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Laurance Labadie
Justice
1930-1935

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Justice

Laurance Labadie

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To what extent, if any, is violence justifiable? To answer this question some standard of "justice" must be postulated. What are we to understand by the term justice? Are we to determine it in terms of the individual or in terms of society? To what extent do these starting points overlap? Does the individual, or rather should the individual, have rights and prerogatives over which society should have no jurisdiction? Or should all his acts be judged in the light of benefit to society? Should society have the right to coerce the individual for its advantage? If so, how far should this right extend? If happiness is to be the standard for judging the individual's conduct, to what extent is the individual's happiness antagonistic to social happiness? What is happiness? What relation should exist between the individual and society? Or between combinations in society? Is the standard "The greatest happiness to the greatest number" just? Does expediency furnish a basis for justice? How can what is expedient be determined? On whom are final judgments to be made? And by whom? Who is to rule, and how much?

One thing is certain. The happiness of society is dependent upon the happiness of members in society. So if we are to attack the problem intelligently, we shall have to investigate the

nature of the individual, his happiness, and the conditions for his happiness. We learn from biology and thru everyday observation that no two individuals are alike.[1] Each has his peculiar inclination and tastes; each is a distinct and unique personality. One suffers in proportion to the extent his inclinations and desires are frustrated; one is happy when functioning fully in a manner peculiar to his individuality. Growth and development necessitate freedom of action. Man is hampered by facts inevitable in the nature of things, facts over which he has no control, but he is also hampered by his ignorance, which he can remedy, and by other men with whom, however, he may come to an understanding and agreement to abide by some cod that may be mutually beneficial to all. Probably this first agreement will be paradoxical and factual. It will be: We will agree to disagree. The problem arises; also paradoxical in nature: How can we disagree agreeably? This is solved by the agreement to abide by the law of equal freedom which reads: Each man should have a right to do anything he pleases provided in doing so he does not invade the equal liberty of others. Or: Each should have the maximum of liberty compatible with like liberty for all others. Obviously such a law implies a distinction between liberty and invasion and because of it the expression "the liberty to invade" would be contradictory to the law itself. Equal liberty, while being the maximum amount of liberty compatible with itself, is also a limitation of liberty because it denies anyone any more than another.[2] It is not liberty to act at the expense of another, unless the other should consent to bear the expense and in this case become a voluntary cooperator. The law of equal liberty is adopted as an expedient of the

[1] The punctuation in the original document is unclear. It looks like a comma or semicolon, but a period seems to make the most sense.

[2] "Anyone" misspelled as "any one."

promotion of the greatest possible [good] for all individuals concerned.[3]

On the loose use of the term society and the sophisms by which tyranny can be equally justified by such use. What is "society"? Does not the word imply voluntary organization? Can the determination of what is good for society be by any other than comparatively few individuals? Anarchism [is] the agreement between as many individuals as do agree in anything i.e. innumerable societies overlapping, excluding, or including each other.

[3] The word following "possible" is missing. "Good" seems to make the most sense.