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Justice in Transportation: An Assessment of Transport Policies based on Justice Criteria from Scholars' viewpoints

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Abstract: *In this paper, we are going to examine different views and theories of thinkers and scholars on justice. Then we will study the Tehran subway extension and expansion of its highways, and the fact that it meets which theory completely; meets which theory partially; and does not meet which one at all.*

Keywords: *Justice, Imam Khomeini, Plato, subways, highway, Hayek, Rousseau, Aristotle*

INTRODUCTION

In the category of justice, thinkers and scholars of the world have offered various definitions based on which different social and political systems have been established around the world. Therefore, the definitions of many social activities are categorized in different groups in terms of being positive or negative. Hence, an activity might be evaluated a good one and in accordance with justice in a society whereas it might be the contrary in another. For example, some thinkers such as Nietzsche define justice as merely providing comfort for the capitalist and prosperous social class and in a Marxist society, only meeting the needs of low-income working class is considered to be fair.

In transportation, it is also the same. For example, in a town, it may be fair to develop the public transport while elsewhere helping to increase personal transportation may be considered valuable. In this paper, we are going to express some scholars' theories in order to examine the issue that Tehran's subway extension and expansion of its highways are justified and rational according to which of these theories and according to which ones are not?

Justice from Imam Khomeini's viewpoint:

Late Imam, defining justice, says: "Know that justice is the middle ground between extremes. And it is the mother of all moral virtues. Absolute justice includes all internal and external; spiritual and physical; and heartfelt and mental virtues, since the absolute justice means direct in every sense. Justice is manifested and realized in names and attributes of God Almighty whose strength is absolute in fulfilling His names. Among men, this virtue is allocated to the perfect man who is on the right path. The perfect man, the last of the Holy Prophets - peace be upon him and his progeny - is on the right path and totally moderate. And his followers are also on the right path and total moderation, but the God Almighty is on the way of independence and holy prophet (PBUH) is on the way of dependence.

And oppression, in this position, is overcoming of the force over grace or grace over the force. In other words, manifestation is a characteristic of God's glorious names or of His beautiful names. It is likely that the perfect one of all prophets begs for this position in the verse: «Guide us to the straight path» 1.

Justice is manifested in the divine teachings, in monotheism, and in the heart of men of knowledge as God (the right) not being covered from people and the people not being covered from God (the right): In other words, observing unity in diversity and diversity in unity. And it is devoted to the best of People of God, and negligence and indulgence in this position, is veiling people from God or the other way around.

In beliefs and faith, justice includes: From perceiving the existential facts to the ending point of manifestation reference to the appearances that is the truth of the Resurrection.

In carnal morality, moderation and justice include three forces, i.e., libidinal, and furious, and evil powers.

Thus, justice, which is the middle ground between excess and exaggeration and negligence, is one of the great virtues of humanity. The great philosopher "Aristotle" has been reported that: "Justice is not a part of virtue, but all virtues, and oppression - its counterpart - is not a part of vice, but it is all vices" 1.

In his answer to those who claim justice and democracy, he simply describes just governance as:

"Now that many countries have turned out to be a republic, there are still the same issues in different forms. But, never think that even one single country is ruled according to the principles of justice. For instance, the United States of America which is a great country and is governed as a republic and has signed the declaration of human rights and cries out the human right and liberty and so on, even there is not justice and liberty fully and comprehensively observed. The point is that the president of the United States does not practice his power in his own country and on his own people, but practices his dictatorship here in our country. They have assigned their subordinates in our country and these subordinates approve them; approve their murder; approve their crimes and treasons. And the rulers in the U.S. approve the Iranian rulers in response because it is both sides' benefits. No present government including the republic, the royal, the dictator, and the constitutional is just and fair and attempts to correct people's affairs. No present government rules for people; they all rule for the great powers of the world and for their own interests. There is no such a government and we want a government as such which is the Islamic government. If we are able to execute the Islamic government in all nations and countries or in our country, Iran, then, it will turn out what is the true and just way of governance. Then, the conditions of the ruler defined by Islam will be clear and executed in practice and if the ruler is not qualified based on Islamic criteria, he will be excluded from the government even without having resigned or having been dethroned or deposed because he would be deposed automatically and the nation and people just put him away. People's requirements and claims are different things. They are about human rights." 2

Aristotelian justice:

For the great philosopher Aristotle respecting the rules is necessary for the administration of justice: "The meaning of justice for all people is a potentiality that causes man to be able to act fairly; do equitable actions; and demand justice and injustice is seen as an initiative that makes people act against justice in relation to their own kind and call for injustice....

The one who breaks the law is ruthless and the law-abiding man is righteous. Any action determined by the legislator has legal validity and we say all of these actions are fair. Laws determine regulations about all aspects of life aiming at the public interests or the interests of aristocratic families or those of specific groups who due to personal virtues or the like are of particular importance. So, we call an action fair the end of which is to provide and maintain the means of social prosperity and happiness... First, tyrant is the one who ignores the law. Secondly, who is insatiable and ignores equal sharing of the benefits that is equality of citizens. So a righteous individual is, firstly, the one who respects the laws and, secondly, somebody who respects equality of citizens. Therefore, justice is respect for the laws and respect for the equality of citizens and oppression means disregarding to the laws and equality of citizens." 3

Justice from Plato's viewpoint:

Plato introduces helping to reduce poverty in the society as the cause of justice establishment and he states that:

“Plato rejects the system of aristocracy because of serving merely the rich and powerful social class interests. And he also rejects democracy because of irresponsibility and tendency to bias (the death of Socrates as an example) and thus concludes that the best form of government is a kind of aristocratic government based on meritocracy. The ideal State, described in his book the Republic, must have rulers who are trained in all fields of wisdom. Plato believed that when justice is observed, everyone in the society will have tasks and jobs appropriate to their talents and abilities and poverty is minimized.”⁴

Rousseau's Definition of Justice:

In his definition of justice, Rousseau introduces the factor of law as well as acts of reward and punishment as underlying backgrounds. He says: “Justice comes exclusively from God that is He is the only source of this blessing, but if we could get this gift directly from its source, we would neither need the law, nor the state. It is true that there is a divine justice only resulted from the intellect and it includes the whole world; however, if this justice is to be executed among all people, it must be observed by both sides. The justice observed only by one side is useless. In other words, from the point of view of human interests, justice is effective when it accompanies punishment or reward. Otherwise, it will result in the prosperity of the wicked and misery of the righteous. Therefore, rules and regulations are necessary to determine the relationship between burdens and rights and apply justice for all purposes for which they have been enacted. In natural life in which all things are available to all people and there are no limitations for any one, man does not owe to their fellowmen because they have no obligations to each other. So just what he does not need is known as the property of others. But, it is different in social life in which all duties will be determined by law.”⁵

And elsewhere, Rousseau introduces avoiding selfishness as the cause of justice: “The commitments we make to be a part of social life is essential because they bind the both sides. And the nature of these obligations is so that whenever we do them we not only do something for others, but also benefit ourselves. Why is the public will always right and never wrong? Why do society members constantly have individual's benefit in mind? Because, in society, there is no single person who does not apply the word individual for themselves and when voting for all, does not think about themselves. General will, the subject of which is common interest, compels man to put themselves in others' shoes, and think from the standpoint of everybody's interests.”⁶

Hayek's Justice:

Hayek is one of the scholars who have presented definitions for justice. He defines justice to have a negative nature and offers conflicting opinions. He says: “Justice can only be meaningfully attributed to human actions and not to any state of affairs without having to answer the question of whether or not the person deliberately and voluntarily has brought up that specific state of affairs. The rules of justice essentially have a negative nature or injustice, in other words, is actually the basic concept; so, the purpose of fair treatment is to prevent and prohibit unfair practice. The injustice that must be stopped is invading other people's privacy which should be specified and defined by the rules of justice. These rules of fair treatment, that are intrinsically negative, can be applied and developed in all inherited social rules through a continuous and consistent test as much negative. It is a test which eventually reveals the internal consistency of actions; a consistency that these rules, if applied, would bring about in the real world conditions.”⁷

Hayek, on the one hand, sees violation of the others' rights deserving to be punished and, on the other hand, limits the law in dealing with different social classes. He says: “The law should anonymously and equally treat and deal with citizens and remain indifferent to the individuals' inequalities in terms of their initial endowments and primary material resources. If the government wants to create some sort of equality in these areas, it should actually behave differently and unequally with people and, thus, would not be able to avoid

bringing about many serious oppressions and injustice. Besides, such an action involves granting areas of power to some government authorities to decide about citizens’ lives based on their own recognitions in which even if we assume no possibility of abuse for their own self-interests, it still is unbearable.” 8

Proposed Indicators of Justice to Evaluate Transport Policies:

From what was said, we want to compare two transport policies, e. i., subway development and highway development and choose the better option.

According to Imam’s opinions, we can say that the development of each one of these cases can partially supply the concept of justice in society.

From the standpoint of Aristotle, law is in the direction of justice; so, if the law says the use of personal vehicles must be decreased, public transport system, which is the subway here, should be used more to implement the social justice.

But, in Plato's view, subway development is preferred because, in his view, reducing poverty is the cause of justice.

According to Rousseau, if the law offers plans to reduce the use of personal vehicles, the option of subway will match with justice indicators more. These plans can include applying traffic or parking restriction areas or projects increasing the use of subway such as giving subsidies or special discounts to travelers.

And ultimately, according to Hayek’s views, to increase the public health a deterrent of which is unnecessary use of personal vehicles, subway development programs should be adopted. On the other hand, since governments cannot enter into people's lives and make decisions for them, the ground should also be provided to expand the highways.

The following table shows the results of this analysis:

Table of justice from viewpoints of different scholars and evaluating transport policies

Justice from viewpoints of different scholars					
Justice and its Various Manifestations	Imam Khomeini	Aristotle	Plato	Rousseau	Hayek
	Observing the mean between extremes	Respecting the law is the requirement of justice administration. Fair actions guarantee the social prosperity	Helping to reduce the poverty causes justice establishment.	The law and reward and punishment are the underlying factors to establish justice. Abstinence from selfishness guarantees justice	It is fair to prevent the trespassing. Government’s interference into citizens’ affairs is contrary to justice.

Transport Policies				establishment	
Development of Tehran' Subway	Partially provided	Provided	Provided	Provided	Provided
Development of Tehran' Highways	Partially provided	Partially provided	Not provided	Partially provided	Provided

Conclusion

The proposed indexes of justice for assessment of the transportation policies

Upon what has been said we want to plan for the development of two transportation policies, i.e. development of underground and development of highways, and choose the best option. According to His Majesty Imam Khomeini, development of both cases can administer justice to a certain extent.

According to Aristotle, law is supporting justice. Then if law orders people to reduce using their personal vehicles and instead use the public transportation vehicles like underground the justice is surely administered.

But according to Plato, justice administration depends on the reduction of poverty and this gives the priority to the development of underground.

According to Rousseau, if some reducing projects of using personal transportations like defining traffic areas and parking limitations are designed and people are encouraged to increase using underground via giving subsidiaries and discounts the option of underground becomes more in line with the indexes of justice.

And finally according to Hayek, to ensure people's health we have to decrease the use of personal vehicles and promote the use of underground. Of course, since we cannot enter people's individual lives we have to prepare the ground for the development of the highways too.

In the following table we have arranged our analyses in this regard:

Table of assessment of transportation policies

Justice from the viewpoints of various thinkers					
Hayek	Rousseau	Plato	Aristotle	Imam Khomeini	Justice and Its

People's right of privacy has to be observed and individual rights for transportation should be secured	Law and encouragement and punishment prepares the ground for administration of justice and avoiding selfishness ensure it	Justice is administered via reducing the poverty	Respecting law is the guarantee for administration of justice and just action is a guarantee for safe society	Observation of golden mean and avoiding extremism and negligence	Extensions Transportation policies
provides	provides	provides	provides	Partially provides	Development of Tehran Underground
provides	Partially provides	Does not provide	Partially provides	Partially provides	Development of Tehran Highways

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