

CJ = commutative justice  
 DJ = distributive justice  
 EJ = estimative justice

AFF. means  
 affirmation of  
 all three senses of justice.

Paragraphs 10 and 11 from pages 269-270 of TMS:

THE JUSTICES PARAGRAPH:

The word, it is to be observed, which expresses justice in the Greek language, has several different meanings; and as the correspondent word in all other languages, so far as I know, has the same, there must be some natural affinity among those various significations. In one sense we are said to do justice to our neighbour when we abstain from doing him any positive harm, and do not directly hurt him, either in his person, or in his estate, or in his reputation. This is that justice which I have treated of above, the observance of which may be extorted by force, and the violation of which exposes to punishment. In another sense we are said not to do justice to our neighbour unless we conceive for him all that love, respect, and esteem, which his character, his situation, and his connexion with ourselves, render suitable and proper for us to feel, and unless we act accordingly. It is in this sense that we are said to do injustice to a man of merit who is connected with us, though we abstain from hurting him in every respect, if we do not exert ourselves to serve him and to place him in that situation in which the impartial spectator would be pleased to see him. The first sense of the word coincides with what Aristotle and the Schoolmen call commutative justice, and with what Grotius calls the *justitia expletrix*, which consists in abstaining from what is another's, and in doing voluntarily whatever we can with propriety be forced to do. The second sense of the word coincides with what some have called distributive justice,\* and with the *justitia attributrix* of Grotius, which consists in proper beneficence, in the becoming use of what is our own, and in the applying it to those purposes either of charity or generosity, to which it is most suitable, in our situation, that it should be applied. In this sense justice comprehends all the social virtues. There is yet another sense in which the word justice is sometimes taken, still more extensive than either of the former, though very much a-kin to the last; and which runs too, so far as I know, through all languages. It is in this last sense that we are said to be unjust, when we do not seem to value any particular object with that degree of esteem, or to pursue it with that degree of ardour which to the impartial spectator it may appear to deserve or to be naturally fitted for exciting. Thus we are said to do injustice to a poem or a picture, when we do not admire them enough, and we are said to do them more than justice when we admire them too much. In the same manner we are said to do injustice to ourselves when we appear not to give sufficient attention to any particular object of self-interest. In this last sense, what is called justice means the same thing with exact and perfect propriety of conduct and behaviour, and comprehends in it, not only the offices of both commutative and distributive justice, but of every other virtue, of prudence, of fortitude, of temperance. It is in this last sense that Plato evidently understands what he calls justice, and which, therefore, according to him, comprehends in it the perfection of every sort of virtue.

AFF.

CJ

DJ

CJ

DJ

AFF.

EJ

Such is the account given by Plato of the nature of virtue, or of that temper of mind which is the proper object of praise and approbation. It consists, according to him, in that state of mind in which every faculty confines itself within its proper sphere without encroaching upon that of any other, and performs its proper office with that precise degree of strength and vigour which belongs to it. His account, it is evident, coincides in every respect with what we have said above concerning the propriety of conduct.

AFF.

\* The distributive justice of Aristotle is somewhat different. It consists in the proper distribution of rewards from the public stock of a community. See Aristotle Ethic. Nic. 1.5.c.2.