

JUSTICE

“EVERY STEP TOWARD THE GOAL OF JUSTICE REQUIRES
SACRIFICE, SUFFERING AND STRUGGLE; THE TIRELESS
EXERTIONS AND PASSIONATE CONCERN OF DEDICATED
INDIVIDUALS.”

—MARTIN LUTHER KING JR.

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***Retributive
Justice***

***Distributive
Justice***

Is it unjust to punish a student if he carrying material amounting to use of unfair means but actually not using the material during the exam?

Is it just to give a student a better grade if the student says a lower grade will spoil his future prospects?

Other pertinent questions

A father kills his children because he cannot provide food for them. Is he a perpetrator or a victim of injustice? Does he deserve our wrath or sympathy? Are we also accomplices in this crime?

Worldwide, every fourth child is malnourished. Are they just unlucky or victims of faulty food distribution?

Technology has immensely increased the food production capacity. Why is it not being used to eliminate world hunger? These children will never reach their full potential. Should we care?

Poor are illegally cutting trees to cook food creating environmental disaster. Should they be punished or provided with alternative means of cooking. Who should own natural resources? The state? The local people living in that area? Or anyone with enough money to buy the land?

Retributive Justice

1. those who commit certain kinds of wrongful acts, paradigmatically serious crimes, morally deserve to suffer a proportionate punishment
2. it is intrinsically morally good if some legitimate punisher gives them the punishment they deserve
3. it is morally impermissible intentionally to punish the innocent or to inflict disproportionately large punishments on wrongdoers

Distributive Justice

Distribution of burdens and resources

1. Equality
2. Getting what you deserve
3. Getting what you need
4. Fairness

Egalitarianism

Strict Equality

*Equal distribution of
burdens and
goods/resources*

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Socialism

- Distribution of burdens according to ability and distribution of goods according to need

Will it be a just society?

Fairness as Justice (John Rawls)

... legitimacy is only the minimal standard of moral acceptability; a political order can be legitimate without being just. Justice sets the maximal standard: the arrangement of social institutions that is morally best.

- **First Principle:** Each person has the same inalienable claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all;
- **Second Principle:** Social and economic inequalities are to satisfy two conditions:
 - a. They are to be attached to offices and positions open to all under conditions of *fair equality of opportunity*;
 - b. They are to be to the greatest benefit of the least-advantaged members of society (the *difference principle*).

Original Position and Veil of Ignorance

The original position is a thought experiment: an imaginary situation in which each real citizen has a representative, and all of these representatives come to an agreement on which principles of justice should order the political institutions of the real citizens.

Veil of Ignorance:

Each representative in the original position is therefore deprived of knowledge of the race, class, and gender of the real citizen that they represent. In fact, the veil of ignorance deprives the parties of all facts about citizens that are irrelevant to the choice of principles of justice: not only facts about their race, class, and gender but also facts about their age, natural endowments, and more. Moreover the veil of ignorance also screens out specific information about what society is like right now, so as to get a clearer view of the permanent features of a just social system.

Desert-based Principle

1. Contribution: People should be rewarded for their work activity according to the value of their contribution to the social product. (Miller 1976, Miller 1989, Riley 1989)
2. Effort: People should be rewarded according to the effort they expend in their work activity (Sadurski 1985a,b, Milne 1986).
3. Compensation: People should be rewarded according to the costs they incur in their work activity (Dick 1975, Lamont 1997).

Libertarian Principle

Nozick proposes a 3-part “Entitlement Theory”.

1. If the world were wholly just, the following definition would exhaustively cover the subject of justice in holdings: A person who acquires a holding in accordance with the principle of justice in acquisition is entitled to that holding.
2. A person who acquires a holding in accordance with the principle of justice in transfer, from someone else entitled to the holding, is entitled to the holding.
3. No one is entitled to a holding except by (repeated) applications of (a) and (b).

The complete principle of distributive justice would say simply that a distribution is just if everyone is entitled to the holdings they possess under the distribution (Nozick, p.151).

Thank you