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**SOCIAL JUSTICE**

**Identifying themes in the historical development of the concept ‘social justice’**

**Earliest ideas of social justice**

The earliest recorded ideas of social justice applied solely to a particular people or nation with the intention of redressing effects of hierarchical inequalities, particularly inherited inequalities. For example the Bible contains references to the jubilee year when slaves were freed, debts and obligations were liquidated, and land was returned to original owners. This redistribution was primarily between individuals and was not applied universally.

**This idea of social justice emphasises individual property rights and involves adjustments to ownership of property to alleviate some unfair situations.**

Plato (380 BC) said that justice was achieved when each person received goods they deserved based on their prescribed position in the social order.

Aristotle (384-322 BC) said that justice was a principle that ensured social order by regulating the distribution of benefits. However in Aristotle’s view, equality and justice applied only to individuals who occupied the same stratum of the hierarchical social order. According to these ideas of social justice, unequals in the social hierarchy are to be treated unequally. These ideas did not challenge the social structures of society, but worked within them.

**This idea of social justice emphasises unequal distribution of resources based on what individuals deserve according to their social status or position in society.**

**Universal concepts of justice**

Universal concepts of justice developed with the teachings of the world’s great religions (1500-2000 years ago), including Judaism, Christianity, Islam and Buddhism. These religions emphasised the importance of sharing, equality of treatment, not profiting at the expense of disadvantaged groups in society, the evils of greed, and rulers behaving righteously, fairly and justly towards their people. With the idea of a universal or all-powerful deity came a divine vision for humankind, and universal justice in either this life or the next.

**This concept of social justice goes beyond justice according to social status and recognises universal human value.**

The universal concept of justice reflected in these religions was undermined by religious institutions that failed to practice what they preached and created strict hierarchies. Proponents of different religions (which were increasingly linked to states or empires) competed with each other for recognition and resources. Patriarchy was the dominant paradigm, meaning women and lower classes were not seen as equal, and slavery was often an integral part of society.

**Hierarchical religious institutions continued a social structure where there was unequal distribution based on what individuals deserved according to their social status or position in societ**y

**Secular humanism and rationalism in the 17th and 18th centuries**

In the early modern period of the 17th and 18th centuries, social justice was used to rationalise consolidation of state power under the authority of absolute monarchs. For example, Thomas Hobbes (1588-1679) saw the construction of an external authority (state or leviathan) was essential to the maintenance of a just society. The state would create and enforce laws and social norms to preserve peace and restrain humans from harming each other in the pursuit of self-interest. This concept of a just society was consistent with the emergence of commercial and industrialised capitalism.

**This concept of social justice emphasises collective/state responsibility to create a system of laws to stop people from harming each other.**

Rousseau (1712-1778) and others who followed him in the ‘age of revolution’ shaped the formation of modern institutions in the west with the view that the pursuit and realisation of social justice was linked to the preservation of individual liberty or freedom, achievement of equality (of rights, opportunities and outcomes) and establishment of common bonds of all humanity.

**This concept of social justice emphasises individual liberties and equality of opportunity, rights and outcomes.**

The American and French revolutions linked their social justice goals to the pursuit or perfection of happiness, and strived for the creation of societies that would maximise both individual and collective well-being.

**This concept of social justice emphasises value of human wellbeing**

Inequality and injustice in the 19th and 20th centuries

The gap between ideals of social justice that developed in the preceding centuries, and the realities of persistent inequality and injustice, became more apparent in the 19th and 20th centuries. In reality, it was difficult to reconcile social equality with the preservation of individual liberties. The elites who dominated emerging nation states withheld political rights from the majority of the population (especially from women and people of colour) and ignored social/ economic rights.

Karl Marx (1818-1883) argued that humans did not have a fixed innate nature, but were instead defined by their social relationships, which in turn, were dependent on the economic structure of society and the classes it produced. He rejected Hobbes’ idea that injustice was caused by human competition, selfishness and aggression. Marx argued that the roots of injustice lie in political-economic structures based on subjugation, discrimination, exploitation and privilege. Justice would prevail when individuals received what they needed on the basis of their humanity and not on what they deserved because of their social class origin or productivity.

**This idea of social justice emphasises redistribution on the basis of human need and value, as opposed to what an individual deserves on the basis of social status or productivity.**

The idea of a social contract between individuals and their governments, to abide by common rules and accept corresponding duties, emerged as a way of balancing mutual rights and obligations. Liberals emphasised preservation of individual liberty (including property rights) and Marxists emphasised the attainment of social equality.

**Western concept of social justice in 20th century: fair distribution**

There has been broad agreement in the west that social justice must incorporate various means of achieving fair distribution of societal goods. However, there have been different ideas about what constitutes a fair distribution.

**Views of social justice(Principles of social justice)**

**John Stuart Mill**

Utilitarians like John Stuart Mill argued that the distribution of societal goods should be for the ‘greatest net balance of satisfaction’ for society. Mill said that utilitarianism was actually a ‘standard of morality’ which used happiness of the greater number of people as its ultimate goal. In principle, although utilitarianism advocates for the greatest good for the greatest number of people in a society, Reamer explains that “processes and decision making grounded on the logic of utilitarianism may result in the unfair treatment of vulnerable populations”.An example of the application of this view was the institutionalisation of mentally ill people for the greater good of society.

**In practice, this view reflected an unequal distribution on the basis of status as it was often the disadvantaged whose rights were sacrificed for the good of the privileged classes of society**

**Rawls**

Rawls’ concept of social justice is probably the most influential. Rawls criticised utilitarianism as being able to be used to justify concentration of goods benefiting privileged classes of society on the basis that it was for the greater good. Rawls’ conception of distributive justice provided that “all social values... are to be distributed equally unless an unequal distribution of any or all of these values is to everyone’s advantage”. As explained by Baldry, “Rawls asked what particular set of rules or laws would members of a society agree to obey if they made as their goal a fair social order – one in which no one is exploited or taken unfair advantage of”.

The two fundamental principles of Rawls’ original theory of social justice are:

(1) Each person has equal right to the most extensive system of personal liberty compatible with a system of total liberty for all

(2) Social and economic inequality are to be arranged so that they are both

(a) To the greatest benefit to the least advantaged in society (so that the least well off people are made as well off as possible, which could mean giving an unequal/greater amount to the people least well off)

(b) Attached to positions open to all under conditions of fair equality of opportunity (so that everyone in society has a reasonable chance of obtaining the positions in society that make decisions about inequalities)

Rawls paid particular attention to those who were disadvantaged at birth with undeserved inequalities. His ‘principles of redress’ provided that those with fewer native assets should be compensated.

**This view of social justice relates to justice in a systemic form, applied to society as a whole rather than individuals. It emphasises unequal distribution on the basis of an individual’s needs or requirements with a particular focus on the needs of the disadvantaged, and equality of opportunity.**

**Nozick**

In opposition to Rawls’ theory of justice, Robert Nozick has formulated the idea of social justice as entitlement. He regards any distribution of resources as just, as long as it came about in accordance with three principles:

(1) Justice in acquisition – the appropriation of ‘unowned’ things, as long as enough is left over for others;

(2) Justice in transfer – the acquisition of a holding from someone who is entitled to that holding; and

(3) Rectification – any unjust transfers are to be rectified by compensation.

According to Nozick, individuals have a right to own property and of self-ownership, which gives them the freedom to determine what to do with what is theirs. The role of the state is that of a night-watchman, to protect individual property rights. Nozick regards any attempt by the State to (re)distribute resources, e.g. through taxation, as unjust.

Nozick sees no role for the state to help individuals who were unluckily born with few resources (those who are poor, weak, sick etc), and argues that it is for individuals to decide whether to help such people by giving their resources as a gift. For Nozick, goods and resources are either created by individuals or pre-owned, not ‘manna from heaven’ that can be taken by the State and redistributed. Nozick does not accept Rawls’ assumption that there are greater benefits to be gained through social cooperation, rather than no cooperation or limited cooperation.

**This view of social justice emphasises distribution according to the existing system of individual property ownership and does not support any kind of redistribution.**

**Miller**

Miller’s approach to social justice rests on the idea that the market is capable of giving individuals what they deserve. This theory treats individuals as responsible for their own actions and proportionately rewards (or punishes) them in accordance with their actions and efforts, insofar as the actions/efforts are the result of their individual choices. In Miller’s view, those that are more talented and hardworking deserve more than talentless and lazy people.

**This view of social justice emphasises unequal distribution according to what an individual deserves based on their moral responsibility or behaviour.**

**Sen**

Sen’s comparative approach to social justice aims to make society less unjust, rather than aiming to make society perfectly just, which is how Sen views Rawls’ theory. Sen’s comparative approach explores social alternatives, ranking them based on the values and priorities of the community. The focus is on ‘what actually happens in the world’, instead of on the justness of underlying institutions.

He assesses the effectiveness of actions and institutions according to which are more effective at reducing injustice. According to Sen, the effectiveness of government action to improve social justice is judged according to an individual’s capability to do things he or she values and the freedom of individuals to choose between different ways of leading their lives.

Sen’s approach to social justice focuses on assuring individual capacities to gain optimal wellbeing in their circumstances. He defines poverty as the deprivation of these basic ‘capabilities’ (such as being literate, being active in the community). Sen acknowledges that social arrangements have to make it possible for individuals to build their capabilities. For example, a right to education concerns not simply an individual’s access to appropriate educational material but the responsibility of government to provide stable presence of certain institutions and institutional frameworks. Sen’s approach is consistent with and resonates with the concept of social inclusion (see Section 6 on social inclusion).

**This idea of social justice emphasises developing individual capabilities.**

**NEED FOR SOCIAL JUSTICE**

1. Ordinary people can change the course of history by joining a movement. Social justice is a movement for improving the lives of people. You usually get one or two chances in life to join a movement and make a difference. The idea, to paraphrase Aretha Franklin, is to know when the train is coming, to get on board, and to hold your head up high. In short, the fight for social justice takes persistence, guts, and knowing and doing what’s right.
2. A fair and just society will encourage democratic principles of equality, opportunity, and mobility. It will also provide a legal framework for human rights (the concept is less than 350 years old), civil rights, and individual rights.
3. Every democratic society must try to reduce the gap in income and wealth among its citizenry. There must be a reasonable floor and ceiling in income and wealth.
4. In a just society, all lives have equal value, equal opportunity and equal chances for success.
5. A socially just society cannot forget or ignore people in need, nor leave the majority of its people behind. It must put people first—not property nor profits. It must be willing to examine and re examine its beliefs and philosophy on a regular basis.
6. All groups, including those who define themselves as a political minority (blacks, Hispanics, women, gay lesbians, labor unions, etc.) recognize some bias and discrimination will always exist. But in a just society, the bias and discrimination are minimal and minority groups have the same rights as the majority and are able to fulfill their dreams.
7. In a fair or just society, the class structures are fluid in both directions—up and down, from lower class to upper class and from upper class to lower.
8. In a just society, there must be a political and legal framework that protects and enhances the rights of the people. Laws must not be based on partisan or tribal politics, or they will become temporary, but rooted in moral, social, and economic doctrines that provide opportunities and mobility for all people and groups in society.
9. In a just society, individual rights supersede group rights, corporate rights and property rights. Lawyers and judges have elevated status. The ordinary person can find legal protection as well as redress in the courts. The police must follow and obey the laws.
10. For social justice to flourish, the government must be prepared to intervene. A free-market system, without government restraints, leads to greater inequality whereby talented people make large sums of money and average and less than average workers (the common people or silent majority) are paid at best a living wage.
11. A society characterized by a wide income/wealth gap rewards special talent and entrepreneurship. A society characterized by a narrow gap pays descent wages to ordinary people and rewards the working and middle class.
12. Those who believe that a social contract exists between government and its people reject large gaps in income and wealth; such differences reflect the excesses of capitalism. Those who believe in limited government see large differences in income and wealth as a reflection of the success of capitalism.
13. Given a social contract, the government not only protects the people, but also provides revenue for building schools, roads, and bridges; it also provides safety nets and social programs for its disadvantaged populace, including the poor, sick, disabled, and elderly.
14. An innovative and entrepreneurial society will accept large amounts of inequality; a fair or just society will reduce these differences.
15. The people who believe that getting ahead is a matter of perspiration, talent, or enterprise tend to oppose government intervention and redistributive policies, as well as social programs, safety nets, or entitlements. On the other hand, those who believe that “success” is related to inherited advantages, socioeconomic advantages, or worse, being a member of a dominant group (i.e. born white and born in an upper-class family) support redistributive policies and/or reverse discrimination.
16. Those who control capital, property and/or equipment represent the *dominant* class—and how wealth is created. Mobility and opportunity must exist to the extent that the *subordinate* class, or more precisely the common people who work for a living, can improve their social-economic status.
17. In a just society, those who have the least benefit from those who have the most via charity works, philanthropy, and in fair tax code.
18. Although a dominant and subordinate group may exist in all societies, in a just society, the differences do not lead to institutional racism, class consciousness, or economic warfare.
19. If the assignment of personal responsibility is used to justify inequality of income and wealth, then there is little chance for social justice. Of course, there could be other reasons for the difference in outcomes such as personal characteristics, luck, or making the right choice at the right time. It is fair if people have more money or assets than others if there is equal opportunity for all citizens.
20. Power corrupts; power must be held accountable. In a just society, the people have the ability to peacefully remove their political leaders and elected officials whenever they deem it necessary.
21. For social justice to be part of the fabric of society, the people must be afforded the right and legal mechanism to investigate, impeach, convict and/or jail their political leaders for incompetence, corruption and/or unlawful behavior.
22. Government laws or executive orders that discriminate against specific groups (racial, ethnic or religious), under the guise of protecting the majority of people or preserving a way of life, are morally wrong and usually illegal. In democratic societies, such laws and orders must be challenged and rejected by the people in the courts or legislated bodies of that country.
23. In a fair and just society, people are paid on the basis of the goods and services they produce for the common good. In a society that stresses excellence, people are paid on the basis of supply/demand, the *profit* they generate or the *cost* occurred by hiring them. Those who generate profits are paid the most, sometimes hundreds or thousands of times more than those who are considered cost factors. Teachers are cost factors. The idea is for school boards to control the budget and limit salaries.
24. Globalization affects social justice. The market is seven billion people, not just the size of our country. This means a bigger pie for millionaires and billionaires to build their wealth, thus increasing inequality and reducing social justice around the world. In a just society, the majority of people must be committed to a level playing field, and some legitimate form of equality, even if it means that income and wealth will be redistributed to less fortunate people.
25. A just society permits and defends free speech, a free press and the right to protest peacefully. It recognizes and supports poetry, plays, songs, speeches and film, as well as the publication of newspapers, magazines and books as essential for the health and vitality of society. Words can be used for waging war or for healing.