



Justice as a Virtue

September 19, 2007

The recent resignation of Attorney General, Alberto Gonzales raises important and practical issues of justice in the workplace. It appears that the management of the Justice Department was not just. The long drawn out scandal that led to Gonzales's resignation centered on the firing of seven US attorneys. The Justice Department claimed that these firings were performance based. The attorneys argued that they were fired for political reasons; the fact that many of them had positive performance reviews supported their argument. If these firings were based on performance, that would have been fair. If they were motivated purely by a political agenda, that's unfair. Of course, everything in Washington is political, but these dismissals seemed to have crossed the line.

This scandal highlights the importance of justice in the workplace. People require being treated fairly. Good parents, teachers, managers, and administrators know that nothing generates resentment and discontentment as quickly as the perception of unfair or unjust treatment. In order to keep a class, corporation or organization running well and with high morale, the people in charge must to some extent possess the virtue of justice. The late philosopher, Robert Solomon writes, "In the corporation, justice is not only a virtue. It's an utter necessity. 'Justice, as fairness,' holds the institution together. As fairness, it is the fact and perception that all members of the organization and everyone connected with it is 'getting their due.'"

Fair or just decisions are difficult to make. Sometimes it is not easy to decide who gets the A or the yearend the bonus? Is it the hard worker or the one with talent, the overachiever or the one with natural abilities? Should a person's needs be included in these judgments, or is performance the only consideration? The virtue of justice requires the capacity to make fair judgments about who gets what. But what should be included in these judgments? How does one make sure that everyone is being treated fairly?

Considerations of justice begin with the requirement for equal treatment. For example, justice requires "equal pay for equal work." But equality is not enough. In the early 1960s Kurt Vonnegut published a short story, *Harrison Bergeron*, which satirizes misunderstandings of justice as literal equality. Vonnegut imagines a society in the future where everyone is *made* to be equal. The way the society achieves equality is by handicapping exceptional people. Dancers with exceptional artistic and athletic abilities are required to wear weights, and people with superior intelligence are lobotomized. Strict equality is achieved by leveling down. It seems that it is easier to achieve equality by making exceptional people mediocre, than mediocre people exceptional.

Those who possess the virtue of justice make consideration of equality the starting point for their judgments. However, measuring out equal treatment is no short cut to making just decisions. One thinker writes, "It's not just to give everyone the same things; they neither enjoy the same abilities nor bear the same burdens or responsibilities." How can we achieve equality in a world of unequal individuals, without making everyone mediocre?

Paradoxically, while considerations of justice require equal treatment; they also require unequal treatment. There is a common understanding of justice that goes back to the ancient Greeks: "Equals should be treated equally, and unequals should be treated unequally." The first part justice, that equals should be treated equally is easy. It is the second part that is difficult. One thing is clear, those who have the virtue of justice do not include things like hair color, race, sex, and the like in their criteria for unequal treatment. They do include merit. "Giving everyone what they deserve on the basis of their individual effort and accomplishments must be included in just decisions. However, merit is not enough. Virtuous teachers, managers and administrators must include a long list of other criteria. Along with equality and merit, things like need, rights, duties and loyalty are included. "Justice is not simple. It requires judgment." It cannot be reduced to a list of laws, rules, regulations, and the like. It involves a broad range of considerations (Solomon 239). Laws, rule, regulations and codes are not justice, but tools to serve justice. As Martin Luther King famously said in his Letter from the Birmingham jail, quoting Augustine, "an unjust law is no law at all."

The point of this brief discussion is to stimulate reflection about the importance of justice in the workplace. Also, to raise considerations about justice is a virtue, a character trait. It is difficult to acquire the capacity to make fair judgments using a many criteria applied in complex circumstance. Justice is contextual, and it virtually always involves conflicting considerations and different dimensions of justice (Solomon). Virtuous teachers, managers and administrators who possess this virtue more often than not oversee well functioning classrooms, businesses and organization. As one thinker has noted, "justice will exist if we act with justice."