

Preface/Önsöz

The many faces of justice - and their inner connection

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Obviously, justice can be attributed to many things. Among these are just institutions, just social conditions, just distributions of income and possession, just individual actions based on just decisions of human beings who therefore are just persons – or at least try to be so if they are honest or claim to be so if they are not. If we try to find the inner relation between these rather strongly diverging aspects – the contributions in this volume are referring to some of them –, we may first realize that justice is closely connected to equality. This already holds in Aristotle’s formal definition of justice as treating equal things equally and non-equal things not equally. Therefore, one has to determine which kind of equality is relevant and which is not. While there is a far-reaching consensus among serious persons that discrimination for reasons of race, gender, religion etc. cannot be accepted, there is considerable disagreement with respect to economic equality: Does justice call for a more or less equal distribution of resources because human beings are rather similar in their basic needs and no one must be disadvantaged for reasons she is not responsible for? Or should we allow inequalities according to the formal principle of justice because humans are rather unequal concerning their economic capacities? Without being able to solve this problem here, it may be said that it is a violation of human rights that so many people are suffering from hunger and unbearable situations and that Rawls’s justice

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as fairness is somehow attractive, stating that inequalities are just as long as they improve the situation of those who are worst off. Equality in the sense of being equal before the law is also an essential element of just legal decisions of judges and other officials. Normally, this is best done in following the law which is more reliable than individual intuitions, besides the cases in which a sense of equity has to correct obviously unjust outcomes of the law. Therefore, there is a tendency among some authors to identify justice via procedures according to the rule of law and the division of powers. As far as citizens are concerned in these cases, one aspect of justice is following the law. On the other hand, for this, there has to be the possibility to improve the law if deficiencies are noticed. In order to achieve this end, we need freedom of speech, as Spinoza had already mentioned and the freedom of the pen (Freiheit der Feder) that Kant had urgently postulated.

These are some of the questions which are discussed with respect to the topic of justice. The contributions to the present volume of *ViraVerita E-Journal* are embedded in this realm of debate and give helpful and important insight on some central issues.