

Justice: Not Conditioned in Heaven

Humans are born with an innate sense of justice

Tom Martin

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The cornerstone of traditional anarchism has always been a revolutionary critique of the concept of justice in all its variations, particularly as it relates to the state's repressive apparatus and the oppressive nature of capitalism. Today, that has been extended even further to issues such as restorative and ecological justice. The insights of classical anarchist philosophers remain relevant, particularly when we add to them social-psychological observations of human behavior.

Through all its permutations down through the centuries, Justice, from Latin *ius*, a "right," specifically one guaranteed by law, the word's meaning hasn't changed. In its earliest known Latin form, *ious*, it had a religious connotation suggesting a sacred formula or incantation, as in conjure.

In related languages of the Indian subcontinent, its derivatives mean health or ritual purification. That hints at the origins of justice as something that comes from a supernatural or at least unknowable source. The etymological merges with the theological.

What is the source of justice? For most of history (and not only in the West) it was either from the Church, or State, or worse yet, some amalgamation of the two. Almost always, those institutions deny their paternity; they are merely enforcing the dictates of human nature, or natural law, or God, or some such abstraction.

Yes, *enforcing*, and *dictates*. The Christian's Bible is replete with examples of justice flowing down hierarchically from their god or from his earthly pawns. Anarchists, in the West at least, have—like everyone else—derived their ideas about justice from the Judeo-Christian mythos, though to them justice is always *social*, not juridical justice.

Most philosophers, anarchist or otherwise, have always affirmed that a sense of fairness is the foundation of all morality. Where that sense comes from is not so easily agreed upon.

For William Godwin, the first modern proponent of anarchism, justice was essential enough to include in the title of his most influential work, *An Enquiry Concerning Political Justice* (1793). But note the qualifying adjective. Anarchists ever since have struggled with detaching justice from politics and giving it a broader social context.

"If justice have any meaning," Godwin writes, "it is just that I should contribute everything in my power to the benefit of the whole." But Godwin takes for granted, with Enlightenment smugness, that human beings will act rationally.

Pierre Joseph Proudhon, another early proponent of anarchism, argued in *What is Property?* (1840) that philosophers have never really understood the meaning of the word justice. For him, it was the foundation of all human relationships, as modified by "reflection and knowledge." Government derails our natural sociability by creating inequality and privilege.

In an 1872 letter, the Russian anarchist and political foe of Karl Marx, Mikhail Bakunin, argued that we can never have true justice when we delegate it to others. A genuinely free society will see justice as everyone's responsibility. In his *Revolutionary Catechism* (1866) he defined "*human conscience* as the basis of justice; *individual and collective freedom* as the only source of order in society." In all his writings, Bakunin specifies equality as the essential condition of justice.

In a 1902 essay, “Organized Vengeance Called ‘Justice,’ Peter Kropotkin, the anarchist author of *Mutual Aid*, addressed the concept from an anthropological viewpoint. For primitive peoples, he observed, justice was administered by the whole community acting by consensus.

It then evolved through a stage of arbitration and mediation (the medieval era, according to Kropotkin) and with the emergence of the modern state becomes an instrument of vengeance and control in defense of the privileged classes. “Justice is coterminous with the State;” he writes, “they imply one another.”

In an anarchist society, he continues, justice will be “voluntary arbitration, in greater effectual solidarity, in the powerful educative means which a society will have that does not leave to the policeman the care of its public morality.”

Anarchists are generally atheists, but Emma Goldman (1869–1940) was the first to say explicitly that justice as implemented by governments is tacitly religious, sacrosanct, and enduring because it supposedly flows from a superhuman source. This might be God; or it might be “the will of the people,” though the people are not consulted.

Goldman points out that throughout history, genuine fighters for justice and freedom have always been “the godless ones: the Atheists...They knew that justice, truth, and fidelity are not conditioned in heaven, but that they are related to and interwoven with the tremendous changes going on in the social and material life of the human race; not fixed and eternal, but fluctuating, even as life itself.”

All anarchists agree on a few principles: true justice is social, not political; the theory and praxis of justice are up to the community and will work better in direct proportion to the smallness of the community; theory and praxis are not to be regarded as rigid, unchanging. Some of us will add that justice applies to the living planet, not just to humans. And if it doesn’t sound too utopian: in an anarchist society, most causes of injustice will disappear on their own.

Recent psychological studies, often using simple puppet shows, have shown that pre-verbal infants, some as young as three months, possess innate empathy and abstract senses of fairness and in-group support. They exhibit distress when they see an unequal sharing of toys, or a dominant puppet showing favoritism to a second puppet over a third, or when the experimenter verbally praises a puppet who had just done something unfair.

Researchers conclude that the sense of fairness is reciprocal. We want to be fair, and to be seen as fair, and we want others to be fair as well. A University of Chicago study suggests that variations in infant responses to injustice are partly conditioned by their parents’ attitudes.

Anarchists tend to support nurture in the nature/nurture debate, reluctant to concede any hard-wiring in human nature. But these experiments, now numerous and varied, demonstrate something the classical anarchists intuited, and that all anarchists should be happy to accept.

We are born with an innate sense of justice which, as we grow, is perverted and educated out of us by the unholy alliance of religion, capitalism, and the state.

Natural selection clearly favors group solidarity over self-interest.

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FE Note: Due to an error in the layout process, part of this article’s closing sentence, as well as Tom Martin’s short biography, did not appear in our print edition.



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