

The Need for Justice

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Synopsis

- The proposition
- Evolving tradition of respect for ‘inalienable justice’
- Experiential revival of the concept
- Triple strands of justice
- Working definitions
- Locking into a theory of motivation
- Turning to Abraham Maslow (1908-1970)
- Implications for training, practice, and research

The proposition

- Justice is a pre-eminent matter of significance for people at all stages of the life-cycle, and everywhere
- Its importance should be reflected in a leading theory of human behaviour
- Following Maslow, it could be incorporated among safety needs, with particular relevance for those of belonging, and the implications should be contemplated and addressed

Evolving tradition of respect

- Ancient Greeks, early Christian Fathers
- Middle East, Europe, Asia, the Pacific
- John Warr (1649)
- John Rawls (1971) – ‘original position’ ; (1993) ‘fairness’
- WCSDG (2004) – terrorism
- UN (2005) ditto

Experiential revival of the concept

- Reflections on law-making, changing, and implementation that at best might approximate the ideal but at worst provide ‘rough justice’
- Probation and prison work
- Clinical practice
- Employment Court and Coroner’s Court cases
- Justification sought for different kinds of disaster

The triple strands of justice

- Civil justice – between aggrieved parties
- Criminal justice – between offenders, their victims, and their communities
- Social justice – between minority and majority groups in society

Collectively construed with social indicators –
thermometers of community wellbeing

Summerfield (2000):

‘history shows ... social reform is the best medicine, for victims of war and atrocity, this means public recognition and **justice**.....

.....post-traumatic reactions are not just a private problem, with the onus on the individual to recover, but an indictment of the sociopolitical forces that produced them’.

Working definitions:

- Justice is an essential precondition for approximating the good life - it ensures the reciprocal quality of relationships between people for their mutual wellbeing
- Morality is the quintessential code by which behaviour might be ordered
- Basic human needs are the major motivating factors essential for personal and social development

Locking into a theory of motivation

- To give cogency, consistency, facilitate dialogue, promote the application, research, and evaluation and modification
- Accepting the preference for parsimony by building on existing theory
- Appreciating that adversaries, clinicians, counsellors, mediators, parents, and teachers deal with grass-roots issues
- Noting that the over-riding topic has received scant attention from social scientists

Melvin J Lerner – one pioneer exception

- ‘At the macro level of analysis, at least in Western societies, Justice has a special status superseding all other norms and values.
- The requirements of justice have the power to legitimise and at times to demand the sacrifice of liberty, lives, and happiness.
- No other secular norm or value has a comparable power.’

(2002) Pursuing the justice motive. In Ross & Miller, ch.2.p.10

Turning to Abraham Maslow (1908- 1970)

- The founder of humanistic psychology who regarded justice ‘almost as a basic need’
- but fell short of ascribing moral obligations for the ‘self-actualized’ to address injustice
- spawned many ‘personal growth’ disciples but few critical researchers
- had managers adopt his schema for motivating workers, and academic psychologists deride it for its subjectivity and limited psychometric base

Maslow's Motivational Hierarchy

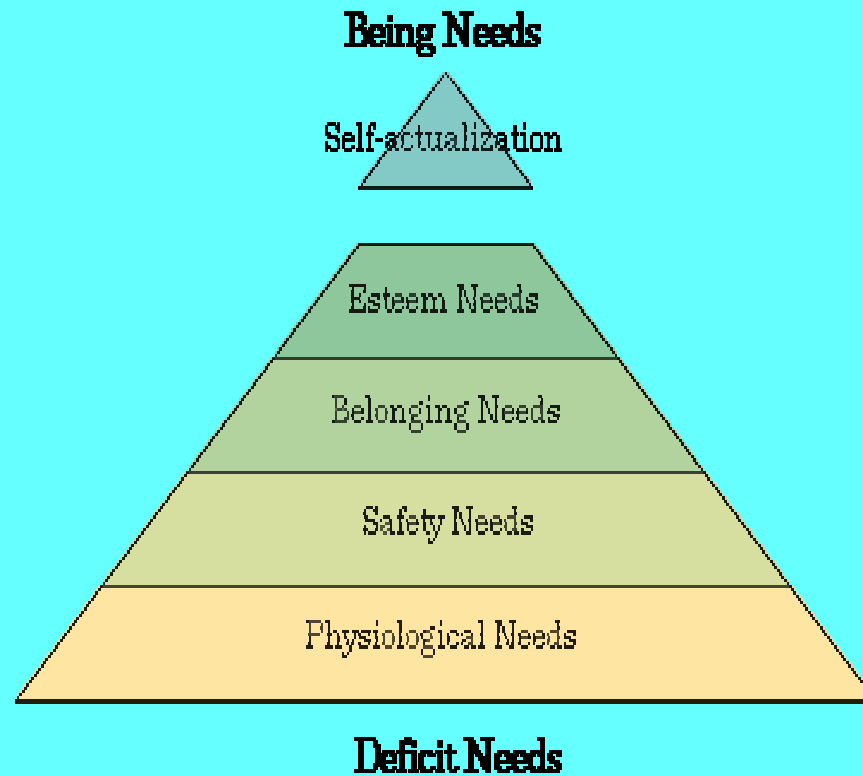
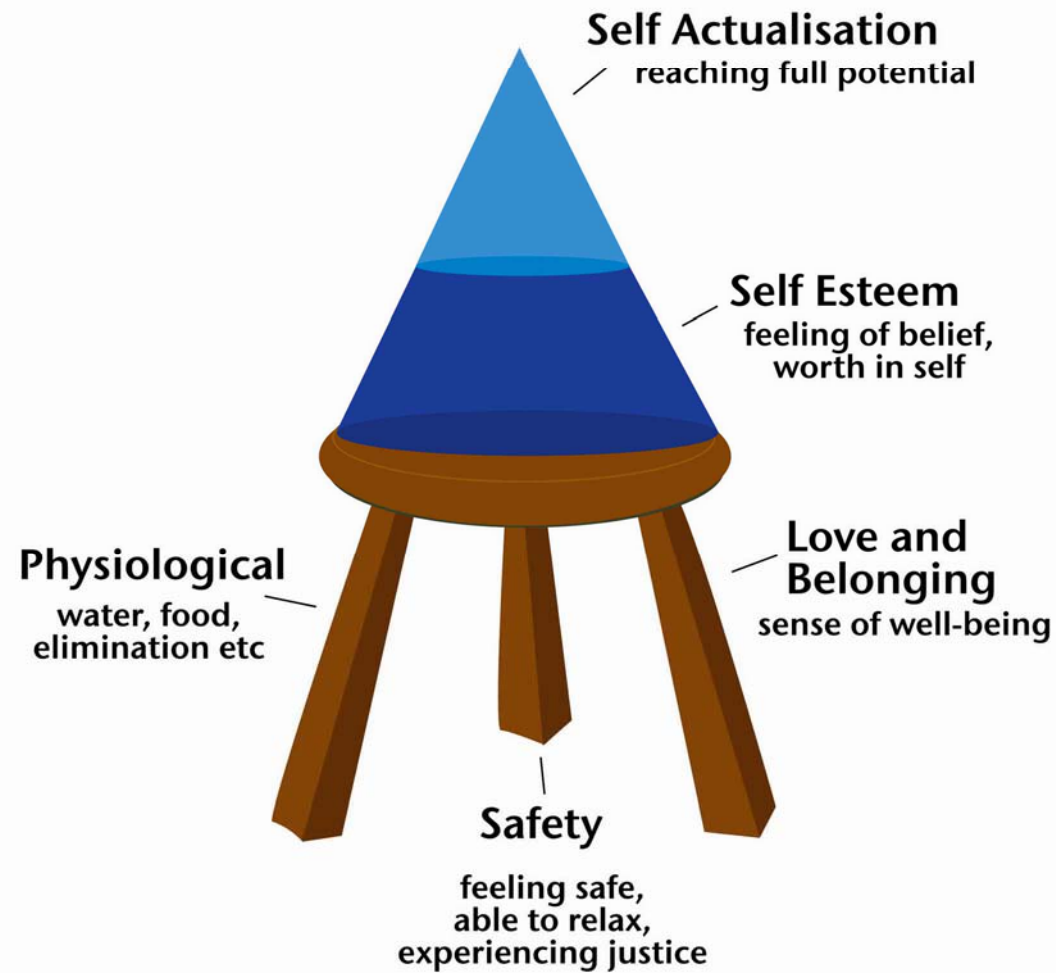


Figure 2. Maslow's schema refigured to include justice as a basic human need.



The implications

- Justice goes beyond matters of establishing contractual rights and giving protection from criminal offences, to neutralising the aversive effects of socio-political policies
- Necessitates the application of a humanistic /scientific/practitioner model of human behaviour
- Requires practitioners with a broad interdisciplinary commitment and training to devise and monitor justice among social indicators

Finally the proposition:

- Gives further endorsement to the emerging practice and philosophies of Restorative Justice and Therapeutic Jurisprudence
- Encourages developmental & cross-cultural research
- Raises profound questions for clinicians, law enforcement, lawyers, mediators, philosophers, policy-makers, theologians, and everyone trying to accommodate the causation of conflict and catastrophe
- Induces reflection on unencumbered spirituality