


Core Socialist Values • Keywords

Chief Editor: Han Zhen

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Translated by Yang Mifen

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Justice

Justice

Chapter 1

Justice: The Basic Value Appeal of Men in Social Life

1

**Justice: The Basic Value
Appeal of Men in Social Life**

Everybody wants to live in a just society. In such a society, if one gets bullied, someone else will stand out to right the wrong; if one gets wronged, he/she can always find a place to complain; if rights are infringed, the infringer will always be punished by the law; if someone encounters difficulties, others will help him/her out. Living in such an environment, people feel happy and satisfied. However, if people live in an unjust environment, they would feel depressed, painful, puzzled and helpless, and then become strongly dissatisfied with the society and damage social harmony and stability. Since the birth of the human society, people have been pursuing justice; countless philosophers have sought the true meaning of justice in confusion; and numerous people with ideals and integrity have displayed their worship of justice in their movements. Since Plato and Aristotle, thinkers have never stopped thinking about the issue of justice. Today, the issue of justice becomes a hot spot of popular concern. Well then, what is justice on earth?

I. What is justice?

Justice is fairness and rightfulness. Different people have different opinions on justice like the saying goes, "The benevolent see benevolence and the wise see wisdom." A Western scholar once suggested, "Justice has a Protean face, (is) capable of change, readily assuming different shapes, and endowed with highly variable features. When we look deeply into this face, trying to unravel the secrets hidden behind its outward appearance, bewilderment is apt to befall us."

 **Related Link**

Proteus, an early sea god in the Greek myths, was one of the “ocean elderly” called by Homer. The name might mean “the very beginning”, because “protogonos” means “first born” in Greek. He had the ability to predict the future, and often changed his shapes so as to not be caught. He might change into a lion, a snake, a leopard, a pig, even a tree or running water, and only predicted the future for those who caught him.

On the issue of justice, there are conflicts of different concepts and meanings, and more importantly, conflicts of social interests behind it. Due to different stances and angles, people understand social justice differently. For example, at the end of 2012, on the issue of “non-local students entering senior high schools and sitting college entrance exams locally”, parents of students from other places and those from Beijing had a discussion on the Internet. One side held that only by eliminating discrimination and allowing children, who migrated with their parents, to have an equal opportunity to take the college entrance examination as the local children can justice be demonstrated. The other side held it to be unfair if the household residence restrictions were loosened, because that, as held by them, would affect local children’s opportunities.

The concept of justice emerged in men’s practice of material production, so its concrete contents always reflect the economic structure and system under certain historical conditions. At different stages of social development, groups of people with different interests struggle and compromise, and justice is people’s recognition of the rules and institutions formed to handle and regulate different social relations.

As for what justice is in a specific society, different interest groups in different societies have different answers. The Romans and Greeks believed slavery to be just; the capitalist class wanted to abolish the feudal society which was said to be unjust; while the proletariats believed that the capitalist justice was hypocritical, so it requested to abolish the system of exploitation of men by men and achieve people's mastership of the country and the distribution according to work.

Although different classes in different societies understand justice differently, justice, in the most general sense, refers to balanced and reasonable social relations and the standards to be followed in order to achieve such balanced and reasonable social relations. In other words, justice refers to the appropriateness and proportionality of the relationship between men and that between men and the society. Justice means that what one pays and is provided for is "appropriate" to what he/she should pay or be provided for, that is, everyone who participates in social cooperation should undertake his/her responsibilities and be provided with the interests he/she deserves. If someone undertakes fewer responsibilities or gets more than what he/she deserves, people would think it unjust.

In China, the word "justice", first appeared in *Hsun Tzu*, is a concept similar to rightfulness, fairness, impartiality and selflessness. Xu Shen, a Chinese scholar in the Eastern Han Dynasty, mentioned in his book *Shuo Wen Jie Zi* that "公" in "公平 (justice)" meant equal distribution; "正" meant integral and impartial. Many Chinese words like "大公无私", "铁面无私" and "奉公守法" all express the same meaning.

In the Western tradition, "rightfulness" usually means the just order or people and objects in the society; "fairness" refers more to people's selfless and impartial attitude or way of doing things. In

reality, the three concepts of justice, fairness and rightfulness are interchangeable. Only in the domain of public life can rightfulness become a topic. Justice better reflects the public nature of rightfulness. Fairness is the combination of two words, namely “public domain” and “equality”. Equality is the basis of protecting social fairness and rightfulness. It always means some kind of equality which is fundamental and principled like equal rights, equal opportunities and equality of all before the law. When each and every member can equally enjoy the rights they are entitled to, and get what they deserve equally, the society would be fair and rightful.

Further Reading

At the press conference held on March 18, 2008, Premier Wen Jiabao said, “Equity and justice mean that we need to respect everyone and protect the lawful rights and interests of all. We need to ensure that everyone has an opportunity to pursue all-round development in an environment of freedom and fairness. Just as promoting economic development and increasing people’s welfare is the bounden duty of the government, advancing social equity and justice is the conscience of the government.”

II. Justice is the “voice” of human conscience

When we get justice through the law, and when the criminals are brought to justice, we keenly realize the value of justice, which is like a bright lamp shining the voyage forward in human history. Since ancient times, countless heroes and towering figures have sacrificed all they have, including their lives, for justice. Without

justice, the good would be trampled, the evil would rage, and the entire society would plunge into darkness and chaos. Expecting for justice and protecting justice is the common heartfelt wish of all human beings.

i. Justice is the basic requirement of human nature

Rousseau, the representative figure of the Enlightenment, once said, “This passage from the state of nature to the civil state produces a very remarkable change in man; the role that instinct used to play in his conduct is now taken over by a sense of justice, and his actions now have a moral aspect that they formerly lacked...and out of a dull and limited animal made a thinking being, a man.”

Men are a senior animal with thoughts and feelings, and human behaviors are led by their thoughts. Historical materialism tells us that social being determines social consciousness, and that human thoughts and feelings and other conceptual things are prescribed by the real life. Different social groups and classes have different thoughts. For example, the poor would want the taxation to be increased, their well being and the level of social security to be improved, while the rich would want the taxation to be reduced, investment to be increased and profits to be improved, too. That is the specialness of human thoughts. Despite such specialness, human thoughts present certain communion like everyone wants to live a happy life; and everyone agrees with the goal of building a society featuring equal “access to education, job opportunities, medical services, services for the elderly and residence”. Such communion of human thoughts is human nature.

Take an overall look at the entire human history, the silhouette of justice can always be seen in people’s description of the ideal

society at all social stages and by all classes.

In ancient Greece, Plato and Aristotle began to pay attention to justice in a polis, thinking that justice was the foundation for building a social order. Modern enlightenment thinkers like Voltaire, Montesquieu and Rousseau studied and discussed about social justice in many aspects. Utopian socialists viewed social justice as an important goal of the future ideal society. Philosopher Hegel pointed out that justice was a unique social rule. In his great book *A Theory of Justice*, Rawls proposed that justice was the primary value of social institutions. Since then, people in Western society have begun fierce discussions on the issue of justice.

In the history of China, both Confucianism, which held a dominant position, and other major schools of thought including Taoism, Mohism, and Legalism contained profound ideas on social justice, like Confucian “debate on righteousness and benefits”, the Taoist view that “the law of the Tao is its being what it is”, Mohist “universal love, mutual benefits”, and the Legalist view that “the law does not protect the powerful”. After the founding of the People’s Republic of China, especially after China adopted the reform and opening-up policy, the Chinese communists have adhered to the Marxist view of justice. In combination with the reality of China, they timely proposed, “The essence of socialism is liberation and development of the productive forces, elimination of exploitation and polarization, and the ultimate achievement of prosperity for all.” In the report to the 18th CPC National Congress, the Party proposed to “step up efforts to develop institutions that are vital to ensuring social fairness and justice; establish in due course a system for guaranteeing fairness in society featuring, among other things, equal rights, equal opportunities and fair rules for all; and foster a fair social

environment and ensure people's equal right to participation in governance and to development.”

As can be seen, in both the East and the West, and in both the traditional society and the modern society, people have never stopped pursuing justice. In some sense, the history of the human society is a history of unremitting human fights against injustices and the pursuit of justice. People all want to live in a just society, and justice is the basic requirement of human nature. Bao Zheng, the black-faced impartial and just government official in the Chinese history, the statue of the Goddess of Justice in the West, with one hand holding the scales and the other a sword, both vividly express people's strong desire for maintaining and safeguarding justice.

ii. Justice is the most fundamental evaluation standard in human society

Men live in the society, and can live only in the society. Each man living in the society has a natural sense of justice, and judges different social relations and conditions, and recognizes or negates various institutions and rules. Either in ancient times or currently, in no matter what nation or society, we can all see that justice has always been an important indicator used by people to evaluate a certain social stage, social institution or social relationship.

In daily life, each of us would always compare what we pay and are provided for with that others pay and are provided for, consciously or subconsciously, and then get the feeling of justice or injustice. If people think something is just, it means that it is reasonable and people would like to obey it; or if people think something is unjust, it means that they are dissatisfied, and would oppose it. Even if people are forced to obey something, they reject it deep inside and would more than often negatively resist it. That is to

say, an important criterion for judging if a certain society or a certain institution is good or reasonable is to see if it is just. “A just cause gains great support, an unjust one gains little.” “Just” here refers to fairness and rightfulness. Just institutions can always attract more moral and spiritual supports from people.

As the most fundamental criterion for evaluating the human society, justice is demonstrated in many specific social rules. Due to the differences between men, there are winners and losers in competitions. But as long as people think the rules of competition to be just, and the differences thus caused to be reasonable, then the losers and those who support and feel sympathy for the losers would not resent the society. On the contrary, if people think the rules of competition to be unjust, they would be dissatisfied with the results. In daily life, people always say, “All men are equal before the law,” “treat all men alike,” “there should be fairness in buying and selling,” “children under the same blue sky should have equal educational opportunities,” “oppose gender discrimination in employment,” and “let the development results benefit more people in a more equitable way,” etc. They all show their strong yearning for just social rules, and that justice has become an important criterion for judging social rules.

Further Reading

Let everyone enjoy more development fruits in a more equitable way

“Some netizen commented the Decision (‘Decision of the CCCPC on Some Major Issues Concerning Comprehensively Deepening the Reform’) deliberated and passed at the 3rd plenary session of the 18th CPC Central Committee, “Everyone can see his future in it.”

The starting point and fundamental end of the overall in-depth reform deployed by the CPC Central Committee is to promote social justice and improve people's welfare. With the overall in-depth reform, the CPC Central Committee focuses on solving the most direct and realistic issues of interests that the public concerns the most, works hard to let the development fruits further benefit all more equally. In the final analysis, the reform can succeed if it benefits the people, and allows the overwhelming majority of the people to equally share the reform results. Here, we have two keywords—sharing and justice. Comparatively speaking, it is more difficult to achieve justice.

III. Justice is the first value of social institutions

Justice is a measure of healthy social development and the basic value of social development as well. American political philosopher and ethicist John Bordley Rawls once said, "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 or abolished if they are unjust. Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override. For this reason justice denies that the loss of freedom for some is made right by a greater good shared by others."