

THE VIRTUE OF JUSTICE



This Chapter is based upon Curzer, H.J. (2012) *Aristotle and the Virtues*, pp. 223-246 (OUP). Curzer differs markedly from other Aristotelian commentators (e.g. Bostock), most markedly in claiming that there is mileage in 'the golden mean' of justice. The material in the Chapter could be used to suggest a wealth of approaches to teaching this virtue.

SECTION 1: VIRTUE KNOWLEDGE

Use the information below to complete the Virtue Knowledge Template.

1. What can those who have this virtue do particularly well?

Those who have a developed sense of the virtue of fairness, or justice are able to do the following actions:

- * they desire the right sorts of things, or goods, to the right degree, or strength
- * they desire their 'fair share' of the right sorts of things, or goods, getting what they deserve
- * they desire that others get their 'fair share' of the goods that are necessary to lead a virtuous life

The virtue of justice forms an important part of many other virtues, since it relates to treating others well, and matching goods to what is deserved. There is much truth in the phrase 'getting one's just deserts' – it's worth keeping this in mind when working out just what it is that you, and others really 'deserve'!

Those who have a developed sense of fairness have thought through how to practise and show this.

2. What are the benefits of acting out this virtue?

This is perhaps best understood by thinking through what social relations are like when fairness, or the virtue of justice is absent. Put quite simply, what does unfairness look like and why?

Unfairness shows itself in:

- * desiring the wrong sorts of things to the wrong degree, more or less than is necessary

- * desiring more or less than we deserve, personally
- * desiring that others get more or less than they deserve

Moreover, justice is the basis of any meaningful peace in social relations. Just laws, for instance, promote and protect a virtuous society, whilst unjust laws promote vices and conflict.

3. When might I practise this virtue?

We need to practise the virtue of justice in any situation where we feel unfairness is at work. We need to practise this virtue in any situation where we find

ourselves saying 'that's unfair!', either on behalf of ourselves, or of others.

4. Which desires, feelings or emotions may be alerting me to practise this virtue?

The virtue of fairness, or justice, governs the emotion of envy, spite and anger. This chapter will deal predominantly with the emotions of envy and spite; anger will be dealt with in other Chapters.

According to Aristotle:

Envy is pain felt at deserved good fortune, while the feeling of the man who rejoices at misfortunes has itself

no name, but such a man shows his nature by rejoicing over undeserved ill fortune. Between them is the man inclined to poetic justice, the name given by the ancients to pain felt at either good or bad fortune if undeserved, or to joy felt at them if deserved.

(Aristotle, EE, 1233b19-25)



Here, Aristotle identifies the pain experienced at the sight of someone else's deserved good fortune as envy; envy also extends to rejoicing at someone else's undeserved bad fortune. If the sight of another's success pains us, or the sight of their failure, (through no fault of their own) pains us, then envy is probably at work.

A man is envious when he feels pain at the sight of prosperity more often than he ought, for even those who deserve prosperity cause, when prosperous, pain to the envious; the opposite character... shows excess in not grieving even at the prosperity of the undeserving.

(Aristotle, EE, 1221a33-b3)

5. Some Dilemmas to Check Understanding

When have you been on the receiving end of an injustice? How do you know it was an injustice?

- * What did you deserve?
- * Why do you think you merited this?
- * How were you treated (presumably, out of line with what you felt entitled to, or deserved)?

Envy may also show itself, then, when we are unable to take delight in the goods and successes of others, because we are too pained by them.

Whereas envy concerns the good things that happen to, or come into the hands of people, spite concerns the bad things that befall others.

As a rule, envy wants what you have got; spite doesn't want you to have the good things you have got.

- * What did you do to redress the injustice?
- * What was the outcome: for you; for the person who treated you unfairly; for the situation?

Have you been unfair to others? If so, how and when?

Construct two sets of scenarios: one set should be shaped around being on the receiving end of injustice, the other on acting unjustly.

SECTION 2: VIRTUE REASONING

1. What are my current basic dispositions and inclinations in relation to this virtue?

Thinking Back

Think back to situations that you have encountered that have been an invitation to act more fairly. Choose one situation where justice was called for; use the following prompts to write a short piece, explaining how you responded in the situation.

- * Do you **desire** those things that are conducive to health, a virtuous life, a good reputation and safety?
- * Do you **have more or less** than your fair share of the good things in life?

- * Do you **delight in seeing** a just distribution of the earth's goods, and, are **pained** by unjust manifestations of distribution?
- * How **pained** are you by the undeserved good fortune of others, and all good fortune that may come the way of others? How does this show itself? How frequently are you pained by this?
- * How much **pleasure** do you take in the bad fortune that befalls others, and how frequently?

Share your answer with a partner and discuss it.





Evaluate your basic inclinations and dispositions in the light of the virtue of justice using the table below.¹

I SHOW:	WHEN PEOPLE RECEIVE THE GOOD THINGS THEY DESERVE, I AM:	WHEN PEOPLE RECEIVE GOOD THINGS THAT THEY HAVEN'T EARNED, OR DESERVED, I AM:	WHEN BAD THINGS HAPPEN TO PEOPLE THROUGH THEIR OWN FAULT I AM:	WHEN BAD THINGS HAPPEN TO PEOPLE AND THEY DESERVE MUCH BETTER, THEN I AM:
JUSTICE FOR OTHERS	Pleased	Pained	Pleased	Pained
ENVY: PAIN AT THE GOOD FORTUNE OF OTHERS, DESERVED, OR UNDESERVED	Pained	Pained		
SPITE: TOO MUCH PLEASURE AT SEEING THINGS GO BADLY FOR OTHERS, WHETHER DESERVED OR UNDESERVED			Pleased	Pleased

2. What are my options or choices for practising this virtue?

Thinking Forward

Think forward to a situation that will require you to act fairly and justly, giving to others what they deserve. Use the following prompts to think through some of the moral features relating to justice of that situation.

- * What do others merit? Why?
- * If the situation requires you to make a fair exchange of goods, deeds, or words, how will you ensure that what is given and what is received is of equal value?

- * If the situation requires you to redress an injustice, which ill-gotten gains will you restore, or see restored from the wrongdoers to the victims? How?

Further considerations:

- * Am I committed to justice?
- * Concerned for the rights of others?
- * Confused about what others deserve, and, as a result perform unjust acts...

¹ Adapted from Aristotle and the Virtues, Curzer



Complete the Golden Mean Template below to think through what the morally appropriate and morally inappropriate acts will look like in the situation that you have identified as calling for a just response from you.

	UNDERDOING IT	JUSTICE	OVERDOING IT
JUSTICE ABOUT THE RIGHT SORTS OF THINGS	<p>Actions that show that I am not concerned to give others the right amount of the right sorts of things will include:</p>	<p>Actions that show that I am committed to a just distribution of the earth's good things will include:</p>	<p>Actions that show that I am too concerned to give others the right sorts of things, normally at the expense of others (closer to home) will include:</p> <p>Actions that show that I want too many things, I want them to too strong a degree, and I want them too often will include:</p>
JUSTICE FOR ME - AND YOU	<p>Actions that show that I want less than my fair share will include:</p> <p>This can be motivated by pride in asceticism, laziness, or a low sense of self-worth. It is a self-destructive pathway.</p>	<p>Actions that show that I desire to seek a just share for myself, the share that is due to me, will include:</p>	<p>Actions that show that I want more than my fair share, too often, and too much will include:</p> <p>Those in this camp, tend towards being avaricious, harvesting more than their fair share of common goods to themselves</p>

Outline what your action(s) will be, when you encounter the situation that calls for justice.





A GOOD SENSE CHECKLIST

I understand the moral point and purpose called for by the activity – I know which virtues the situation, or activity is calling me to practise and promote.

I understand how to balance out, or prioritise the clashing virtues.

I understand how to apply the guidelines I have learnt from experience and reflection.

I understand how my actions will be perceived by others.

I can specify what my emotions are alerting me to do.

I know how to practise the appropriate virtues to express the moral point of this activity.





SECTION 3: VIRTUE PRACTICE

Think back to the situation that you identified as calling for greater justice from you. How did it go? Use the Examined Life Tool below to identify strengths and areas to develop.

STATES OF CHARACTER	ARE MY DESIRES, PLEASURES AND PAINS:	ARE MY CHOICES AND DECISIONS ABOUT HOW TO ACT OUT THE VIRTUE OF JUSTICE:	HOW WELL DID I CARRY OUT THE DECISION TO ACT WITH GREATER FAIRNESS:
VIRTUOUS: SPOT ON	<p>Right:</p> <p>I desire the right sort of goods to the right amount; I desire my fair share and that others get their fair share too. I am pleased when people get what they deserve, and pained when they don't; I am pained when people get what they don't deserve.</p>	<p>Right:</p> <p>I get the right sorts of things; I ensure that others get what they deserve.</p>	<p>Right:</p> <p>I take delight in just acts; I am pained by unjust acts. I make sure that each get their due of the good things, including myself. I am completely in control of any envy, spite, or malice I could experience.</p>
CONTINENT: GOT THERE THROUGH GRITTED TEETH	<p>Wrong:</p> <p>I desire things that have nothing to do with the good life; more/less than my fair share; I am pleased when others get what they don't deserve; and pained when they get what they deserve.</p>	<p>Right:</p> <p>I get the right sorts of things; I ensure that others get what they deserve.</p>	<p>Right:</p> <p>I take delight in just acts; I am pained by unjust acts. I make sure that each get their due of the good things, including myself. I am completely in control of any envy, spite, or malice I could experience.</p>
INCONTINENT: KNEW WHAT THE RIGHT THING TO DO WAS, BUT GOT CARRIED AWAY	<p>Wrong:</p> <p>I desire things that have nothing to do with the good life; more/less than my fair share; I am pleased when others get what they don't deserve; and pained when they get what they deserve.</p>	<p>Right:</p> <p>I get the right sorts of things; I ensure that others get what they deserve.</p>	<p>Wrong:</p> <p>I don't take much delight in just acts; it pains me to see others prosper, even though they deserve it; it gives me pleasure to see others fail, even though they don't deserve it.</p>
UNWISE: I NEED A RETHINK HERE	<p>Wrong:</p> <p>I desire things that have nothing to do with the good life; more/less than my fair share; I am pleased when others get what they don't deserve; and pained when they get what they deserve.</p>	<p>Wrong:</p> <p>I desire things that have nothing to do with the good life; more/less than my fair share</p>	<p>Wrong:</p> <p>I don't take much delight in just acts; it pains me to see others prosper, even though they deserve it; it gives me pleasure to see others fail, even though they don't deserve it.</p>

Make resolutions about how you will tackle areas of weakness and continue to practise areas of strength in relation to the virtue of justice in the future.

