

Article

Justice as the End of Politics: A Critical Discourse

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Abstract: This paper explores the issue of justice. It is hypothesized that social development can hardly be realized unless the idea of justice is well theorized and practiced. To achieve this, a holistic theory of justice is needed. Thus, it is stressed that a vivid account of the nature of man, the idea of a good life and institutional arrangements are fundamental in a discourse on justice. The paper holds that the Yoruba's conception of man/person is highly effective to developing a promising theory of justice. Therefore, shades of justice are discussed with the hope to show that politics cannot take shape without a preconceived notion of justice. Fairness, equality, freedom, impartiality and social responsibility are instances of themes on politics that have their genealogy in a theory of justice. As a consequence of this, we argue that a theory of justice must precede a theory of social development. For the crisis confronting a culture or society to be reasonably addressed, the paper argues that local ideas of justice must conform to the universal tenets of justice. This universality of justice, as distinct from a particularized kind, is defended using a non-harm criterion. Hence, we conclude that justice provides the basis for the protection of human right, dignity and worth.

Keywords: Justice, Yoruba, non-harm, social development

Introduction

The problems of contemporary societies are many-sided. These problems include social, political, economic and environmental ones. These issues are sometimes interwoven in a way that one problem cannot be practically disconnected from the others. Thus, any discourse that intends to grapple with these societal problems must be holistic. This is necessary because these challenges cannot be fully resolved unless every part of the said problems has been carefully diagnosed and addressed. In this paper, therefore, we seem not to be advancing a piecemeal solution to the

problem of politics; instead, we are diagnosing politics so as to account for its goals and how these aims can be adequately realized. To this end, we are interested in discussing the end of politics. It is our concern here to raise anew the question: what is the end of politics?

In this respect, scholars have postulated hundreds of theses as responses to the above question. In this piece, we shall also suggest an answer to it. Suffice it to say at the outset then that the ultimate problem of politics is that of justice, and this is pursued (in politics) with the sole aim to achieve social development. In this paper, therefore, we shall advance the position that only a holistic theory of justice can provide the basis for social development. Also, we would have to defend our claim that every discourse on politics is centred on justice. This would necessitate us to examine shades of justice. However, to create a better platform for the exploration of the nature of justices; it seems apposite to discuss the nature of man, the yardstick of an ideal life and social institutions.

To achieve the above intents, this paper is structured into three segments. The first section—‘The Nature of Man and the Ideal Society: Some Comments’—discusses theories on human nature and ideal society. The institutional arrangements that emanate from theorists’ worldviews are also considered. In this regard, the views of Plato, Aristotle, Thomas Hobbes and Karl Marx are discussed as well as critiqued. We then add the Yoruba idea of man/person. The second section entitled—‘Understanding Justice: A Holistic Approach’—explores the idea of justice as fairness, equality, freedom, distributions of needs and dues, impartiality, amongst other perspectives. This part of the paper connects the meanings of justice to different conceptions of man, the idea of a good life and social institutions essential for effectuating justice in practice. To make our point clearer, we discuss Plato, Aristotle, John Rawls, I. M. Young, and Walzer’s conceptions of justice and situate these in the context of human nature, ideal life and social institutions discussed in the first segment. The third and final section entitled—‘Justice as the End of Politics: A Critical Discourse’—explores the correlation between a just society and social development. It is in this section that our thesis is defended.

The Nature of Man and the Ideal Society: Some Comments

Theory of human nature is a fundamental part of a theory of justice and politics. Suffice it to note that there are numerous theories of human nature that have been advanced. Today, we have psychological, biological, sociological, economic or philosophical arguments for how man behaves. In fact, different theories of human nature lead to different accounts of justice as well as different political philosophies on how social development can be

realized. In spite of this, there is a universal assumption that theorists usually make. This assumption is simply that man is a rational being. Since the time of Plato to the present, there is still a strong belief that man is a rational animal and that this rationality distinguishes man from lower animals. Although there are different paradigms of rationality, yet scholars take as rational, someone who is free, responsible and capable of desire and choice. Plato, for instance, places the most rational man over those who are less rational, but courageous and easily propelled by needs. From Platonic standpoints, thus, a well-ordered society would turn out to be one that arises from the guardianship of the most rational man—the best man. Let us now discuss some theories of man, ideal state and institutional arrangements that could bring about a just order as some theorists have theorized. Here, we shall attempt a sketch of Plato, Aristotle, Hobbes and Marx's accounts.

Plato devotes his book *The Republic* to the issue of politics and in doing this, the nature of man, ideal state and institutional framework that can ensure just order is clearly discussed. Plato nurses the idea that man's faculties can be divided into three parts, namely: rational (*nous*), courageous (*thumos*) and appetitive (*epithumia*). As a rational being, man, for Plato, has two other faculties which are his *thumos* and *epithumia*. It is man's cognitive ability that places him over other lower animals, but not his strength (courageous element) or his desire (appetitive element). Thus, a balanced man is someone who can control his strength and desires through his reason. As Chiedozie Okoro puts it, "Plato for instance is of the view that justice, fair play and good conduct obtain in the society only as it has been so instituted in the psyche (mind) of the individual."¹ Moreover, corresponding to aforementioned traits in men are the roles which individuals are to play in the society as rulers, soldiers and artisans, respectively. Since each individual has a peculiar psyche or trait, each ought to stay where she is best fitted without undue interference in areas she has less capacity to function effectively. For society to be better or peaceful those who are rational (as well as morally upright) are to rule. Plato writes:

... the rulers of the city will be chosen—the best of the older men, selected for their devotion to the state by various tests and carefully groomed for office. They will be assisted by the lower class guardians, the auxiliaries or soldiers.²

¹ C. Okoro, "Social Psychology," in *Philosophical Psychology: Selected Readings*, ed. by Godwin Azenabor (Lagos: Malthouse Press Ltd, 2001), 31.

² Plato, *The Republic*, in *Great Dialogues of Plato*, trans. W.H.D. Rouse, ed. by Eric H. Warmington & Philip G. Rouse (New York: Penguin Group, 1956), 120.

Plato, then thinks that it is inappropriate to discuss the nature of justice without doing so in connection with the idea of how man ought to live a just life. Men must be morally upright and they must agree to establish a political order where property ownership is to be permitted to the class of the artisans only. Rulers, therefore, would have no right to private estate in Plato's communism for them not to be partial.

To our mind, inasmuch as Plato's idea of reason, morality and undue interference are vital to the discourse of justice, it is nonetheless inadequate. There are numerous challenges to Plato's idea of man and his theory of an ideal society. Plato's view that only philosophers are to rule is unfair, and this may give rise to inequality and marginalization since this has altered the presupposition that all men are rational animals. Moreover, if it is the nature of humans to be rational, then one needs to appraise the standard of rationality in Plato's theory of leadership. Is science, morality, practicality of one's idea, rhetoric or logic the paradigm of rationality in Plato's philosophy? Let us suppose that two people are to be compared, say — 'A' and 'B.' Let us suppose further that 'A' is a morally upright person who also has knowledge of logic as well, and 'B' is morally upright but has knowledge of geometry instead. The question is, then, by Plato's *nous* parameter, how do we choose the philosopher king? If logic is more favoured than geometry by Plato or is rated above other intellectual areas or skills, then those who are interested in logic would most likely be rulers over those who have knowledge of geometry. But is it possible to abstract logic from geometry or mathematics? Mathematics, to be sure, operates on certain logical (induction or deduction) reasoning. Thus, it turns out that there is to be faced in Plato's paradigm of rationality, a problem of unfairness in the process of choosing the most rational leader. As we have demonstrated, there are challenges as to how the best man would be chosen. Until the process of choosing the leaders is fair, the problem of injustice in politics cannot be resolved. Should this problem persist, then, other problems are permissible by implication.

Like Plato, Aristotle considers the nature of man to situate in proper context his version of justice and the idea of a good life. Emphasis of Plato, as we have shown, is how the best man can be selected to rule so that justice can be pursued. For Aristotle, it is better to develop good laws that would ensure that all men are made to comply with it. In this case, a law is what is needed rather than best ruler theory. This, nonetheless, requires that we understand why there is a need for a law. This need, for Aristotle, requires further that a discourse on man is made. Thus, he describes man as a political animal. Aristotle maintains that "... for man is by nature a social being."³ What this

³ Aristotle, *The Nicomachean Ethics*, trans. by J.A.K. Thomson (London: Penguin Books Ltd, 1976), 74.

suggests is that man is intended by nature to live in a political society; not doing this would render man nothing but a beast or a god. Man is a rational animal, yet Aristotle opines that without law to limit his action he could be the worst creature on earth. Unrestrained freedom, then, has the tendency to bring about a chaotic state of affairs. Hence, he thinks that an ideal society is one that can control the excesses of man for the sake of the community.⁴ For instance, he writes:

Every state is a community of some kind, and every community is established with a view to some good; for mankind always act in order to obtain that which they think good. But, if all communities aim at some good, the state or political community, which is the highest of all, and which embraces all the rest, aims at good in a greater degree than any other, and at the highest good.⁴

This highest good is happiness, and society should aim at promoting it even if an individual's happiness is violated. Aristotle avers,

For even if the good of the community coincides with that of the individual, it is clearly a greater and more perfect thing to achieve and preserve that of a community, for while it is desirable to secure what is good in the case of an individual, to do so in the case of a people or a state is something finer and more sublime.⁵

He believes that law can be instrumental to such a course. It is apposite to say that there are certain merits in favour of this postulate. The fact that Aristotle recommends that man ought to promote the happiness of others as well as live the life of the mean is considerable. The life of the mean presupposes that man should not live an extreme life—excess of riches or poverty. However, there are many limitations to his position as well. For instance, there is a contending issue today that law, which may be used to pursue the good life may be tyrannical or used unjustly against the minority in a society. Also, happiness sought through law may turn out to be ones that suit the law-giver or rulers. Inasmuch as a good law is highly important to curb the excesses of man, one cannot downplay Plato's theory of the best man. This is so because only a rational and morally upright person can ensure that laws are used for a just cause. In fact, the issue whether the state or political

⁴ Aristotle, *Nicomachean Ethics*, in *Great Books of the Western World*, ed. by Robert Maynard, Vol. II (Chicago: Encyclopaedia Britannica, Inc., 1952), 1252a: 445.

⁵ Aristotle, *The Nicomachean Ethics*, trans. by Thomson, 64.

community can promote the highest happiness for all through law as indicated by Aristotle should not be accepted at its face value.

On his part, Thomas Hobbes, in his masterpiece—*Leviathan*, describes man as natural egoist. Like Plato and Aristotle, Hobbes subscribes to the view that man is a rational being; however, Hobbes adds that this rationality is self-directed. In other words, man is self-interested, self-seeking and biased. Man, to Hobbes, calls ‘good’ what pleases him or what works to his advantage and ‘evil’ as what is not amenable to his desires. This moral psychology is what Hobbes thinks defines who man is. That is, man is largely driven by desire and aversion. Hobbes maintains that,

These simple Passion called Appetite, Desire, Love, Aversion, Hate, Joy, and Grief, have their names for diverse considerations diversified. As first, when they one succeed another, they are diversely called the opinion men have of the likelihood of attaining what they desire. Secondly, from the object loved or hated. Thirdly, from the consideration of many of them together”⁶

Having argued that desire and aversion are the determinants of human actions, he says that society would be nasty, brutish and chaotic if lives are governed without strong leader(s) and law(s) since all men would be pursuing their interests which, when true to the logic of their nature, would bring one man in conflict with another man.

Thus, Hobbes paints a hypothetical condition to illustrate what society would turn out to be if law and government are non-existent. He, then, shows how rational humans used their reasons to calculate their gains over less rational ones. He also shows that weaker men teamed up with others to put out of life more rational and even stronger people. The point that emanates from Hobbes’ analysis of the condition of man in the state of nature is that law ought to define what is just, but this is lacking in the state of nature of governmental institution that ought to balance and check people’s action, and more fundamentally, goods are not adequately distributed among men since some take more than others. To address this crisis, Hobbes advances that politics requires a strong leader—the leviathan. Politics should, therefore, be organized on a monarchical platform where the leader, after a social contract is entered by all, is deposited with absolute power to legislate

⁶ T. Hobbes, *Leviathan*, ed. by C.B. Macpherson (London: Penguin Books, 1968), 122.

what the ideal life is. The ideal society is one in which all conflicting desires are balanced through absolute laws from an absolute authority.

There is a need to say that Hobbes' analysis (although not totally correct about man's nature) is somewhat true about man. Here, one can see that desire (interest or needs) that Plato talks loosely about could even influence the decision of Plato's best man or Aristotle's legal system. To our mind, if it can be proved in praxis that all humans are egoists, then even rational decisions and laws would arise from men's desires. So in a somewhat loose sense, one may argue that rationality is controlled by man's interest. Interest, in this case, is conditioned by man's needs. This deterministic connection between reason and needs have been advanced by David Hume and Karl Marx. But, before we discuss Marx's conception of man, it is vital to assert that Hobbes' theory should not be overrated. We grant that Plato's best man may sometimes act irrationally or sometimes act to promote his interest as against the interest of his competitors, but this does not give support to Hobbes' claim that all men are naturally egoistic. Egoists in some situations have also acted in some way to promote the interest of others.

Moreover, the fact that men, in Hobbes' state of nature, enjoy relative peace and since they know that a social contract would inform a better life than they have so-enjoyed during the time of war largely indicate that men could differentiate between good and bad way of life. But Hobbes has erroneously supposed that men in the state of nature lack the idea of a good life, justice or morality. Accordingly, we argued instead that it is only those who have the knowledge of good and evil, right and wrong, who can legislate a law; otherwise, they would have nothing to reject as unfair, impartial or illegal. This is a position that Hobbes fails to note.

To end this section, let us consider Karl Marx's idea of man and his postulate of an ideal society. Marx's conception is important to be mirrored in this paper because contemporary scholars have written varieties of theses on justice by appealing to Marx's critique of capitalism and democracy. To start with, Marx's idea of man is somewhat dissimilar to the views of theorists we have discussed above, but his view is not totally disconnected from our subject matter. He sees man as a social being. As a social animal, man is engaged in production and exchange in order to satisfy his basic needs. However, it turns out that man hardly achieves this aim. What man experiences instead is hardship. In fact, Marx describes the condition of man as that of alienated labour. Man, in a capitalist society for instance, is an alienated being because he is forced to work for the capitalist, yet he has no ownership right to the factors of production. Marx writes, "The man who possesses no other property than his labour must, in all conditions of society and culture, be the slave of other men, who have made themselves the owners of the material conditions of production. He can work only with their

permission, hence, live only on their permission.”⁷ In addition to this, Marx argues that the fruit of production is not evenly distributed. The capitalist takes more than they have invested, whereas the workers (the majority) go home with starvation wages. To Marx, in a capitalist state “... labour does not appear as end in itself but as the servant of the wage.”⁸ Again, he writes:

The value, that is, the quantity of labour which the workmen add to the material, falls rather into two parts. One pays their wages or is paid for through their wages. By this transaction the workmen give in return only much labour as they have received in the form of wages. The other part forms the profit of the capitalist, that is, it is quantity of labour which he sells without having paid for.⁹

Thus, the workers are not truly free in the capitalist or democratic society since few people (the class of the rulers) dominate the masses (the ruled). He, therefore, argues for a socialist or communism system where goods are distributed according to needs rather than by competition. Communism, for Marx, is the riddled of history solved and the return of freedom to man. The ideal society, for Marx, is one where alienation, exploitation and property relation are totally removed.

Like other theories of human nature, this theory has its merits and demerits. One must grant that a society where the citizens are so-divided in such a way that a group is dominating other groups, development can hardly be realized. As Marx has indeed shown, exploitation, alienation and inequality in the distribution of economic resources may hamper social development. To this end, we argue that untrimmed capitalism has tendency to alter human development as well as freedom. However, this is not to say that every criticism levelled against capitalism by Marx is to be accepted on its face value. In fact, we are skeptical that development would emerge immediately when communism is adopted as Marx claimed. It seems true that uneven distribution of private property is the cause of society’s ills; however, this does not guarantee that development would come if property right is removed. We shall show later why we think that these positions are inaccurate. Again, Marxist view that revolution would end alienation seems weak. It is assumed that after revolution is carried out, then development

⁷ K. Marx, *Selected Works*, Vol. 1 (Moscow: Progress Publishers, 1977), 228.

⁸ K. Marx, “Alienated Man,” in *Philosophy for A New Generation*, ed. by A.K. Bierman & James A. Gould, 2nd ed. (New York: The Macmillan Company, 1973), 537.

⁹ K. Marx, *Capital: Theories of Surplus Value*, Vol. IV (Moscow: Progress Press, 1963), 78.

would emerge at the dawn of communism. To our mind, the cost of so-doing would disturb the developmental aspiration that necessitates it. We, therefore, argue that a cogent solution to the problem of politics should be looked up from its major intent—the issue of justice. This, then, shall be our focus in the next section. Let us now turn our attention to the Yoruba idea of man/person.

The Yoruba (of Nigeria) idea of man/person needs to be discussed here because it has import to a holistic account of justice. To them, man is a product of creation. The process begins from Obatala who makes an *amo* (a clay) in the shape of a status, then to Olodumare, who gives *emi* to the clay (the life giving entity, soul), then finally to Ajala's court where man takes his *ori* (destiny). The metaphysical substances *ara* (body), *emi* (soul) and *ori* (destiny) define someone as being a man. These, however, do not make man a rational being. Man only becomes rational after having developed traits that are capable of being put to use for the benefit of the community he belongs. Man, as perceived by the Yoruba, is therefore distinct from a person in that only a person can be altruistic, rational and law abiding.

Man, in this sense, is someone that has *emi* (soul), *ara* (body) and *ori* (destiny). Having these characteristics only define that one is a human being, but it does not constitute the fact that one is rational, moral or law-abiding. Thus, a dichotomy is made between manness and personhood in various proverbs such as this *okunrin yi ki ma a se eniyan* (meaning, this man is not a person). The defining characteristics of being a person include the fact that he is a creation of God with the ability to develop his rational faculty, dignity and worth. That is, man is capable of being rational, moral, altruistic, law abiding and cooperative, but he ought to choose to be so, forced to comply or train. Since not everyone has these qualities altogether, the Yoruba believe that human laws are needed to correct the ills that man can bring upon man and person alike. These laws, to be sure, are not meant to put the man who breaches the laws out of life; rather, they are meant to deter or reform the man who harms others. For them, *omoburuku maa ni ojo ti re* (meaning, an unjust man may be useful to the society tomorrow). As Segun Gbadegesin puts it,

Children are appreciated for what they are. Though they are encouraged to be the best they could be, when, for some reason, they do not conform, they are not thrown out because, as they say, *A ki fi omo buruku fun e e kun pa je* (we do not throw a child to the tiger just because he/she is bad).¹⁰

¹⁰ S. Gbadegesin, "Individuality, Community, and the Moral Order," in *The African Philosophy Reader*, ed. by P.H Coetzee and A.P.J Roux (London, Routledge, 1998), 305.

Then, character training is, therefore, advanced by the Yoruba as something that is crucial to be developed so that people could be helped to develop the necessary ideals for the promotion of community aspirations. As Ademola K. Fayemi observes:

... the absence of proper culture, moral probity, and integrity devalues the personhood of a person to the level of just ordinary things—*eniyan lasan*, *lasan* or animal—*eranko*. Thus, such a being or an individual loses the personhood of being a member of society which being human being demands. In other words, such a person would not be deemed fit, for confidence, trust or responsibility; and would not pass the gamut of being qualified as *omoluabi* in a Yoruba cultural context.¹¹

The point, then, is that rationality, if it is to be taken seriously, entails the ability to make choices that will enhance the interest of oneself as well as others. Rationality, to the Yoruba, is not restricted to having the capacity to think, make decision or reflect. The issue of self-interestedness is frowned upon. Thus, the Yoruba idea of *iwa* (*character*) and *omoluabi* (well-behaved humans) are germane to theory of justice if we are to resolve problems identified above because these concepts go deeper into the substance of the issue of social development.

To sum up this section, it is therefore important to say that someone that is irrational today may act rationally tomorrow and vice versa. From the Yoruba's position, one must first be a man, for him to be a person. But, human society has a cluster of both. Hence, man can be both egoistic and altruistic. Only an altruistic person is capable of ruling the society in such a way that fairness is promoted. Thus, only a person (rather than man) is capable of acting in such a way that community interest and justice can be realized. Experiences have shown that man is self-interested, yet experience has not failed to show that a person is also a being unto others. The transition from man to person, or vice versa, points out that change is inevitable and human nature is variable. The need for law and character development is, therefore, fundamental. Moreover, man cannot be law abiding unless he first becomes a person, which entails that he becomes rational and moral. Thus, the assumption that all men are rational requires to be replaced by the statement 'all persons are rational.' For instance, law is used to deter and reform

¹¹ A.K. Fayemi, "Human Personality and the Yoruba Worldview: An Ethico-Sociological Interpretation," in *The Journal of Pan African Studies*, 2:9 (2009), 171.

criminals; nevertheless, some people still commit crimes. Aside from having law, therefore, character training is highly significant since leaders are products of nurture rather than nature. Thus, this presupposes that leaders (persons) are not born but made. In other words, only men are born. Given the above, it is right to say that man is someone who could use law to deprive others of their basic needs. So adhering to the Yoruba idea of person, only those who have learned, in practice, how to *wuwa* (behave) in such a way that others are *cared for* can rule justly. This suggests, then, that the Yoruba's conception of person can enhance a holistic discourse on justice. Let us now turn to the issue of justice.

Understanding Justice: A Holistic Approach

The issue of justice is a complex one. It is so because scholars have been able to defend arguments that could be incorporated into its boundary. As more theories are advanced, the scope of justice becomes enlarged. This enlargement is needed to be able to cope with issues confronting society in recent times. To this end, there are theories of justice such as justice as fairness, equality, impartiality, liberty, right and respect for the rule of law, distribution of burdens and benefit, promotion of common good, promotion of happiness for the greatest number and compensation. In fact, there are other uses to which the term is being put. We shall add to this, a theory of justice that is based on the principle of non-harm. To attain a holistic theory of justice, then, a critical analysis of these shades of justice would be attempted. What, then, is justice? Or how is justice to be construed?

There is no gainsaying that almost all philosophies on politics are centered on the theme—'justice.' Although this does not have an explicit content in the works of some philosophers and social researchers alike, it would be demonstrated in this piece to be so. But let us first attempt a sketch of the idea of justice from the worldviews of Plato, Aristotle, Rawls, Young, Mill, Bentham and Walzer. Our selection of these theorists' ideas does not suggest that these theorists are the most important scholars that have written on the issue of justice. Rather, there are other notable theorists, whose views we cannot discuss here due to the length of this paper. So these selected theorists are probably the most referred to by contemporary writers.

To begin with, Plato's theory of justice cannot be conceived without a vivid picture of his nature of man that we have discussed above. Let us suppose that we have three traits and three positions to be occupied. Plato is defending the view that each person with a given trait should stay where she is best fitted. He opines that, "Justice is therefore the due arrangement of these three elements in their proper stations in the soul ..." in such a way that "each class does the work for which it is fitted without presuming upon the

preserves of the others.”¹² Justice, then, for Plato, instigates that it is unfair to go beyond one’s limit. Thus, to be consistent with Plato’s idea of justice, men then are not equal. The practical implication of this is that, those who cannot perform certain tasks but who forced themselves to do so are likely not to perform very well in it unlike those who have the required skills for it. The implication is that if one does what she cannot, there is tendency that people may be harmed by her action. For instance, possibly, a leader without rational or legal skills would impose or enact laws that have tendency to unfairly harm the interest of others. Hence, Plato’s idea of justice seems valuable in this light although it does not exhaust the uses to which the term could be rendered. It has its own pitfalls as well.

To add to this, Aristotle describes justice in various ways. First, he sees justice as fairness. By this conception, Aristotle posits that justice entails treating equals equally and unequals unequally. What this suggests is that justice demands that we identify the differences among men and, as such, treats people differently. Such differential treatments lead to justice so long as it does not embrace partial inequality. Let us suppose that A and B are equal. If they are to benefit from social goods to be provided freely by the state, then by Aristotle’s principle, they ought to be treated equally; otherwise, such distributive process would be unjust. Aristotle discusses two types of justice, namely—distributive and rectificatory justice. Distributive justice deals with how goods, resources and money are shared among people in a society in such a way that each is given her due (that is, what one ought to take), whereas rectificatory justice is used to correct someone who has acted unfairly to others. The latter, to be sure, is not intended to harm the person who has wronged another but to ensure that such a person does not benefit from the inequality he has done to others. Rectificatory justice deals with the inequality in transaction and does not accept the motive why the doer carries out the injustice. In this case, an action is bad because it is based on inequality of some sort rather than on its consequences or intention. In this regard, Aristotle reiterates:

For it makes no difference whether a good man has defrauded a bad man, nor whether it is a good or a bad man that has committed adultery; the law looks only to the distinctive character of the injury, and treats the parties as equal, if one is in the wrong and the other is being wronged, and if one inflicted injury and the other has received it. Therefore, this kind of injustice being an inequality, the judge tries to equalize it; for in the case

¹² Plato. *The Republic*, 120.

also in which one has received and the other has inflicted a wound, or one has slain and the other been slain, the suffering and the action have been unequally distributed; but the judge tries to equalize by means of the penalty, taking away from the gain of the assailant. For the term 'gain' is applied generally to such cases, even if it be not a term appropriate to certain cases, e.g., to the person who inflicts a wound—and 'loss' to the sufferer; at all events when the suffering has been estimated, the one is called loss and the other gain.¹³

From the above, it seems clear that inequality of all kinds (except it is a natural kind) cannot be justified. To connect this to the nature of man, someone that exploits others has, by this theory, committed an unjust act. He has created an undue situation for the realization of others' survival. In a similar token, it would be wrong to claim, as Marx does, that violent revolution is inevitable to actualize human freedom. This suggests that retaliation or revenge is advanced by Marx, rather than rectificatory justice argued for by Aristotle. Of course, we do not think that it is logical to seek for justice on the one hand, and adopt an unjust framework for its realization on the other hand. The Marxist approach has tendency to inflict harm on those that do not participate in the revolution. Justice cannot accept unjust method—the Marxist revolution.

However, we need to argue also that Aristotle's idea of justice is problematic like that of Plato. There is an issue as to how we should define those that are equal and those that are unequal. What should the criteria be? Should it be Platonic reason, strength or appetitive? Or should it be Hobbes' notion of interest? Or should it be age, taste or fashion? If one of these is favoured, we suspect that there would be injustices in the distribution of dues because it would be an imposition of a criterion reached by the desire of some people. And if we are to pursue Aristotle's theory of law to its logical conclusion, it is highly probable that the rulers' interest would be the defining parameter. Hence, Thrasymachus' idea of justice as 'might is right' would therefore be the overriding principle. It seems crucial, therefore, that another theory of justice is considered.

In his popular text *A Theory of Justice*, John Rawls presents a theory of justice that appeals to a social contract theory. It cannot be overemphasized that Hobbes was the first theorist to appeal to a hypothetical theory of a state of nature. In a somewhat similar version, Rawls discusses theory of justice as fairness which appeals to an original position. In this state, men were

¹³ Aristotle, *The Nichomachean Ethics*, in *The Great Books*, 1132a: 379.

assumed to be covered with a veil of ignorance. So considered, they lack knowledge of what their future situations would be upon entering a political society. Since they do not know whether they may be poor or rich, Rawls posits that it is easy to imagine that if these people were to make law, they would ensure that it is fair so that no one who be favoured or disfavoured by the law that emanated from their deliberations. The point here is that justice, to Rawls, entails fairness. In addition to fairness, Rawls says that the procedure of deciding what the law would be makes them equal. Rawls writes, "Obviously the purpose of these conditions is to represent equality between human beings as moral persons, as creatures having conception of their good and capable of a sense of justice."¹⁴ Thus, to corroborate our earlier position against Hobbes' idea of the state of nature where the notion of justice is ruled out, it is clear that a sense of justice cannot be eliminated even in a hypothetical situation because it is upon this that politics is erected. We shall come to put this point clearer later.

Rawls goes on to say that from the fact of justice as fairness, as it has been advanced, two fundamental principles are to be developed. He maintains the first principle has to do with political liberty and the second principle is aimed at the distribution of social and economic advantages so that the least advantaged ones would not be marginalized. He writes:

First: each person is to have an equal right to the most extensive liberty compatible with a similar liberty for others. Second: social and economic inequalities are to be arranged so that they are both (a) reasonably expected to be everyone's advantage, and (b) attached to positions and offices open to all.¹⁵

The first principle states certain inalienable rights that Rawls considers as fundamental for the promotion of justice to any individual. These rights, which include right to life, right to freedom of movement and association, freedom of speech, association, and freedom from arbitrary arrest, right to vote, right to hold political office and right to personal property, are basic for the promotion of an individual's dignity. He avers, "These liberties are all required to be equal by the first principle, since the citizens of a just society are to have the same basic rights."¹⁶ As the foregoing suggests, it appears that Hobbes' intention to deposit the right to rule in the

¹⁴ J. Rawls, "A Theory of Justice," in *Lloyd's Introduction to Jurisprudence*, ed. by M.D.A. Freeman, 7th ed. (London: Sweet & Maxwell Ltd, 2001), 659.

¹⁵ *Ibid.*, 569.

¹⁶ *Ibid.*, 569.

leviathan is an infringement on the liberty of each and every man in seeking for a political position. Thus, Hobbes' submission needs to be rejected. It is unacceptable because adhering to such postulate indicates that one man has a right by nature that others lack even when it was socially created. Where, then, lies the root of such right? This indicates that Hobbes' theory of ideal state would likely promote inequality that justice stands for. In a similar dimension, Rawls' theory of justice nullifies Marx's submission that property would be held in common. If it is granted that property is an inalienable right as Rawls claimed, it would be unjust if society violates such in the name of common good. But, is it?

The second principle of Rawls would ensure that social and economic institutions are arranged in such a way that the poor are not exploited. Here, the emphasis is placed on the institution rather than on those who occupied these institutions. This position is what Aristotle considers as the appropriate way of addressing the problem of injustice. To Rawls,

The social system is to be designed so that the resulting distribution is just however things turn out. To achieve this end, it is necessary to set the social and economic process within the surroundings suitable political and legal institutions. Without the proper arrangement of these background institutions the outcome of the distributive process will not be just.¹⁷

Rawls, therefore, submits that it is only when political and legal institutions are just that the injustices in distribution of economic and social dues or goods can be fair.

There are certain problems that can be observed in Rawls' theory of justice. One of the problems in Rawls' account is that he assumed that people in the state of nature are moral, so the law that they would make (because they lack knowledge of their future position in society) would be just. In fact, in society a simple opinion poll would show the inaccuracy of such an assumption as this. The point is that Rawls' underrates Hobbes' theory of human nature that has turned out to be true, especially when one considers the nature of leaders societies have produced. Again, Rawls also assumed, like others before him, that man is a rational animal. Thus, his conception of man has taken for granted that rational animals tend to be the worst creature if they are driven by their interests. One needs to add that Rawls' claim that legal and political justice would determine the outcome of economic justice is contrary to Marxist thesis, which suggests that material condition determines

¹⁷ *Ibid.*, 572-573.

what happens at the level of superstructure. To the Marxist, what happens in society is ultimately determined by the economic base.¹⁸ To be frank, we think that Marx's view is the most appealing one. Every production activity is directed at consumption. If this is true, then it follows that legal issue is a means to an end but not an end in itself. However, consumption is the end of production. One could see, then, that it is when dispute arises on what is produced or on how what is produced is to be used, exchanged, distributed or consumed that legal matter arises. This indicates that economic base determines ultimately the life of a society. Therefore, we argue contrary to Rawls' view that when there is economic justice, then legal and political justices may be attained. This is not a guarantee for it though.

There are other theories of justice that can be assessed. I. M. Young, on his part, argues that justice cannot be solely construed on distributive framework. Against this background, Young posits that themes such as opportunity, rights and power cannot be subsumed under distributive justice. What this suggests is that justice would have to be construed from other dimensions. Young posits that,

Justice names not principles of distribution, much less some particular distribution pattern. This represents too narrow and substantive a way of reflecting on justice. Instead, justice names the perspectives, principles, and procedures for evaluating institutional norms and rules.¹⁹

Rather than conceiving justice as fair share, treating equals equally, fairness and so on, justice, according to Young, deals basically with institutional procedures. The process of deciding or choosing what a law is or how it should be is the target of Young's perception of justice. Young, therefore, argues that if a law is to be just, then everyone who is to accept it must agree to it in the first place. This agreement, to be clear, would arise without coercion, compulsion or force. In this case, everyone must agree that the procedures of societal institutions are liberal for justice to take shape. In this way, Young maintains that, "For a social condition to be just, it must enable all to meet their needs and exercise their freedom; thus, justice requires that all be able to express their needs."²⁰ Otherwise, that system is unjust.

¹⁸ F. Engels, "Letter to J. Bloch," in *Modern Political Thought: The Great Issues*, ed. by William Ebenstein, 2nd ed., (New York: Rolt, Rinehart & Winston, Inc, 1960).

¹⁹ I.M. Young, "Defining Injustice as Domination and Oppression," in *Lloyd's Introduction to Jurisprudence*, 615.

²⁰ *Ibid.*, 615.

Of course, Young's idea of justice seems fundamental in a discourse of justice. Apart from the fact that a just law is needed, institutions' procedures ought to be just; otherwise, the issue of justice would not go beyond the letters of the law (to inform practical changes in the society). Probably, Young's conception conforms to our everyday appeal for justice. In this case, people require that the process of deciding cases in courts be just, and that financial institutions, legal institutions, political institutions and social institutions maintain high integrity, transparency and openness. Inasmuch as it is unjust (immoral) for man to be corrupt, the logic is that societal institutions ought to reject corruption. If one intends to solve the crisis of corruption, we think that it is fundamental that the issue of injustice in institutions be resolved as well, since it is injustice (such as impartiality, unfairness, unfair inequality, etc.) that gives rise to corruption. Thus, one ought to agree with Young that oppression, domination and marginalization are injustices pursued through state's institutions. Working on this dimension on the issue of justice, it seems clear that the domination of man by man in the capitalist system as identified by Marx should not be overlooked. One cannot therefore object that when procedure of legal and economic institutions is just, and when the people make good laws and act morally, justice would be possible.

However, Young's position should not be overrated. In fact, it seems impossible as he has suggested that everyone should agree on a law or on a thing before it can be rendered just. We think that this is utopia or, perhaps, not practical to be realized in the world today. Justice, as we want it to be pursued, does not reject opposing views; it incorporates different ideologies and works in the interest of all so long as it is fairly done. This does not translate to mean that everyone's view has to be accepted. Any view to be accepted ought to be such that can further enrich the goal of human society. Hence, another theory is desirable.

Today, there are different versions of utilitarian approach to justice. Indeed, John Stuart Mill and Jeremy Bentham have considered critically the issue that was raised by Hobbes and other social contract theorists (Locke, Rousseau and Rawls) whether law can be used to promote 'common good.' Accordingly, the idea of common good has come under many names such as 'commonwealth,' 'general will,' and 'majority interest.' The idea of justice to utilitarian is to develop a common basis for the application of justice. Thus, the utilitarian believes that justice is the promotion of happiness for the greatest number of people. To know what is just or not, they think that pleasure and pain are the criteria available to all mankind. For instance, Bentham asserts that,

Nature has placed mankind under the governance of two sovereign masters, pain and pleasure. It is for them alone to point out what we ought to do, as well as to determine what we shall do. On the one hand the standard of right and wrong, on the other the chain of causes and effects, are fastened to their throne.²¹

To corroborate this, Mill avers:

I must again repeat, what the assailants of utilitarianism seldom have the justice to acknowledge, that the happiness which forms the utilitarian standard of what is right in conduct is not the agent's own happiness, but that of all concerned. As between his own happiness and that of others, utilitarianism requires him to be as strictly impartial as a disinterested and benevolent spectator. In the golden rule of Jesus of Nazareth, we read the complete spirit of the ethics of utility.²²

Like Marx, Aristotle and Young, Mill and Bentham think that justice is to be extended to cover at least the majority of the people. In this respect, Hobbes' view that man should pursue his self-interest because everyone is doing the same in society is to be jettisoned. This means, therefore, that any action that fails to benefit the majority cannot be taken to be just by Mill and Bentham's standard.

In the past few decades, several shortcomings can be attributed to the utilitarian calculus on justice. One needs to ask: Is it just to sacrifice the right of an individual to enjoy certain basic goods like shelter for the sake of the community (or majority)—say for instance, the construction of community library? Going by Mill and Bentham's accounts, insofar as the majority would benefit from the action, it probably it seems just to destroy the individual's shelter. The point here is that utilitarian idea of justice permits certain inequality inasmuch as the majority would enjoy pleasure over pain. It is vital to underscore that the inalienable rights (basic liberty) argued for by Rawls can be sacrificed at the altar of utilitarianism. Our arguments against Mill and Bentham include: (1) the state should not violate the basic rights of her citizens unless the citizens have violated the good norms of the society, (2) in the case of our example, the state ought to compensate the individuals

²¹ J. Bentham, "An Introduction to the Principles of Morals and Legislation," in *Utilitarianism*, ed. by Mary Warnock (New York: New American Library, 1962), 33.

²² J.S. Mill, *Utilitarianism*, ed. by Mary Warnock (New York: New American Library, 1962), 268.

involved if these individuals have acquired such lands legally and, (3) the promotion of the majority happiness in a given case must not lead to the marginalization, domination or oppression of the minority in any case. That is to say, a robust theory of justice ought to promote just social order wherein primary goods—shelter, food and clothing are to be seen as inalienable rights. Consequently, any attempt to deny an individual these goods presupposes that that person's right, worth, dignity and humanity is under attack. Such individuals need to seek redress or compensation. To do this is to seek for justice.

There is another theory en route to justice. This dimension to seeking justice is one that arises from the view that justice is relative to culture. In recent times, Michael Walzer presents this idea of justice. Walzer argues that, "Justice is relative to social meanings."²³ Apparently, there are no unique criteria of justice. Thus, to him, "A given society is just if its substantive life is lived in a certain way—that is, in a way faithful to the shared understandings of the members."²⁴ He adds, "The theory of justice is alert to differences, sensitive to boundaries."²⁵ It follows from Walzer's citation that there will be different parameters for justice insofar as people embrace different criteria for justice and that justice arises insofar as people living in a given community share certain beliefs as justice. Accordingly, when a people agree on certain viewpoints as the accepted way of life, then it seems just to follow such dictate. And since societies have different shared understandings, it follows then that the idea of justice differs from place to place.

It is true to the logic of shared understanding that the way of life of people across the world must vary; however, this does not support Walzer's claim that justice is pluralistic and that each society should operate on a local idea of justice. To be pluralistic would mean, then, that a society (say, country A) makes it a *way of life* that certain maxims such as fairness, equality and impartiality, for instance, are just and must to be pursued by all her citizens, and that another society (say, country B) affirms unfairness, inequality and partiality as a way of life. If both society A's and society B's ways of life are taken to be shared understanding, then it follows from Walzer's view that both are just. This appears to be one of the consequences that Walzer's pluralistic idea of justice may likely inform. So the charge of relativism has been brought against his theory. Indeed, Ronald Dworkin has attacked Walzer's *Spheres of Justice* as a relativist account. He writes:

²³ M. Walzer, "Three Distribution Principles," in *Lloyd's Introduction to Jurisprudence*, 643.

²⁴ *Ibid.*, 643.

²⁵ *Ibid.*, 645.

The idea that the world is divided into distinct moral cultures, and that it should be the goal of politics to foster the value of “community” by respecting the differences, has for a long time been associated with political conservatism and moral relativism. It is once again fashionable in political theory, but its proponents have paid insufficient attention to their central concepts. Moral traditions are not clubs into which the peoples of the world are distributed so that everyone carries a membership card in one but only one. On the contrary, these traditions can be defined at different levels of abstraction, and people who belong to a common tradition at one level of abstraction will divide at another, more concrete, level.²⁶

For Walzer, political theory must be grounded and informed by the culture and traditions of a specific society.²⁷ For this reason, Glen Stassen observes that, “Even though widely praised for its historically situated concreteness and its perceptive criticism of forms of domination, Michael Walzer’s theory of justice has been criticized as relativist in the sense that it rests on the conventional or dominant view of justice held in each particular society.”²⁸ If one cannot point to any existing country that affirms publicly the latter (country B), it means then that Walzer’s idea is possibly not suitable to address issues of international injustices. Apparently, what seems to be the case is that ideologies, customs, mores, traditions and beliefs that guide people often have influenced their explanations of the good life and what the law to be enacted ought to be; however, this does not mean that the underlying idea of justice behind a good life or a law is dissimilar all over the world. The culture of a people, to be clear, often affects the kind of laws that are practiced in a society, but no culture whatsoever openly goes against the tenets of justice in principle. Although laws are wrongly applied to the detriment of justice, we doubt that law and cultural values alone can serve as the bases for justice. Thus, when the issue of justice is considered, attention ought to turn directly to factors that unify humans—right reason, a good life, morality and human nature.

²⁶ R. Dworkin’s Reply to Michael Walzer’s *Spheres of Justice: An Exchange*, (July 21, 1983), <<http://www.nybooks.com/articles/archives/1983/jul/21/spheres-of-justice-an-exchange/>>

²⁷ Cf. “Michael Walzer,” in *Wikipedia, the free encyclopedia*, <http://en.wikipedia.org/wiki/Michael_Walzer>.

²⁸ G. Stassen, “Michael Walzer’s Situated Justice,” in *The Journal of Religious Ethics*, 22:2 (1994), 375.

Justice as the End of Politics: A Critical Discourse

We have been discussing the nature of justice so as to address the crisis of injustice in the human society. Here, one needs to say that justice serves as a means to an end and also as an end in itself. In this paper, we are advancing the latter view as the plausible framework to resolving the crisis militating against contemporary society. As a means to an end, justice is pursued in a society to achieve other ends such as social development, whereas when justice is conceived as an end in itself, justice is pursued for its own sake. What, then, is it that we are interested in defending here? The goals of this section are: (1) to argue that without a holistic theory of justice and the application of the same to politics, social development cannot be fully realized, and (2) to construct a pillar for the universality of justice on the doctrine of non-harm.

Today, there are thinkers for whom the idea of justice is only a means to an end. If their position is to be treated with all seriousness it deserves, the consequence, rather than the intention of the doer's actions, would be the standard for evaluating a just act. That is, when an ideology is considered as a means to certain ends it has two possible interpretations.

First, it suggests simply that the end is more preferable or desirable than the means itself. For instance, the need for revolution in Marxist philosophy follows from this way of thinking. That is to say, freedom of the working class or social development for all (an end) is more desirable, but not revolution that happens to be a mere means. Revolution, in this case, is only needed to realize the end. So long as the end has been fulfilled, it means that the means is unnecessary unless other ends are to be pursued. Following from this analogy, the question then is: Is the idea of justice a mere means?

Again, justice as a means also suggests that without justice the ends of politics has strong tendency to be altered negatively. Herein, the meaning of justice as *means* is synonymous with the meaning of justice as *end*. It appears that when justice is primarily construed as a means, this latter usage is not usually intended. Why, then, do we conceive this connotation of justice as a means rather than as an end? Our response is that justice should be construed as an end in itself; the logic is that man must first be just before justice can be extended to the entire society. In other words, man would have to become a person to be able to act justly. This idea has been exposed briefly in the discourse on the Yoruba's conception of man/person. Let us now develop a basis for it.

From the Yoruba's dichotomy between a man and person, at least, it seems quite clear that social, legal, economic and political institutions cannot be just unless humans who are to steer the events of social institutions are just. What this translates to mean is that if X is to secure Y so that Y does not

dominate or exploit Z, then X must herself not plan to do the same to Z or have intention to collaborate with Y to dominate Z. In case Y knows quite well that X has the intention of exploiting Z and that Y is justified in believing that X would do that to Z since she has evidence to that effect, it follows then that X is not the appropriate person to secure or legislate a law on how to protect Z from being exploited. A Yoruba proverb says *aso re ni ki o wo ki o to da aso fun mi* (meaning simply that one should examine herself before she condemns others or advises others). The evidence that Y has against X, in this case, must be capable of being established through a reliable method, verified, and shown not to contain any false allegation against X. What this presupposes is that people who are to administer justice must in practice be just and those who are to bring the case of harm to the court of justice must come with clean hands. Thus, the first principle of justice as an end, therefore, deals with the individual.

In fact, it is one thing for an act to be just in principle; it another that such is effectuated in the society (practice). As an end, justice is to be pursued beyond theoretical level. That is, it ought to be practicable, rather than merely in textbooks and constitutions. Then, if it is granted that justice requires by our first principle that every individual is to be just, then it follows that *every man must be a person* for justice to be practically meaningful. To be a person means simply that one must be rational and moral. Let us construct an argument to show how this can be realized. Suppose that A is a holistic theory of justice that holds that men's actions are to be fair and impartial. Then if B, C and D as individuals are to live without each acting as threat to others, it means then that B, C and D must be just; they ought not to harm one another. That is, each ought to treat others as an end in themselves. By treating others in this way, each has ceased to be a man; rather, each is now a person.

However, when certain discrimination occurs among them such that equals are treated unequally, injustice has set in. Yoruba would say: *ika to ba wo imu ni ama fi ruu imu* (the finger that is as equal as the nostril is what is to be put in it). What this signifies is that everyone is to be treated as they ought to be treated. But how is one ought to be treated? Suppose that B, C and D are equals and are to benefit from social goods, which they have not worked for. Suppose the law states that no person is to be discriminated in the sharing of goods that are provided freely to citizens by the state. Suppose further that B, C and D are citizens of that state. Then, injustice arises should the distributor of the good discriminate against B, but not C and D. The distributor here has allowed injustice in the affair of the state. Consequently, this analogy presupposes that a theory of justice ought to start by addressing the crisis facing the individual. It would then move to institutional arrangements, then to the larger society. These three stages consist a triadic process of a holistic theory of justice.

It is therefore faulty to seek for social development without first nurturing human beings into persons. The latter must be conceived if the former would be effectively realized. It means simply that one is putting the cart before the horse. Thus, theories on social development cannot lead to *other ends/goals* of politics unless justice is rooted in individuals and institutions. It is a truism that the man that would distribute social goods must first be just; otherwise, one should expect unfair distribution.

Our examinations in the previous sections show that there are different challenges to development; hence, politics provides the platform to address shades of justices. That is to say, discourses on social obligation, social responsibilities, duties, fairness, transparency, fairness, impartiality, common good, equality, war, terrorism, among others are themes in politics, which focus on how justice can be upheld. All these are concerned on how justice is to be distributed or promoted. For instance, if government fails to perform her political obligation, citizens often raise charges of marginalization, unfairness, partiality or exploitation. This is an appeal to justice.

Thus, among the Yoruba, the discourse on justice considers issue as *ibi* (evil), *idajo* (judgment), *ese* (wrong or sin) and *aare* (right). Any *ibi* done to a person or man is always rejected. Like Aristotle, the Yoruba does not think that justice means paying evil with evil. In fact, justice means non-harm. This does not mean that the man that does the harm would not face *idajo*; instead, the judgment is meant to teach or nurture the one who has acted unjustly to become humane. Yoruba would say *aa ki n le omobuuruku fun ekun pa je* (we do not throw a stubborn child to the lion as prey). The person or man that suffers harm is then compensated so as to show to others that the state can give justice to anyone through the power she has to lord over the affairs of the society.

Idajo stresses further the issue of fundamental human rights that justice depicts. *Idajo*, which liberally means judgment, may also be rendered to mean punishment. The Yoruba will say *oti gba idajo re* (he has received his punishment), or *elese kan o le lo lai gba ijado* (no sinner would die without receiving the appropriate sanctions). This suggests that justice demands that those who harmed others are to be punished as well. Like Aristotle rightly notes, justice equalizes the disparity between the aggrieved and the person that harmed the others.

The foregoing suggests that justice is something that must be balanced in all humans before it can develop in the larger society. This does not mean that justice deals with a specific human trait; rather, it supposes a need for nurturing of moral values that can lead to the development of just actions and can benefit the masses. Here, there is a need to stress that such a justice that can be enjoyed in the human society is a minimal kind. It is

minimal because it appears that we would have to force people to comply with state laws and by so doing harm others unjustly. Therefore, an appeal to moral foundation for justice ought to precede a legal appeal. It seems apt to say that *force of the law* cannot be used to achieve the benevolent non-harm value of justice; hence, the Yoruba idea of *iwa* (character development) is to be imbibed in society. What we are suggesting here is that governments across the globe would have to commit energies to the promotion and enhancement of moral values as the basis for justice. This idea must kick-start from homes, to schools, then to the operations of establishments (both private and public).

From the foregoing, it means that laws must take cognisance of the nature of justice at its holistic dimension. In this holistic angle, man ought to be transformed through morality to be able to develop rational character. This character, to be sure, is not a mere ability to reason, think, reflect or remember. Rather, rational character requires that one should act in a way favourable to the community of humans and nonhuman beings alike. On the moral platform, therefore, justice simply connotes *ma se ibi* (do no harm). Since the Yoruba believe that a man is capable of being transformed, the transition from man to person requires *ile ire* (good family upbringing) and *iwa rere* (good character). It is *iwa rere* that deters one not to harm others and it is from *ile ire* that one learns that. And it follows from this that people would not harm other members of the community if they could develop traits such as *suuru* (patience), *ife* (love) and *ifowosowopo* (love is the basis for cooperation). Probably, when people develop these virtues, the promotion of worth, dignity and rights of others can be ensured. The point is that social crisis emerges more fundamentally when one man harms others. He harms them because he is yet to be rational in the Yoruba use of the term 'rationality,' wherein rational has its major root in morality. Therefore, issues of unfairness, impartiality, unequal distributions of dues, interferences, failure to perform one's duties, among others are instances of harm done to a man, group or society by others due to the lack of moral virtues to pursue justice in praxis.

In sum, it is therefore right to argue on the one hand that justice ought to be theorized before a philosophy of social development can begin. On the other hand, since all societies in the world deliberate on justice, they are protecting themselves (individuals and societies) from harm that may result from others' inability to act rationally (in the Yoruba sense). To us, the principle of non-harm (*ma se ibi*) therefore serves as a unifying cord that binds together all societies' parameters of justice beyond the shallow relativistic account of justice. The principle of *ma se ibi* therefore is the inner kernel of justice in practice.

Conclusion

The paper attempted a synoptic account of justice, and it argued that justice was the end of politics, which required a holistic approach. Then, we demonstrated that when a society seeks social development, such intent ought to be rooted in a holistic theory of justice as non-harm. It is our position that the Yoruba's idea of person is apt for such a course. Therefore, the paper sought for the root of justice in a normative principle of non-harm, which lies in the nature of person as rational and moral being. *Ma se ibi* (does no harm) was a principle extracted from the Yoruba's conception of person as a basis for universality of justice.

Thus, we showed the link between nature of man and justices on the one hand, and justice and political discourses on the other hand, thereby critiquing some foundations for justice. Finally, the paper demonstrated that meaningful development cannot take shape unless the issue of justice is holistically developed and used. However, since only *persons are rational*, the paper argued the position that holistic social development can only take place in society where persons are continually nurtured. Accordingly, it was noted that justice seems significant for and should exist prior to social development. Hence, we concluded that justice provides the basis for the protection of human right, dignity and worth.

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