



The term justice designates conformity to the principle of righteousness, which means acting in conformity with laws of morality (or with divine laws as in the Middle Ages in Europe). From the word “justice” comes the “judge”, who is the administrator of the law, interpreted as something impartial (as a matter of fact, the judge works for maintaining or administering what is just through the impartial adjustment of conflicting claims or the assignment of merited rewards or punishments).



In ancient times justice was mainly considered as a virtue, referring to a trait of individuals. However, also in this time there is a certain tension between the singular dimension of “justice” and the fact that “just” can only be a person in relation to another (or to the entire society). Nowadays questions related to justice as a virtue are normally limited to questions regarding properties and goods. In the societal dimension, justice involves the requirements of equality, that is, impartiality in the treatment or in the distribution of resources (which is also called the question of distributive justice).

Equality establishes a qualitative relationship, because it indicates a correspondence between a group of different objects, persons, processes or circumstances that have the same qualities in at least one respect, but not in all respects. When it is for example argued that all human beings are equal, this doesn't mean that they are the same in all respects, but that they should be treated equally under the same circumstances.

Already in ancient times, Aristotle distinguished between two forms of equality, numerical and proportional. Numerical equality means that each individual receives the same quantity of good (which, however, is not always just). In contrast, a form of treatment of others or a distribution is proportional or relatively equal when it treats all relevant persons in relation to their due.



In modern philosophy there are many theories of justice. **Egalitarianism** (which derives from the French word “égal” meaning “equal”) is a set of theories that holds that it is desirable that people's condition be made the same in every respect, because all people should be treated in an equal way, having the same political, economic, social and civic rights. There are many different meanings of equality of treatment, depending on their reference to an equality of condition, to an equality of opportunity (that is afforded everyone in the society) or to equality of formal rights. Two different examples of this doctrine are the theory of John Locke (1632-1704) and of Karl Marx (1818-1883). For Locke every person has equal basic moral rights, which are defined as natural rights that derive from Nature and are therefore independent of institutions or beliefs. For Marx, in order to avoid inequalities associated with the institutions of a capitalist market economy, goods and benefits have to be distributed to each according to his/her labour contribution and his/her needs.



In the famous contemporary political **theory of John Rawls**, justice is seen as something that provides impartial distribution of resources. Justice as fairness (also the title of an essay he wrote in 1958) consists of two principles: First, each person is to have an equal right to the most extensive basic liberty compatible with similar liberty for others. Second, “social and economic inequalities are to satisfy two conditions: (a) They are to be attached to positions and offices open to all under conditions of fair equality of opportunity; and (b), they are to be to the greatest benefit of the least advantaged members of society.”



In **utilitarianism**, justice is warranted by a distribution of resources and/or goods so that the welfare (or happiness or pleasure) of

☞ the maximum number of individuals (the utility) is maximized. In this theory, the moral worth of an action is measured by its consequences (thus it is a form of “consequentialism”) and it is determined solely by its contribution to utility.



For the libertarian **Robert Nozick** (1938-2002), talking about distributive justice is misleading, because it implies that there is some central authority who distributes to individuals shares of wealth and income that pre-exist the distribution. For him, justice is a matter of individual entitlement, of having the right kind of entitlement. Such entitlement come with the history of good which at one point was rightly acquired, especially by someone who worked on an unowned thing. Also, there is just transfer, that is, a free gift, sale, or other agreement, but not theft. In other words, the entitlement theory of distributive justice says that a distribution of wealth in a society as a whole is a just

distribution if everyone in that society is entitled to what he or she has, that is, if everyone has gotten his or her holdings in accordance with the principles of acquisition, transfer, and rectification.



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*For issues of justice specifically regarding nanotechnology see:*

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## 🕒 **Literature: Print & WWW**

Internet Stanford Encyclopedia of Philosophy: “Equity”, “Utilitarianism”, “Justice”,  
<http://plato.stanford.edu/>

Robert Nozick (1974): *Anarchy, State, and Utopia*, New York, Basic Books.

Rawls J. (2001) *Justice as Fairness: A Restatement*, Harvard University Press, Harvard.