

Justice essay example

[Law](#), [Criminal Justice](#)



Justice is both a political and moral concept. According to Socrates, it is what the wise ruler and wise men practice. However, this view was criticized and refuted by Plato who defines justice as “ giving everyone his due”. The concept of justice and its definition has always been controversial not only among philosophers, but also among jurists. It has elicited a plethora of logical syllogism and debate on what is its definition as well as what it means. However, there is a consensus that justice has both a desirable quality of a political society and a moral character. As a result, the concept of justice is manifested in social and ethical decisions made by both an individual and the society at large. Justice is a virtue that creates a rational order in the society. This makes it feasible for all the components and constituents of the society to perform their functions in harmony. For Aristotle, justice entails what is not only lawful, but also fair and equitable. Justice has a universal quality. It is not bound by time, place, society or culture. The fact that a particular society does not observe some of its tenets does not vitiate their validity. Justice is an absolute truth rather than a relative concept that varies from community to community, and time to time. There is a common denominator that all tenets of justice are applicable to all people, including the king and his subjects. All areas of the society, including laws of the land, must be just. St. Aquinas argues that an unjust law is no law at all and does not bind the mind of a conscience person. The nexus between justice in a legal and an ethical sense is a challenging one. It is cardinal to note that what is necessarily legal might not be just or ethical. In fact, one of the most ancient bits of legal wisdom is an adage that a person may break the letter of the law without breaking the law itself. This

is when, in the words of D'Entreves, one is able to observe the unrelenting quest of a person to be able to rise above the letter of the law and subscribe to the realm of the spirit. Thus a decision can be legal, but not moral. For example, if law makers decide to make a law legalizing euthanasia, such an undertaking will be legal in the sense that one cannot be prosecuted for engaging in it, but such actions are not morally right. On the other hand, a decision can be morally right, yet not legal. A man does not have a legal obligation to save another from danger unless he is officially tasked with those responsibilities in particular circumstances. Therefore, a person close to a swimming pool has no obligation to save a drowning man unless he is the lifesaver. In contrast, morality requires him to do all in his power to save a life. Morality, according to Plato, consists of knowing and maintaining the balance and harmony between the irrational and rational elements of the soul. It makes it possible for human beings, being rational, to arrive at just decisions. Subscribing to the ideal tenets of justice creates an ambience where all basic rights; liberty, dignity and autonomy of all men, is be observed and respected.

References

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