upon itself, especially as the primary tenet for authoritarian success is so obvious, so mathematically predictable: *the centralization of power in the hands of a few*. Experience has shown Lord Acton's warning to be true: "Power tends to corrupt and absolute power corrupts absolutely."¹¹

¹⁰ The generalization has even been made that the entirety of the Decalogue is the foundation of human freedom. As stated by Pope Francis, "We must not see the Ten Commandments as limitations of freedom – no, that is not what they are – but rather as signposts to freedom. They are not restrictions but indicators of freedom. They teach us to avoid the slavery to which we are condemned by so many idols that we ourselves build – we have experimented with them so often in history, and we are still experimenting with them today."

¹¹ In Lord Acton's letter to Archbishop Creighton, April 5, 1887.

Thus, issues of natural law are always issues centering on, or should center on, specific individuals, either as victim or instigator, not an entire society. Rancor at residual injustice demands, and fairness requires, that any retribution be directed at the domain of those individuals who promote an infraction of natural law, either by leadership or in collaboration, not those unprivileged individuals unlucky enough to have been caught up in an authoritarian web. A heartbreaking military analogy would be terrorism or the bombing of civilian populations. To impose restrictions on an entire ethnicity for the errors of a relative few is wrong.

Immortality of immorality denied

There is no generational (inherited, ancestral) culpability. The biblical association of three or four generations that can suffer from the sins of the fathers (Exodus 20:5-6) merely indicates that it may take some time for correctives and replacements, legal or structural, to take place. In this situation it is not sinfulness that is generational; it is instead the damage, the consequences, of the original sin that can last many years. Depending on the nature of the original sin, the passage of some generations before normality returns is understandable. This has been the situation with slavery in America, although recovery was prolonged because illegal actions of slavery proponents and opportunists hobbled recovery efforts primarily in the previously slave states. But improved legislation followed and a return to relative normality has been achieved. As for second (and subsequent) generation individuals to continue a sinful activity of the parents, the individuals in each generation who do so are guilty in their own right and irrespective of parental guilt.

In a free society there can be no generational culpability. As stated above, the Decalogue is addressed to singular “you.” The same applies to citizens in an authoritarian society, except it will not be found so by the authoritarian, especially if it is inconvenient for managing the citizenry. In which case generational guiltiness will not only be declared to exist; it will be declared policy, as Nazism did with antisemitism.

The concept of inherited sin is the subject of innumerable books and academic papers, but most focus on the original sin of Adam and its universal consequences, the inherited guilt of ancient Greek tragedy in which wars were won or lost because of judgmental deities, national guilt as exemplified by apologies of Germany and Japan relevant to World War II, and supranational guilt related to slavery and the role of “Eurocentrism.” These all omit consideration of the innocence of children, the innocents who opposed and are opposing such evils, the victims of propaganda and threat of force who lived under authoritarian governments and had no ability to pass judgment on the matter, those whose moral convictions cost their lives and limbs defending the rights of others, and on and on. The idea of condemning or penalizing entire populations with some form of phantom guilt is absurd, even if it is meant only to incite conscience, and yet it is made to seem popular. Most people know in their heart that they personally are not complicit in the guilt of great-great-grandparents. And it is fair to propose that many of the most vociferous condemnations of opponents to social equity come from persons who would have been complicit with the truly guilty had they but lived at that time. There is not a person alive who is not a descendant of many murderers, enslavers, robbers and other psychopaths. This provides a cornucopia of wonderful guilt that can be used by those who would control large populations by division and tribalism. But the truth of the matter is that culpability dies with the culpable. It is unfortunate that some of the culpable die as heroes.

The immoral basis for social equity

Whatever the course of history has revealed and despite the conflicts, legal or martial, over the last 250 years, how does the foregoing apply to lingering effects of past injustices of slavery and other impositions on individual freedom. From the legislative, judicial and moral points of view the problem has been resolved and the practical applicability of natural law and natural rights for society has been satisfied and used to resolve those injustices and to prevent them in the future. But this is now being viewed as only part of the picture. Selected ethnic groups are actively being recruited into positions of all kinds based not on merit but on their ethnicity or non-Eurocentrism and the claim that consequences of past injustices have a lingering and harmful effect on their lives.

In prehistory and early history the enforcement of a degree of equality appears to have been common. This seemed sensible in that survival of a tribe, clan, or city-state depended on cohesion and mutual assistance and, even though unpleasant, was a voluntary affiliation in view of no acceptable options. But egalitarianism of the kinship and the resulting paucity of action on the opinions and ideas of its members contributed to static societies that for thousands of years remained unaware of the concept of progress. But even those societies did not promote social equity. They did not seek a homogenous society. If someone was considered stronger or cleverer, that was fine. Survival could benefit from those with exceptional qualities. The issue instead was sharing the benefits derived from those competent in a particular area. But should an elderly member become a drag on a nomadic society, ways were found to proceed without him. The rest of the tribe did not slow down. And should any member dare to overtly contravene leadership of the kinship, ways were found to proceed without him. He was forced to comply or leave (or stage a coup, for he knew what was waiting for him if he physically left the tribe alone).

As societies enlarged, this “society first” approach not only remained in force but came under the control of those who sought personal power, especially those who had prior successes with demanding situations. For any group, an individual who successfully manages a difficult or dangerous situation will be viewed favorably by other members of the group. This was especially important because tribal kinships have been shown to foster intolerance for those outside the tribe and to promote intertribal conflict, and therefore an individual who successfully leads is an especially important person, and there will be a tendency to coalesce around those individuals when the next menace appears. Canonization of thought and social divisions appeared as populations increased, and a disaffected person now needed not to consider leaving his kinship or clan but could instead side with his preferred proponent. There were now simply too many dissenters to expel, and perpetual social conflict has been the result.

Usually the disaffected will engage with arguments directed at those of contrary opinion. In a free society some form of resolution will be reached that will not interfere with individual liberty of the greater society. But what does social equity engender?

A. Concentration of power

It should be apparent by now that this excursus is an antiauthoritarian treatise. But the antiauthoritarian focus in this section is government, not the individual, and on the abuse of power by government as it increases in size and in control over the individual. The focus is not on personalities, an unrelated phenomenon. In a free society the differences between individuals

will always be permitted to emerge, and this will lead to squabbles. Some individuals will feel strongly about an issue and their personality will be more forceful and therefore their words more likely to be intimidating. Others may feel just as strongly about the issue, but their more pacific presentation may be interpreted as being more understanding and less authoritarian. This merely represents variation in personality, and, as long as no harm results from the differences in opinion, matters will work out over time. Contentiousness and forceful presentations of an opinion are not a menace and in many instances merely indicate strength of conviction.

But the concentration of power in governance of a society is indeed a menace. Authoritarian governance was shown in *The Natural State of Medical Practice* to inhibit progress by interfering with the ability of individuals and groups to seek self-betterment, the touchstone of progress. It also presents an irresistible opportunity for power seekers in which one person, by rhetoric, controlling communications, or intimidation, can invoke personally favorable decisions that affect an entire society. In a democracy there will be wide-ranging opinions on many issues. But with concentration of power in the hands of one or a few persons the benefit of a variety of ideas is lost, and even a personal pique of the power holder can adversely affect all citizens and even the status of a nation. Excepting the role of civil law and self-defense, concentration of power for the purpose of efficiency or achieving internal goals of government inevitably infringes on liberty of the individual, limits options for citizenry, and has the ability to prevent a “good.”

It has been proposed that the development of free market capitalism with the intrinsic stability, economic well-being and positive social beneficence it fosters can provide an effective control on, and counterbalance to, political power. But if a capitalistic venture exceeds its role in society and adopts a policy of social equity, it is improperly mimicking, or acquiescing to, the role of government. And, as we watch government and large corporations join hands and combine their interests, the control on government power to be provided by capitalism is lost. Government, with the assistance of crony capitalism, becomes even more powerful and even more capable of exerting physical and economic control over citizenry as it melds public opinion into a more homogenous and thereby manageable commodity. While physical threat and harm has been the usual method of authoritarian control, limiting choice and thereby opportunity to the citizenry is just as important (see Excursus 13, *Consequences and Implications of the Marginalization of the Common Man and Woman in Ancient Civilizations*). Transgression by political or industrial governance inhibiting freedom of expression of an individual is an infraction of natural law and is immoral, and their connivance is especially to be prevented.

B. Creation of a privileged class

This has been a tool used throughout history. Whether leadership has been dynastic, popular, traditional or autocratic, assistance and loyalty to leadership is acquired by favoritism, the raising of a social class with special privileges. But it is the protection of natural rights subsequent to the Reformation that has promoted Western progress, and natural rights apply equally to every individual.¹² This means government must not interfere with equal opportunity

¹² Following the Reformation, the European “lower” class did not become upper-class high-ranking officials, or nobility, but on its own it developed its arts and sciences, including modern medicine. The lower class was offered nothing more than liberty from the fiefs. During the Renaissance in Italy a few of the lower class were preferentially treated to a limited extent with liberty, but basically they were supported by their patrons financially and in other

to improve one's life, seek "happiness," and keep or obtain property. A privileged class therefore has an unfair advantage at the cost of a disadvantage for the unprivileged, either by confiscating some of their "estate," threatening their well-being, or by restricting their opportunities for self-improvement. These are infringements on natural rights. By being partial to a social class, social equity as expressed in the definition of this excursus is immoral.

C. Enforcement of homogeneity

Three strategies contribute to uniformity of thought in a society. One is restricting opportunity, another is instilling uniformity, and the last is enforcing conformity. Through social equity, by disregarding competition and merit as a path to opportunity, a population chosen for unrelated reasons is used to restrict the opportunity of others, rather than all having equal access to opportunity. Then, because social equity provides that opportunity to persons who have a common interest invested in that social equity, uniformity enters the door with the opportune who now have or will have the previously unavailable opportunity to assist in shaping social policies. And very important is the congratulatory response from some of the general citizenry who have now realized that opportunity is more readily advanced by seeking an alliance with those in power and government than personal effort. They will now apply social equity or similar sociological contrivances to other areas, thereby subordinating themselves to those in prominent positions to obtain that opportunity. Once sufficient uniformity in the general population is reached, enforcing conformity can proceed. Restricting freedom of expression is immoral.

D. Inhibition of progress

As described in detail in *The Natural State of Medical Practice*, the source of human progress is solely due to the common citizen in the West who, following the Reformation, has produced a flourishing of medical knowledge and a remarkable increase in life expectancy that is spreading globally. It was concluded, based on historical evidence, that medical progress has always been easy, cheap, convenient, imminent, and, based on a marked increase in life expectancy and medical care that profoundly decreases suffering, has been proven to be a definite "good." To invent, discover or develop a "good" is, therefore, an improvement over its preceding status and therefore is progress. It also indicates that progress itself is a "good," and that which permits progress is also a "good." As a core human need and desire, we each carry within us the necessary means to progress: motivation and intelligence, both available since the first man and woman. But two preconditions must also exist: the opportunity to respond to motivation and the unopposed implementation of our natural abilities to exploit those opportunities. Social equity impairs both.

Using medicine as an example, if social equity introduces an unrelated factor, ethnicity, for entry into medical school, some applicants from other ethnicities will be denied entry. It is true that the student from the favored ethnicity may be just as effective as the unfavored candidate, and so theoretically, and assuming equal intelligence and interest, the end result for society could be the same regardless of the chosen applicant. And the criteria for selection vary

ways. All this came to nothing, a point discussed in *The Natural State of Medical Practice*. This suggests preferential treatment may not be beneficial for the general good, although it may temporarily help the recipients.

in the different medical schools, so the optimum criteria are not clearcut and can be arbitrary depending on local circumstances and the academic orientation of the school. Thus, while the idea that social equity might release inferior practitioners on the public is a consideration, it is reasonable to argue this need not occur.¹³ In other words, the problem is not with the ethnicities that will now be a privileged population, for their representatives given the opportunity of medical school may do well. It is instead, two-fold: (1) other ethnicities are now at a disadvantage, and (2) it is another inroad of the authoritarian into medicine.

By favoring legislated nonacademic variables that must be inserted into admission policy, one that will be accompanied by favorable assistance to the institution in return for the change in policy (see, for example, presidential Executive Order 13985, Jan. 20, 2021), a system of institutional subordination as policy has been established. Other school policies can now more easily be brought into government reach, which might be reflected in research grants, government sinecures, and other factors that will increase government influence in school policy. This authoritarian bureaucratic infiltration of medical school policy now becomes, in effect, an arm of government, with all that entails. Physician training is now able to take its place in a national health service. And that is the great issue: an increased centralization of power, with diminishing of choice and opportunity for the general population. The quality of medical care and the likelihood of medical progress will inevitably plummet, but that is a separate issue.

E. Degradation of success

Social equity can be defined as giving everyone what they need to be successful. In other words, it's not giving everyone exactly the same thing. This is claimed to be necessary to help certain persons be successful because social stigmata persist. But a search for the requirements for success will reveal those personal attributes that lead to success, and there are none that require academic training or institutional placement. A typical example on how to be successful (out of hundreds on the internet) is from University of California, Irvine:

1. Be passionate
2. Work hard
3. Be good
4. Focus
5. Push the limits
6. Serve
7. Create ideas
8. Be persistent

Such lists seem appropriate because success means to turn out well, and it can be applied to almost any human willful action. As for "turning out well." A myriad of events composes every person's life, some being successes and some failures. Just which ones are successes and what might be their significance varies from person to person. One type of success, financial (as

¹³ The other side of the argument is that there will be some entrants who will not have had to test their motivation, by hard work and competition, to enter the profession. For those of proved motivation who are denied entry because of ethnicity, there is now no chance to exploit that opportunity. It can be argued, therefore, that prevention, obstruction, or destruction by society of one's attempts to better his or her condition in life represents not only personal loss, but the community's loss as well.

measured by income), has received academic study and does not result in greater happiness.¹⁴ From the preceding we can conclude the following. First, society cannot demand from a person those traits deemed necessary to be successful. Second, by giving to a person a position or property usually reserved for the successful, he is being rewarded for being unsuccessful. The importance of “who you know” now exceeds “what you know.” Third, some have no particular interest in being traditionally successful, which is perfectly fine, in which case bestowing success on them is a nuisance and probably a waste. Two human factors mentioned earlier that are required for human progress are motivation and implementation. By demeaning the attempts of individuals to succeed, therefore, motivation will cease and favoritism will surge. This theft of motivation can be considered the consequence of an infraction of natural law.

An alternative to social equity

If government confiscates private property and prejudicially dispenses it without permission, it is not being charitable. It is theft and it restricts freedom of expression, both being infractions of natural law. Nevertheless, perhaps social equity should be viewed as a responsibility of governance to alleviate effects of all social injustice, lingering and otherwise; perhaps two wrongs can make a right. This, of course, has been tried, and it resulted in massive human destruction and misery in Russia and China in the 20th C that will forever be major chapters in all books of human history.

But maybe this time it will be different. After all, assistance from the State is provided for communities suffering devastating damage from a tornado. The purpose is to financially assist that community to return to its usual place in the economic pattern of the State. This is a type of social equity. The State is not morally bound to do this unless legal legislation has been put in place in anticipation of just such an event. And if it has, the stimulus was recovery from the loss of economic productivity for society. If not, it would have been a charitable decision of State leadership on behalf of the general citizenry to assist that community. But the assistance would be going to the persons actually suffering from the tornado.

More relevant for this excursus might be the source of assistance offered to a community that suffered from an event such as that of the Three Mile Island nuclear power plant in 1978. Here the late consequences were the dominant issue, namely fear of carcinogenesis and loss of real estate value of the contaminated area that would persist for generations. In this instance there was no State assistance. The recovery was instead assisted by legal action against those held responsible for the incident, namely the several companies involved in construction and operation of the nuclear power plant. A scientific paper on the carcinogenic effects of the accident was published as recently as 2018, forty years after the event. Does this suggest that government-sponsored social equity is the answer to lingering effects of the initial catastrophe?

It does not. The company was required to underwrite the recovery plans and is still doing so. This was not a charitable offer. And it was not social equity. It was payment of a penalty for an action consistent with an infraction of natural law in that lives and property were considered transgressed. In this case there was a guilty party, but with social equity for lingering

¹⁴ Kudma, L., Kushlev, K., *Money Does Not Always Buy Happiness, but Are Richer People Less Happy in Their Daily Lives? It Depends on How You Analyze Income*, in *Front. Psychology*, volume 13-2022 <https://doi.org/10.3389/psyg.2022.883137>.

effects on descendants of victims of slavery and those whose ancestors in America were treated unfairly there is no *habeas corpus*.¹⁵

There was, however, an earlier penalty extracted for the initial infraction of slavery: death. This was the price paid by contemporary individuals who suffered losses as a consequence of attempts to reverse wrongful behavior of others. The Civil War imposed an enormous tribulation among warring parties, the vast majority of whom were opposed to slavery as an institution: deaths - 620,000 men, average age 26 years, 2% of the population (that percentage of today's population would amount to 6,000,000).¹⁶ This not include civilian casualties from battles, disease and malnutrition. It is insulting to compare the costs in lives lost already paid for the racial equality sought by the Civil War and its aftermath with the quibbling for dollars or their equivalent in today's march to social equity.

The desire to assist people in distress is real, the vast facilities of our federal government to assist are available, and, in situations of disaster, the wealth of our nation can afford to help, the actual release of economic help being agreeable to most citizens of a free society. But social equity is another matter entirely, and government assistance is no answer to such a nebulous goal. The lingering suspicion that can arise between individuals is not surprising in a nation whose freedoms attract immigrants from ethnicities around the world, freedoms that may permit unpopular things to be spoken but at the same time reassure the personal safety of those who disagree.

On a different level, the foundation for resolving differences is available to every individual, and that is natural law. Regardless of how one views its origin, no one can deny its existence. And the essence of natural law is to not transgress another's rights. The reason so many people want to enter Western nations is because Western nations were the first, and are the most effective, in recognizing natural law for what it is: protection for natural rights. And natural rights include freedom of expression. As long as John Stuart Mill's concept of "harm" is protected, which allows differences of opinion to be expressed and ultimately resolved, and natural law is obeyed, which prevents expression of differences from being feared, free nations will accommodate, progress, and prosper.¹⁷ Indeed, it can even be predicted that this pattern is inevitable and cannot fail, so long as the authoritarian does not interfere by transgressing natural law and limiting our freedoms.

There is, therefore, no moral recourse favoring social equity. Inequity exists in a myriad of forms within every ethnicity and reflects genetic, hereditary, physical and mental capabilities, chance, luck, motivation, personality, and many other factors that guarantee our inequality. To the extent that it involves the natural rights of individuals, the issue is often a matter of defining borders rather than transgressing them. It is odd, therefore, that there is popular opinion favoring

¹⁵ The U. S. Supreme Court has recognized that the "writ of *habeas corpus* is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action."

¹⁶ American Battlefield Trust. And if one in ten Confederate soldiers were slaveholders (a high estimate), the estimated deaths in slave-holding combatants would approximate 26,000. Whereas the total number of deaths was 620,000, then about 96% of deaths of combatants in the Civil War were not slave holders. To the argument that all the Confederate soldiers were sympathetic to slavery, the importance of state's rights, camaraderie, the force of published opinions of Confederate leaders, and concern over being accused of cowardice are among the many factors affecting motivation that cannot be quantified. Quantitation of motivation by psychological assessment tools is in itself complex. To presume to accurately gauge motivation 150 years after the fact is presumptuous indeed.

¹⁷ "That the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others." John Stuart Mill, *On Liberty*, the Introduction, London, 1864 (third edition). Despite modern equivocation about its borders, the essence of Mill's statement remains clear.

social equity. The very idea of attempting to adjust for the many inequalities in a society so that everyone is “equal” is so impossible, so absurd, that one must wonder why it is even conceived. Is there some other purpose favoring promotion of social equity that lies concealed? Maybe the opening paragraphs of this excursus hint at a cause and a mechanism in play.

The only answer to the call for social equity must be charity, and that charity must be the charity of individuals to individuals. Central government has no place dispensing charity, for favoritism by government is inconsistent with a free society. Charitable organizations and individual charity can provide support for those less fortunate, and assessment of individual need can take place, although it must be admitted that our present government has many expensive charitable agencies and policies in place, one example being the cancelling of student debt in higher education.

Conclusion

To summarize this excursus and the infractions of natural law listed above, the principal immorality attachable to social equity is restricting freedom of expression. In modern Western society the issue has not yet evolved to arbitrary confiscation (theft) of property or physical harm by government. The power of the people is spread out so as to prevent an all-powerful central government. But *The Natural State of Medical Practice* has shown how major civilizations of the past have fallen into an authoritarian trap, and the history of the 20th century and current events have documented for all time the evil emanating from attempts at enforcing social equity on society. The road to a more powerful government to obtain social ends is a well-travelled one, seems to start everywhere, yet goes nowhere.

The infractions of natural law by governments over the past century in the West abound, but constitutions, communication, and common sense have so far prevented successful totalitarian control of society. But the history of civilizations has yet to identify a single one that has successfully avoided what seems to be inevitable, authoritarian traps. This excursus describes one such trap, one that relies on preventing freedom of expression. The freedom of expression includes the ability to form associations, but natural law applies to those associations whose purpose is self-betterment, not those associations used to transgress the rights of others or to increase one’s power and influence at the expense of others.

Do not, therefore, rejoice in and congratulate ourselves on our perceived humanity when we see our government used as a tool for social ends, for our descendants will soon enough realize that it is we who were the tool of government and that, with eyes wide open and with a wealth of history to warn us, we self-righteously walked into the authoritarian trap.