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TO THE QUESTION OF JUSTICE BEING A SOCIAL VALUE

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Abstract

The present paper is devoted to the value aspects of the category of justice, reflections on the analytical approach of its role and character not only as ethical and moral but also as social value. When addressing the concept of justice, people assess the level, conditions of their existence and all the events of reality that affect their immediate interests, determine how fair this or that phenomenon or process is. In this case, the assessment takes place not only at the ordinary level but also at the level of theories and concepts. Justice belongs to those values whose connection with the daily material, social, political, legal status and well-being of people is revealed in the most direct way. Consequently, the article states that the sociological definition of the concept of justice is more specific and characterizes it as real social requirements, the principles according to which individuals should receive what they deserve. The theory of justice is based on fundamental values that are equally accessible to all individuals. The social practice of justice implies a specific set of material and spiritual benefits, to which all citizens should have equal access.

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1.   Introduction

Despite some formalization in the definition of justice, it should be accepted that it exists in this form in any society and is one of the necessary elements of regulating the structure of social relations. However, the content side of the forms of justice is more diverse and ambiguous; it is directly dependent on the nature of the distributing relations of a particular society, functioning forms of ownership.

The urgency and severity of this problem are determined by the fact that justice in the mass and individual consciousness plays the role of a means of legitimizing the existing social relations and the changes occurring in them, reflecting universal, group and personal goals and interests as the values in the system of social ties.

Within the framework of this concept, justice in the system of people's ideas can be conditionally presented in two forms being a value and an evaluative category. Justice as a value is a kind of "ideal" type, model, mental construction, social ideal of a certain historical era and is developed by public consciousness on the basis of various social prerequisites (cultural, economic, moral, etc.) and present in it in the form of public ideas about perfection in various spheres of public life. Justice exists in the form of a social ideal and reflects certain ideas of a particular epoch about the proper organization of a social system, containing requirements for the reality to correspond to the perfectly represented order.

The use of historical and axiological approaches is found in modern scientific literature in the works of native authors (Mantatov, 1998; Rozov, 1998; Stepin, 2011; Ursul, 2016), as well as well-known western theorists covering the problem of justice (Rawls, 1995, 1998; Nozik, 2008; Dvorkin, 2003; Höffe, 1994).

Along with these approaches, a special pragmatic approach to justice was formed as the basis of the mechanism of distributing relations, where the motivation of the economic and social activities of individuals is revealed. This topic is present in the publications of Zaslavskaya (Zaslavskaya & Shabanova, 2002), Kolodiy (1991), Rogovin (1993), Argunova (2005), Rimashevskaya and Rimashevsky (1991).

In order to get closer to understanding the diversity in which justice manifests itself it is necessary to disclose the level of its value content.

In the scientific literature, the basic forms and nature of social justice are investigated through the mechanism of distributing relations, based, as is commonly known, on the social division of labor.

Muzdybaev (1992) brings all forms of justice to three main categories: distributing, correctional and procedural ones (Guseinov, 2002). The problem concerning the distribution of resources and conditions, public privileges, hierarchical regalia, the rights and duties of individuals make the basis of the idea of justice. The adopted type of distributing relations characterizes the social structure and moral basis of society, influences the interests and needs of individuals for social integration and cohesion. Correctional justice establishes a special procedure for admitting guilt and electing punishment or compensation for damage or violation of the norms accepted in society.

The presence of distributing and correctional regulations complements procedural justice. This form of equity determines the implementation of procedures used to make distributing and correctional decisions, which includes a set of procedural elements that promote the fair use of rules and a mechanism to monitor their observance.

2. Problem Statement

An individual being a representative of various social communities is directly involved in the process of social interaction. In other words, he enters into a system of social connections, outside which society does not exist.

The model of justice adopted in society, on the one hand, is determined by the peculiarities of economic, sociopolitical and legal relations, the moral basis of society, and, on the other hand, it participates in determining the character and prospects of social being, the theoretical forms of its awareness. Justice in the value system contains a reflection of universal, group, personal goals and interests, as well as people's ideas regarding the way to implement them.

The study of the principles of justice enables to find common criteria and special features of defining the category of justice, gives you the opportunity understand this phenomenon in the system of values of society in a better way, to identify patterns in the realization of the interests of individuals and various social groups.

The analysis of scientific publications shows that social theory mainly uses the philosophical definition of justice, which characterizes it as a certain general principle, the sanction of organizing people's life, considered, according to Muzdybaev (1992), mainly from the perspective of conflicting desires, interests, and responsibilities. The author considers it a way to justify and distribute the benefits and burdens of coexistence among individuals and within a single social space.

Despite the abstract approach used in philosophical definitions, it is quite realistic to find a factor of interest in the formation of mass models aimed at interpreting the concept of justice. It is no coincidence that from sociological standpoint, social justice bases on the interests and needs of various social groups and individuals. In the understanding of Marx, values, which include justice, can be associated with socio-historical necessity as well as generate classes with their position in society, with their intrinsic needs and interests as well as value systems (Marx & Engels, 1959). That is, according to the construction of these concepts of justice, Marx, above all, bases on the principle of causality. In justifying the ideals of justice, the recognition of the social determination of justice, which contributes to the separation of true justice from false, is used.

3. Research Questions

K. Marx believed that the abstractions do not have any value in isolation from the real history. Absolutely the same view concerns justice. According to the Marxist theory, one must take into account the unity of the formal-logical structure or value content when analyzing the concept of justice. When considering justice in the framework of open law and development associated with socio-economic formations, K. Marx noted that the era has justice, the content of which is given by the economic relations of the given era. K. Marx and his followers do not choose the descriptive nature of the social process; the goal of scientific analysis is to identify the contradictions of social reality and to find ways to resolve them. The category related to justice was endowed with critical meaning. Marxism set a double task for the researcher: to define the category of justice as an ideological and socio-psychological phenomenon and to

investigate those social relations that are reflected in the consciousness of a particular social community, and arise the problem of justice.

Weber (1990), who, in fact, defined a new paradigm for the development of this science, carried out an essential development of the methodological and conceptual apparatus of sociology. He critically analyzed the positivist approach of O. Comte and other predecessors and developed the methodology of "understanding sociology" (as cited in Weber, 1990).

On the other hand, Weber insisted on freeing sociology from value judgments and a clear separation of sociology and ethics. The problems of right and wrong, good and bad, fair and unjust are, according to Weber, beyond sociology as a science, whose main subject of analysis is social action. This postulate was called the "neutrality principle" of sociology and the theorists of the sociological mainstream adhere to it today. The consequence of the neutrality principle leads to the fact that with the help of empirical data, which reveal the nature of poverty, inequality or suicide, it is impossible to deduce ideas about proper behavior, for example, proper state policy directly. This is the basis for the idea of the need for sociologists to adhere to value neutrality under the conditions of conducting research and developing recommendations for managerial influences. The principle of value neutrality operates on two levels: on a personal level, when an empirical researcher clearly separate his own values, and on an institutional level, when a sociologist cannot rely on his own value ideas when analyzing social reality and modeling social processes. There are three objections to this traditional concept of value neutrality: 1) despite the sociologists' statements about their neutrality, values may appear in the study unintentionally; 2) it remains unclear whether neutrality is basically possible; 3) it is obvious that value neutrality is not always desirable — there are problems which appeal to everyone. Thus, following the principle of neutrality in sociology, according to a number of scientists, leads to the emergence of new methodological problems. All sociologists today recognize the fundamental role that values play in social life when forming social norms, institutions and systems. Most often, sociologists address the issue of justice when they explore culture, spiritual life and the values of society as the basis for the emergence and establishment of social norms. The problems of social justice inevitably accompany sociologists in the study of the social structure, the problems of poverty, and the life of the marginal segments of society.

The functional approach has quite understandable limitations when analyzing social and moral values and norms. Nevertheless, it can be said that the social function of justice is the definition, regulation and protection of socially significant requirements put forward by people. This implies, on the one hand, the existence of certain universal norms (or principles) of justice (elementary norms of people's relationships, conditions of their existence), and, on the other hand, the constant emergence of social demands put forward by people to regulate and adjust already existing standards of justice.

4.   Purpose of the Study

Ideas of justice or injustice are formed not only on the basis of subjective factors but also on objective historical living conditions of society, models of perception and behavior, factors of the surrounding social environment perceived by the subject through the prism of realization of interests and based on its individual characteristics being personal experience, psychological and moral properties and qualities.

Social reality shows that the interests influence the distribution of values, which benefit needs satisfaction. They are aimed either at changes or at consolidating existing distribution relations. In the process of modernizing modern Russian society, an important role is played by the issue of building a social development strategy that depends on a new social policy.

5. Research Methods

A visual representation of the perception of various aspects of regional social policy aimed at the realization of social justice gives the results of the annual sociological survey "Perception of the concept of social justice by Chechen youth under the conditions of modern reality." This study was carried out by the laboratory employees on the basis of the method of standardized interviews and aims to study social, political, spiritual, and legal research of the KNII RAS. 1027 respondents are being the students of three state universities of the Chechen Republic (GGNTU, CSU, CSPU). The sample is a quota one, with probabilistic selection of respondents, representing the social and age group by sex, age and education. It includes 1st-4th year students majoring in humanities, technical and natural profiles, living in different areas of the Chechen Republic, the cities of Argun, Shali, Grozny. The questionnaire included 21 questions, 11 of which were the open ones. Today, there are problems expressed in the form of social conflicts and associated with violations not so much of the principles of justice as the manifestation of stereotypes that have developed in the minds of individuals. As the study shows, the respondents consider stereotypes concerning social justice and associated with socially-ethical values accepted in society to be the priorities, which should be the basis of not only legal but also social norms (Shamileva, 2017).

6. Findings

The majority of respondents answered the question of what they see as a manifestation of social justice in the following way: "Following each moral and ethical standards" – 23.3%; "Equality of all citizens before the law" – 31%. "The absence of differences in the standard of living and well-being" was chosen by 15.7%, and equality of opportunities to realize their abilities is even less – only 10% (Shamileva, 2017). However, it is impossible to identify the stereotypes of individuals at the cognitive (personal) and ontological (real) levels. The problem here bumps into the factor of differences in the level of individuals' socialization. Defining the most important measures on the part of the state to achieve social justice, 27.7% of respondents put "Ensuring everyone's social responsibility in their place (school, work, family)" in the first place. "Provision of elementary medical services" is in the second place in the hierarchy of these measures and it was chosen by 26.1%. "Creating conditions for the compliance of the profession to education and qualifications" is also significant for 20.4% of students and 19.6% of respondents answered that "Everyone should take care of their own well-being" (Shamileva, 2018). The results of such an assessment are included in the slogans of political parties, are enshrined in the legislation and reflected in the programs of government bodies.

7.   Conclusion

Taking into account the concept of justice, we can say that people assess the level, the conditions of their existence and all the events of reality affecting their immediate interests, determine how fair this or that phenomenon is. In this case, the assessment takes place not only at the ordinary level but also at the level of theories and concepts. The results of such an assessment are included in the slogans of political parties, fixed in the legislation and reflected in the programs of government bodies.

Grounding the justice as a criterion for decision-making in the field of social policy as an important research task, which should comprehended theoretically and correlated with the results of empirical research.

The implementation of the principles of social justice in society is not a simple attempt to keep up with all the needs of people. It also has a rather pragmatic goal. Justice is a necessary requirement and condition for the normal reproduction of human resources in society: helping the young, supporting and encouraging the mature population, respect and honor concerning the elderly. Such a state policy is designed to harmonize existing relations in society, prevent the emergence and development of acute conflicts in the social environment.

References

Argunova, V. N. (2005). *Social justice: a sociological analysis* (Doctoral Dissertation). St. Petersburg.
Dvorkin, R. (2003). Justice and rights. *Domestic notes, 2.* 132–138.
Guseinov, A. A. (2002). *Philosophy. Morality. Politics.* Moscow: Academicbook.
Höffe, O. (1994). *Politics, law, justice.* Moscow: Gnosis.
Kolodiy, A. F. (1991). To rethink the content and functions of the category "social justice". *Moscow State University Bulletin, ser. 12, Social and political studies, 6*, 44–51.
Mantatov, V. V. (1998). Mind Strategy. *Environmental Ethics and Sustainable Development, in 2 volumes, vol. 1.* Ulan-Ude: Buryat book publishing house.
Marx, K., & Engels, F. (1959). *German ideology*, *op., 13*. Moscow: Gospolitizdat.
Muzdybaev, K. (1992). The idea of justice. *Socis, 11*, 91–96.
Nozik, R. (2008). *Anarchy, state and utopia*. Moscow: IRISEN.
Rawls, J. (1995). *Theory of Justice*. Novosibirsk: Publishing House of the NSU.
Rawls, J. (1998). The idea of the good and the priority of law. In *Modern liberalism. Progress. Tradition, 248 seconds.* House of the Intellectual book.
Rimashevskaya, N. M., & Rimashevsky, A. A. (1991). *Equality and Justice*. Moscow; St. Petersburg.
Rogovin, V. Z. (1993). *Social justice and distributional relations. Social landmarks and a changing society.* Moscow: RAS Institute of Sociology.
Rozov, N. S. (1998). *Values in the problem world: philosophical foundations and sociology of the application of constructive axiology*. Novosibirsk: Novosibirsk University Publishing House.
Shamileva, R. K. (2017). Model of justice in the context of interests and needs. *Humanities and social sciences, 5*, 71–76.
Shamileva, R. K. (2018). Justice as a process of realization of interests (on the example of regional policy). Social injustice in the sociological dimension: the challenges of the modern world. In *Proceedings of the International Scientific Conference "Sorokin Readings*" (pp. 1026–1027). Moscow: Moscow State University.
Stepin, V. S. (2011). Globalization and the dialogue of cultures: the problem of values. *Age of Globalization, 2*, 8–17.
Ursul, A. D. (2016). The formation of a sustainable civilization: new global goals. *Philosophy and society*, 29–56.
Weber, M. (1990). *Selected Works*. Moscow: Progress.
Zaslavskaya, T. I., & Shabanova, M. A. (2002). Non-legal labor practices and social transformations in Russia. *Sociological research, 6*, 3–17.