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**THE RELEVANCE OF JUSTICE IN PROMOTING A WELL-ORDERED SOCIETY: A PHILOSOPHICAL
ANALYSIS**

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Abstract

The study examines the relevance of justice as a veritable tool for enthroning a well-ordered society. The objective is to highlight the role of justice as a panacea for the plethora of ills stagnating the progress and development of society. Adopting the critical method, the study discovers that the absence of a general and shared understanding of justice is responsible for the show of impunity evident among elected political office holders, lack of respect for the rule of law, corruption, bad governance, insecurity, promotion of mediocrity over meritocracy, unfairness in recruitment, appointments and siting of development projects as well as the failure of democratic and governmental institutions to effectively deliver the dividends of democracy that would have impacted positively on the socio-economic well-being of the citizens. Like Plato, who sees justice as a potent framework for restoring stability and harmony in the polity and Rawls who conceives justice couched on fairness as expedient for constructing a well-ordered society, the paper subscribes to the views of both philosophers by advocating for the adoption of justice couched on the principles of fairness, equity and impartiality as a *sine-qua-non* for achieving a well-ordered society capable of delivering good governance and democratic dividends to the generality of the citizens. The paper also argues that it is only with the guidance of a shared conception of justice that Nigerians and Nigeria can realize their full potentials.

Keywords: Justice, Good Governance, Democratic Dividends, Well-Ordered Society

Introduction

The importance of justice in promoting commodious living and an enabling environment for realizing potentials and the common good cannot be over-emphasized. A functional system of justice becomes significant in a world with incessant cases of rape, extra-judicial killings, racial discrimination and marginalization, bad governance, senseless killings, massive corruption by politicians, human rights violations, and ineffective institutions of government and lack of delivery of democratic dividends to the citizenry. In fact, justice remains a veritable framework for constructing an ideal, well-ordered and stable democratic society where the about outlined

THE RELEVANCE OF JUSTICE IN PROMOTING A WELL-ORDERED SOCIETY: A PHILOSOPHICAL.....

ills can be overcome globally. Therefore, it is not surprising that the last stanza of the country's National Anthem buttresses this assertion thus: "...great lofty heights attained, to build a nation where peace and justice shall reign".

The above stanza drawn from Nigeria's National Anthem clearly depicts the power of justice in creating a society for harmonious and peaceful co-existence devoid of incessant conflict, and when the attainment of lofty heights for all citizens is guaranteed. However, it is sad to note that justice and the attainment of great heights remain a mirage for majority of the citizens in Nigeria. The absence of justice has not only drawn Nigeria backwards but is responsible for the prevalence of several problems in Nigeria, which include: cries of marginalization in some quarters, extrajudicial killings, acts of impunity by government/political office holders, bad governance/bad leadership, flagrant disrespect and disregard for the rule of law and Constitution, intimidation of the judiciary by the executive arm of government, political instability, human rights abuses, socio-economic inequality, terrorism, banditry, militancy, kidnapping, cultism, assassination, armed robbery, unemployment, poverty, corruption, vote-buying, electoral irregularities/electoral violence, absence of free, fair, transparent and credible elections, examination malpractice, decay in the education sector, fake news, dysfunctional infrastructure, poor health facilities, high rate of unemployment and other problems that threaten the corporate existence of Nigeria.

Highlighting the significance of justice as a functional pre-requisite for instituting a virile and healthy democratic polity, Agbakwuru (2020) opines that justice is the viable ingredient that can make government live up to its constitutional responsibility of implementing people-friendly policies capable of making the citizenry know that it cannot be taken for granted. Leadership Newspaper (2018) maintains that justice is an essential tool for peace, human dignity, gender parity and human rights within States and countries. It drives egalitarian societies and is construed as the best weapon for preventing internal conflicts and strife which characterized most countries. Justice defines good governance, advances society. The Leadership paper further asserts that justice is said to be in existence within a country when governance assures fair outcomes for all, through employment, social protection, social dialogue, and fundamental principles and rights. In sum, the paper reiterates that even the United Nations conceive justice, albeit social justice as constituting the underlying principle for peaceful and prosperous coexistence within nations, and it is advanced when those in position remove societal barriers of gender, age, race, ethnicity, religion, culture or disability that inhibit human advancement (<https://leadership.ng/2018/02/27/nigeria-relevance-social-justice/>). Onuoha and Nwachukwu (2016) also assert that the role of justice in ensuring the realization of an effective democratic society cannot be over-emphasized as justice enables the society to be regulated in such a way that growth and development are achieved. This means that justice is sufficient and necessary for promoting good governance and its centrality consists in the fact that it is a sine qua non for human development and fast-tracking of a well-ordered society, where things are properly done.

However, the absence of justice led to the prevalence of injustice in Nigeria and this has contributed greatly to the many socio-political, economic and religious conflicts experienced in the country. These conflicts have led to the death of several innocent citizens, destruction of homes, farmlands, property and infrastructure with the right to life, right to dignity of the

human person and right to own moveable and immoveable property of the people violated incessantly. More so, the number of displaced persons remains unquantifiable. These unceasing conflicts in Nigeria include; herdsmen/farmers clashes in the middle belt, Boko Haram/Insurgency in the North-East, Banditry/Kidnapping in the North-West, Kidnapping/Armed Robbery in the South-East and South-West and Kidnapping, Cult clashes and armed robbery in the South-South geo-political zone. In fact, the absence of a just and fair distributive mechanism for sharing the benefits of society has pitted the people of the Niger Delta, a region where crude oil is in abundance, against the Federal Government on the one hand and Multinational Oil Companies on the other hand, for despoliation of their environment, destruction of their sources of livelihood and for short-changing them in terms of the proceeds from oil exploration and exploitation. Highlighting the injustice that the Nigerian Government and Multinational Oil Companies have inflicted on the people of Niger Delta, Okonkwo and Etemire (2017) assert:

The injustice and chaos in the Niger Delta region of Nigeria resulting from the manner in which the oil industry is being run and regulated have since captured the attention of the world....the crude oil which comes from the Niger Delta region remains the mainstay of the Nigerian economy. Considering this fact, one would expect that the resident indigenes of the region should be highly regarded, fairly and equitably treated, as well as protected in relation to the output and effects of the oil-related activities in their communities by the stakeholders in the oil industry,... but this has not been the case. Although, in a way, they “pay the piper”, they are hardly given the opportunity to “see or touch the flute” let alone “dictate the tune”; they are “the goose that lays the golden egg”; yet have hardly partaken of it to a reasonable extent....rather than care and reward, they have arguably been the recipients of unjust treatment...the oil industry, with the complicity of the government and without a viable and effective means of remedy, has been a source of massive environmental degradation and pollution in the Niger Delta, which condition has taken its toll on the socio-economic wellbeing of the people, particularly diminishing their health and means of livelihood, among others.... the financial benefits accruing from the exploitation of oil in their communities are arguably not being shared with them (whether directly, or indirectly in terms of the execution of developmental projects) in a reasonable and equitable manner. As this injustice became unbearable... (Okonkwo & Etemire, 2017).

From the above, the authors made it clear that the injustice that is inflicted on oil-bearing communities in the Niger Delta manifests in two different but related dimensions namely; physical and fiscal levels, and this injustice is spearheaded by the Multinational Oil Companies (MNOOC) in complicity with the Nigerian Government. To make matters worse, genuine efforts by the people to meet with the MNOOCs operating in the region to demand for fair treatment and palliatives, especially with reference to their distorted and disarticulated economic life have not only been futile, but attracted cruel treatment from the MNOOCs and the Federal Government in the form of unleashing the military on the people. In addition, the current reality in Nigeria where the right to life is daily infringed upon by terrorists, armed robbers, cultists, kidnappers, herdsmen, armed bandits with the Government at the Federal and State levels not doing enough to curtail it makes justice relevant in overcoming the many problems of Nigeria as well as for achieving a purpose driven and properly regulated society.

THE RELEVANCE OF JUSTICE IN PROMOTING A WELL-ORDERED SOCIETY: A PHILOSOPHICAL.....

The above cases of injustice raises vital questions such as: Can justice stem the tide of incessant conflicts in society? What is the connection between justice and a well stable polity? Can the practice of justice lead to the enthronement of strong democratic institutions? Does justice have any link with strengthening of the electoral process? Is Nigeria capable of having a well-ordered society where justice, good governance and delivery of democratic dividends occupy a pride of place?

The above questions constitute the propelling force upon which the paper examines the relevance of justice in a well-ordered society. To achieve the desired objective, the paper is structured into three parts. Part one highlights the nexus between the absence of justice and the prevalence of conflict in a society, hence it is tagged Introduction. Part two attempts a conceptual clarification of vital concepts in the paper with a brief articulation of justice by Philosophers, notably Plato and Rawls. Part three highlights the relevance of justice in a well-ordered society and comments by the author which conclude the paper.

Explication of Important Concepts

The need to clarify the meaning of vital terms is imperative so as to promote a better understanding of such concepts as used in the context of the paper. These concepts include:

Justice: This is one concept that is problematic in defining; hence no adequate definition seems to have been adduced. This is why the concept enjoys a plethora of definitions with no universally acceptable definition. Oxford Advanced Learners Dictionary conceives the term as the quality of being fair and reasonable or the fair treatment of people. This means that justice entails exhibiting behaviour, acts, actions and conduct that people can commend and classify as fair and reasonable. The general philosophical notion of justice as “giving everyone his due” is knotty; hence Pomerleau (2006) defines the concept from its Latin derivative *Jus* to denote right or fair. Therefore, one can infer that justice in Pomerleau analysis is a moral virtue which outlines the best form of character and actions to be exhibited in a political society. It connotes portraying behaviours or actions as well as doing that which are deserving of praise and highly commendable in any human society. Obanubi (2015) conceives justice as a moral virtue which permits individuals and groups within a society to be treated fairly as well as receive equal distribution of the goods and benefits in society impartially. This implies that the actions of the Government and MNOCs operating in the Niger Delta against oil-bearing communities, whose environment has been degraded by incessant oil spills is devoid of justice, while the acts exhibited by kidnappers, herdsmen, terrorists cultists against innocent Nigerians who died as a result of their nefarious actions and Governors who fail to pay the salaries of civil servants lack justice. Also, the actions of Power Holding Electricity Distribution Company (PHEDC), where estimated bills are given to their customers are bereft of justice as the conduct is not only unreasonable but also unfair and unethical. Plato as interpreted by Stumpf (1994) defines justice as a general virtue that makes individuals moral and society good. This means that justice makes individuals in the society to be upright and the actions they exhibit as a result of their uprightness brings about socio-economic development in such a polity.

Well-Ordered Society: This is simply a society that is properly organized and regulated. It is a society where things are done right and in accordance with laid down laws, rules and regulations. It is also a society where the law is no respecter of persons as what is applicable to

A is equally applicable to B. Therefore, one can infer that a well-ordered society is one that security operatives will not be involved in election irregularities or be extorting money from motorists. It is a society that government ensures the adequate protection of lives and property, where the institutions of government is functional and ensures equity, fairness and impartiality in the discharge and performance of its responsibilities (functions). It is a society that government is committed in enacting policies that would aid the generality of citizens in attaining their full potentials. It is also a society where the citizens repose implicit confidence in the electoral process to produce credible elections outcome that truly reflects the choice of the citizenry.

Philosophers on the Relevance of Justice in a Society

Philosophers from the Classical period have highlighted the important role that justice can play in any given society. Plato is the first philosopher to highlight the importance of justice in promoting an ideal, stable society. For emphasis, the pre-occupation of philosophers in the Classical/Socratic period where Plato emerge is “the development of man and society”. Therefore, having studied the society of his day thoroughly, Plato came to the conclusion that the enthronement of justice remains the effective panacea to the many problems affecting his polity as injustice contributed immensely to the death of his mentor and teacher Socrates. Bhandari gives us a befitting ‘justification for Plato’s reliance on justice as the antidote for redeeming Athens from ruin and collapse thus:

Plato gives a prominent place to the idea of justice in his philosophy. He was highly dissatisfied with the prevailing degenerating conditions in Athens. The Athenian democracy was on the verge of ruin... The amateur meddlesomeness and excessive individualism became main targets of Plato's attack. This attack came in the form of the construction of an ideal society in which justice reigned supreme, since Plato believed justice to be the remedy for curing these evils (Bhandari, 2000).

Bhandari was quick to point out that Plato sees justice to be pivotal for humans and society on two fronts; individually and socially. Individually, as explicated by Bhandari, Plato construes justice as a human virtue necessary for making humans consistent and good in the discharge of their duties or functions as well as a social consciousness responsible for bringing internal harmony in a society and also making it (society) to be good. Shedding more light, Stumpf (1993) articulates that-Plato considers justice to be the only solution for achieving a good society in which the human elements in it would also be morally good, hence the theory of justice as formulated by Plato is seen to be the correct philosophy. Thus, he interprets Plato to posit: “I was forced to say in praise of the correct philosophy that it affords us a vantage position from which we can discern in all cases what is just for societies and for individuals” (Stumpf, 1993).

It must be stated that Plato remains the first Philosopher to identify the capacity of justice to fast-track stability in his native country Athens. In his view, the bad governance in his society emanates from bad leadership which orchestrated several forms of injustice on the people. The resultant effect is unceasing social unrest and instability which only justice can eliminate. This is how Plato arrived at his conception of justice as a panacea to injustice, social unrest, bad governance/leadership and political instability plaguing the society of his day. For emphasis, Plato sees justice as a functional framework for achieving a harmonious just polity and expertise in both humans and society. Plato’s articulation of justice as a veritable

THE RELEVANCE OF JUSTICE IN PROMOTING A WELL-ORDERED SOCIETY: A PHILOSOPHICAL.....

framework for constructing an ideal and stable society made Subrata and Sushila (2007) to maintain that justice constitutes one of the cardinal virtues identified by Plato to enable society develop in all fronts. Also, in Plato's exposition, we see justice establishing an intrinsic connection between humans and society, that is, as justice plays a crucial role in the life of man by promoting balance, so does it facilitate stability in society. For emphasis, Plato (1992) posits that just as the human consists of three parts namely; the appetitive, spirited and rational so also is society structured into three parts; artisans, guardians and philosophers such that when each part is allowed to carry out its task or function without interference, harmony (justice) is achieved.

Herein lays the import of Plato's classification of the state (society) as "man writ large". Aristotle (1998), while commenting on the importance of justice in ensuring a politically stable society asserts that aside giving each one his due, justice denotes "treating equals equally and unequal unequally". This explanation by Aristotle is narrow in the sense that it embeds injustice in it, but the attraction to Aristotle's elucidation is his emphasis that justice ensures that the state lives up to its responsibility as an agency saddled with the task of enabling humans achieve their ultimate goals as human beings. It is only when humans living in society attain their ultimate goals in life can they also contribute meaningfully to enhance development in society. The conception of justice as a moral virtue for achieving a good society was also re-echoed by St. Augustine and St. Aquinas in the medieval period.

In the twentieth century, the concept of a well-ordered society emerged with John Rawls to replace the ideal and stable polity associated with Classical Philosophers, particularly Plato. Rawls was interested in outlining the factors necessary for achieving just institutions in society and overcoming incessant conflicts caused by socio-economic inequality and other forms of injustice. Therefore, he constructed a conception of justice that would be able to overcome the many problems caused by socio-economic inequalities, absence of a fair distributive mechanism for sharing benefits and burdens in society and unfairness in terms of opportunities (positions, employment, development and appointments). This conception of justice as fairness, as enunciated by John Rawls, is intended to outline moral principles that are true for human societies with functional impacts on the social, economic and political institutions in such societies.

Throwing more light on the relevance of Rawls formulation of justice as fairness for envisioning a well-ordered society, Mondal (2008) articulates: "the principles of justice as fairness are seen as being moral in the specific sense of being worked for our political, economic and social institutions only...". From Mondal's perspective, justice ensures the functional capability of political, economic and social institutions in the society to effectively discharge their duties and live up to the responsibility necessitating their establishment. It means that these institutions, which constitute the basis of the social structure, work to ensure a positive improvement in the well-being and welfare of generality of the citizens. Justice also entails that the institutions do not work for the interest of a minute few, but for the interest of all with a view to ensuring the attainment of the full potentials of everyone. It is against this backdrop that Agboufa (2018) asserts that the relevance of justice consists in ensuring that those instigating factors of societal conflicts, political instability, insecurity and economic inequality are curbed, tamed and arrested.

In summary, it is very clear that the operation of a functional system of justice instills confidence in the citizens to repose trust in the political, social, economic, electoral and judicial institutions to deliver top-notch services. The effective operation of justice rules out illegalities and other forms of intimidation used by government and other elected officials to pervert the functions of the above outlined institutions. Therefore, one can conveniently infer that injustice promotes loss of confidence by the citizenry on the judicial, political, social, electoral and economic institutions to function effectively and efficiently for the benefit of all. Justice, in other words, allows individuals divided by religious, political, ethnic, cultural and social barriers to come together and work for the peace, unity and progress of society.

The Relevance of Justice in a Well-Ordered Society

We have seen, from the foregoing sub-section that the relevance of justice in a well-ordered society cannot be over-emphasized... As a moral virtue, justice connotes principles put in place to guide the interaction of people in a fair and equal manner. This implies that justice makes room for the enthronement of a well-ordered society by providing a suitable moral platform that is necessary and sufficient for guiding the actions of all individuals in their day-to-day interaction. Highlighting a cogent justification for the relevance and place of justice in a well-ordered society, Williamson and O'Neill (2009) maintain that justice ensures the promotion of individual freedom and democratic equality. This further implies that the relevance of justice in advancing a well-ordered society consists in promoting equity, just and impartial institutions, liberty, human rights and respect for the rule of law. The respect for the rule of law also makes it possible for government to perform its constitutional functions and to be held accountable by the citizens. Therefore, it is glaring that in a heterogeneous society like Nigeria, justice is relevant for achieving a well-ordered polity by ensuring that the various ideological and religious beliefs are harmonized to facilitate peace and progress of society. With justice in place, the cries of marginalization by some ethnic groups in Nigeria will cease, sectionalism, cronism, favouritism, insensitivity of government and ineffective democratic institutions would disappear.

In addition, the relevance of justice in a well-ordered society can be grasped in the fact that justice ensures the judicious utilization of the abundant resources available in a society to cause positive improvement in the standard of living of the citizens. This further implies that inequality would be drastically minimized as those in position of political power will find it difficult to convert resources meant for the public/common good to private use. This would also promote happiness in the polity in that socio-economic institutions will ensure that they deliver services that help to advance the well-being of its citizens. A society is well-ordered if institutions saddled with the task of protecting lives and property carry out this function without fear, discrimination and favour. Thus, it is only through the applicability of justice that such lofty ideals can be achieved in the polity. What this denotes is that justice enables the interest of every member of society to be favoured, promoted and preserved. The well-ordered society regulated by justice ensures that effective cooperation and reciprocal benefits among the various ethnic groups is promoted at all times.

From the foregoing, we can summarize that the relevance of justice in a well-ordered society can be gleaned in the fact that fair equality of opportunity for all is guaranteed. The operation of justice makes it impossible for discrimination and marginalization to be in existence. Therefore, a well-ordered society is made possible by the prevalence of justice which

THE RELEVANCE OF JUSTICE IN PROMOTING A WELL-ORDERED SOCIETY: A PHILOSOPHICAL.....

not only regulates the day-to-day interaction but also guarantees the existence of just and impartial institutions.

Conclusion

It is very clear that justice serves as a veritable tool for achieving a just, constitutional and democratic polity. Justice plays a significant role in arresting the remote and proximate causes of socio-economic and political conflicts in society through the promotion of impartiality and fairness in human day-to-day activities and interaction. This means that the relevance of justice in establishing a well-ordered society can be fully comprehended in the fact that as society is marked by individuals with different identities and interests, only a functional system of justice can serve as a mediating structure for resolving clashes of interest and conflict that would have resulted from the interaction of people from diverse ethnic coloration. It is in this light that justice plays an important role in instituting a well-organized polity in a society like Nigeria by stemming the tide of incessant conflicts, bad governance/bad leadership, kidnapping, terrorism, banditry, cultism, militancy, insecurity, lack of respect for rule of law, underdevelopment, mismanagement of resources, corruption, impunity, socio-economic inequality, poverty and unemployment in the society. The paper concludes by maintaining that justice couched on the principles of fairness, equity and impartiality remains a sine-qua-non for achieving a well-ordered society capable of delivering good governance and democratic dividends to the generality of the citizens. Justice in a well-ordered society promotes cooperation by allowing individuals divided along religious, political, ethnic, cultural and social lines to come together and work for the peace, unity and progress of such a society. Therefore, Nigeria can be well-ordered if government alleviates the plight of the citizens through enactment of people oriented policies capable of reducing poverty, tackle insecurity and promote accountability in all sphere of governance.

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