

# Gandhi and Theories of Justice

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Available online at: [www.isroset.org](http://www.isroset.org)

Received: 23/Dec/2019, Accepted: 20/Jan/2020, Online: 31/Jan/2020

**Abstract-** Justice, which is a broad term having different meanings. The term justice can be fitted in any context of society, politically, economically, socially, culturally as well as religiously. Philosophers observe that there are three things worthwhile in this universe and none of them is definable in a compelling way. They are the truth, beauty and justice. Since the dawn of the civilisation, no one gave a perfect definition of justice. It is a dynamic; ubiquitous and generic term. Different philosophers, scholars and practitioners define it in a different manner and in a different context. The Gandhian theory of justice will be presented and compared with other theories that are relevant with the idea of Justice.

**Keywords:** Justice and its meaning, Utilitarian theory, Egalitarian theory, capitalist theory, Islamic theory and Gandhi's theory of Justice.

## I. INTRODUCTION

The paper tries to understand in simple means, what justice prevails in different theories. The term justice becomes a slogan in the contemporary world. It is remarkable, in the year 2019 there were more than twenty countries, where protests are happening, and justice is demanding in one way or other way. So, in every individual, justice is interconnected in some way or another way. Before we begin a discussion on a few cognitive theories of justice, it is necessary to explain briefly the definition of justice [1]. The term justice suggests the quality of being 'just or right or reasonable. It is opposed to what is unjust or wrong or unreasonable. Now just, right and reasonable are primary moral attributes. Justice is therefore primarily a concept of morality; it is an ethical concept. Morality may pretend to comprehend eternal truth; this has led to the development of the idealist theory which has traditionally claimed a near monopoly in the realm of moral philosophy. However, this myth has been exploded by the modern social and economic theory. Morality is no longer regarded as the problem of adjusting some mystical qualities of spirit or character with some equally mystical, superior, immanent, transcendental being. It must deal with the problem of concrete relationship and must prove itself meaningful for the common man in his day-to-day existence; in a word, it should be reflected in social reality rather than in some supposed supernatural phenomenon [1].

Justice as a moral concept is at once a dynamic idea. We may concede that justice embodies an ideal; it symbolizes perfectness; it is reflected in absolute truth, yet it is a dynamic idea because our realization of that ideal and our comprehension of that absolute truth is a continuous process. Our progress in this direction depends upon the development of our social consciousness so that what was regarded as just some centuries ago is not regarded today. Slavery and serfdom were widely justified in ancient and medieval Europe; untouchability was similarly justified in India a few decades ago; the inferior status of women was taken for granted the world over not so long ago; racial discrimination was justified till recently in some parts of the world. But these conditions are now widely regarded as unjust [2]. Justice has always been an interesting topic for philosophers and also for ordinary people. Justice can be defined briefly as fairness in the way that people are treated.

## II. DEFINITIONS OF JUSTICE

Philosopher's defined justice in different ways as justice has always been an interesting topic for them.

1. Plato, the Greek logician, contended that the term equity is displayed as a kind of amicability or similarity of the components both of the individual soul and the state. Each piece of the spirit has its own specific and fitting capacity. The unevenness of the spirit or the state is found in one section governing over another, where the decision isn't the specific capacity or uprightness of that part. Equity is accomplished it might be said by taking all the three ethics (insight, mental fortitude and moderation). For Plato, equity is a legitimate amicable connection between the warring pieces of the individual or city. In other words, it can be called as functional specialisation. Thus, justice is having and doing what is one's own [3].

2. Plato's follower Aristotle defined justice in a distinct way. For him, Justice is the very essence of the state and that no polity can endure for a long time unless it is founded on the right scheme of justice. It is with this consideration in view that Aristotle seeks to set forth his theory of justice. He argued that justice provides an aim to the state and an object to the individual. His famous argument contains some elements of justice when he said: "At the point when an idealized man is the best of creatures, however when isolated from law and equity, he is the worst of all off". Justice is the virtue, complete virtue and the embodiment of all goodness. Justice is the very virtue of state. Inequality for Aristotle arose, when equals were treated unequally, and unequally equally. It accepted the belief that individuals differed in interests, capacities, and achievements [3].
3. St. Thomas Aquinas said, justice is the most noteworthy of every single good excellence. It is worried about outside activities and is found in the desire of or managing each part of our managing others. So, justice is derived from the word just which means appropriate, proper and fair. The word fairness is regarded as the most appropriate equivalent of the term justice. Thus, very often the two terms are used interchangeably. The concept of fairness presumes unbiased and non-discriminatory treatment. Thus, justice must be distinguished from kindness, charity and mercy [4].

### Theories of Justice

The main aim of theories of justice is at granting to people their legitimate shares of basic goods and services on an equitable basis to make them happy and satisfied. There are so many theories of justice and we explain them one by one.

#### Utilitarian Theory

The main aim of utilitarian theory is that it considers any action as a just action, which leads to the maximum happiness for the maximum number of people in a society. However, the theory judges the rightness or wrongness of human actions in terms of the principle of maximum benefit or happiness. However, it does not consider the impact of that action on minorities. Therefore, this theory does not seem to be justified in many cases. The utilitarian theory takes into consideration the well-being of most of the people, but not all the people. It says that if the benefits are more than the cost of an action, the action is justified. The utilitarians were social reformers. They bolstered suffrage for ladies and those without property, the nullification of subjugation. Utilitarians contended that crooks should be changed and not just rebuffed (in spite of the fact that Mill supported the death penalty as an obstruction). While as, Bentham stood in opposition to brutality to creatures [5]. Proponents emphasized that utilitarianism was an egalitarian doctrine. Everyone's happiness counts equally

#### Egalitarian Theory of Justice

This theory is based on equality in the matter of distribution of burdens and benefits. This is an important theory of distributive justice. The theory seems to give importance to absolute equality. It does not take into accountability, efforts and need. Thus, according to this theory, rich and poor will get the same benefits and will make the same sacrifices. This theory has been criticised on many grounds. First, since human beings are not equal, it is said that the principle of equality is not a just principle. Some people are intelligent, more capable and educated than others. Second, some people may need social goods more than others because of large families, inadequate source of income and soon. According to egalitarian, justice can only exist within the coordinates of equality. The essential view can be expounded in a vastly different manner. As per what merchandise are to be disseminated similarly between people, families, countries, races and species. Regularly held populist positions incorporate requests for justice of chance and uniformity of result. Among the notable broadly egalitarian philosophies are socialism, communism, anarchism, left-libertarianism and progressivism. Several egalitarian ideas enjoy wide support among intellectuals and in the general populations of many countries. Gandhi writes in young Indi (1927) that my ideal is an equal distribution, but so far as I can see, it is not to be realised, I, therefore, work for equitable distribution [6]. However, there is no denying the fact that every person must have equal political rights and opportunities regarding rights and duties, and everybody must be ensured some minimum standard of living.

#### Capitalist Theory of Justice

The basic principle of the capitalist theory of justice is that everybody should receive benefits according to his contribution. Thus, a worker whose productivity is higher will get higher wages than a labourer whose productivity is low. Capitalist justice favours inequality because inequality leads to differential contribution. Thus, a person with more talent, more experience, more qualifications and soon will be able to contribute more to capitalists' profits. It assumes that human beings are essentially unequal. Therefore, justice wants that inequality should be accepted as a just reward. The capitalist theory is criticised on such grounds, first, a criticism that is often levelled against the capitalist theory of justice is that it does not consider the needs of people and altogether neglects the requirements of people with less opportunity. The principle of contribution does not consider the cases of socially disadvantaged or physically handicapped people. Second, the practice of market valuation of productivity is itself incomplete or imperfect, as market prices are often distorted by many factors [7].

#### Marxian Theory of Justice

Marx (1867) was of the view that only the establishment of communism could guarantee the need-based wage payment to workers. Thus, communism to Marx is just an economic system. The capitalist system cannot be reformed to bring justice

to the labouring class because, under capitalism, all institutions including the legal system and the state are pro-capitalist instruments. According to Marx justice requires that wage system should be need-based. This system was also accepted by Gandhi. The needs should include not only individual needs but also the social needs of human beings. It has been accepted by almost all that the needs must consider a fair standard of living for the working class. Marx has remained very critical of the capitalist idea of encouraging inequalities as the basis of the principle of justice. Marx has given a number of instances one by one [1]

- **Surplus value:** a capitalist does not pay to a labourer according to the productivity of his labour. The wage under a capitalist is always less than the productivity of labour. Every worker creates a surplus value which is equal to the total productivity of labour minus the wage that is paid to him. The greater this surplus value, the greater is the degree of exploitation.
- **Capital accumulation:** capitalism survives on the basis of capital accumulation which leads to centralisation of capital and concentration of capital. The concentration of capital is a process of capital deepening where capital per worker is increased, or a particular technique of production is made more capital-intensive. The development of these two forms of capital accumulation leads to the growth of monopoly capitalism
- **The reserve army of labour:** this group is created by capital accumulation leads to more poverty of the labouring class. The capital accumulation creates an absolute deterioration of the condition of the working class. The workers under capitalism not only suffer from physical poverty but also social poverty, implying discrepancy between wages, inequalities in consumption, inequalities in opportunities and also in resource endowments. People are gone up against with different difficulties of history as well: The result of human work as the surplus is removed by the industrialist. There are two significant statutes here: Use-value and exchange-value. For example, the requirement for a house to rest around evening time and fulfil the longing for a particular kind of home is a certain something. It has intrinsic material worth. Yet, trade esteem increases the value of the house that is included and removed by another person. Trade esteem is the result of a market framework that aggregates capital by this strategy. With the assistance of this instrument, when extrapolated on the worldwide scale after some time, truly, has offered to ascend to the gathering of riches in the hands of a couple. Riches in a couple of hands is an instrument for abuse. It makes conditions for insatiability, rivalry and private property. It makes conditions where a specialist is expelled from the products of his work. Alienation, in the Marxist sense, isn't an enthusiastic perspective. It is the estrangement of laborers from their rewards for all the hard work. In genuine terms, estrangement is strengthened by what Marx called "relations of generation". "relations of production". Relations of production exist among people and among people and material things such as property, machinery or organizations. The morals, strict pronouncements, culture or legalities that direct the connection of creation, Marx considers them the "superstructure of society" [8]

Gandhi also finds that a capitalist system is an injustice, lack of freedom and liberty, denial of human rights and so on. Capitalism leads to alienation of workers. This alienation takes many forms such as alienation from society, alienation from family, alienation from products made by workers, alienation from rights and freedom and also alienation from the self. In the context of these alienations, capitalism cannot be said to be a just system. Marx has shown that under capitalism, labour power is regarded as a commodity. Capitalism leads to the dehumanisation of labour power. The capitalist exploits labourers on the basis of the ownership of the means of production and not because of his superior ability. Marx says that government or state is not neutral under capitalism; it always works in favour of and is captured by the capitalist class. Under such a situation, no justice can be expected from the state.

### Socialist Theory of Justice

Socialism is based on the idea of equality of man's rights, freedom and dignity. Socialism is the first or lower phase of communism. In this system, the ideal form of distribution will be: from each according to his ability and to each according to his needs. Socialism stands for the abolition of class conflicts. Socialist production is based on the idea of maximum social welfare and social justice. It tries to establish equality in the sphere of production as far as possible. The class distinction is gradually abolished and fully obliterated during the higher phase of socialism. There is no exploitation of one by the other. Social properties are held by the state, collective firms and cooperative societies. The production is done by the people and for the maximum benefit of the people. All people work collectively, and labour is socialised. The surplus product is utilised for the purpose of socio-economic development. The institution of the state is very essential under socialism. The state is the owner of the means of production. It looks after the interest of people by organising production, distribution and exchange. The state doesn't represent the interest of any particular class under socialism. But promises to transform the society from the realm of necessities to the realm of freedom and justice. It gives more emphasis on the ability of people to contribute to the social stock of goods and services, and the distribution is based on the needs of people.

### John Rawls Theory of Justice

John Rawls a contemporary American philosopher, in his seminal work A Theory of Justice 1971 has contended that a decent society is described by various temperance's. justice is the main excellence of a decent society. The individuals who contend that equity ought not to be permitted to come in the method for social headway and progress, risk causing the

ethical debasement of society. He has attacked utilitarianism. Rawls is fundamentally worried about characterizing the guideline of justice which would direct a perfect society, instead of with depicting how equity may fall back on an unfairness society. The tradition of the social contract, Rawls has predicted an original position by abstracting the individuals from their particular social and economic circumstances. The individual is symbolically placed behind a veil of ignorance. It is a situation in which no one knows his/her place in the society, class position or social status, fortune in the distribution of natural assets and abilities, intelligence, strength, the conception of good and psychological propensities.

For Rawls, there are three principles of justice matters:

- a. **Principle of equal liberty:** Every individual has the equivalent infeasible case to a completely advocated plan of equivalent essential freedoms which plan is good with a similar plan of freedoms for all.
- b. **Fair equality of opportunity:** these are to be attached offices and possessions open to all under the condition of fair equality of opportunity.
- c. **Difference principle:** there is to be the greatest benefit of the least advantaged members of society.

These principles are listed here in the order of their lexical priority. It means for him that the first principle must be fully satisfied before the next principle is applied. It means for instance “that liberty can be restricted only for the sake of liberty” and not say for the sake of income and wealth [9].

### Libertarian Theory

The most important proponent of libertarian thinking is Robert Nozick (1974). He develops an entitlement theory of justice, a libertarian theory of justice centred on individual inalienable rights. It is concerned with the justice of one has acquired. Nozick's entitlement theory has three elements (a) Acquisition (b) Transfer (c) Rectification [6]. Nozick develops a typology of hypotheses of equity where he recognizes chronicled and unhistorical, standards of distributive equity just as example and unpatented standards. According to him, the transfer of income or wealth from the rich to the poor is unjust for many reasons. Nozick is an anti-consequentialist. According to him, only those processes are just where the exchange is voluntary. He is of the view that there have been many instances of injustice in the past and therefore, it is the duty of the state to find some mechanism through which the wrongdoings of the past can be undone. According to Nozick, any justified distribution of benefits and burden will consider the free choice of the individual. To Nozick justice means freedom. So, the imposition of any rule or policy that curbs the freedom of individual will be unjust. The only type of distribution which is justifiable is that one which is based on the free choice of individuals. Nozick's theory relies heavily on the concepts of rights and freedoms in the matter of property rights are mostly found to be unjust. Therefore, the attempt to redistribute such property is just [10].

### Islamic Theory of Justice

Islam has emphasised on several principles that organises a relation among members of the society. One of the most significant guidelines of social justice with immensely significant qualities like harmony, love, fraternity and thriving. Equity as an idea alludes to equity in giving rights and in complying with commitments with segregation in any way, shape or form either for religion, race, shading and so forth. Islam being a religion of nature comprehends that people are brought into the world with shifting gifts, as they vary in their bodies and their highlights, so they contrast in their psychological and different abilities. Their condition, their conditions and their inherited gains additionally contrast. In this circumstance, there can be no probability of economic balance. Thus, the existence of economic inequalities among human beings is natural. It is also there because Islam allows individual initiative in earning wealth and gives the right to private ownership of property [11]. To this fact holy Quran refers:

“We have apportioned among them their livelihood in the life of the world and raised some of the above in rank that some of them may take labour from others”. Justice is one of the most used words of in the Quran: it has been used more than a thousand times. In Islam, it is the responsibility to establish justice as Allah commands justice and welfare. The most honoured person in Islam is the one who is most righteous [11]. The Islamic concept of justice in the distribution of income and wealth does not require an equal reward for everyone irrespective of one's contribution to society. Islam tolerates some inequalities and allows differential earnings. Islam prohibits the concentration of wealth and power in few hands as Islam favours the system of social welfare. In Islam, a rich man has to pay zakat (2.50% per hundred rupees), and Makkah (occasional offerings) of alms to the needy. The Islamic concept of justice is aimed at minimising social inequalities through religious prescriptions [12].

### Gandhi's Theory of justice

Gandhi argues that for both individuals and social justice is the most necessary basic is a requirement. He considers justice as basically tantamount to fair treatment. This explained by Gandhi in his select works. Gandhi says justice empowers a person to enjoy certain natural rights such as equality, liberty and equal opportunities. In Gandhi's conceptualisation, justice claim to certain universal, natural, inherent and inalienable rights earned by duties. Justice constitutes natural universal justice and is based on rights. To him, justice is unconditional empowers a person to enjoy certain natural rights, such as

equality of social status, equal social and economic opportunities, equal enjoyment of freedom and so forth. Gandhi has talked about at least six types of justice these are.

- Pure justice
- Claims to natural rights
- Absence of duress
- Social justice
- No harm to opponent party
- Satanic justice

Gandhi had a deep concern for social and economic justice, which was closely connected to his basic philosophy of non-violence. Gandhi was a pioneer of social justice as his idea was of decentralization of power and authority which is one of the safeguards for individual freedom. Gandhi says that my ideal of village swaraj is that it is a complete republic. Gandhi argues that Panchayati Raj safeguards the liberty of the individual and of the village community as a whole for their full moral development. Gandhi laid emphasis on human equality. He was aware that political institutions are relevant only to extend the economic well-being of the people and secure social justice to them [13]. To quote Gandhi “economic equality of my conception does not mean that everyone would literally have the same amount in simply means that everybody should have enough for his/her needs. For economic justice, Gandhi provides such alternatives they are following.

- Decentralisation of money and power
- Cottage and small industries
- Opposition of consumerism
- Equal distribution
- Trusteeship

Gandhi suggested and himself used on different occasions with various instruments or methods to ensure justice. The instruments are ahimsa, non-cooperation and satyagraha. For Gandhi, it must be ensured that both the ends and the means are morally reasonable and ethically just. In fact, Gandhi has gone a few steps further by emphasising people’s participation, decentralisation and bottom-up approach. Gandhi has given a more important role in participatory democracy and not simply to a system of rule by elected representatives of the people. However, decentralisation and policy-making at the grass-root level that Gandhi suggested, if properly implemented in practice, may ensure a greater dose of democracy, better popular participation and more regulatory justice [13].

### III. LIMITATIONS

The paper is short commentary related to the idea of justice. The paper lacks the methodology part as well as criticality. The paper was written as term paper related to Gandhi and the idea of justice. the paper needs further explanation.

### IV. CONCLUSION

Justice is primarily a problem of moral philosophy. In politics, the concept of justice is used as a guide to public policy. The question of justice arise under two conditions

- In a scarcity situation when goods, services, opportunities etc. are too scared to satisfy all contestants.
- In an open society where all locations of various benefits are not tied to the fixed status of various individuals.

Justice is conceived as strict adherence to that scheme an inquiry into the principles of justice becomes irrelevant. Again, in a hypothetical society where all needs of everybody can be fulfilled the question of justice and injustice would hardly arise. Justice is something which can be regarded as reasonable on either moral or empirical grounds. Justice is a normative social order. It is a form of righteousness. When people are in bondage, justice implies freedom to them. Absolute justice is divine justice and it is difficult to achieve in the real world. In the actual practice, we come across what is known as relative justice. Thus, justice consists in giving a person all those entitlements that he deserves. Theories of justice aim at granting people their legitimate shares of basic goods and services on an equitable basis to make them happy and satisfied.

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