

The Idea of Justice

Modern notions

Because we live in a litigious () age, we often connect the idea of justice with the fact of laws.

Justice for the Guildfour Four!

I want them to brought to justice for what they've done.

We speak of justice *for* us, our family, our side with its concomitant notion of justice *against* them, the offenders, their side.

Do you think it is wrong to connect the idea of justice with the fact of laws?

Israel's notion of Justice

The modern notion of justice was, in Hebrew thought, contained in the bigger notion of *righteousness* (*sedek*). God's righteousness is manifest (shown out) in God's covenant relationship with Israel. It involves **justice** (in the sense of giving each one what is due to them), God will not allow God's Holiness to be compromised or profaned;

-the prophetic writings are full of appeals for righteousness amongst Israel and warnings for the unrighteous:

'... because they have sold the virtuous man for silver and the poor man for a pair of sandals, because they trample on the heads of ordinary people and push the poor out of their path, because father and son have both resorted to the same girl, profaning my holy name ... I am going to crush you into the ground as the threshing sledge crushes when clogged by straw ...' (Amos 2:6 ... 13, prophesying to the Northern Kingdom around the mid-8th Century BC)

'Samaria must atone for rebelling against her God. They shall fall by the sword, their little children be dashed to pieces, their pregnant women disembowelled.'

These prophets call for **compassion**, particularly for the weak. Compassion for the widow, the orphan and the stranger are

(Hosea 14:1, prophesying around about the same time as Amos; the fall of Samaria was in 721 BC).

'What is good has been explained to you, man; this is what Yahweh asks of you: only this, to act justly, to love tenderly and to walk humbly with your God.' (Micah 6:8, prophesying Israel some time between 750-687 BC)

'Rove to and fro through the streets of Jerusalem ... search her squares; if you can find a man, one man who does right and seeks the truth, then I will pardon her, says Yahweh.'

(Jeremiah 5:1, prophesying before the Fall of Jerusalem to the Babylonians (587 BC)) a constant strand in the message of the prophets, since these could be among the most marginalised in society.

'I am sick of holocausts of rams and the fat of calves. The blood of bulls and of goats revolts me ... Take your wrongdoing out of my sight. Cease to do evil. Learn to do good, search for justice, help the oppressed, be just to the orphan, plead for the widow.'
(Isaiah 1:11 ... 17)

'Is not this the sort of fast that pleases me ... to break unjust fetters ... to let the oppressed go free, and break every yoke, to share your bread with the hungry, and shelter the homeless poor, to clothe the man you see to be naked and not turn from your own kin?' (Isaiah 58:6-8)

'For Zion was saying, 'Yahweh has abandoned me, the Lord has forgotten me'. Does a woman forget her baby at the breast, or fail to cherish the son of

her womb? Yet even if these forget, I will never forget you. See, I have branded you on the palm of my hands.' (Isaiah 49:15-16)

Apart from prophetic writings, there are laws laid down in the Torah which express the compassion, fellow-feeling (*mishpat*) that each Israelite ought to show to another:

'If you take another's cloak as a pledge, you must give it back to him before sunset. It is all the covering he has; it is the cloak he wraps his body in; what else would he sleep in? If he cries to me, I will listen, for I am full of pity ... You must not oppress the stranger; you know how a stranger feels, for you lived as strangers in the land of Egypt.' (Exodus 22:25-27 & 23:9)

Sabbatical Year and Jubilee Year

Every Seventh Year, according to prescriptions in the Torah, was meant to be *Sabbatical* Year. The idea was that the land, like man and beast, was to have a sabbath rest, and so lie fallow (uncultivated). There may also be connection with another prescription which says that a Hebrew slave, after seven years of servitude, is to have the choice of manumission (being freed). The seven times seventh year, that is, the forty ninth year, was meant to be a Jubilee Year. Pope Paul VI, writing in 1974, spoke of it thus:

'... the Jubilee Year, precisely because it was dedicated in a special way to God, involved a new ordering of all things that were recognised as belonging to God: the land was allowed to lie fallow and was given back to its former owners; economic goods, insofar as debts were remitted; and above all, the person, whose dignity and freedom were reaffirmed in a special way by the manumission of slaves. The Year of God, then, was also the Year of the Human Being, the Year of the Earth, the Year of the Poor.'

Note the following:

- the belief that God owns everything
- the idea that Israelites are tenants or stewards of God's property
- the belief in being God's chosen people should lead to a sense of equality and *mishpat*
- the idea that a poor man could lease out, but not lose permanently, his plot of land
- the word 'Jubilee' comes from *yobel* - the ram's horn which sounded to inaugurate the year
- the Jubilee Year appears to represent an ideal not widely practised by Israel.

God demands a similar pattern of righteousness in God's People, Israel. Notice how morality/ethics springs from religious faith. For Israel, there is no distinction between right *moral* conduct and right *religious* conduct (cf. Henry Mckeating, NDCE, OT Ethics).

Aristotle

Aristotle saw a difference between *general* justice (similar to justice defined above) and particular justice, which is divided into two parts:

commutative justice, which regulates the ways members of a state deal with each other in voluntary transactions (such as contracts) and in involuntary transactions (such as theft).

distributive justice, which looks at how the state as a whole dispenses benefits and obligations to its members.

Plato's notions of Justice

In the Greek city states familiar to Plato and Aristotle, 'justice' appears to be synonymous with (that is, another word for) 'right conduct'.

(The Greek word for doing right - '*dikaiosune*' - is often translated as justice.)

It is more a *moral* term than overtly legal term. Justice in the moral sense precedes and embraces justice in the legal sense.

In Plato's *The Republic*, there are passages wherein the various speakers contend with Socrates about the nature of justice.

In particular, his opponents say that men are only just because it is *expedient* to be so (that is, it fits with their self interest). Among the things that prompt a person to be just are:

- fear of being found out and punished,
- fear of receiving a bad reputation,
- desire to held in good favour by others,
- favour from the gods for being just,
- punishment from the gods for being unjust (either in this life or in the next).

One of his opponents uses the story of the *Shepherd of Gyges* to make a point. In this story, a humble shepherd comes across a gold ring which, when twisted on the finger, can make him invisible. Using this to his advantage, he seduces the queen of the land, murders the king and seizes the throne. Socrates' opponent makes the following point:

'Imagine ... that two such rings existed and the just man put on one, the unjust the other ... the just man (in his conduct) would differ in no way from the unjust, but both would follow the same course.' (*The Republic*. Penguin, p 47).

Developing this argument, the opponent asserts that the *perfectly unjust* man will appear to

be just when he is not, whilst the *perfectly just* man, in order to show his true justice, must be stripped of everything except his justice,

'will be scourged, tortured, and imprisoned, his eyes will be put out, and after enduring every humiliation he will be crucified, and learn at last that one should want not to be, but to seem just.' (ibid, p 49).

The answer that Plato gives to Socrates is complex and long. It seems to boil down to this: don't merely consider justice on the scale of the individual, look at the role of justice in the state; societies form because people need each other and people have different abilities.

From this, Socrates (Plato's mouthpiece) proceeds to show that *injustice* has its origin in people's want for more than they need –

'we have found its origin to be the same as that of most evil, individual or social.' (ibid, p 65).

Note the similarity with Paul's statement some 450 years later: **'The love of money is the root of all evils'** (1 Tim. 6:10).

In an ideal state, justice is 'minding one's own business', doing the job for which one is naturally fitted and not interfering with other people.

Has Socrates (i.e. Plato) answered his critics who claim that justice cannot be praised for its own sake?

Christian ideas

In many ways, the early Christian community picks up on the Hebrew ideal of a just ordering of society:

God sovereign over God's people (the Church)

agape communities characterised by mutual love, forbearance, sharing etc. (cf. Acts of the Apostles) (cf. **Koinonia**).

One of the greatest challenges facing the Church occurred at the time when the persecution was lifted and the makings of CHRISTENDOM were in place.

What challenges do you think were presented to the Church at this time?