

Justice as a social phenomenon



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Justice is a general moral sanction which makes it possible for people to live together. It is considered primarily from the perspective of colliding desires, interests, and obligations. It relates to human relationships in all socially important spheres (from interpersonal to international relations sphere). Specific subject of justice is the distinction between good and evil that coexist in a single social space. What is more, at the present stage of human development, community has come to promote and dictate the notion of justice. After many modifications and embodiments, justice has found its ideal state in democracy. The main mistake of all theories of justice is its interpretation. The idea of justice in connection with its assessment of political and moral laws cannot lose its relevance for the modern political thought. Justice is the concept of proper and appropriate understanding of human nature and of its place and role in society and the entire world.

For many centuries, justice has been a central subject of discussion in philosophy, ethics, and political and legal consciousness. Every age and culture creates its own ideas about sources and content of the concept of justice. Generally, these concepts and theories have very controversial and, sometimes, incompatible characters. Disputes arise not only about particular cases, rules, or systems of rules for evaluating such cases, but about divergence of views related to criteria of just and unjust. Some concepts of justice focus on individual merit being the central concept, while others emphasize the principle of equality. Some of them appeal to the concept of usefulness, while others reject the idea that sacrifice of interests of individuals can be compensated by the welfare of society as a whole. Some philosophers assign a crucial role of maintaining justice and rule of law to the

state, while others see minimization of state's interference as a guarantee of justice.

In order to know the general meaning of the concept of justice in modern society, researchers should understand principles, according to which this concept was developed. Sources of contemporary perception of justice can be found in antiquity. In the early period of Greek literature poet Hesiod in his poem " Works and Days" claims that justice is a major human virtue. According to him, justice means honesty, temperance, and most importantly, withholding from taking the property of through fraud or violence. Justice must be based on mutual benefit of parties.

Some time later, Heraclitus introduced the concept of relativity of justice and relativity of human evaluation. Based on his view, the concept of justice could not be used as a universal measure to all people. Ancient Greek sophists supported this view. One of them, Thrasymachus (V-I century BC) believed that justice benefits only more powerful citizens. This highly subjective approach did not allow to use the concept of justice for evaluation of human acts. It turned justice into an empty word.

Socrates also tried to provide a single and universal definition of justice. He linked it to knowledge and morality. Socrates explained concepts of justice and truth. In his opinion, only wise people can be just.

Plato, unlike the Sophists, completely rejected all personal and individual aspects related to the concept of justice. He emphasized its universality, immutability, and necessity. Ideas of justice received considerable attention in his works.

According to Aristotle, justice is always a general measure that requires common properties in humans. Despite of this, all individual cases cannot be predicted by the same rule. Therefore, along with justice serving as a general rule, Aristotle emphasizes a special form of equity which he calls “the truth”. Epicurus, on the other hand, sees justice as having a contractual basis.

Following Plato, Aristotle, and Epicurus, philosophers of ancient Rome developed principles of justice, which encouraged people to live honestly.

In the period of Middle Ages, the studies about concept of justice continued. Kant built his views about justice and morality taking into account respect for one's neighbor and for his interests. The basis of this conception is Christian principle that people must love their neighbors as themselves.

The idea of justice relates to moral evaluation of political and legal statutes. Therefore, it does not lose its relevance in contemporary religious thought. Notions about human rights and freedoms not always were recorded in texts of laws. They also existed in moral and religious consciousness, which often offer amendments to the text of law, its interpretation, and application. Justice is multidimensional concept. There are many different levels, layers, and facets to it. All of them, in general, are important for compiling a complete picture of this phenomenon. The main task of religion is to make a fair man. A religious man, a just and loving person, would certainly be concerned about the welfare of the whole population. Regarding the moral aspect of justice, religion plays a pivotal role. Laws of justice as well as laws of religion depend on morality. Religion is related to justice through

categories of equality, fairness, charity, and truth. It is quite easy to rule people with the help of religion. Therefore, one can assume that concepts of justice and fairness can be instilled in people through religion. In all religions, justice is an attribute of God. Religion and the concept of justice have been intertwined for a long time and there is no need to separate one from another. However, it must be stated that such a relationship should be looked at more closely. In modern society with its various religious canons, when the problem of injustice arises, pious people of all religions begin to react.

Perception of justice is the common denominator, which allows making judgments about the existence of social and political structures, which influence every human's life. Many philosophers tried to describe the ideas of justice, but the most successful were John Rawls and Ludwig Wittgenstein. John Rawls wrote the following in his famous work "A Theory of Justice":

Justice is the first virtue of social institutions, as truth is of systems of thought. A theory, however, elegant and economical must be rejected or revised if it is untrue; likewise laws and institutions no matter how efficient and well-arranged must be reformed abolished if they are unjust. Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override... Being first virtues of human activities, truth and justice are uncompromising (p. 3).

Rawls is a liberal. That is the reason why he views justice in terms of political and social aspect rather than formal legal. Rawls formulated two principles of justice. The first one states that all people have equal basic liberties

comparable with similar freedoms of others. The second principle is that social and economic rights have to be organized in such a way to serve for the good of all, especially for the most disadvantaged people. They also have to be associated with positions and posts that are available to all people.

The first principle is political. Rawls declares that fundamental freedoms of citizens (freedom to vote and to be elected, freedom of speech, thought, conscience, assembly, property rights, and guarantees against arbitrary arrest in accordance with the rule of law) can be roughly defined as political freedom. Political structure that corresponds to the principles of justice is a constitutional democracy.

The second principle of justice according to Rawls is socio-economic. It is associated with the distribution of income and wealth. Inequality, which does not benefit everyone, can be perceived as injustice. According to the second principle suggested by Rawls, social and economic policy should be shaped to deliver the fullest satisfaction of long-term expectations of the most disadvantaged people, provide equality of opportunities and freedoms.

One of the most prominent philosophers of XX century Ludwig Wittgenstein was extremely charismatic. Oddly, this man experienced intense detachment from his own contemporaries and always believed that his ideas were misunderstood and misinterpreted. However, this philosopher contributed to the formation of principles of modern thought of justice in many ways.

Wittgenstein believed that the study of philosophical questions is similar to the study of old town with many neighborhoods of different ages. Although views of Rawls and Wittgenstein differed, Ludwig Wittgenstein in some ways

echoed the great philosopher Rawls. He emphasized that justice is guided not only by honesty, as in Rawls theory, but also by freedom.

Wittgenstein proclaimed that the concept of justice requires consistency of practical roles of various individuals and social groups in society and their social position in terms of their rights and duties, work and rewards, crime and punishment, merits of people and their public recognition. The nature of required compliance depends on specific historical conditions and specifics of a given society. This implies the relativity of the concept of justice.

However, the mere requirement of justice, based on the concept of a normal, common to all types of society in this sense is absolute.

Future, as the ultimate ideal including the idea of goodness, is impossible without justice. Faith is an indispensable prerequisite of a highly moral human being. This belief, however, should not be blind, but should be based on knowledge of nature and essence of justice. One cannot build a democratic society without knowing principles of justice. Traditionally, justice is considered as equal coexistence of people that corresponds to humanistic ideals about the person and his legal rights. It involves harmonious coordination of the needs and interests of the individual, society, and humanity. Justice requires fair judgment of activities and their results. It also defines the relationship between people and outlines mutual obligations on distribution of material and spiritual wealth, which were created jointly.

The problem of justice in its moral sense arises when an individual starts hesitating whether he should comply with principles of morality in conditions, where other people often ignore them, and whether it is just.

Justice is an independent ruling power. It is governed by the nature of action, abstracting from any personal sympathies and antipathies. Scope of application of the concept of " justice" is infinite. It covers political and economic systems, laws, social institutions, intergovernmental relations, estimates, opinions, attitudes, decisions, actions, life positions of people, and even distribution of luck and misfortune. People who adhere to legal and moral norms, perform their duties, and are responsible members of their community are considered to be just. Unjust people are those who commit crimes and violate rights of other people. Justice cannot be overestimated or exaggerated due to the important role it plays in society. It is only one of the components of ideal society and individual.

In conclusion, it should be said that justice is a general correlation of values and benefits. Their equal distribution between individuals in the society determines the proper order of human coexistence. It corresponds to the concept of the nature of man and his rights. Knowledge of the essence and principles of justice can significantly affect the moral conception of a person.