



THE PRINCIPLES OF JUSTICE

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ABSTRACT

Justice is the idea of a morally justifiable distribution of rewards or punishments. Justice in short, is about giving each person what he or she is due often seen as his or her 'just desserts'. In this sense ,justice can be applied to the distribution of any goods in society: freedom, rights,power, wealth and so on. However as the grounds for just distribution may vary enormously ,justice can perhaps be seen as the archetypal 'essentially contested' concept. A distinction can nevertheless be made between procedural and substantive notions of justice.

KEY WORDS- just desserts , freedom, rights,power, wealth.

INTRODUCTION

Procedural justice or formal justice refers to the manner in which outcomes are arrived at and thus to the rules that govern human conduct and interactions.For instance ,any outcome of a sporting competition is considered just so long as it results from the application of fair rules independently adjudicated-in short ,there should be a 'level playing field'

'Substantive justice' or 'Concrete justice' on the other hand is concerned with the substance of the outcomes themselves, that is, with the nature of the end point. This can be seen in the idea that the punishment should fit the crime in other words that penalties should be appropriate and justifiable in themselves.

The two most common applications of the concept of justice are legal justice and social justice .Legal justice refers to the apportionment of punishment and rewards as a result of wrong doing and in particular law breaking. The judicial system is sometimes therefore described as the administration of justice. However, law should not be equated with justice ,laws may be just or unjust as may be the court system through which they are administered.

Social justice refers to a morally justifiable distribution of material or social rewards,notably wealth, income and social status. Many take social justice to imply equality, even viewing it as a specifically socialist principle. However, concepts of social; justice may be unegalitarian as well as egalitarian and even when socialists use the term it tends to imply a weak form of inequality: a narrowing of material inequalities often justified in terms of equality of opportunity.

The significance of justice is that it has been portrayed as the master concept of political thought. Since the time of Plato and Aristotle political thinkers have seen the good society as a just society. Much of political theory therefore consists of a debate about 'who should get what'? In relation to legal justice this issue has largely been resolved through the development of widely accepted procedural rules about, for example, access to legal

advice and representation, judicial neutrality, rules of evidence and the use of juries, although there may be important substantive differences between the laws which operate in liberal democratic societies.

However, controversies over social justice have been deep and recurrent. Some, including supporters of the New Right, dismiss the very idea of social justice on the ground that it is inappropriate to apply moral principles such as justice to the distribution of wealth and income, because they are strictly economic matters and can be judged only by criteria such as efficiency and growth. From this perspective, to portray the poor as victims of injustice is simply absurd. Socialists and modern liberals in contrast have been attracted to the idea of social justice precisely because they are unwillingly to divorce economics from ethics and because they are unwilling to leave issues related to wealth and poverty to the vagaries of the market.

Sympathy for social justice therefore usually goes hand in hand with support for government intervention in economic and social life. However, there are quite different liberal and socialist models of social justice. The liberal model is rooted in individualism and is based upon a commitment to meritocracy, while the socialist model is rooted in collectivism and exhibits greater support for social equality and community.

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