

The Pursuit of Justice: An Introduction

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Global History 12

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What is
Justice?

Definitions of Justice

"The quality of being just, impartial, or fair."

Definitions of Justice

"The maintenance or administration of what is "just" especially by the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments."

Justice vs. Vengeance



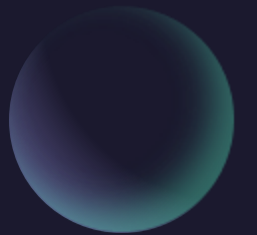
VENGEANCE

- Revenge, payback
- A cycle that renews itself
- Individuals

JUSTICE

- Balance, harmony
- A process that seeks closure
- Society/community

Is this Just?

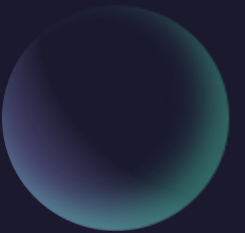


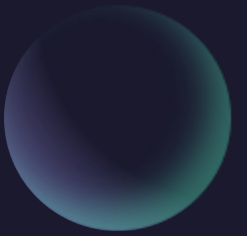
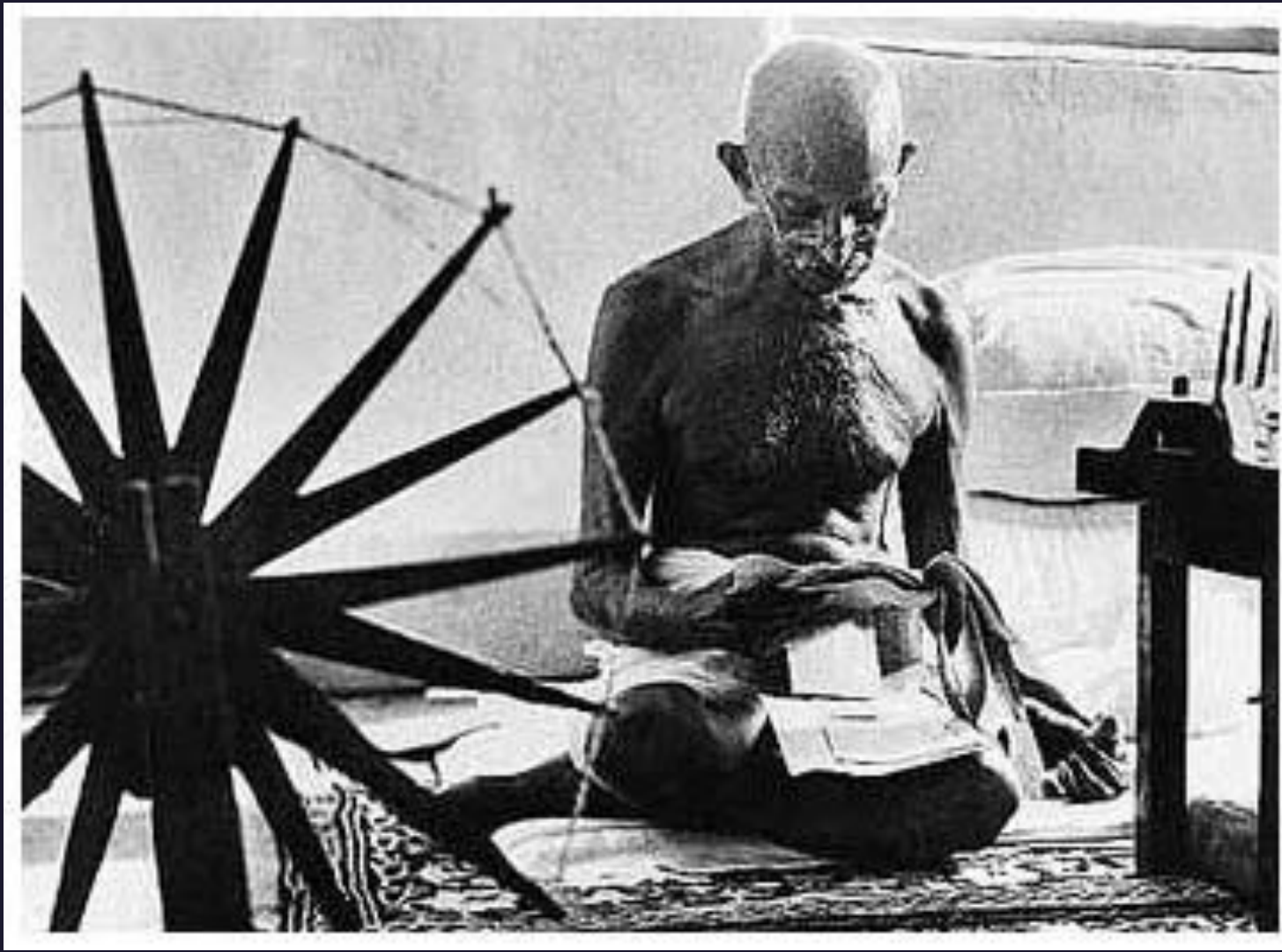
Is this Just?





Is this Just?







Just?

Is this Just?



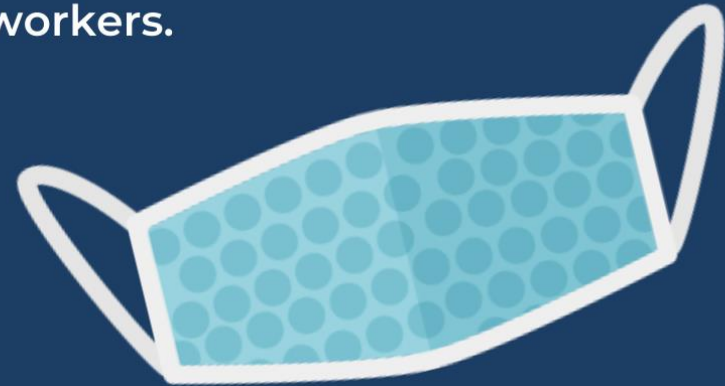


CORONAVIRUS (COVID-19)



**YOU MUST WEAR CLOTH
FACE COVERINGS IN PUBLIC.**

Medical or surgical masks should be reserved
for health care workers.



de.gov/coronavirus

Updated 4/25/2020

The Origins of Justice

- Justice, and earlier definitions of justice in western society, were developed on the basis of religious beliefs
- Societies were ruled by Monarchs and Dictators, who were said to be chosen by God
- As such, whatever the Ruler decreed was considered just, as they were said to be speaking for God themselves

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- In ***The Oresteia***, Orestes is ordered by Zeus to murder his mother, violating ancient law and leading to his torment at the hands of the Furies
- Athena, Goddess of Wisdom, held a fair trial for Orestes, one of the first trials in literature



I DEMAND A TRIAL BY COMBAT

Tyrion Lannister

Civil Justice

- Civil justice is the process in which individuals seek justice when they have been harmed by another person, through action or inaction
- In Canada (with the exception of Quebec) Civil law is based on Common Law, unwritten law determined by judges
- Common Law is based on **Precedent**, which are previous legal decisions.

Criminal Justice

- Justice is not based on concern for individuals, but rather the society as a whole
- A citizen who has unlawfully killed another citizen has damaged society, and that debt must be repaid
- The standard for deciding who wins in court is based on the decision's effect on society

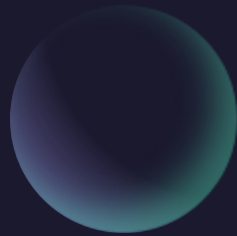


Is Justice
Truly Blind?

R. v. Marshall

- Donald Marshall Jr. was a Mi'kmaw man who was charged for violating fish and game regulations when he was found fishing without a license
- With the support of the Mi'kmaq, Marshall challenged the verdict in the Supreme Court, arguing he did not need a license due to his Treaty rights, affirmed in the 1760/1761 Peace and Friendship Treaty
- Marshall successfully overturned the verdict in the Supreme Court, setting the **precedent** that all Mi'kmaq could hunt and fish without a license

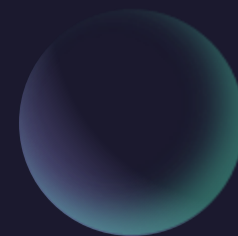
Justice has been
served, right?



R. v. Marshall – The Hidden Truth

- The Mi'kmaq had to pay a huge amount of money in legal fees
- The Mi'kmaq were unable to support themselves with fishing and hunting while the decision was pending
- The decision affirmed that the Mi'kmaq had a right to hunt and fish to earn a "moderate livelihood," but failed to define what a moderate livelihood was

Was
Justice Served?



Next Class: Rule of Law

