

## THE AWARENESS OF INJUSTICE AND THE SENSE OF JUSTICE

Jan Kłos

Faculty of Philosophy, John Paul II Catholic University of Lublin  
Aleje Racławickie 14, 20-950 Lublin  
e-mail: klosjan@kul.lublin.pl

**Summary.** The paper focuses on the sense of justice in a rising democracy. This sense of justice has to struggle with the awareness of injustice that is a heritage of the previous political system. The natural sense of justice is called here a natural belief that good should be rewarded and evil punished. It is perverted by the remnants of the past. On the one hand we have the former perpetrators who live a comfortable life rewarded, as it seems, for what they have done to their victims. In some cases they are indeed rewarded for their blind obedience to the system. On the other hand there is a warped sense of economy, labour, and equality.

The paper indicates dangers and threats to democratic states that may result from the past that has not been reconsidered and duly assessed. The paper concludes that whatever the political system of a free state it must safeguard the procedures to support the natural sense of justice. The rewarded good and the punished evil are the pillars of modernity.

**Key words:** equality, evil, good, guilt, freedom, merit, public opinion, reward, sense of justice

Freedom is a child of guilt and merit

*Józef Tischner*

### INTRODUCTION

While building its own model of democracy, post-communist society faces a particularly difficult task. The past is marked by the awareness of injustice, and that in many areas: social, political, economic, and cultural. This injustice has become a burdensome heritage of the past epoch. It has its authors, their names are hidden in the archives now faded with the passage of time, or often destroyed. The healing of wounds is additionally difficult because of the fact that in the new democratic reality the former guilty man encounters his victim. They may even work together or live in the same place. To make matters worse, the social status of the guilty man and his present job remain in a grossly and unjust disproportion to the evil he had committed. In the totalitarian regime, the oppor-

tunity to do harm was proportional to a position that one held. Now we are dealing with an equally proportional, although dramatically unjust, relationship between the function held in the previous system and the present position. The officers of a higher rank were accountable for decisions of incalculable results, as the system was hierarchical, nevertheless now they also receive higher payment, or, entirely undisturbed, take part in political life. This situation may indeed be in conformity with the current law, but it is treated as a gross injustice. A rewarded hangman and punished victim remain in an essential contradiction to the awareness of the natural sense of justice.

What I call here a natural sense of justice is the profound belief that good should be rewarded and evil should be punished. And the two things should be done not in an indefinite eschatological future, but here, within the confines of the current society and the current legal order.<sup>1</sup> It seems fair to reward the good and punish evil, and it is perceived as the proper foundation of society, its *raison d'être*, the condition of its survival and stability. Society, just like every single human being who has no ability to discern between good and evil or indicate their consequences, loses the basis of its own existence. The individual in this society begins to understand that it is not worthy to live an honest life, or to treat his daily duties with diligence, since nothing depends on his efforts. His action has no meaning because the results have been established beforehand, irrespective of the action taken.

The paper seeks to show the conditions of a milieu that ensure, or only facilitate, the development of this natural sense of justice. Therefore I assume that it is not the Hobbesian Leviathan that creates justice, that it is prior to the presuppositions of a social contract. The only point is to construct such principles that govern society and help to develop and cherish that sense of justice. Obviously, it is not easy to be concerned about the sense of justice as a primeval value. We must bear in mind that it is not only the lack of squaring accounts with the past that is an obstacle here. Injustice is an inherent and indestructible temptation in any community, and its various manifestations are particularly strongly rooted in a totalitarian and post-totalitarian society. Literature describes this society, using such terms as closed society, closed mind, captivated mind, or *homo sovieticus*, a term that has recently become fashionable. Of all these names we may elicit a common trait which would indicate the state of morbid consciousness, a consciousness that seeks justification in what is unjust, although warm, safe, and cosy. If there is something that can be acquired easily and without an effort, though by unfair means, then immediately consent appears, however hidden and rationalised. We commonly agree that law should be just, universal, and binding everyone. Nevertheless if we have to deal with a bad law, partial to some people at the cost of others, the social efforts would rather concentrate on the exploita-

---

<sup>1</sup> Alexis de Tocqueville for instance was deeply convinced about the last judgement concerning good and evil. This belief accompanied his faith in the future life after death (see D. Goldstein, *Trial of Faith. Religion and Politics in Tocqueville's Thought*, New York 1975, p. 6.)

tion of legal gaps, on the creation of groups of tension, on the opportunities to consume the shortcomings of that law rather than on its amendment or change.

The paper has been divided into three chapters. In chapter one I discuss the importance of a healthy public opinion and the importance of truth (truthfulness, veracity) in social life. I shall make use of the conclusions drawn by Frederic Bastiat, the nineteenth-century advocate of a free society and a limited state, the ardent critic of state omniscience and omnipotence, who unmasked the dangerous and in fact fruitless concepts of utopian socialism. Another point of reference for me will be Józef Tischner who in the twentieth century described the condition of Polish society in the transitory period. I must note that I shall not stick to the chronological order. Chapter two shows the issue of social life built on the basic sense of solidarity, that is, on the belief that one should not act without respect to others. This belief, as it turns out, also exists naturally in man, and the capitalist economy is not degeneration. On the grounds of this natural sociability economic liberalism was born, the foundation of capitalism that showed some mechanisms in the nature of man that allowed him to be harmoniously concerned with his own interest and live in accord with the interest of the community. Chapter three depicts further threats for the natural sense of justice that are inherent in a peculiar understanding of equality. This understanding makes equality utopian and destructive. Here we shall see how misleading can be the visions of a brotherly community where all members have jobs, so they do not have to compete, as no one possesses anything.

## THE SIGNIFICANCE OF A HEALTHY PUBLIC OPINION

### **The Time of Monologue**

Józef Tischner made a very accurate diagnosis when describing the political situation which followed the events of 1989 in Poland. He called this date a transition from a monological society to a dialogical society. Then the second stage of this process took place, namely, a transition from the dialogical society to a society of persons (subjects of the law).<sup>2</sup> We are dealing here with essential evaluations. Each totalitarian regime strongly believes that it has the whole truth about what is good for society (or for the regime), it usurps to have an overall view of the whole, and a profound insight into reality. Therefore it is of no importance what society says; it is important what the state says. In any event, no matter what society intends to do, the ruling authorities will decide whatever they deem is right. The epoch of monologism is accompanied by the phenomenon of the devaluation of words: society speaks, but the authorities only pretend to listen, as society's words have no obligatory force for them.

---

<sup>2</sup> Zob. *Etyka solidarności oraz Homo sovieticus* [Ethics of Solidarity and *Homo sovieticus*], Znak, Kraków 1992, p. 131 ff.

In this apparent conversation the authorities wish to maintain a dialogue. Therefore they establish pseudoassociations designed to be partners of the dialogue. This dialogue, however, is carefully controlled and surveyed. The authorities simply produce groups and give them names to make an impression of a grass-roots civic initiative, independent of the state. In like manner the authorities produce perfectly predictable partners. A predictable partner is also an element of the system of repression, it is therefore a part of the fine network of surveillance. There is nothing that can evade the authorities' control, as only they can see clearly and distinctly, they grasp reality in due proportions. Foucault made very terse remarks about this construction, when he described the idea of the Panopticon. In his book *Nadzorować i karać* [Discipline and Punish] we read: „In order to act the power must be equipped with a tool of constant, complete, omnipresent surveillance, on that is capable of bringing everything to light, while this tool is invisible. It is supposed to be a look without a face which transforms the whole of the social body into a field of perception: thousands of ubiquitous eyes, movable and always ready points of observation, a vast hierarchic network (...).”<sup>3</sup> It follows from this description that a totalitarian regime *does not speak*, it *observes*.<sup>4</sup> By definition such a regime has no particular goals, except one superior goal: to maintain itself. Besides that, it is devoted to universal goals, which it establishes. One of the party dignitaries in the 1980s was right when during the social unrest he said that the authorities would have enough food to feed themselves. Such is the essence of any totalitarian power: it suffices itself, it is its *raison d'être*, it is a self-moving *perpetuum mobile*. If a society does not like it, the power will create a better society. The like ironic conclusion is at the same time an evidence how deeply rooted are the illusions on which any totalitarian regime is fed. Indeed, such a power suffices for itself, at least in a short period of time, but in a longer run it lives in an illusory belief that one may govern a society irrespectively, or even against, that society.

## Dialogue

The epoch of dialogue not only raises the importance of words, it also introduces the *need* and *duty* to speak. The end of monologism is made evident not because one may speak not according to a pre-established scenario, but basically that one should speak. At the same time certain questions appear. They are simple in their form, but not banal in their content: what or what about shall we speak when we are allowed to speak? What is a society supposed to speak when it is not prepared for this pluralism of conversations? One point must be made clear: there are no ready-made recipes for a mature democracy of a free state.

<sup>3</sup> M. Foucault, *Nadzorować i karać* [Discipline and Punish], transl. by T. Komendant, Aletheia, Warszawa 1998, p. 208. (I am quoting from the Polish translation)

<sup>4</sup> Thus it seems ridiculous today how some open and less open informers of the former apparatus of power rationalise their behaviour and assure us that they *only* talked with the representatives of the regime.

This is a very practical lesson which each society must take, while being involved in an active dialogue. We may only indicate some hints and reveal dangerous areas. The social space from a one-directional – from the authorities downwards – turns into a network of multidirectional communication. In this new configuration new challenges appear: different reasons that must be understood, respect and confidence that must be paid to partners, a certain convention and principles of dialogue that must be kept. It is impossible to be involved in a dialogue where words denote something else than they inform, so that we must guess their meaning or interpret them at our will. In the epoch of dialogue we may, we must seek good and criticise evil. It is society now that decides (should decide) about the form of the modern state and its sovereigns. This society chooses its authorities in democratic procedures. In the circumstances of political liberty we need one another as partners of dialogue in which we settle, negotiate the sense and principle of communal life. Moreover, we understand and evaluate, under the conditions of pluralism, different political programmes.

Tischner notices here the basic difficulty characteristic of the condition of post-totalitarian society. The citizen of this new epoch of dialogue manifests his immaturity when he vacillates between two contradictory attitudes: he either assumes passiveness and expects orders and instructions from above, as he has learned to receive everything from the state, or in this new reality revolts and rejects whatever there is to be approved or disapproved before he has learned what it is. Therefore he is more frequently against someone or something, rather than in favour of someone or something. Not infrequently does he perform the two things simultaneously, i.e. he is in favour of someone or something only to manifest his dislike against something or someone else. In both cases his immaturity consists above all in his lack of discernment, and the attitude of protest or withdrawal is made absolute: it is not the thing itself that matters, but the attitude to be for or against. An immature rebel observes social life in the categories of metaphysics rather than politics. Accordingly, he finds it difficult to trust his partners of conversation and give up, if necessary, his position. He cannot, for that matter, discern the categories of truth that he eagerly uses. Thus it is not truth as a common effort to know reality that is the foundation of this effort, but a truth which he himself regards as the only right. Therefore he may take truth in the epistemological sense – as a result of knowledge – for truth in a religious sense, an object of faith.

### **The Mediating Structures**

The withdrawal of a partner of dialogue takes on much more importance here than in the previous system, and his chosen solitude is the more painful. The contemporary democratic state does not want to, should not, be the only source of the truth about reality. Who is supposed to decide about this reality, if nobody wants to take part in its formation, or else adopts an immature attitude? A code that is common to all participants of dialogue in democratic reality is to further

strengthen the internal sense of good and evil. For this code such behaviours as falsehood, hypocrisy, manipulation, and exploitation are, as I think, commonly recognised as unacceptable. Owing to this inner agreement there arises a healthy public opinion in the milieu of the society of dialogue. Since there is no surveillance on the part of the authorities that penetrate each social space, there must be an area to deposit, defend, and propagate the shared values. In the state of liberal democracy, briefly speaking, in a free state the so-called mediating structures take on enormous importance, e.g. the free media, free associations, family, the Church. They ensure an uncoerced participation in public life.

The power in its centralised form has disappeared, but it still functions as its another variety in a decentralised form. This decentralisation means that in a free state power pours out of the vessels of social associations in which citizens take responsibility for their local communities. In a democratic state the power means *managing, counselling, supporting* rather than ruling. Free associations constitute the domain of authority, patterns of conduct, examples for imitation. What else does this otherwise important conclusion mean that the person is such a being that governs himself, that is a self-determining creature, capable of self-government? And society in the same manner is able to govern itself.<sup>5</sup>

### Public Opinion

In the epoch of dialogue everybody can, or even should, speak. For this purpose there are appropriate forums, contemporary agoras, where we can publicly articulate our views, where we can feel authors of our opinions. In like manner in the milieu of multidirectional communication public opinion is formed. This opinion, according to Bastiat, assumes „the intelligent attitude” if it „condemns bad tendencies and resists the adoption of harmful measures.” When it is „misguided [it] honors what is despicable and despises what is honorable, punishes virtue and rewards vice, encourages what is harmful and discourages what is useful, applauds falsehood and smothers truth under indifference or insult.” Then a nation – concludes the French political thinker – „turns its back on progress and can be restored only by the terrible lessons of catastrophe.”<sup>6</sup>

Bastiat is convinced that the degeneration of public opinion is especially present in the totalitarian regime, the regime in which society has been accustomed to expect everything from the state, but also to accuse the state of everything. This regime teaches its citizens not to be responsible.<sup>7</sup> There is no, as we have said, authentic interpersonal communication, social communication, as it is usually

<sup>5</sup> On the so-called mediating structures see especially J.L. Adams, *Mediating Structures and the Separation of Powers* [in:] *Democracy and Mediating Structures. A Theological Inquiry* (ed.) M. Novak, American Enterprise Institute for Public Policy Research, Washington D.C., 1980, pp. 1–28; see also on the so-called principle of devolution, i.e. the passing down of competencies to the lower levels of society M. Novak, *On Cultivating Liberty. Reflections on Moral Ecology*, Rowman & Littlefield Publishers, Lanham 1999, pp. 107–109.

<sup>6</sup> F. Bastiat, *Economic Harmonies*, transl. W.H. Boyers, New York 1979, p. 517.

<sup>7</sup> *Ibidem*.

arranged and manipulated. Thus public opinion cannot be spontaneously spread and formed, in conformity with the law, that is obvious, but also with a well-informed conscience. A totalitarian state not only destroys the relation to law by granting an unlimited power to some chosen individuals, but it also favors moral depravity.

The perverted public opinion cannot become „the queen of the world and the daughter of solidarity”, as Bastiat defines it.<sup>8</sup> The author believes that a society which is not manipulated, such in which the original belief that good should be rewarded and evil punished may spontaneously develop, and tends towards a more and more mature form of social community. Bastiat claims that „the whole of society is simply a network of various interconnected manifestations of solidarity.”<sup>9</sup> Authentic community and authentic solidarity – the French thinker believes – are born in a dialogue. Its participants trust each other, speak the truth openly with humbleness. This is the kind of humbleness that should emerge from one’s awareness of contingency, imperfection, and the flaws of our cognitive faculties. With humbleness that is due to man as an individual living in a community.

### The Concealed Guilt

Let us pose a question about the obstacles that come in our way when we believe that good should be rewarded and evil punished. What impedes us to establish healthy public relations. The point is that we are still living in the atmosphere of a hidden guilt. Therefore the guilty man does not plead guilty, hence he does not diminish the painful sense of injustice. He will not step forward and confess publicly – as it was once suggested by the Hungarian political philosopher, Ágnes Heller – that he had committed evil and now regrets.

In my estimation there are several reasons for that.<sup>10</sup> Firstly, he was not alone, he collaborated with others, therefore he may easily excuse himself that others did worse things, and yet they do not feel any remorse either. Secondly, he was a two-faced man and he himself decided whom to hurt, or whom to protect. In terms of the former regime it was called self-interest or brawling, in any case it was a very dangerous case of individualism. Such a man would erase from his memory those whom he had hurt, and would stress his merits when he had risked and saved those whom he had wished to save. Thirdly, and this attitude seems to me most popular, it reaches back to the times of Nuremberg, he would indicate the then law that he had abided by and ardently implemented. At the same time he ignores an essential, though unpleasant, fact that often the law in the totalitarian regime did not allow him to commit acts he had committed. Eventually, there are those who know they did wrong things, therefore they are

<sup>8</sup> *Ibidem*, p. 515.

<sup>9</sup> *Ibidem*, pp. 514–515.

<sup>10</sup> Obviously, my diagnoses here are only simplifications. One would have to examine each individual situation of particular persons, their age, intellectual level, and motivations. (If, for instance, we look at the involvement of intellectuals in the communist regime it is worth reading J. Trznadel’s book entitled *Hanba domowa* [Domestic Dishonour] Antyk Publishers, Warszawa 2006).

afraid to confess as they might lose their position, good name, and the goods they have appropriated. They do not want to lose their positive image before their families, milieus, and friends. For this reason the moment of squaring accounts with the past is put off and the sense of injustice grows.

#### MAKING PEACE WITH ANOTHER MAN

The answer to the question posed in this chapter on the subject and goal of conversation in the epoch of dialogue is equally simple and concise in its form as those questions: one should speak truth and seek good. Now to paraphrase Tischner's words we should seek another man. What for? The answer is: to *make peace with him*. It is my belief that this formulation is better than the otherwise well-known word: compromise. In the circumstances of dialogue, in view of the plurality of opinions and reasons we are dealing with unavailing efforts on behalf of making peace with another man. One might say that the common good of the modern democratic state is the continually open opportunity and the untiring attempt to make peace. In the society of dialogue conflicts are settled by making peace and finding agreement with another man. Public opinion is instrumental here, when it is healthy, i.e. not favoured by the state and not manipulated (or not depraved). Obviously, there is always a temptation in the state to rule this opinion, to give it its own form. In a formerly totalitarian state this temptation is stronger still. Therefore it eagerly participates in changing the human milieu into a class struggle, conflicts of interests, and the establishment of pressure groups. Now society should incessantly defend itself against the appropriation of its own area through the political action of the state, so that within a given legal order continuous efforts are made on behalf of making peace with another man. Where censorship disappears, the following questions gain importance: who is speaking, what, to whom, in what way. The answers given are formed on the inner belief about the obligation to reward good and punish evil.

#### THE REJECTED IMPARTIAL SPECTATOR

The basic message of each democratic, or, to be more precise, liberal-democratic system is the principle: live in respect for others. This belief is linked with a confidence in the power of free society, that it can order and govern itself. At the same time the point is made that such a society is not an inert mass ruled by the omniscient and all-seeing reason-state. We have received this lesson from Adam Smith. The Scottish philosopher argued that each act is accompanied by a sympathetic awareness articulated in a question: is your act approved by an impartial spectator? It is only with an approval of the impartial spectator, combined with an approval of conscience, that self-interest may bring about positive fruits. For Kant this unsociable sociability was expressed by the well-known categorical imperative that our acts should always be founded on the principle of the

universal law. With Mill the individual's freedom is limited by the freedom of another individual. A respect for other, the law-giving force of the will, and limited freedom – such are the spaces of the free state.

These principles are suspended in a totalitarian state. What counts here is in fact neither sympathetic fellow-feeling (it seems to be too fragile, an individual whim, to use Hegel's language, on which one cannot rely), nor the law-giving power of the will, nor the freedom of another man. Here one should be devoted to the idea, the state, community, should abandon himself because of himself he does not have anything and does not mean anything (the individual is brought to a zero). Everything is ruled by external circumstances and the principles of the system. We speak here of a community of hollow people who must be filled in by the system with contents. Man is born in a system, draws his life-giving forces, and finds his sense in it. Just like the ancient polis was the only sensible life space for citizens, the citizens of a post-totalitarian state yearn for their totalitarian past.

Post-totalitarian society took seriously its lesson on propaganda that it received from the world of the socialist economy. In this world it was in fashion to criticise the capitalist economy for exploitation and calculation, and lack of any human principles. On the billboards we could see the picture of a dashing worker. He was standing at the helm and with a proud forehead looked up to the bright future. His counter-reflection was a dwarf-like bourgeois with a saggy chin, whose massive body could barely stand on short legs. This is perhaps why after gaining independence the area of economy is frequently paralysed by scandals, and corruption reaches the highest ranks. Nepotism is well at home because one should care about one's friends. (It is interesting to note that private companies in Poland do not cherish the kind of social support that one should expect. The private owner is often treated as someone who expects only profit, and does not care about the quality of his job). The Sovietman has briefly attended the school of economic liberalism. In fact he has barely started his education, therefore he is not patient, and eagerly chooses shortcuts. He shouts loudly: capitalism, and whispers: in a socialist way. In his subconsciousness he is taking revenge on that dwarfish bourgeois, he is unconsciously fighting against him, although he has managed to put into operation some mechanisms of rationalisation and no longer calls his enemy openly.

Tischner describes post-totalitarian immaturity as follows: „*Homo sovieticus* now demands of those 'capitalists' to satisfy his needs that communists have failed to satisfy. He is like a slave who, once liberated from one serfdom, quickly seeks another one.”<sup>11</sup>

Therefore he still fails to understand that self-interest is neither individual nor collective egoism, but a natural mechanism. This mechanism naturally helps man to achieve success, while using what belongs to him: freedom, conscience,

---

<sup>11</sup> J. Tischner, *Ethics of Solidarity*..., p. 125.

and discernment (knowledge). The authorities of the people's republic strengthened his claims to everything, since under socialism there is no private property, so we all own everything. If one cannot have something, one should take it. Now to take something that was owned by the state meant to take something that belonged to nobody, something that in fact one deserved to take as one's own.

J. Tischner thus vividly portrays *homo sovieticus* when he says: „In the name of harm done to him, his humiliation, loss of his place in the world of politics and being threatened by a loss of job he might cry: no! By his act he will negate the common good. *Homo sovieticus* knows no difference between self-interest and the common good. Therefore he may torch the cathedral only to scramble eggs in this fire.”<sup>12</sup>

Self-interest is not hanging in the vacuum. Man is well aware that he lives in solidarity with others. The space of economic freedom is in accordance with this naturally interpretation of good that should be rewarded, and evil that should punished. In this case the good is to interpret the conditions of economy, to trust partners in economy activity, to have confidence in the state that formally regulates the principles of economy. The most important thing that one expects from the state is, as I thing, to provide stability and be predictable in its legislation (related mainly to the tax system).

#### EQUALITY AS UTOPIA

Another obstacle on the way to reach a certain balance between the past and the future is the strong link between the sense of justice and equality of social status. Post-communist society on its way to a form of democracy tends to extrapolate the utopian visions of international brotherhood, where all have an equal share, and its specific equality on the fledgling democracy. Therefore it expects that once it has squared accounts with the past, traced the guilty, stigmatised their guilt publicly and punished, it will accomplish a state of homeostatic balance. If this state does not come, then apparently not all culprits have been found, that there is still a guilt that has not been confessed. Let us look closer at that belief. We keep on tracing enemies and will not stop doing it. This is quite a pleasant occupation, although it almost always eventually bears internal conflicts. We begin to behave like the authors of the socialist realist verses-appeals:

Be alert, comrades (...)  
for even under the skin of a membership card  
we must pick out enemies  
(A. Mandalian, transl. J.K.)

I am amazed when I observe my fellow citizens. Like precious talismans they nourish and feed in their consciousness communists-torturers and Jews-

---

<sup>12</sup> *Ibidem*, p. 129.

cheapskates. Such stereotypes act like a political pacifier. They heal of frustrations and stupefy. It is of little importance that awakening comes soon and is usually painful. If they were deprived of those negative counter-reflections, they would feel as if the world was collapsing around them. They would suddenly discover that they must live an independent life and take responsibility for it, not in trenches, against the lurking enemies.

#### THE REVERSAL OF ROLES AND THE TEMPTATION OF MANICHEISM

I do not intend to say that one should give up the quest for the authors of injustice. My intention is to turn attention to dangers lying in wait for us in this quest. The natural sense of justice is degenerated when it is made identical to this kind of idea of equality, if it is linked with the belief to accomplish a utopian state of balance. Therefore if this natural sense of good and evil is attended by the attitude of materialistic egalitarianism, which in fact goes against the private, and its claims for equal distribution are addressed at the state, the roles become reversed.<sup>13</sup> The contemporary democratic society takes on the role of investigators, though its motivations are different and more noble. In any event, post-totalitarian society takes equality before the law, which is normal in the system of liberal democracy, for the equality of material status. The improvement of material conditions should be the result of certain actions, hard work, risk, not their cause. In a totalitarian society the functions of investigators were assigned by the system, now they are assigned by democratic institutions, e.g. the mass media that deliberately feed on fears and frustrations, so that they could show the people's anger where to attack.

We find here an especially dangerous trap. It consists in the return to the temptation of the Manichean perception of the world, in fact delusion with Manicheism. This temptation is the more dangerous as it often takes on the form of the religious opium for the people.<sup>14</sup> In like manner the people seek to raise a bastion to defend themselves against the hostile world. Religion becomes – as Tischner rightly noticed – opium for the losers. Therefore we hear about Polish-speaking politicians and Polish-speaking media in Poland, and not Polish sounding names. Is it not ironic that contemporary critics of Marx mumble to themselves: be alert, comrades, be alert?... Is it not the irony taken from Orwell that we again divide people according to what they read, listen to, and watch? Only those who read the proper texts and watch the proper pictures have the right to call themselves Polish citizens. Thus the ideology of a closed and pure community lays heavily on human history, and religion loses one of its basic

<sup>13</sup> See B. Frohnen, *Virtue and the Promise of Conservatism*, University Press of Kansas, Lawrence 1993, p. 5.

<sup>14</sup> See J. Tischner, *W krainie schorowanej wyobraźni* [In the Land of Morbid Imagination], Znak, Kraków 2002, p. 6.

aspects: it ceases to be a way of liberation, and becomes an element of political struggle.<sup>15</sup>

The old myth of a brotherly community is revived in post-totalitarian society. According to this myth, every one has a job, there is no need to compete with others, for no one possesses anything. Therefore it is easy to treat one's possessions with suspicion – things that were acquired by dishonest means. The claim for equality – even though it is not officially articulated – is in fact translated into the promise of an easy life at the cost of others.

Since the liberal-democratic system to a large extent depends on the condition of an active society, this society must have important points of reference, according to which it shapes its activity, or – as we have said – participates in a dialogue. It seeks the sources of order in itself (the impartial spectator, conscience), the law-giving role of practical reason or virtue, it must have patterns for its measure of justice. Such patterns are on the one hand knowledge, the formal and legal order, and on the other the free space of shared tradition, religion, and social communities (family, free associations, and the Church). Our considerations have come to their point of departure. We have come back to the important role of the mediating structures. They are, let us repeat, the essential milieus that support the patterns of good.

## CONCLUSION

We have discussed the relationship between the awareness of injustice – especially present in the post-totalitarian society – and the sense of justice. We indicated the sources of this awareness of injustice and mechanisms that help this natural sense of justice function properly. The natural sense of justice is founded on a belief that evil should be punished, and good should be rewarded. We do not mean an ideal situation in which this process of necessity is present because then we would return to the idea of a perfect community. The point is to ensure due procedures that help sanction that natural sense of justice.

---

<sup>15</sup> The context of natural sociability of which we are talking here refers us to the modern social contracts. It is worth recalling here the so-called social feelings. According to Rousseau, they were supposed to be the foundations of social collaboration determined by the sovereign. The idea of a social contract built on rationalistic beliefs, with its dominating scientific reason, to a political appropriation of society and its incapacity. This time the point is to make them subject-oriented and de-politicise. At the grounds of excessive politicisation of society is a belief that it is defenceless and helpless, and that it is possible to build a better society by way of the improvement of its institutions. Thus society convinced of its defencelessness and helplessness places its fate in the hands of political institutions. Each problem becomes a political question for specialists to deal with. Such was the starting point for the socialist economy with its short- and long-term planning, with its inflated statistics and the magic of unfounded numbers. It is worth adding here that politicisation (rationalisation) of social life is dangerous in any community. It may take on the form of e.g. political correctness. (See J.J. Rousseau, *O umowie społecznej* [The Social Contract], transl. by M. Starzewski, Ossolineum, Warszawa 2002, p. 219).

We have assumed that such areas in which the sense of justice is strengthened is the area of the freedom of speech, in which a healthy public opinion may develop, where social mediating structures function (institutions essential for the survival of society, such as family, free associations, and the free press). The area of the freedom of speech from which the state hegemony has withdrawn (the time of monologism) should encourage us to participate in the new society of dialogue.

Another challenge for the inhabitant of a post-totalitarian state is the new understanding of the rules of the free-market economy and work as its essential part. A citizen that has been treated unfairly has a warped perception of the new reality as a possibility to take revenge, to repay for the years of humiliation. He does not understand the new mechanism and lives in an immature revolt. It is difficult for him to take rid of his awareness of the class struggle, according to which one should close ranks, and form pressure groups against the state (in fact, most often against other groups of society).

Eventually, we have described that equality can be perceived in such a way that in combination with the sense of justice deformed this experience. We mean especially so-called materialistic egalitarianism in which each citizen accomplishes a similar social status. Thus understood egalitarianism – not as equality before the law – makes the citizens address their claims to the state and demand from it a distribution of incomes that would make it equal for all of them. Injustice returns in a new political system under a new form. Freedom of man takes place between the (punished) guilt and (rewarded) merit. Only a society in which this natural sense of justice is not artificially thwarted has grown to freedom. Justice, just like freedom, manifests itself as an effort that is worth making to accomplish the intended goal. Its achievement depends on commitment and risk. This, in turn, is reasonable when accompanied by reward and punishment.