

Marx's Critical and Historic View of Justice— Analysis on Marx's Theory of Justice

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ABSTRACT: Marx himself did not publish any special work on justice, so the academic circles have had a great controversy on Marx's theory of justice. For example, Tucker and Wood thought Marx did not think capitalism was unjust. However, this proposition only questions a short answer to Capital, and largely disregards the entirety of Marx's thought. The judgment of the legitimacy of economic behavior should be placed under specific production conditions. Through the refining of Marx's works, we can see that there are two main characteristics of his thought of justice: critical and historic. The criticism of justice is reflected in the criticism of capitalist private ownership and private property, and the elaboration of justice theory cannot be separated from the concrete historical situation.

KEY WORDS: Marxism, justice, two characteristics, Tuckwood proposition

Date of Submission: 18-07-2020

Date of Acceptance: 03-08-2020

Justice is a concept that cannot be ignored in political philosophy. However, in Marx's many theories, justice appears to be absent, so it is often believed that Marx does not have his own theory of justice. Western Marxists, represented by Tuckwood, believe that Marx was against justice and his moral values led him to oppose criticism of capitalism from the standpoint of justice. However, several questions arise in this context. First, is Marx really against justice? Second, if Marx has his own view of justice, which of his work embodies the theory of justice? Based on the criticism of Tuckwood's proposition, this paper analyzes Marx's view on justice and the difference between Marx's position and the "Due justice theory". Finally, we find the critical and historical features in Marx's justice theory.

I. TUCKWOOD'S PROPOSITION AND REFUTATION

"Tucker-Wood proposition" refers to the contemporary British and American Marxists, Robert Tucker, Alan Wood and scholars who shared their ideas, against Marx's support for justice. These authors believe that Marx opposed to criticize capitalism from the standpoint of justice. For example, exploitation is the inherent requirement of capitalist mode of production, so it can not be said that exploitation is unjust because it meets its moral requirements in capitalism. This understanding is inaccurate interpretation of Marx's thought of justice.

The main source of controversy is the passage in which Marx writes in Capital,

It is meaningless here to say with Gilbert what is natural justice. The justice of the transaction between the production parties lies in that the transaction is produced as a natural result from the relations of production. This kind of economic transaction, as the will act of the parties, as the expression of their common will, as the contract that can be imposed by the state on the parties to the treaty, is manifested in the legal form, which, as a simple form, can not determine the content itself. These forms simply represent this content. This content, as long as it adapts to the mode of production, is just; as long as it contradicts the mode of production, it is unjust. On the basis of capitalist mode of production, slavery is unjust; fraud in the quality of goods is also unjust.

According to Tucker and Wood, Marx did not regard capitalism as unjust and opposed criticism of capitalism from the moral perspective. The passage above, however, demonstrates different perspective. As long as the process of capitalist production and exchange is not against the common will of both sides, this process can not be said to be unjust because such transactions meet the inherent requirements of capitalism. Capitalism-based modes of production can not be measured by justice. Although literally, Marx affirmed the justice of bourgeois internal transactions, his position is not uncritical of internal operation of capitalism. The purpose of Marx's writing is to criticize Gilbert's "principle of natural justice: A man who borrows money for profit should pay a portion of the profit to the lender, which is self-evident principle of natural justice." The principle of justice, in Gilbert's view, is an abstract concept of justice that is not combined with concrete historical realities and therefore does not address any specific issues. Marx believes that economic behavior must be analyzed under specific production conditions in order to explain whether it has legitimacy. So, Marx neither states that

capitalism cannot not be criticized by the standard of justice, nor considers capitalism to be a type of justice system.

Secondly, selected scholars have questioned the translation of Marx's words in Capital by Central Compilation and Translation Bureau, which is responsible for compiling Marxist classics and translating central documents for foreign audiences. Some of the scholars believe that mistranslation phenomenon may lead to misinterpretation of Marx's view on justice. Duan Zhongqiao points out that the Central Bureau of Compilation and Translation of the original German "Die Gerechtigkeit der Transaktionen, die zwischen den Produktionsagenten vorgehen" translated as "the justice of the transaction between the production parties" is inaccurate. This translation method does not translate the specific meanings of "Die Gerechtigkeit" (this kind of justice) and "der Transaktionen" (these transactions) in the original text, so the translation is easily understood as "the justice of any sale between the parties involved in production." While Gilbart suggests that, in the transaction between the person who borrows to make a profit and the lender, the former's act of paying profits to the latter is just, Marx's focus is on refuting this. The justice that Gilbart talks about is not "natural justice" at all, and the justice of trade shows only the inevitable result of capitalist mode of production. Marx does not put forward his own view of justice. Possibly, translation requires a holistic and clear understanding of the author's ideas, and literal word-by-word translation may not express the author's meaning accurately.

The above discussion demonstrates Tuckerwood's proposition is one-sided and does not grasp Marx's overall theory. Next, we will look for the trace of justice thought from Marx's original work.

II. EXPLORING MARX'S THEORY OF JUSTICE

Since Marx has his own view of justice, it is important to locate where this view is stated. Although Marx does not have a special book to systematically discuss the issue, this does not mean that he attaches no importance to the value of justice in politics. Marx demonstrates his views on justice in confrontations with other theories of justice, especially in the criticism of capitalist mode of production. For example, in capitalism, the interest generated by borrowing is only a financial means of the capitalists, and the money they receive is deserved and reasonable. The capitalists do not need to distribute the profits from the borrowing to the lenders because they maintain the circulation of the whole market. Marx does not begin with criticizing this economic behavior, but analyzes the superficial equality of commodity and labor exchange under the background of capitalism, and reveals the fact that labor force is unconsciously located under the control of capital. Marx negates the market environment of capitalism. If positioned in the production mode of the advanced stage of socialism, then the behavior that collects interest to oneself is unjust. The highest goal of Marxism is to eliminate private ownership, and Marx is absolutely in the position against capital. Marx continuously criticizes the unequal distribution of wealth in capitalist society and the exploitation of workers' labor value by capitalists. This criticism is based on the just principle of human society constructed by communism, and this perfect communist social form of the future is completely contradictory to the capitalist society.

Marx also refers to "justice" in the Declaration on the Establishment of the International Workers' Association and the Interim Constitution of the Association. There he writes:

The association declares that all groups and individuals who join the association recognize that truth, justice and morality are the basis of their relations with each other towards all, regardless of colour, belief and nationality. In the opinion of the Association, there is no duty-free power and no duty-free.

Marx suggests workers should unite to fight for human rights and equal rights as a matter of justice. In his discussions, Marx positions fairness and morality together. He places justice at a higher level, parallel to truth and morality, because the category is self-evident and universally recognized, and his understanding of justice is based on universal humanity. Although Marx denies the establishment of justice criterion by abstract human nature, the presence of justice in human nature must have its value. Justice belongs to a type of good, and anything possessing good can not be ignored.

III. THE CRITICAL AND HISTORICAL CHARACTERISTICS OF MARX'S THEORY OF JUSTICE

Marx's theory of justice is considerably different from that of other philosophers. In the Republic, the just state constructed by Plato is not only a political system, but also a demand for personal virtue. Different classes have their share, and the producers, the auxiliaries, and rulers do their parts, so that the different classes of society coexist harmoniously and do not cause contradictions and unrest. Aristotle also said, when discussing justice: "In one sense, we regard those acts that tend to produce and maintain the happiness of the political community or its constituents as fair." He thinks that injustice is asking for too many good things. In the theory of justice, Rawls also points out that justice is used to distribute the basic rights and obligations of citizens, and puts forward two basic principles to realize justice. From Plato to Rawls, the basic meaning of justice can not be separated from the word "due". "Due" is the fair distribution of good things. Fair distribution means giving the deserved person the corresponding items. Everyone has their own identity. Different identity should

get different items, such as wealth and status. This kind of justice theory with the connotation of due is called "due justice theory". Due justice theory takes private ownership and private property as the premise to explain the income and wealth due. Private ownership is ultimately the root of all inequality, and Marx himself is firmly opposed to private ownership. Therefore, Marx's theory of justice is completely different from the "theory of due justice". Justice is not just a relationship between rights and obligations, but a broader value.

Marx criticizes the existence of private ownership and private property as the starting point, pointing out the inherent theoretical contradictions in classical economics.

National economics starts from the fact of private property. But it doesn't tell us the truth. It puts the material process of private property in reality into general, abstract formulas, and then takes them as laws. It does not understand these laws, that is, it does not indicate how they arise from the nature of private property.

The law of classical political economy is only an abstract summary of the general process, and there is no possibility to solve the problem of reality. Therefore, capitalism with classical political economy as ideology is also untenable, and it demonstrates that the labor alienation and injustice that occur inside capitalism lead to the justice of socialism.

The reason why Marx's theory of justice is different from other theories of justice is that it transcends the justice of liberalism and criticizes it, which can be said to be a kind of "critical justice". In his view, the theory of liberal justice is only to regulate the various interests of society. Rawls wants everyone to be as equal as possible in private property, so that the rich people's money is redistributed to the poor, and the most disadvantaged members of society receive the best benefits. But under the premise of private ownership, Marx believes that this theory can only be an ideal, because people only pay attention to their own rights, committed to their due interests to find legitimacy. So in capitalist society, justice or fairness is out of reach. If, in the ideal communist society, everyone is good, there is no conflict, and material resources are no longer scarce. Everyone can obtain what they need, so there is no problem of equitable distribution of resources. Then there is no need to pay attention to justice in such a society. However, the question to consider is whether there really is a society with plenty of resources and no contradictions? Is this conception of human society an illusion?

Marx explains the difference between its ideal society and utopia, which had the same goals, but different guiding theories, "[...]but instead of utopia, it is the true insight into the historical conditions of the movement and the growing accumulation of strength from the working-class fighting organizations." Therefore, Marx's theory of justice can not leave the specific historical conditions. Marx's materialism is dialectical historical materialism, so history is an important attribute of Marx's theory of justice, Marx writes: "This content, as long as it is consistent with the mode of production, is just; as long as it is inconsistent with the mode of production, is unjust." It can be proved that Marx affirms the role of the principle of justice in a specific historical environment, but the principle of justice is not fixed as it is subject to different social conditions. Since there are different classes of justice principles, then there should be a supreme principle of justice. Marx therefore puts forward his most advanced principle of justice — "distribution according to need", that is, super-righteousness. This principle of need is embodied in the form of "From each according to his ability, to each according to his needs." This principle applies to the advanced stages of communist society: the development of productive forces to extremely high levels and the full flow of material wealth. Yet, this principle has also aroused great controversy. It is pointed out that Marx originally criticized the abstract principle of justice, but the communist society has not yet realized, this "need principle" is not also an abstract, divorced from the historical principle of justice. This kind of criticism also raises considerations whether Marx's principle of justice is divorced from history, or carries out his own requirements for the specific social environment. The paper argues that Marx's principle of justice is not abstract, and when the productive forces develop to the final stage of socialism, such a just society can be realized, that is, in a communist society. The realization of communist society is an inevitable result in the minds of Marxists. Wang Xincheng suggests:

In a certain sense, the whole goal of Marx's philosophy is to clarify the realistic inevitability of communism as the ideal life of mankind in the future. Here, communism is not only a moral principle, but also a social state that must be realized in the development of history. The unity of the two is the unity of cognition and norm under the principle of historicism, and the unity of historical principle and moral principle.

For Marxism, the ideal of communism stems from an understanding of the historical conditions of reality and the historical laws of constant movement, rather than from abstract inferences of the moral principles themselves.

To sum up, Marx's theory of justice shows two most important characteristics: critical characteristics and historical materialism characteristics. Marx analyzes the "superficial justice" of labor and exchange in capitalist society. He subsequently expounds the phenomenon of labor alienation in capitalism, in which workers are enslaved by commodities, that is, capital. Finally, Marx reveals the injustice of the basic social structure of capitalism. On the basis of historical materialism, Marx's ideas prove the inevitability of freedom and equality in communist society, and complete his own construction of a truly just society.

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Yichun Wang. "Marx's Critical and Historic View of Justice— Analysis on Marx's Theory of Justice." *IOSR Journal of Humanities and Social Science (IOSR-JHSS)*, 25(7), 2020, pp. 38-41.