

Justice

Meaning of Justice

Justice is the most important and most discussed subject of the state and society. It is the basis of another human being. There onwards the regulation of public affairs of the people for securing a fair distribution, equal treatment of equals and proportionate and just measures. It stands for harmony between individual interests and the interest of society.

Justice is of central importance to political theory. In defending or opposing laws, policies, decisions and actions of government, officials and courts in the name of justice. People involved in every agitation for securing their rights always raise the slogan: 'We want Justice'. All civil rights movements are essentially movements for justice.

Justice stands for rule of law, absence of arbitrariness and a system of equal rights, freedom and opportunities for all in society.

In fact, Justice stands recognized as the first virtue or ideal or objective to be secured. In its preamble, the constitution of India gives first priority to the securing of social, economic and political justice for all its people. In contemporary times justice stands conceptualized basically as social justice.

Meaning and definition

Justice is a complex concept and touches almost every aspect of human life. The word justice has been derived from Latin word Jungere meaning to bind or to tie together. The word Jus also means "Tie or bond". In this way Justice can be defined as a system in which men are tied or joined in close relationship. Justice seeks to harmonise different values and to organise upon it all human relations. As

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Some popular definitions -

Dr. Raphael - Justice protects the rights of the individual as well as the order of society.

Features

- 1- Justice is related to mutual relationship of person living in society.
- 2- Justice is based on values and traditions of society.
- 3- Justice is related to all aspects of human behaviour in society. Laws are made and courts are set-up with this aim in view.
- 4- ^{of} Aim, Justice is to provide equal rights, opportunities and facilities to all in a fair way.
- 5- The function of Justice is to harmonise individual interests with the interests of society.
- 6- Justice is primary value and it is inseparably related to other values like liberty, Equality and property.

1. Justice is the principle of balancing or reconciling human relations in society in such a way as enables each one to get his due rights, towards and punishments.

2. Justice has several dimensions: Social Justice, Economic Justice, Political Justice, Legal Justice.

Types of Justice.

1. Social Justice

In contemporary times a large number of scholars use prefer to describe the concept of Justice as social justice. Social Justice is taken to mean that all the people in a society are to be equal and there is no discrimination on the basis of religion, caste, creed, colour, sex or status.

However various scholars explain the concept of social justice in different ways. Some hold that social justice is to allot to each individual his or her due share in the social sphere. According to some other, distribution of social facilities and right on the basis of law and justice constitutes

than they ^{will} ~~may~~ be used ^{accept} ~~may~~ as
imbalance in what they receive in
comparison to others. If they see
both procedural and distributive
injustice, they will likely seek
restorative and/or retributive justice.

- ③ Restorative Justice: The first thing
that the betrayed person may seek
from the betrayer is some form of
restitution, putting things back as
they should be.
The simplest form of restitution is
a straight-forward apology.

Social Justice
These are types of Justice have imp
implications for socio-economic,
political, civil, criminal justice at
both the national and international
level.

- ① Distributive Justice: Distributive justice, also known as economic justice is about fairness in what people receive, from goods to attention. Its roots are social-order and it is at the roots of socialism where equality is a fundamental principle.

If people do not think that they are getting their fair share of something, they will seek first to gain what they believe they deserve. They may well also seek other forms of justice.

- ② Procedural Justice: The principle of fairness is also found in the idea of fair play (or opposed to the fair share of distributive justice). If people believe that a fair process was used in deciding what to be distributed, they

* Justice is primarily a concept of morality. The Marxist view of justice is that its origin lies in the area of economics. According to Marx, the positive law of the state is imposed on its members by the authority of class which cannot control the means of production. Law is determined by the economic interests of ruling class. When the private property is abolished and the means of production are controlled by the working class then the laws are bound to reflect the interest of working class, ~~then~~ therefore the content of justice depends upon ~~the~~ ~~thing~~ that who controls the means of production?

Legal Justice

Aspects of Justice

① Legal Justice - is process of law making and judicial system of society

- Law should be reasonable and any
everyone should get justice according
to the law
- Law should be equal for all for
the well being of the community
- equal protection of law
- Law should be simple and not
complex
- Reach to the poor
- Court should be independent and
impartial.
- The pay source and the qualifica-
tion of the judges should be proper
so that they can decide cases
without fear and favour.

② Political Justice - Political justice
implies the establishment of fully
democratic political institutions.

- Therefore the legislature should be
elected on the basis of adult franchise
- the executive should be responsible
to the legislature.
- An independent judicial system should
be developed or established and there
should be rule of law.

- Freedom to form associations must exist
- Beside this political justice means - equal right to vote and equal share in govt services.
- In this sense political justice is associated with political rights and equality.
- It means in other words that political power should be exercised by the representatives of the people
- Free & Fair Participation

Social Justice Kirchner - Political justice search for an ideal in which all members will communicate and interact with the body politics to attain its highest perfection. Basically focus on Adult franchise - one man, one vote, one value.

Social Justice - Article 10 of the universal declaration of 1948.

③ Social Justice - The concept of social justice is based on the belief that all human beings are equal and that no discrimination, and so no discrimination should be made on the basis of race, caste, creed and religion, gender etc. It means that equal social opportunities must be available to all people to develop their personalities.

- No person should be deprived of those social conditions which are essential for his development, because social justice is related with social equality.
- Social justice is available so that society only where the exploitation of man by man does not exist.
- Social justice also implies that the material and moral benefits of planning are available to all persons and not a few privileged people. So there must be synthesis between liberty, equality and fraternity.

3 Basic principles.

- ① Equal social opportunities
 - ② Special attention to the weaker sections of our society (ST/SC/OBCs)
 - ③ Removal of social evil (religious discrimination, gender discrimination, etc)
 - ④ Economic Justice - implies non-discrimination on the basis of man and man on the basis of economic viability, stands for adequate means of livelihood to all for by making provisions for proper working conditions for equal pay for equal work, equal economic opportunities - etc.
- Economic Justice was viewed from two angles.

- The liberals - Satisfaction of economic needs of society as justice,
- the liberals advocated and followed such a policy in the 17th and 18th centuries but the

- The liberals believe that economic justice can be attained in the society if the state provides welfare services and there is a progressive system of taxation.

- Marxist view - Economic justice could be attained only if there was the abolition of private property and the capitalist system.
- According to him, economic justice could be attained only in a communist society and never in capitalist society.