

THE WALL STREET JOURNAL.

Equality Goes With Freedom, Equity Doesn't

March 11, 2021

The government can't measure equality of opportunity, but it can measure equality of result.

Charles Lipson is right ("Equity' Is a Mandate to Discriminate," op-ed, March 5), and the drumbeat is getting louder that result, not opportunity, is what demonstrates the existence of discrimination. My father, who was chairman of General Motors in the late 1970s, used to say: "The government can't measure equality of opportunity, but it can measure equality of result. If the results are not equal, they assume unequal opportunity." Ingenuity, inventiveness, entrepreneurial skill, determination and, most important, effort are extremely difficult to measure, but those are usually the key factors in creating the result. Until the government figures out how to measure those factors, "equity" will never be properly measured.

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The left's control of labels and narratives gives it an extraordinary advantage. How long will it be before someone who steals goods from a store is labelled a "nonbuyer," not a shoplifter, looter or robber, by the press? Pope Francis's encyclical, *Fratelli tutti* (2020), states that: "Each country also belongs to the foreigner in as much as a territory's good must not be denied to a person coming from elsewhere." The limits and borders of individual states must not be an excuse to reserve privileges for those born in lands of greater opportunity. Social justice requires that law-abiding U.S. citizens share their good fortune with noncitizens and nonbuyers. If progressives succeed in replacing equality with equity within our borders, prepare for social-justice ambitions to go global.

Pat Walsh

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Achieving social justice and equity requires that one take into account past injustices and tip the scales of blind justice and equal treatment now to right the wrongs of the past. The state must be empowered to enforce unequal treatment in order to produce equitable outcomes; and the path to equity is one that invariably leads to socialism, even if the economic system retains a semblance of capitalism.

Friedrich Hayek, writing "The Road to Serfdom" during World War II, saw social justice elevated to prominence in much of Europe. The rationale for state power then was that: "We must centrally direct economic activity if we want to make the distribution of income conform to current ideas of social justice." Democrats in the U.S. today are exploiting Covid to achieve objectives based on race and class that eluded them in the Clinton and Obama administrations. Many progressives reject the notion of American exceptionalism because of the nation's sordid history of injustices. If they have their way, America will be quite unexceptional after their equitable re-engineering that dilutes equal treatment, blind justice and capitalism.

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Prof. Lipson's critique, likening the Biden administration's "equity" project to socialism while showing how it contradicts a millennium of Anglo-American law, brings to mind the 1739 observation of the Scottish philosopher David Hume: "Render possessions ever so equal, men's different degrees of art, care, and industry will immediately break that equality. Or if you check these virtues, you reduce society to the most extreme indigence; and instead of preventing want and beggary in a few, render it unavoidable to the whole community. The most rigorous inquisition too is requisite to watch every inequality on its first appearance; and the most severe jurisdiction, to punish and redress it. But besides, that so much authority must soon degenerate into tyranny, and be exerted with great partialities; who can possibly be possessed of it, in such a situation as is here supposed?"

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Until fairly recently, federal, state and local policies defined where African-Americans could live in violation of laws ranging from the 1866 Civil Rights Act to the Fifth, 13th and 14th Amendments. Government incentives formalized racial segregation in housing, relied on an appraisal industry with a policy to maintain that segregation, and created an insurmountable racial wealth divide. The Federal Housing Administration's underwriting manual mandated racial segregation through the premise that homes and suburban developments would be too risky to insure if they were in racially mixed neighborhoods or anywhere near a black neighborhood, even though most racially mixed neighborhoods were thriving and safe at the time.

The combination of forced segregation, resettlement and a lack of access to financing created a situation where African-Americans were kettled into neighborhoods and forced to overpay for their housing, which led to an inability to afford upkeep and the necessity to rent out rooms in already crowded homes and apartments. In Mr. Lipson's Chicago, it is conservatively estimated that black families were deprived of \$4 billion in generational wealth from contract selling alone. Having benefited from this unparalleled economic redistribution and effectively marginalizing a significant portion of our population through the unequal application of law, some feel that it is too disruptive and too expensive a problem to address. This seemed to be the case judging by the line of questioning that senators had for Marcia Fudge and Merrick Garland. Do these opinions portend the usual ebb in the cycle of moral outrage after each of our country's recurring and embarrassing racial episodes? I hope not, but history is not on my side.

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Long before Anglo-Saxon common law and Enlightenment legal traditions appeared, the Hebrew Bible insisted that society must be based upon the pursuit of justice (Deuteronomy 16:20), meaning (among other things): “you should not favor a poor man in his cause” (Exodus 23:3) and “you shall not respect the person of the poor, nor favor the person of the great” (Leviticus 19:15). Wise words.

Doug Wertheimer