

THE IDEA
OF SOCIAL JUSTICE

THE IDEA OF SOCIAL JUSTICE

A Study of Legislation and Administration
and the Labour Movement in England
and France between 1900 and 1926

BY

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To
C. W. AND G. T.
*who would join with them in
this dedication our friends
of the Oxford Years'
One and Two and
Three*

Every state is a community of some kind, and every community is established with a view to some good; for mankind always act in order to obtain that which they think good. But, if all communities aim at some good, the state or political community, which is the highest of all, and which embraces all the rest, aims, and in a greater degree than any other, at the highest good.

ARISTOTLE, *Politics*, I, 1

INTRODUCTION

WHAT is Social Justice? The question is as old as history and generations to come will repeat the question. Justice is in its nature social, for it consists in the right relation of individuals one to another. But when we speak of Social Justice we are thinking of the collective expression given to the idea of justice through the laws and customs, the orders and the social provisions which express the will of the community. To find the answer to what is Social Justice, we must try to form a complete idea of the community, seeing the manifold relations within it, each of which contributes to the sum of Social Justice. The Republic of Plato has given the world for all time a wonderful picture of the State as expressing the idea of justice. Others have from time to time presented in their pictures of Utopia the semblance of an answer to the question of what is Social Justice. There is value in these efforts to present the ideal. Their concrete forms challenge the question how far they express what is necessary to the progress of human society. But they are only a first step in the search for Social Justice. Mankind goes on striving to enrich and enlarge the answer and to bring into the picture of organised society the manifold elements in the developed form of Social Justice.

Now it is by the patient analysis of the experience of society in its various types and by critical reflection on the evidence before us that we can make more complete the picture of the Community as the expression of Social Justice. In doing so, the question has to be repeated constantly, 'Does this or that measure contribute something which is necessary to a just order of society?' We have come to a stage in history when the materials of social evidence are accumulating so rapidly that a large number of workers is needed to sift out, classify and compare the data for the guidance of public policy. In particular, we must examine what is taking place in the most highly developed states of the

modern world. For we can see the nature of a thing best, as Aristotle said, in its most completely developed form. And it is by examining the very highly developed communities in the modern world that we can see farthest into the problem. The complexity of the times in which we live adds to the difficulty, but gradually the eye begins to see order in our changing social system. And as we compare one State with another, and mark their common elements and distinctive features, the concept of Social Justice grows steadily more complete. But we must seek to see the question steadily and to see it as a whole. And while we examine the development of the idea in this or that State, we must not forget that it is only through an international order that the full conception of Social Justice can be realised.

Social Justice, it may be said, has been the aim of every age. How far is this true? It is difficult to answer because it is so hard to recapture the temper and feeling of bygone ages. We may have before us the annals of history and yet how far we are from being able to judge the well-being not simply of the ruling class but of the whole society! Some bygone periods seem in their simpler order of life, in the closer personal relationships between classes, in the more easy provision of at least subsistence for their more limited population to present a sense of Social Justice which contrasts favourably with the conditions of our modern society. But despite its many shortcomings and its often glaring inequalities our age marks a growingly conscious pressure towards a universal realisation of a just order. This age is often said to be very material, yet in it there is also great spirituality and there are wide and deep movements of public 'feeling after justice.'

The significance of each generation lies in the effort it makes towards the realisation of a higher measure of justice among its members. There are dead periods—winter and night—in history, as well as times of light and quickening. We live in a period of great change. It is far more complex than everything that has been before, and far more difficult of interpretation and of direction. But that which alone can give order and cohesion to the efforts of society is the controlling idea of Social Justice.

We cannot yet discern with certainty the character of our own times. We can see them more or less darkly against the ages

which have gone before, but we can only dimly speculate how they will compare with those which are to come. Yet it may well be that our generation is one in which the struggle of forces is alike more complex and more uncontrolled than will be that of the future, that gradually the experience of years will guide Society to a clearer, calmer, steadier way of life, that there will be seen more plainly the true nature, structure and method of Society, and that this period in which we live and move will be looked back on as great in its dark struggle and giving birth to a new order of justice which will gain more and more complete acceptance throughout the world. If such be in any way the case how full of significance must be the study of our times, and the attempt to mark and measure the movement which is going on! The very ebb and flow of debate reflected in this volume, often seeming to show so little headway, has its own significance in revealing how gradually and with great labour opinion is being formed in the public mind. "The ideal is the truth of the actual." The task of winning this is one of great difficulty. The present volume, based on patient investigation of the main sources of evidence, is the first attempt by a comprehensive survey to examine how the idea of Social Justice is finding new forms of expression in two of the great States of the world, and it deserves a generous welcome.

W. G. S. ADAMS.

PREFACE

THE opportunity to write this book was offered by the appointment to Oxford as a Rhodes Scholar. My debt to the Rhodes Trust is gratefully acknowledged, a feeling made personal by the kindness of the splendid friends of all Rhodes Scholars, Mr. and Mrs. F. J. Wylie of Oxford and President Frank Aydelotte of Swarthmore. As an American student I am happy to express my appreciation to the Rector and Fellows of Exeter College, of which college I have the honour to be a member. To Professors T. N. Carver and James Ford of Harvard University and J. L. Stocks of the University of Manchester, I am indebted for their continuing interest in this study. The study of the idea of Social Justice was first suggested to me by Professors Carver and Ford during my work at Harvard. The privilege of three years of study under the Gladstone Professor of Political Theory and Institutions at Oxford has made me feel deeply the obligation I owe to him. Professor Adams by his *Introduction* has honoured this book and increased my obligation to him beyond any hope of adequate expression. My appreciation to these former teachers of mine would not be recorded if they could in any way be held responsible for the errors and misjudgments of this book, but I owe to them an immense debt for their friendship and encouragement.

It is good to be able to put here an expression of abiding appreciation to my friends Mr. C. Wesley Travers of Lincoln College, Professor R. K. Gooch of the University of Virginia, Mr. W. C. Greene, Jr., of the Massachusetts Institute of Technology, Mr. R. L. Hyatt of Balliol College, and Mr. Paul Vincent Carpenter of Lincoln College, and I should like to join with them Mr. W. D. P. Carey, Mr. A. L. Golnick, Mr. Malcolm Fooshee, of Christ Church College, Mr. A. Thomson of Trinity College, Mr. Ben Prescott and Mr. W. H. Peal of Exeter College. No one can find in this study the story of the days at Günterstal

and the Kühlen Krug in the Black Forest or the Oxford years, but it is here. The best of Oxford is with the friends.

To my father and mother I owe more than to all others for the confidence and encouragement which they have always given me. And to my colleague and my friend Colonel A. T. Prescott, with whom I am privileged to work at Louisiana State University, I am indebted for his interest in the bringing out of this study. In the final work of preparing this study for publication Professor Robert Kent Gooch has most generously helped, and I wish to especially thank him. I am unwilling to leave unrecorded the more than formal interest of the editorial department of The Macmillan Company.

This study can be only partial. It is a beginning. I am all too conscious of the defects of style and material; yet my hope is that it can be the basis of work better done when the hand is more skillful and the mind more ready for the task. Many students must add their part to the problem of interpretation of the social politics of this century. To go even a little way with those who have thought about the good life and the good society is recompense enough for any student. I shall be grateful for corrections of errors from any who may read this book.

C. W. P.

Baton Rouge, 1926.

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