

Will justice be  
served?:  
dostoevsky's  
depiction of justice in  
the brothers  
karama...



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One of the major themes of Dostoevsky's novel *The Brothers Karamazov* is the concept of justice, both earthly and divine. Dostoevsky investigates the differences between the two forms and examines several aspects of justice. The novel introduces several different philosophies on justice and shows what the people who follow each are like. The investigation of these concepts culminates in a trial, which is the setting for the final demonstration of the power of divine justice. Earthly justice is the far more basic concept introduced in the novel. It simply is the idea of the actual justice system, laws imposed by the government, trials, and the punishments handed down by them. In the novel, earthly justice is represented by several characters with careers in law enforcement, who are introduced towards the end of the novel when Dmitry's arrest is imminent. Guilt under the system of earthly justice means that the person actually committed the crime he or she is being accused of. For example, in this novel, Dmitry is guilty under earthly justice if he actually killed his father and stole the money that his father had hidden. His previous thoughts and desires are not relevant to whether or not he is guilty, all that matters is if he performed the action he is being accused of. Under the system of earthly justice, it is the burden of those who are responsible for upholding justice to find the concrete evidence that the person they are accusing has committed the crime. This evidence should involve outside witnesses and some physical evidence that helps establish that the person who is accused was definitely involved. In contrast, divine justice is the moral code as handed down by religion. The punishment under the system of divine justice is ending up in Hell rather than Heaven after one's death. The system of divine justice is based on the notion of man's immortality. The only punishment received during earthly life is the burden

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placed on people by their own consciences, which are really just the ingrained teachings of religion helping to prevent them from ending up eternally damned. People may avoid punishment in the afterlife through atonement. One of the major distinctions made between divine and earthly justice is the distinction between sins of omission and sins of commission. Divine justice stands by the principle that sins of omission are worse than sins of commission and should be more severely punished. Manipulating someone else to commit the crime for you is infinitely worse than committing the crime yourself, as it means that you are not only guilty of desiring that a crime be committed, you are responsible for someone else committing a crime. However, in earthly justice the only sin that can be punished is the sin of commission. It is not up to the juries and judges to punish those who lead others into temptation; that is something that must be left up to God. Brothers Karamazov demonstrates many occasions of sins of omission. Smerdyakov is a major agent of temptation and is responsible for quite a number of sins in other people. He does not seem to have any punishment meted out to him; his suicide is not a result of guilt, but rather a method of revenge upon the Karamazov family. He sets up the murder of Fyodor Pavlovich and his own suicide in such a way that all members of the Karamazov family end up hurt. Smerdyakov is depicted as the one truly conscienceless character in the novel. He is the living proof of what would happen to all of society if the belief in God and immortality did not exist. He does not fear earthly justice and doesn't believe that there is divine justice. Without the threat of divine justice to keep him within the bounds of the moral code, he does whatever he wants in order to obtain the revenge he's sought for years. He exists in order to lead others into the temptations of

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doing evil, simultaneously committing sins of commission and omission, all for his own selfish purposes. While Smerdyakov is depicted as the tempter and foil for Ivan Karamazov, Grushenka bears her fair share of the sins of omission as well. When Dmitry is first accused of the murder, she proclaims her own guilt, which is quite true under the principles of divine justice. The entire affair comes about because both Dmitry and Fyodor are trying to woo Grushenka and Dmitry does not have the money to be able to impress her in the same way as his father can. He believes that Fyodor has money that is rightfully his left over from his mother's death and thus believes that the 3,000 rubles that he learns Fyodor has laid aside for Grushenka are rightfully his. Grushenka is fully aware of this conflict and encourages it, by refusing to choose between the men. She continues to draw out the competition between them, so that she may continue to enjoy the attention from both. When Dmitry is first accused of the parricide, she acknowledges her own guilt and proclaims her love for him. She becomes determined him to follow him anywhere and to share in his punishment as best she can. The major sin of omission comes from Ivan Karamazov. He allowed Smerdyakov to talk him into making it possible for the murder to happen. He had himself fully convinced, albeit unconsciously, that he had no idea of what would happen if he left town when Smerdyakov asked him to, despite Smerdyakov having all but come out and said that Fyodor Pavlovich would be murdered. He confronts Smerdyakov after being convinced of Dmitry's innocence and comes to terms with the fact that he is actually highly responsible for the murder. He had previously wished for the parricide to take place, which under the bounds of divine justice renders him already guilty of parricide, and then leaves town to let Smerdyakov do as he pleases. This leaves him

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doubly guilty, as he had the first guilt over wishing for his father's death and the second guilt for committing the sin of omission that would allow that to happen. Not only did he help provide the opportunity for the parricide, but he is the one who helped convince Smerdyakov that there is no God and no reason to obey earthly laws. He also let Smerdyakov know that he desired his father's death, thus causing Smerdyakov to believe that he was acting on Ivan's wishes. Ivan ends up terribly ill and hallucinates conversations with the devil. This is a fairly clear example of divine justice being served, as these hallucinations become strong immediately after realizing his guilt and the image is one of the devil. The devil converses with Ivan about all the theories that he has been proclaiming during the course of the novel. These theories are the same ones that he passed on to Smerdyakov, the ones that helped influence Smerdyakov's decision to kill Fyodor Pavlovich. Thus, the hallucination is a clear manifestation of Ivan's guilt. The devil is the master of temptation and in repeating Ivan's theories back to him, helps to demonstrate just how Ivan was responsible for the temptation of Smerdyakov. The devil haunts Ivan up until the moment that he confesses his crime at Dmitry's trial. Despite the fact that he knows there is no way he can really prove that Smerdyakov committed the crime, he brings the 3, 000 rubles in to the court and declares that Smerdyakov is the actual murderer and that he himself is guilty of planting the idea in Smerdyakov's head. However, by this point he has been driven insane with guilt and needs to confess his crime in order to relieve himself of the burden. In both this novel and Crime and Punishment, Dostoevsky depicts confession as one of the most necessary steps for the atonement of sins and the alleviation of guilt.

Ivan's confession allows him to begin atoning for his guilt, which he  
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continues to try to do by trying to help Dmitry escape after the sentence is passed down. Throughout the novel, Dostoevsky demonstrates the extent to which earthly justice and divine justice are connected. The characters frequently debate whether there would be any morality in the world if there were no God. If people cease to believe in God, and thus in an afterlife, then they cease to have a reason to follow the moral code that is in place. After all, as Ivan Karamazov states during the trial, "Who doesn't desire his father's death?" (Dostoevsky, p. 651). Without divine justice telling us to honor our fathers and mothers and not to kill, everyone would be out committing parricide. Earthly justice could not have come about or been upheld without divine justice, as there would be no basis for creating laws. Earthly justice is merely a tool which provides a secondary method of enforcing divine justice and helping those who commit sins to atone. The entire trial is a demonstration of the way in which earthly justice can become the tool of divine justice. Dmitry has spent the entire novel struggling within his paradoxical personality, attempting to find a balance between his base, animalistic side and his noble, honorable side. After his lengthy interrogation in Mokroe, he has a dream about an innocent baby suffering and realizes that he has an opportunity to shoulder some of the innocent suffering. This appeals to his better nature and he begins to accept that while he has not committed any crime in an earthly sense, he can atone for his past misdeeds by suffering for the innocents. In this moment, despite all his earlier waffling he has found himself firmly ensconced within the honorable side of his personality. This is especially important because up until this moment he seemed to have settled on the baser side. He had gone to use the 1,500 rubles left over from his initial theft of Katerina's money, which was the one

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thing that had been firmly anchoring him as not completely ignoble. As long as he held on to that money, he could still return it to her and thus cease to be a thief and return to merely being a scoundrel. When he went to Mokroe, he was ready to spend all that money and die as a thief. Instead, the prosecutors arrive in time to prevent him from committing suicide, and thus enable him to atone for his past sins and embrace his honorable side. During the trial, the prosecutor who had earlier intervened to prevent Dmitry from committing suicide continues to act as the hand of divine justice, with the result that the man who is convicted is not the one who actually physically committed the act of murder. It is not his job to examine the thoughts of the defendant; if it were purely earthly justice he would just be examining his actions. They hear from many people about Dmitry's proclamations of parricide and use this fact to determine that he must in fact be guilty, and then ignore the evidence that shows that Dmitry is not the one who actually killed his father. There is an overwhelming amount of evidence pointing to the fact that Dmitry did not have 3, 000 rubles in Mokroe, which would be a key point in determining that he did not rob his father and was in fact telling the truth about hoarding the money he had stolen from Katerina Ivanovna. However, since the prosecutors have inadvertently become the agents of divine justice on Earth, they continue to gloss over the facts that disprove their case. It is particularly significant that this occurs in the case of the 3, 000 rubles, as the 3, 000 rubles and Dmitry's interactions with Katerina Ivanovna in general are symbolic of his baser side. This demonstrates that Dmitry is not just on trial for the specific crime, which is what an earthly justice trial should be, but rather his whole being is on trial so that he may solidify his rejection of his baser nature and actually follow through on his <https://assignbuster.com/will-justice-be-served-dostoevskys-depiction-of-justice-in-the-brothers-karamazov/>

move towards nobility. There are several other examples of evidence that exonerates Dmitry of having committed an earthly crime being ignored in favor of the prosecutors upholding divine justice. The prosecutors take every incident of Dmitry giving in to his baser side and use that as evidence against him in the interrogation and trial, so that he may atone for all of them and become more firmly settled in his honorable side. They ascribe his lingering over the wounded Grigory as the desire to make sure the lone witness of the crime was dead, rather than the example of compassion it actually was. While Dmitry's attempt to wipe some of the blood off of Grigory's face and see that he was still alive was actually an example of his nobler side, the prosecutors are including it among his litany of sins because the action of striking him was purely animalistic. There is no instinct more primitive than fight or flight and it was from this drive that Dmitry struck Grigory; Dmitry had been trying to escape the grounds of his father's house and panicked upon encountering Grigory and so he acted purely out of an instinct for self-preservation. This is also a truer parricide than if Dmitry had actually killed Fyodor, as Grigory was much more the man who raised Dmitry than Fyodor was. This novel also briefly addresses the issue of mental illness as a defense for crime. One of the strategies of Katerina Ivanovna and the defense attorney is to attempt to get Dmitry declared insane and thus not responsible for any actions he may have taken. However, mental illness has previously been shown to almost always be the result of the victim being overwhelmed by guilt for failing to atone for a sin. Thus, it is no surprise when the doctors who knew Dmitry prior to the trial conclude that he is in fact insane, while the doctor who has been brought in to examine him for the trial concludes that he is perfectly normal. He is using the trial as an

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opportunity to atone for all his sins, thus he would not be suffering from mental illness when examined by this doctor. The ones who had known him prior to the trial knew him when the two halves of his personality were still at war and he was beginning to give in to the baser side of things. After all the evidence is presented and both lawyers have been given the chance to give their final speeches, Dmitry is found guilty. However, this verdict is clearly not one being handed down from earthly justice, but instead from divine justice. The prosecution, in using the evidence they did, transformed the trial from a question of whether Dmitry had physically committed the crime to whether Dmitry was guilty of giving in to his baser nature. The defense attorney, rather than try to get the trial back to what it was supposed to be, merely spends his time discrediting the prosecution's witnesses. All in all, the trial serves to present Dmitry with his opportunity to atone for all his sins of the past and present and then start life after prison anew, so that he may begin to follow his honorable side with a clean slate. Although at first glance this seems to be an example of earthly justice failing and condemning an innocent man, it is in fact just an example of divine justice's supreme power.