

On Justice

Equal rights (jafnrétti), equal position (jafnræði) and equality (jöfnuður)

The first subject of my very first discussions with Mike in September 1973 was “what is philosophy?” That discussion is still going on. Occasionally we discuss other subjects like today subject which is “what is morality?” What I find fascinating in discussing with Mike is that he concentrates on understanding what I am trying to say and quite often helps me to formulate my own thoughts better than I have been able to do by myself. I am certain he will do the same today.

Now if I had all day to discuss with Mike I would turn to the first subject of our discussion, namely what is philosophy. I would start by reminding him that for me philosophy is an attempt to see and to present everything as being part of a totality of ideas which englobe reality. The question then arises about the status and nature of the *ideas* themselves. This is for me *the* philosophical question. Mike would then point out that we would need good examples of ideas if our discussion were to take off and bring some fruits. I would say, well, mention an example you would like to discuss. And that is what he did and I am very pleased that Mike should propose the idea of morality as the philosophical topic of this conference in his honor. What is the status and the nature of this idea compared to other basic ideas which make reality intelligible for us?

In this short paper I will try to explain some thoughts concerning what I take to be the basic aspect of morality, namely justice. These thoughts are expressed in subtitle of my paper where I put Icelandic words in bracket (this paper was originally planned to be in Icelandic). These three words refer to the main aspects of the concept of justice when we apply it to what I believe to be the three basic dimensions of human society, namely the spiritual or cultural, the political or public, and the economical or technical dimension.

The main topic of our discussion today being morality the question is of course how to define it. When I gave my first lecture on ethics in Icelandic many years ago I fell upon a division that I have used ever since to present morality as the subject matter of ethical studies. Morality is composed of a

specific set of values, of virtues, and of rules – of values that make life worth living, of virtues that increase the quality of our relationships, of rules that guard the basic values and guide us to the road of virtues. Then I set out in my Icelandic writings on ethics to explain these values, virtues and rules that together make the *internal structure* of morality as such according to my view. In so far as we recognize ourselves as moral beings we attempt to respect the basic values, to develop the virtues and to follow the rules of morality as such. We may fail, and if we recognize our moral failure it is because we have a genuine and common understanding of morality, although it may be very limited and even superficial. Just as we have a certain understanding of language, of economics, of mathematics, of the earth, and of the forces that may be found in the universe. And this common understanding is expressed in words that refer to ideas concerning some aspects of reality as object of our thoughts.

In the world of history and human society (or simply in the reality of our experience) there is an infinity of moralities, each human group, each family, each individual developing his or her imperfect morality. In daily life people are constantly telling stories about the morality of other people, about their actions, behaviour, their values, their vices and so on. The reason for this is that we are preoccupied with morality all the time – our own and that of others. We want our relationships, our families, our societies to improve – we want values and virtues to flourish in the human world, and our children to be guided by sound moral rules.

Perhaps the main question that common sense people all over the world are facing is simply how the morality of mankind could develop for the benefit of all nations, all human beings, and finally for the good of life itself on earth. This is the practical question that motivates the philosophical one about the status and nature of morality.

Let us first look at the question about the *status* of morality. Is morality an independent part of society and thus intelligible by itself or does it depend upon other aspects of reality, say the economic or political domain? In practice, we are always relating morality to the other domains of society, but at the same time I think we would like to see morality function more as an independent structure. In academic circles we have in a similar way theories

about morality as being fundamental to human society and other theories that explain it as a result of the play of other forces.

I mention this not in order to enter that debate but to draw attention to some facts concerning the status of morality in reality. We are animals struggling for survival. What distinguishes us most clearly from other animals seems to be the capacity to understand better than they what is harmful to life and how we can in general change our life conditions for the better. This capacity clearly depends upon our ideas of what gives value to our lives and relationships. Truth, justice, love, friendship, freedom, beauty, knowledge, art, science and even sport are among these things that we value. And, of course, worldly values like money, power and fame are of importance along with food and wine, sex and shelter, clothes and cars. Life itself is valuable in so far as it makes it possible for us to take part in the values expressed by the ideas I just enumerated. A life deprived of some of these values may not be worth living at all. And good health may also be a condition for enjoying many of these values. In so far as we understand these values our efforts become intentionally oriented toward improving our life-conditions and especially our relationships where the most important values, like justice, love and freedom are at stake.

This, I take it, is the origin of morality and of ethical thinking. It is directly related to the fact that we realize that our life-conditions and relationships can be improved – that we have to concentrate on developing good relations for the benefit of ourselves and other living beings. Of course, we act like this only in so far as it is on our power to do so. Because we also realize that we are not the inventors of life and that life is disappearing all the time, death being what every living being has to face sooner or later.

So the *practical moral question* is simply this: What can we do to improve life and our life-conditions in the light of what we understand as the basic values, virtues, and rules at stake in our relationships? The *theoretical moral question* is simply: What are these basic values, virtues and rules that we take to be essential for the improvement of our lives and life-conditions?

The practical moral question is always asked within a specific context where there are other values, virtues and rules than the moral ones. There may be technical, scientific, aesthetic, even religious, political, and economic

values, virtues and rules involved that we cannot overlook. Our moral thinking never develops in a social or natural vacuum. All these other values, virtues and rules are also important in life; and without them it would not even make sense to talk about moral values, virtues and rules.

Now the question must be asked – and that is Mike’s question today – how morality stands in relation to all the other value domains of our reality. I take the *idea of justice* to be the best guide to deal with this question. In all our possible relationships – be they economical, political, educational or whatever – *justice* is the most important value.

What does this mean? For me the meaning of justice is to be explained in two interconnected ways. First, justice means that whatever relationship we are developing among ourselves or with other beings, that relationship should be for the benefit of all parties involved. Second, justice means that everybody is to get what he or she deserves. In both cases what is required is *respect* for the beings we are relating to and for the beings we are ourselves.

In practice, we concentrate on the second aspect of justice, namely that people get what they deserve, because we take it for granted that the relationship itself is in the interest of all parties. It is usually when one or many of those involved do not respect the interests of the others that the question of justice arises. But – as Plato rightly pointed out – justice is not only about the decisions and behaviour of individuals, but about the harmony of the various forces that are at work in our souls and societies. His powerful theory of justice is precisely about these forces and how they must work together in harmony if we are to succeed in our search for the good life. Corruption and wrongdoings happen when these different forces are not kept within their natural boundaries, but take on forms that are destructive of our relationships and harmful to our life-conditions.

What are these forces? And how can they be kept within their limits? Now you are all familiar with Plato’s theory. The soul is composed of a rational part, a feeling or emotional part, and the appetite part. In a similar way society is also made of three parts: the ruling class that makes the law, the protective class that executes and defends the laws, and the economic class that provides the material necessities of life. In these three dimensions of the soul

and of society there are different forces – first, the intellectual, spiritual or ideological ones – second, the political, controlling or dominant ones – and third, the economic, physical or technical forces.

These three forces obey different logics or laws that should guide and limit each other. Plato is preoccupied with the soul – not the material conditions of our life. And his main interest was the development of *reason* that makes us discover truth, justice, beauty and other ideas that make reality understandable for us to a certain extent. Reason should rule in the world.

This means that the intellectual dimension should guide the political dimension. And the political domain should give guidance and limits to the economic and technological forces at work in our societies. But none of these spheres or domains should introduce its standards or criteria into the others and push out the standards or criteria that belong to the other domains. When that happens corruption is inevitable with all the injustice and wrong-doings that it leads to.

To take an example, if the standard of economic profitability is made the fundamental criteria for decision-making in the political realm, we would soon ruin the public health care system as well as the educational system. The juridical system with the police force and the courts is also likely to suffer great damage. And if intellectual achievements and scientific theories are to be evaluated on the basis of the economic profitability, basic research in several fields is likely to disappear. The examples can be multiplied just by looking at what has happened in Icelandic society and the world in general for the last decades.

These examples remind us that the world seems to have developed in exactly the opposite way to what Plato thought it should do. Why has that happened and how are we to change the course of history in the direction of the Platonic idea of justice?

Since I have only a short time to answer these questions I will move directly to what I take to be the central issues. The intellectual and the political domains have been subordinated to the logic of the economic appetite of the human soul. The forces that produce economic and material goods have taken over the world – pushing other forces aside or using them for economic

purposes, not for their inherent or proper goals. Politics and science are not fulfilling the role they should perform in order to bring justice into human affairs.

Now all this is familiar to you. The question is how justice and morality can become effective in the world today. And I see Mike's question and reflections as being an attempt to deal with this issue in philosophical terms. The rest of my paper is a contribution to this attempt by using three Icelandic words to provide a kind of interpretation of the idea of justice as it was introduced by Plato.

My hypothesis is that justice is to be understood differently depending on the three different dimensions of human society and the relationships that are involved in each of these dimension. (Although Plato is the first to explain the basic characteristics of these dimensions, I think he may not have provided the understanding that we need in order to develop them properly. But I will not be concerned here with that scholarly issue.)

More precisely, when our relationships are developing in what I called the *intellectual or cultural dimension*, justice is the equal respect we should pay to people as thinking beings in so far as they refer to arguments, reasons, laws, and whatever authorities that help us determine the truth or validity of our beliefs in general. This is what we call in Icelandic "jafnrétti" – equality as beings with a soul capable of discovering the truth and who are all in the same position in respect to the law, God or whatever higher authorities.

When our relationship is developing in what I called the *political dimension*, justice is the respect we owe to people as having equal power in decision-making concerning our common good. This is what we call "jafnræði" in Icelandic – equality as members of the same community and having in that respect the same position with regard to our common interests or common good.

When our relationship is developing in what I called the *economic dimension*, justice is the respect we owe to people as living beings with basic needs, desires and capacities. This is what we call "jöfnuður" in Icelandic – equality as living beings depending upon other living beings for assisting us in meeting our needs, satisfying our desires, and developing our capacities as human beings.

Let me illustrate these different logics of justice by taking examples of three institutions: The university, the city, and the family.

In the university “jafnrétti” (or “equal rights”) is the basic meaning of justice. It means that everybody is to be respected as a being capable of knowledge and understanding and has an equal right to express him- or herself concerning the ideas or the arguments at stake. Teachers and students are equals in that respect. But the academic community is also a hierarchical society: Full professors, associate professors, assistant professors, doctoral students, masters students, and undergraduate students indicate a society full of “ójafnræði” or “unequal position” and “ójöfnuður” or “unequal access” to the goods of life.

In the city “jafnræði” or “equal position” is the basic meaning of justice. It means that we are all as citizens equal concerning the city as our common good enabling us to organize our lives together. But that does not imply that we all have “equal right” to take part in the discussion as we do in academic circles where we are seeking understanding and truth. A political debate is not an academic discussion. One of the greatest weaknesses of our communities is that we have not been able to organize political debates in a way that is really democratic as we do in the academia. And although the city provides “equal access” to certain goods of life, like the road system and schools, the city as a decision-making body is not concerned with “jöfnuður” or “equal access”, but with “jafnræði” or “equal position” of its citizens.

In the family, by contrast, “jöfnuður” or “equal access” is the basic meaning of justice. It means that all family members should be assisted in developing their own life and thus getting the goods they need for their survival and growth. But families are not essentially preoccupied with “jafnrétti” (“equal rights”) or “jafnræði” (“equal position”). They concentrate on providing shelter for us as living beings and are promoting the individual life as the ultimate value.

Now the main lesson that is to be drawn from this analysis is that justice requires different standards and criteria depending on the context within which our relationship is being developed. And this means that we need to

recognize and develop different types of discussions or debates when we are dealing with moral issues within the various situations of our relations. That is why ethical studies and ethical teaching are of fundamental importance, if we are to improve our morality and fight against injustice – that is to say against ójafnrétti, ójafnræði and ójöfnuður – that is to be found in all communities. The task is to identify in the light of the different meanings of justice, the various moral issues or problems we may be facing.

To take again the same examples, in the academia “unequal position”, “ójafnræði”, of the people involved may in fact influence the discussion; and “unequal access” to the goods of life may also in several ways harm the academic community. In the city, the “equal right” to express arguments or what one takes to be true is to be respected in so far as understanding and knowledge of the issues that are debated in the political sphere is needed. And the main issues that are debated do in fact concern “equal or unequal access” to the goods of life that we share in our community. But that does not change the fact that “jafnræði”, the “equal position” of the citizens, is to be respected if we are going to make “just decisions”, i.e. decisions which we take together in matters that concern the public good. In the family, although “equal access” to the goods of life is fundamental, “equal right” and “equal position” are also to be taken into account if the family is to develop as the original *moral* institution of our relationships.

I would like to end this paper with an hypothesis on why human society has not developed in the way Plato thought it should do to enhance justice, i.e. a proper harmony between the dimensions and forces that are at play in our communities. The hypothesis is that *justice* has been more or less identified with what I have called “equal access” to what they need to live. This implies that life itself has been emphasized as the ultimate value since all other goods are seen as enriching our individual lives. This also implies that we look at family relations as basic to all other communities or societies. We may even dream of the whole community – or even all mankind – as being a sort of one family.

I believe this is a serious mistake that has to be rectified. The family has always been basically an *economic* unity providing the goods of life to its

members *as individual living beings*. Business companies and political parties – these two prominent institutions of modern societies – have in fact been formed as extensions of *familial* relationships. And today there are close ties worldwide between the business sector and the political parties. In contrast, schools, courts, several NGO or associations who have been created in order to defend some public goods, are not conceived on this familial model. And these institutions created for the public good do usually not have any ties with the political parties which do usually not show any interest in these institutions. (I know this from decades of experience!)

In my view something wrong is going on in our societies. The question is how we, who are engaged by public authorities to do philosophy, can provide some assistance to the intellectual, political and economic revolution that should be underway. I am convinced that conceptual clarity and conceptual depth is the condition *sine qua non* for a successful contribution of philosophers to the public debate. I am also convinced that philosophy should concentrate on presenting to the world new versions of the ideas that have been guiding mankind since it started to think. Among them are truth and justice – despite all the lies and wrongdoings we are as humanity guilty of committing.

Perhaps our big mistake is an intellectual one. Philosophers like Hobbes and Hume, Schelling and Nietzsche could be accused of it; and of course several others. But not Hegel nor Sartre. The mistake is to take Life itself as a fundamental value. Life as such has no value in itself except as an experiment for its future development. For individual beings it may easily become an evil thing they could better be without. Of course, it may matter to go on living, but other things may matter more. Friends for example, as Aristotle told us, and truth and justice are things without which life has become a hell for millions of people and not worth living. Indeed the connection between justice and truth is a key question for discussion. For our late friend, Þorsteinn Gylfason, justice meant fundamentally the access to truth. Perhaps he was right. But we still have to find out.

Páll Skúlason