

Justice

by Bill Herbst

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Of the many memorable quotes referenced from Martin Luther King, Jr., one of the most often cited is: "*The arc of the moral universe is long, but it bends toward justice.*" Oh yeah? That's a belief, not a fact or a truth. The assertion was offered by MLK, I think, as a comforting and consoling message for those in the Civil Rights and anti-war movements of the 1960s who worried about the shadow side of human nature winning out and feared that evil would prevail, as it so often had. King's statement, however, was as much a metaphysical fairy tale as a dependable truism. Admittedly, it's an optimistic and hopeful fairy tale, but it's a fairy tale nonetheless.

The assertion can be debated from either direction — true or false — and the opposing arguments can easily be buttressed with as many examples from real life as one wishes. "*Just look at all these times when justice and righteousness were finally served,*" or conversely, "*Just look at all these times when venality and corruption carried the day.*" Neither of those arguments constitutes proof one way or the other. They are both appeals offered as confirmation bias, basically a kind of preaching to the converted. Almost no one who believes in one perspective will be moved at all by any rational arguments presented from the other side.

The Pennsylvania Supreme Court recently approved convicted rapist Bill Cosby's release from prison on the grounds of a bizarre legal technicality. I didn't like the decision, but I understood the logic. There was some prosecutorial funny business that went on in back room deals. What I found unjustified and utterly reprehensible, though, was that the Court not only set Cosby free, but granted him permanent immunity from any further prosecution. I don't care what the statutes say, that's not friggin' justice. It's another example of a story that's as old as civilization — the rich, powerful, and famous get away with murder, or, in this case, serial rape.

Meanwhile, the Republican-packed, ultra-conservative U.S. Supreme Court continues its predictable dismantling of the 1965 Civil Rights Act, along with even more draconian measures being enacted into law by nearly all the Republican-held state legislatures around the country to make voting more difficult and enable the partisan overturning of future elections.

In fairness, I must confess to long having felt very dubious about voting and elections as demonstrating any real or viable evidence of American "democracy."

I've always been partial to the apocryphal quote usually attributed to radical feminist and early-20th-century Communist Emma Goldman that *"if voting really mattered, they'd make it illegal."* Well, guess what? That's exactly what's happening in America right now, and it's no longer a veiled undertone of the longstanding American oligarchy (rule by the few) and plutocracy (rule by the rich). Now the historical disdain for democracy among those who seek wealth, power, and control is bald-faced and finally right out in the open.

However perverse it may seem, part of me is glad to see this. We have pretended to have democracy in America for a long time, but (with certain notable exceptions that don't add up to much) it's never been true. Now the bloom is off the rose, and all the authoritarian assholes who are obsessed with achieving power and domination are coming right out with the nasty belief they've always held — belief that was previously hidden just beneath the surface, so as not to alarm the sleeping rubes.

Among the many reasons that so many Americans voted for Donald Trump and continue to support him fervently is one not generally discussed, namely, that he is admired for being a lifelong criminal. Trump is an anti-hero driven by the fantasy of self-worth — he craves money and stardom — and he will do anything to get them. Trump's stock in trade is gaming the system as a thief and a con man.

Tens of millions of Americans love this about Trump. They are aggrieved, feeling that the system (i.e., society and civilization itself) is effectively a con rigged against them — like a casino where the house sets the rules and always wins in the end. They want to beat the house, and any way that can be done is fair game, whether it's counting cards or an Ocean's 11-style heist. Cheating to beat a system that's cheating you is OK in their book. In effect, Trump supporters don't see violating the rules as criminal, because they believe that the social rules in place are inherently bogus. And so, they love Donald Trump.

This is paradoxical. On the one hand, Trump and his cult of rabid supporters are sociopathic. They hate society and see themselves as rugged individualists. That's where the pro-capitalist and rabid anti-communist/socialist schtick comes from. On the other hand, they desperately want to be "social winners," to gain the approval of society and rise to the top. They hold social values without any respect for social process. These are people who long to be captains of the team, but without honoring any other team members.

America is a country where taking advantage of one's fellow Americans is a cherished, time-honored tradition. Treating others badly to feather one's own nest has always been seen as perfectly acceptable in this country, and even more so today than ever before. Oh sure, that's routinely denied — the essence of effective public relations is to claim that businesses love and respect their customers. The reality is often quite different, however. The nasty subtext that lurks under the surface in American commerce and finance (at all levels, including social institutions, corporations, and government) is that too many

bosses regard both their workers and their customers as marks, little more than sheep to be sheared. We've always had a culture of greed, but now that historical selfishness is married to cold disdain for others, which is a particularly unholy and inhumane merger. The titans of Wall Street are invariably dyed-in-the-wool narcissists who believe in their innate superiority and don't give a rat's ass about the rest of us, nor about the common good, for that matter.

Viewed in this light, justice in America is and always has been a sham, simply another in the endless con games being perpetrated. The history of court decisions in America consistently favors the privileged, the powerful, and the owners of property. Laws have largely been designed to benefit the Haves, not to protect the Have-Nots. This country was built on the dog-eat-dog ethic of Social Darwinism: *I'm getting mine, and oh by the way, fuck you.*

I'm not implying that all love and kindness are corrupt or that no one really cares about anyone else. No, far from it. Human beings can and do love others with great sincerity and authenticity. We are capable of profound kindness, all the way to acts of heroic self-sacrifice. But people also feel and act with cold cruelty and even lethal harm. We love those we regard as "Us," but we don't care a whit about those we consider "Them." *We* are sacred; *They* are fodder.

My suggestion here — and it seems to me quite obvious and not radical or extreme in the least — is that real love and true kindness coexist with fake love and raw selfishness in human affairs, both collectively (at the group level) and individually (within each of us).

Every member of *homo sapiens* embodies qualities of both angels and devils. The most seemingly sainted persons among us may also be downright demonic at times. Conversely, even the most apparently horrific people (such as Donald Trump) may also contain the potential to be virtuous, no matter how atrophied in them such noble qualities may seem to us.

The problem is not only in assessing the *proportionality* of good and evil in a given person (how much of one versus how much of the other) but also in the challenge of *recognition* (discerning which is which). Distinguishing one from the other (an angel from a devil, or a good motive from a bad intention) — whether we're considering ourselves, someone else, or a group — is not straightforward at all, and is often quite difficult. Getting it wrong is all too easy. Evil routinely masquerades as good, and good is not always as soft and fuzzy as we expect.

So, in part because of the ambiguous complexity of human nature, I'd assert that the "*arc of the moral universe*," whether in the short run or the long run, does not inherently "*bend toward justice*." Instead, it can go either way.

Which way it leans is up to us, and that's a pretty scary proposition, given everything we know about human beings.