

# **THE CONCEPT OF JUSTICE IN THE THEORY OF KARL MARX - A HISTORICAL AND POLITICAL PERSPECTIVE**

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# HISTORICAL PERSPECTIVE

- Central terms are emancipation and equality, not justice – the last only a step to emancipation
- „Fair“ are relations of distribution, which are in accordance to the given level of social development and create spaces of progress
- Interpretation is a subject of class/social struggle
- Class-solidarity as the way to justice (self-organisation)
- Ideological and cultural dimension
  - Legitimation or
  - Rejection of a given form of appropriation

# **MARX CONCEPT OF JUSTICE AND DISTRIBUTION**

- Object of discussion from economical, political and ideological points of view in different contexts:
  - Capital (all volumes)
  - The Eighteenth Brumaire of Louis Napoleon
  - Critique of the Gotha Programme
  - Anti-Dühring (together with Engels)
- Embedded in the analysis of dialectics (contradictions) of societies

# **MARX IN HIS „CRITIQUE OF THE GOTHA PROGRAMME”**

“Do not the bourgeois assert that present-day distribution is "fair"? And is it not, in fact, the only "fair" distribution on the basis of the present-day mode of production? Are economic relations regulated by legal concepts or do not, on the contrary, legal relations arise from economic ones?”

(MECW 24 p. 84)

# **JUSTICE AND REPRODUCTION**

- Distribution and redistribution as moments of the CYCLE of reproduction; so „justice“ is determined by all elements, incl. appropriation (property)
- Interdependence of reproduction of material base and reproduction of social relations

# QUANTITATIVE AND QUALITATIVE ASPECTS

- BOTH productive relations AND the level of productive forces (incl. quantity of goods and services) determine the content / the possibilities of justice
- „Limits of distribution“ = Limits of justice?
  - Distribution and driving forces in society
  - Differences in reproduction of labour force
  - Limits, determined by environmental crisis and other global problems

# MARX IN HIS „CRITIQUE OF THE GOTHA PROGRAMME”

“Let us take first of all the words “proceeds of labour” in the sense of the product of labour; then the collective proceeds of labour are the total social product.

**From this must now be deducted:**

First, cover for **replacement of the means of production** used up.

Secondly, additional portion for **expansion of production**.

Thirdly, reserve or **insurance funds** to provide against accidents, disturbances caused by natural factors, etc.

These deductions from the “undiminished proceeds of labour” are an **economic necessity** and their magnitude is to be determined according to available means and forces, and partly by computation of probabilities, but they are in no way calculable by equity.

There remains the other part of the total product, intended to serve as **means of consumption**. Before this is divided among the **individuals**, there has to be again deducted from it:

First, the general **costs of administration** not directly appertaining to production. This part will, from the outset, be very considerably restricted in comparison with present-day society and it diminishes in proportion as the new society develops.

Secondly, that which is intended for the **common satisfaction of needs, such as schools, health services**, etc. From the outset this part grows considerably in comparison with present-day society and it grows in proportion as the new society develops.

Thirdly, **funds for those unable to work**, etc., in short, for what is included under so-called official poor relief today.

Only now do we come to the “distribution” which the programme, under Lassallean influence, has alone in view in its narrow fashion, namely, to that part of the means of consumption which is divided among the individual producers of the collective.

The “undiminished proceeds of labour” have already unnoticed become converted into the “diminished” proceeds, although what the producer is deprived of in his capacity as a private individual benefits him directly or indirectly in his capacity as a member of society.” (MECW 24 p. 84f.)

# CONTRADICTIONS OF DISTRIBUTION AND JUSTICE

- Three levels of competition (subject of all volumes of Capital)
  - Capital-labor
  - Among workers, incl. global dimension (colonial question) and gender question
  - Within capital
- Nature and society (Capital III)
- State and society (18th Brumaire)
- Longterm-shortterm interests (Anti-Dühring...)
- Consumption-accumulation

# MARX IN CAPITAL VOL. III

“From the standpoint of a higher economic form of society, private ownership of the globe by single individuals will appear quite as absurd as private ownership of one man by another. Even a whole society, a nation, or even all simultaneously existing societies taken together, are not the owners of the globe. They are only its possessors, its usufructuaries, and, like boni patres familias, they must hand it down to succeeding generations in an improved condition.” (MECW 37 p. 763)

# **MARX IN HIS „CRITIQUE OF THE GOTHA PROGRAMME”**

“What we are dealing with here is a communist society, not as it has developed on its own foundations, but on the contrary, just as it emerges from capitalist society, which is thus in every respect, economically, morally and intellectually, still stamped with the birth-marks of the old society from whose womb it emerges.” (MECW 24 p.85)

# MARX IN HIS „CRITIQUE OF THE GOTHA PROGRAMME”

“It recognises **no class distinctions**, because everyone is only a worker like everyone else; but it tacitly recognises the unequal individual endowment and thus productive capacity of the workers as natural privileges.

It is, therefore, a right of inequality, in its content, like every right. Right by its nature can exist only as the application of an equal standard; but **unequal individuals** (and they would not be different individuals if they were not unequal) are measurable by an equal standard only insofar as they are made subject to an equal criterion, are taken from a certain side only, for instance, in the present case, are regarded only as workers and nothing more is seen in them, **everything else being ignored.**” (MECW 24 p.87)

# **JUSTICE, POLITICAL STRUGGLE AND REGULATION**

- Contradictions remain in post capitalist societies – and new ones emerge
  - Unchanged division of labour
  - Cultural „conservatism“ (f.i. gender relations)
  - Emancipatory approach (pretension) – inequality of individuals, „natural privileges“ of individuals
  - Commodity production and its own social laws
  - Relation society - nature
- Who decides, what are „economic necessities“ and social necessities?

# MARX IN HIS „CRITIQUE OF THE GOTHA PROGRAMME”

“In a higher phase of communist society, after the **enslaving subordination** of the individual to the division of labour, and thereby also the antithesis between mental and physical labour, **has vanished**; after labour has become not only a means of life but **life's prime want**; after the productive forces have also increased with the **all-round development of the individual**, and all the springs of common wealth flow more abundantly — only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banners: From each according to his abilities, to each according to his needs!” (MECW 24 p.87)

# JUSTICE, NEGATION OF CAPITALIST PROPERTY, SOCIAL PLAN

Marx' solution:

- “arrange its plan of production in accordance with its means of production, which include, in particular, its labour-powers” (MECW 25 p. 295)
- “no one can give anything except his labour” (MECW 24 p.86)
- To achieve
  - Vanishing “the enslaving subordination of the individual to the division of labour, and thereby also the antithesis between mental and physical labour”
  - “labour ... not only a means of life but life's prime want”
  - “productive forces have also increased with the all-round development of the individual” (MECW 24 p.87)

# CAPITAL I

“...negation of negation. This does not re-establish private property for the producer, but gives him individual property based on the acquisitions of the capitalist era: i.e., on co-operation and the possession in common of the land and of the means of production.”  
(MECW 35 p. 751)

# ANTI-DÜHRING

“Its place must be taken by an organisation of production in which, on the one hand, **no individual can throw on the shoulders of others** his share in productive labour, this natural condition of human existence; and in which, on the other hand, **productive labour**, instead of being a means of subjugating men, will become a **means of their emancipation**, by offering each individual the opportunity to develop all his faculties, physical and mental, in all directions and exercise them to the full — in which, therefore, productive labour will become a **pleasure instead of being a burden.**” (MECW 25 p. 280)

# WHAT THE MARXIAN APPROACH MEANS FOR TRANSFORMATIVE SOCIETIES?

Marx described the problems of a post capitalist society, but formulated only implicit questions concerning:

- Difference between reality and the promise of equality
- limitations of justice and contradictions, emerging from this limitations
- Uneven dynamics in economy, social relations, values, culture, needs ...
- Driving forces in a fair society, which is reducing inequality by political decisions
- The nature of the „social plan“ and how it could be emerge
- Role of the state

## ... BECAME IMPORTANT FOR THE NEXT GENERATION OF MARXISTS

- Luxemburg vs. Lenin
  - Role and principles of a marxist party
  - Relation party - trade unions – workers
  - Nature of the bourgeoisie state and of the Dictatorship of proletarians
  - Connection of demands in social politics with fundamental social changes
  - Fight for justice and equality by working people as processes of learning and self-organisation
- Experiments of War communism and NEP, real socialism