

CONCEPT OF JUSTICE

SUBMITTED BY
DR. JIWAN DEVI
DEPT. OF POLITICAL SCIENCE
HMV JALANDHAR

INTRODUCTION

In human society, the concept of justice has a great importance and men is struggling from the very beginning to achieve justices. Actually the struggle of freedom for justice. The word justice has originated from Latin word 'Jus' which means Bound or Tie'. This means that justice is a system in which men are tied in close relationship.

According to Sabine, “ Justice is bound which holds society together in a harmonious union of individuals each of whom has found his life work in accordance with his natural fitness and training.”

DEFINATION OF JUSTICE

According to Glocan, 'Justice is the interest of the weaker.'

According to Aristotle 'Distributive justice which means that the rights and offices should be distributed among the citizens on the basic of their quality of ability.'

According to Robert C. Tucker ' The idea of justice connotes a rightful balance in a situation where two or more parties or principles are in conflict.'

CHARACTERISTICS OF JUSTICE

- Human Welfare
- Ethical concept
- Changeability
- Fulfillment of reasonable interests
- Performance of Duties
- To provide everybody his reasonable share
- Justice is related to values prevailing in society

JUSTICE

- ✓ Justice is the legal or philosophical theory by which fairness is administered. The concept of justice differs in every culture. An early theory of justice was set out by the Ancient Greek philosopher
- ✓ Plato in his work *The Republic*. Advocates of divine command theory argue that justice issues from God. In the 17th century, theorists like John Locke argued for the theory of natural law. Thinkers in the social contract tradition argued that justice is derived from the mutual agreement of everyone concerned.
- ✓ In the 19th century, utilitarian thinkers including John Stuart Mill argued that justice is what has the best consequences. Theories of distributive justice concern what is distributed, between whom they are to be distributed, and what is the *proper* distribution.

BASIC POSTULATES OF JUSTICE

- ✓ Truth and save prevalent values
- ✓ Equality before law
- ✓ Respect of individual's ability and capability
- ✓ Protective discrimination is not injustice
- ✓ Provision of Rights
- ✓ Fulfilment of basic need

VARIOUS DIMENSION OF JUSTICE



LEGAL DIMENSION OF JUSTICE

Justice and Law have close affinity with each other. State makes law and implements them in order to established justice in the society. Since the behaviour of the state is based on justice, that is why it is called judicious. The main legal aspect of justice is:

- ✓ Law Should be just
- ✓ Justice according to laws
- ✓ Purpose of Punishment:
 - (1) Reformatory Theory
 - (2) Retributive Theory
 - (3) Deterrent Theory

NECESSARY CONDITIONS TO ENSURE LEGAL JUSTICE

- ✓ Just Laws
- ✓ Equality before law
- ✓ Uniform legal system
- ✓ Impartial and independent judiciary
- ✓ Inexpensive and efficient justice
- ✓ Democratic organization of legislative bodies

POLITICAL DIMENSION OF JUSTICE

- ✓ Universal Adult Franchise
- ✓ Right to contest Election
- ✓ Right to criticize the government
- ✓ Right to form of Political Parties
- ✓ Right to Protest and Petition
- ✓ Respect to Human Rights
- ✓ Protection of the interests of minorities, Backward classes and Backward Tribes
- ✓ Prohibition of discrimination

SOCIAL DIMENSION OF JUSTICES

The concept of social justice is wide concept and various scholars have tried to explain this concept. Few writers think that 'providing proper opportunities' is social justice.

According to Prof. Laski, 'To provide for equal social rights is social justice.'

According to P.B.Gajendragadkar, 'By Social justice, we mean to end social inequalities and to provide equal opportunities to develop in every sphere of life.'

NECESSARY CONDITIONS TO ENSURE SOCIAL JUSTICE

- ✓ Equality before law
- ✓ Prohibition of Discrimination
- ✓ Abolition of superstitions and social evils
- ✓ To end caste system
- ✓ Just distribution of wealth
- ✓ Democratic Government
- ✓ Just balance between freedom and social control
- ✓ Provision of equal political right
- ✓ Protection of the interest of minorities

ECONOMIC DIMENSION OF JUSTICE

The economic justice, we mean to provide equal opportunities to everybody to earn his livelihood. It also means to help such people who are not able to work and earn their livelihood. The basic need of every body such as food, cloth and shelter should be fulfilled and the unequal distribution of wealth needed to be stopped.

NECESSARY CONDITIONS TO ENSURE ECONOMIC JUSTICE

- ✓ Right to work for everybody
- ✓ To reduce wide economic disparities
- ✓ Equal wage for same job
- ✓ Just distribution of wealth
- ✓ End of economic exploitation
- ✓ Special protection of the interests of weaker sections
- ✓ Welfare State
- ✓ Mixed Economy is better

THANK YOU !