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Concept of Justice and the Quest for an Absolutely Just Society

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COMMENTS ON PREVIOUSLY PUBLISHED JOURNAL ARTICLES

The Concept of Justice and the Quest for an Absolutely Just Society

The March, 1966 issue of this Journal carried an article under the above title, written by Dr. Robert Waelder of the Department of Psychiatry of the Jefferson Medical College of Philadelphia. Following is a comment upon it by Dr. Robert Seidenberg, a practicing psychoanalyst in Syracuse, New York, who is Clinical Associate Professor of Psychiatry at the State University of New York and also the co-author of the recently published book, "Mind and Destiny: A Social Approach to Psychoanalytic Theory".

"So that your readers may know that psychoanalysis is not monolithic in its views and theories, I offer the following in criticism of Dr. Robert Waelder's *The Concept of Justice and the Quest for an Absolutely Just Society*. Dr. Waelder's status differentiation with us is high and secure, based, not on aggression, but on his ability as a psychoanalyst and teacher.

"The fallacy in his aphoristic essay on the inevitability of his eternal truths is that he seems to be certain that aggression is a basic phenomenon rather than a still very controversial concept amongst social thinkers. He then assumes that 'status differentiation' *regardless of criteria* is nothing but a direct manifestation of inevitable aggression, like, may I say, the inevitability of capitalism or the private practice of medicine. For Dr. Waelder, because of aggression, life is a see-saw; one must be up and another down. It really doesn't matter, then, that status differences are based on the color of one's skin or the performance of one's psyche.

"If aggression is basic to man, then Dr. Waelder's following statement is consistent: 'All morality is a *restriction* (italics mine) and modification of natural man. If man were good by nature, no morality would be needed; ...' This statement is indeed very mystifying. May I submit that I have never seen 'natural' man nor do I know of anyone who ever has. It never occurred to me to give the appellation, man, to a bundle of raw 'instincts'. And, I always thought that man's morality was his distinguishing achievement rather than a restriction. Is he very much at all apart from his morality?

"Dr. Waelder's comments on student protests

and the civil rights struggle are to me unfortunate. He confuses equality with equality of opportunity; he seems to deprecate those who strive for justice because absolute justice is unattainable.

"Throughout the paper, there is an unmistakable bias that the aggression in the service of maintaining the *status quo* is both 'natural' and desirable, but the activity for change is fruitless and unrealistic. Characteristically, aggression from the top down is inevitable and 'healthy' whereas the stirrings from below tend to go against nature and are 'sick'.

"If Dr. Waelder has doubts about man's perfectibility, he brings nothing new to the scene. When he speaks of the inevitability of certain social structuralizations and modes of behavior, it is from his philosophic intuition, not from the psychoanalysis that I know. Can none of us resist becoming an idol of the market?"

Following is Dr. Waelder's reply to the foregoing comments by Dr. Seidenberg:

"My argument does not depend on any particular theory of aggression; it can be formulated without any reference to aggression at all, merely on the basis of the differences in individual characteristics and of man's unconquerable self-concern.

"If a number of people are shipwrecked on an island and they survive, later rescuers will find their society stratified: some having preferred access to scarce desirable things, some having more power or prestige than others. Equality may prevail in some aspects, for some time at least, but it will not extend to all areas of life, unless one of the following conditions exists:

"(1) Nobody ever desires anything for himself that is not immediately available to all, *i.e.*, all people are entirely free from selfishness.

"This, to me, is a utopian assumption. Selfishness may be conquered by some people most of the time (the saints, the early Kibbutzim) and by most people some of the time (in a great upsurge of mass emotions) but *not by all the people all the time*. This looks like an 'eternal verity' to me.

"(2) A strong external power intervenes at every sign of beginning stratification.

"That implies the establishment of a new, probably more ruthless, hierarchy than the old one.

"All this does not mean that nothing can, or has been done, to regulate or mitigate the harshness of the spontaneous order. It does mean that there is a *point of diminishing returns* beyond which costs may outweigh the gains. Prohibition has shown—if proof was needed—that in a free country government cannot go beyond a certain point in *enforcing laws* which are loathsome to substantial parts of the population, while still maintaining a free constitution.

"That life is a 'see-saw; one must be up and the other down' is an apparently ironic description of the view that stratification is a universal phenomenon of social life both in nature and in history. I would accept A. P. Thornton's recent formulation that 'Power is transient... but only in the sense that it changes hands...; it does not change its nature'.

"History records only various orders of dominance, and real equality has prevailed only for brief moments of transition from one order of dominance to another. Those who believe in the possibility of a completely different dispensation must bear the burden of proof. Righteous indignation alone is not enough.

"Dr. Seidenberg sees me as holding that 'aggression from the top down is inevitable and "healthy" whereas the stirrings from below tend to go against nature and are "sick".' By putting the words "healthy" and "sick" between quotation marks, Dr. Seidenberg gives the impression that he has lifted them from my text. Actually, neither these words nor any similar ones occur in my article. I could not possibly have made such statements because I believe that psychic illness can only be defined against social norms and the concept is therefore inapplicable to successful mass movements. One individual or a thousand individuals may be sick but scores of millions are a turn of history.

"I agree with Dr. Seidenberg that there is really no 'natural man'. I used this expression only as a shorthand to indicate that morality must be learned and enforced. No society has so far been able to get along without criminal law and law enforcement agencies and to rely exclusively on the voluntary cooperation of the people.

"Finally, I fail to see how one can become 'the idol of the market place' by assuming a highly unpopular position."