

Chapter Fifty-Eight

From Where Did Original Sin Originate, and Is It Fair?

I had another very interesting religiously based exchange with my father a few years ago, mixed in with a contemporary political legal issue. The religious issue was the fairness of Original Sin, because I thought it unfair to punish me, or any human, for Adam and Eve's Original Sin. After all, I did not choose to eat the forbidden fruit; Adam and Eve did. As a result, I asked, Why do all subsequent human beings now have to pay for Adam and Eve's sinful mistake? That substitution and guilt by mere association of being a latter-day human being doesn't seem fair.

Right around the same time, my father and I had a political discussion on the legal issue of affirmative action, in which employers or college or graduate school admission boards take into account the race and/or gender of applicants in an attempt to (1) remedy past discrimination, (2) try to put people into the positions they might have otherwise been in were it not for the original discrimination against them (and their forebears), as well as (3) attempt to value racial, ethnic, and gender "diversity" in their organizations. As a result, there was an interesting juxtaposition because my father and I were on opposite ends of each argument. Although my dad thinks it is fair to apply Adam and Eve's Original Sin to every innocent human being born thereafter, he also thinks it is unfair to discriminate against innocent white victims in college admissions and job applications with affirmative action when they themselves did not own slaves or commit any specific racist acts. For my part, although I think it is fair to have affirmative action plans to address past and current racial wrongs that even might harm innocent white victims, I also think it is unfair that I, as a mere member of the human race, must pay for Adam and Eve's Original Sin. As usual, I wrote a long letter to my dad recounting the exchange; it is reproduced in pertinent part below:

Affirmative Action and Original Sin

Dad, believe it or not, these two topics on religion and politics are actually related, insofar as when you and I discussed them, I believe a surprising, but very real, inconsistency in your personal and theological sense of justice was exposed.

*First, with respect to affirmative action, you stated how unfair you thought it was for modern-day white people to have to suffer reverse discrimination for the racism and atrocities of their racist grandfathers ("My great-grandfather may have owned slaves, but I didn't"). You stated how unfair that was because the modern-day individual was not **exclusively** being judged*

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based upon his own actions but rather on the additional actions of his forefathers—which he “could not have had anything to do with, because he wasn’t even born yet!”

*Curiously however, when I made your same argument in another context regarding Original Sin (how it was unfair that every generation since Adam is plagued with Original Sin such that we are inescapably born into sin and damnation due to the actions of our earliest ancestors, starting with Adam and Eve), you stated, “The Bible says that the sins of the fathers will be visited on the sons.” You therefore appear to believe that it is entirely fair and just for modern-day individuals to have to pay for, or at least suffer for, the sins of their forefathers all the way back to Adam and Eve; however, when it comes to affirmative action, you reverse course and maintain that people should be judged only by their **own** actions and not the actions of their forefathers—because only **individual** justice is fair, whereas **group-association** justice is not.*

Clearly, these two points are inconsistent. You either feel that making individuals suffer for the past “sins” (or the racism) of their ancestors is “fair” or that it is “unfair,” but it cannot be both at the same time. I suppose that as a pastor, you are not prepared to change your position on Original Sin, so you will have to change your position and agree with me on affirmative action. I am interested to see how you will respond to this obvious inconsistency.

*However, since I am requiring that you be consistent with respect to Original Sin and affirmative action, I guess I too need to be consistent. That is, since I am saying you are inconsistent on two related points, and I happen to disagree with you on **both** of those points, then I too must be just as inconsistent as you are, only on the **opposite sides of the inconsistency**, right? In other words, am I not guilty of the very same inconsistency that I accuse you of, only in reverse?*

That is certainly true to the extent you can just “flip” my own argument against me (which is what I did as I was thinking about this: I asked myself, “Alright then, why is it ‘fair’ for judges to visit the sins of their fathers on the sons (affirmative action) but ‘unfair’ for God to do the same thing (Original Sin)?”) Note: you can always put this letter down, and just let me argue with myself, which is what you might have planned on doing anyway.

*So I thought: “Just why do I support affirmative action as fair but still maintain that the concept of Original Sin is unfair?” As I stated in the beginning of our discussion, affirmative action is certainly not a **perfect solution** to the modern problems of past racism, and I admit that it does not represent perfect justice, but that is really only because we cannot go back in time in order to address the racism of past slave owners—they are long since gone, but unfortunately, some of the societal effects of their past racism are still present (not to mention that there is current societal racism as well).*

*Moreover, although I really have to concede that affirmative action is unfair at least to a certain degree and in a certain sense, it seems even **more unfair** to me to do nothing about*

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modern injustices caused by past racism just because we cannot logistically find the perfect remedy. Recall, I pointed out that in law, there is “the real” (the status quo), “the ideal” (perfect justice), and “the possible” (a reachable goal that is still idealistic, yet realistic as well).

*Affirmative action, then, is not “the ideal,” but at least it is better than “the real” of completely ignoring the remnants of past racism because the worst perpetrators of the racism are now long gone. Instead, it represents “the possible.” Moreover, it is not as though racism is completely a thing of the past—freedom is not just the absence of slavery, and equality is not just the absence of segregation. Thus, I am comfortable, although not entirely satisfied, with the need to do “the next best thing” (“the possible”), and that is to at least make **some** attempt to address the unfortunate remnants of past racism through affirmative action (and, again, I do **not** believe racism suddenly **ended** once slaves were set free in 1865; indeed, racism, unfortunately, is alive and well today, despite numerous civil rights victories, which now at least have the government and certain other institutions out of the business of some of the worst forms of overt racial discrimination).*

*The point is, racism still harms modern-day minorities (and not just African-Americans), while “innocent” white victims still benefit to some extent from past slavery, as well as all past racism and discrimination against minorities, insofar as modern-day whites are already, and remain deeply, entrenched as the leaders in almost all benchmarks of progress in American society with respect to such things as income, employment, education, health, political power, etc. I admit that the lead by whites in these areas is not **all** related to racism, of course, as many whites, every day, must overcome their own set of obstacles that have nothing to do with race at all (hard work, sacrifice, the need for intelligence, talent, merit, etc.). Still, at least **some** of benchmarks of progress for some modern-day whites are a function of not being from a traditionally oppressed racial or ethnic group.*

A quick metaphor might help to make my point. If you and I were playing tennis but it was clearly determined that you were “cheating” (the equivalent of racism, slavery, discrimination, oppression, etc.), then it obviously would be unfair for you to keep your ill-gotten lead in our tennis match (you support this insofar as you think it is OK to punish former slave owners—the actual “cheaters” in the tennis match metaphor). But here is where we disagree: I think it also would be unfair even if “substitutes” for your side and for my side continued to play the tennis match in our place, if they did so without evening up, or at least adjusting, the score (the substitutes would be, metaphorically, the descendants of former slaves and slave owners, and people from the same racial groups).

If the illegitimate score were not evened up or at least adjusted in order to take into account the extra points which were obtained through past cheating (racism), then the substitutes (the descendants and group affiliates) would always be subject to the ill-gotten gains of the past cheating. In effect, if the metaphorical score is not evened or adjusted somehow, then the descendants of the cheaters would always be illegitimately ahead of the descendants who

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suffered the original cheating. This would be true even after the most egregious form of cheating had come to an end (the end of slavery) and the original "players" left the tennis match for good (generations died out and have been since replaced by their descendants).

So if you and I were playing tennis and you were winning 5 games to 2, but we determined that you had engaged in cheating some of the time, then even if you would now agree to stop cheating from here on, in order for it to be truly fair, the score would have to be adjusted (slowly, perhaps over generations in the real-world context). In fairness, I should be entitled to some points, and it would be wrong of you to accuse me of a form of cheating myself (reverse discrimination) just because I was asking for the score to be evened or adjusted as it should be (by adding points to my side to make up for the past cheating/unfair point deficit). This would be true even if "substitutes" (our descendants) had taken our respective places in the tennis match. Moreover, it is incorrect to think that all of the cheating has stopped, as there are still overt and institutional forms of racism alive and well in today's society.

*In short, "innocent white victims" are all not really "victims" of affirmative action; instead, some are merely being put in the situation they likely would have been in from the beginning if there had never been any "cheating" by their ancestors in the first place. Would the later "substitutes" on your side in the metaphorical tennis match be "innocent victims" simply because they were not allowed to keep their ill-gotten lead from the cheating that had occurred? Of course not, so not even addressing **current** racism or **current** manifestations of racism in society (which I believe exist, since racism is still obviously a problem), affirmative action seems to be at the very least a necessary remedy for **past** racism as well, although I agree it is, in a certain sense, not the perfect solution and still can be unfair in certain contexts. The main problem with it is that we now have to **guess** what the new, adjusted score should be, because we do not know for sure how much of the current lead is legitimate and how much is the result of cheating (racism)—much of the disagreement is in this area. I agree that we may not be able to say for sure exactly what the score should be; however, the score should be adjusted, at least to some degree, in order to counteract the past cheating.*

The law is no stranger to handing down such "imperfect remedies." For example, money damages for someone who loses their arm in a car accident caused by a negligent defendant driver is a perfectly acceptable remedy. We do not deny money damages to the victim simply because we cannot come up with the now impossible perfect solution of giving the victim his arm back ("the ideal"); we instead settle for the "next best thing"—money damages based on our best guess of what would be fair—it would represent not the "ideal" but "the possible." Similarly, we do not condemn the injured plaintiff for legitimately trying to obtain redress and compensation for his loss of arm injuries (as a "reverse injury"), so we similarly should not condemn racial minorities for trying to do the same thing ("reverse discrimination").

Another, perhaps even more fitting, example would be damages paid to those of a certain class who are not the original victims of the original harm, paid by some who may not

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even be the original perpetrators. In law school, I heard about an old case from New York where cab drivers were charging too much money for each tenth of a mile driven charged to victim riders and it would serve as a good example here. Those cab drivers were eventually found guilty of overcharging each rider over a period of time. The remedy (years later) was to force all **current** cab drivers in the city to give discounts to all **current** cab riders as a way to “pay back” damages for the earlier illegitimate overcharging. However, it was impossible to find and pay back every particular tourist and person who had ever taken a cab in New York from years earlier who had been originally overcharged. But it would have been even more unjust to do absolutely nothing about it and let the wrongdoing cabdrivers completely get away with their illegitimate overcharging because the remedy was not perfect. So the imperfect remedy was to allow all future cab riders for a period of time to have a discounted price in order to make up for the ill-gotten profits from the previous illegal overcharges. The best solution, of course, would have been to find, verify, and compensate the actual victim riders who were originally overcharged by the original cab drivers years prior, but such was logistically impossible (how could we possibly find, verify, and compensate every tourist who had ever visited New York years earlier who might have been overcharged in taxicab rides?), so the court did the next best thing—discounted the fares of current riders.

In any event, that is why, very simply, I support affirmative action. I admit that it is an **imperfect solution** to a societal problem that may not be perfectly fair in every individual case; but although it may be imperfect, it is much better than simply ignoring the problem all together just because there is not a **perfect remedy**. It is much better to attempt to “even the score” or at least make the score more reflective of what it should be in order to make the tennis match more fair rather than to let one side benefit from past cheating **forever** just because the original perpetrators of the original cheating are now long gone (again, this is not to say that current minorities do not suffer current racism—they/we clearly do—but I am attempting to demonstrate a justification for affirmative action for seemingly “innocent white victims” even when they themselves may have not engaged in the outright racism of slavery and segregation committed by their ancestors). In short, recall the old adage that “perfection should not be the enemy of the good.”

Now then, as I thought about my own inconsistency further, I realized that I was doing a rather curious thing: comparing God to humans, that is, God's law regarding Original Sin with humans' law of attempting to right the past sociological wrong of racism through affirmative action—talk about comparing “apples to oranges.” It occurred to me, of course, that God is perfect, unlike humans. Accordingly, God should not be **limited** in the least to an “**imperfect solution**,” as humans often are. I started to realize that my position was not so inconsistent after all, because if humans were “all-knowing” and “all-powerful,” we too would not be limited such that we would not have to settle for an “imperfect solution,” like affirmative action (recall, affirmative action is imperfect only because we are certainly not God, who can mete out justice to the dead people responsible for the worst racism from the past; the fact of the matter is that we simply cannot go back in time and sue former slave owners in order to make things right; but

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God could, so to speak; plus, only God could know by how much the metaphorical score should be adjusted in every individual context)).

In the cab example, God could figure out all of the cab drivers who actually did and did not overcharge, and He could figure out each and every tourist/cab rider who actually did get overcharged from years earlier, and those who did not, and then appropriately divide and then distribute the damages to each specific deserving victim, and not to allow undeserving current cab riders to take advantage, but humans cannot do so because we are not God. Our records and our evidence are sometimes imperfect, so when they are, we are left with doing the next best thing with whatever we may have. God would know exactly what the metaphorical score in the tennis match should be, whereas the best we can do is merely guess as to what it ought to be (approximately) in light of the past cheating, and that the original individuals involved are now long gone.

*Because humans are **not perfect like God**, and because humans do not have God's unlimited powers, it is not inconsistent for me to simply hold God to a **higher** standard of justice, at least when it comes to a perfect remedy for past wrongs that are not committed by an individual but by his ancestors. God should be capable of a perfectly just solution when it comes to holding individuals responsible for only their **own** injustices, their own sins, and not for those of their forefathers as well (Original Sin), even though fallible human beings, unfortunately, are not always capable, at least **logistically**, of doing the same (affirmative action). So to the extent I am inconsistent, it is only because I do not equate human justice with divine justice. I expect more from God. Accordingly, I do not equate God and humans—do you?*

*In sum, God should have no **practical difficulties** with meting out justice to dead people and meting out perfect justice in every individual situation. Human beings, on the other hand, understandably often fall short of “the ideal” when it comes to perfect justice, especially in the case of affirmative action where it is **logistically impossible** to hand down the perfect remedy. It is not so understandable, however, when God falls short of the ideal; He is God, after all. What is even less understandable is when one allows for a **lower standard of justice** for God but expects a **perfect solution of justice** from human beings. Aren't those expectations entirely backwards?*

*Thus, your position, I am afraid, is still quite inconsistent in that you expect human beings—who are fallible and not capable of perfect solutions to certain logistically problematic sociological problems—to be **completely** fair (when it comes to affirmative action), yet you essentially hold God to a much **lower** standard, since it is apparently OK for God to hold every individual guilty for the sins of their forefathers, and of their forefathers, all the way back to Adam and Eve, over which these latter-day humans had absolutely no control, and nothing to do with (Original Sin).*

*Clearly you do not believe that God should be held to a **lower standard of fairness** than human beings. Thus, I am sure I simply have misunderstood the concept of the “sins of the*

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father will be visited on their sons,” or perhaps even Original Sin, with respect to how you can conceive of them as perfectly fair, but in the context of affirmative action, as unfair.

What would be helpful for me, therefore, is if you could set me straight on why it is “fair” that the sins of the fathers can be visited on the sons (Original Sin) but why, simultaneously, it is “unfair” for modern-day whites to have to pay for the racism of their slave-owning ancestors (affirmative action), especially when God is capable of “perfection” and humans, admittedly, are not (which I believe demonstrates why my apparent inconsistency here is not so inconsistent after all, or at least not as inconsistent as yours). I realize that not all whites had slave-owning ancestors, in fact there are probably very few that actually did, but many (and even perhaps most) still have benefited from a system that historically held other groups down and allowed true freedom and justice more often to be obtained by only their dominate class ancestors rather than by others.

I never received an answer from my father to this letter. In fact, I do not really receive any kind of formal direct responses from my dad to any of my letters I write to him about these kinds of issues, but he still does read them (I think; I hope). His non-response might be because my dad is much more comfortable with talking to people than he is with writing to them. Still, I like to write to him about these various issues because that way, I at least can get a word in edgewise—although I have to admit that my dad would beg to differ mightily as to which of us really interrupts the other the most whenever we debate!

My dad came up with a great solution one time as we were arguing in a restaurant: “Only the person holding the salt shaker gets to speak.” It was a good idea, and it worked well, as long as my dad got to be the one who was holding the salt shaker. Not surprisingly, we soon began arguing over who was “hording” the salt shaker and filibustering the other side—I, of course, say it was him, but I’ll let him write his own book and tell the reader that it was really me. The truth is probably somewhere in the middle (but he still held on to the salt shaker longer than me...at least from my point of view...see how I am?).

Anyway, it is good that we can still laugh about it. Some sons don’t really relate to their dads at all. Others relate by talking about such mundane things such as sports, work, or the stock market. I guess my dad and I do it by talking about religion and politics, very intensely, which works, as long as it does not get too personal and remains respectful, which I admit has been a challenge for me over the years. Every once in a while, my dad needs to remind me that one of the Ten Commandments is “Honor thy father and mother.” It is a point well-made and well taken. And it is a good trump-card argument that requires me sometimes to back off whenever the arguing gets a little too intense, but with every passing day, the “honor thy father and mother” argument will help me more and more, as I fully plan to use it on my own two sons someday if they ever decide to get a little too uppity with me. And if they protest, I’ll just have to have them take it up with their grandpa!