

CONFLUENCE OR CONFLICT: ANALYZING THE VIRTUES OF FRIENDSHIP AND JUSTICE

Dr. Shilpi Srivastava

Assistant Professor

Department of Philosophy

Deshbandhu College, University of Delhi

Email: simplyshilpi@gmail.com

Abstract

Friendship and Justice have both been regarded as virtues in the Greek thought and have specifically been listed by Aristotle in the Nicomachean Ethics as virtues. However, it remains a matter of debate that how can the demands of fairness, impartiality and equality that are associated with justice be associated with a relationship between friends that is inherently partial, biased and individualistic. Can the two virtues be practiced together or there is an apparent tension between them. The present paper aims to study these issues in detail. In order to understand the dynamics between the two concepts, we need to grasp the two concepts in their various connotations and explore the nature of the intrinsic relation between them.

Keywords

Friendship, Justice, Fairness, Aristotle, Virtue, Ethics, Conflict

Reference to this paper should be made as follows:

Received: 07.01.2022

Approved: 15.03.2022

Dr. Shilpi Srivastava

**CONFLUENCE OR CONFLICT:
ANALYZING THE VIRTUES OF
FRIENDSHIP AND JUSTICE**

Article No.08

RJPSS Oct.-Mar. 2022,

Vol. XLVII No. 1,

pp. 060-069

Online available at:

[https://anubooks.com/rjpss-](https://anubooks.com/rjpss-2022-vol-xlvii-no-1/)

[2022-vol-xlvii-no-1/](https://anubooks.com/rjpss-2022-vol-xlvii-no-1/)

[https://doi.org/10.31995/](https://doi.org/10.31995/rjpss.2022.v47i01.008)

[rjpss.2022.v47i01.008](https://doi.org/10.31995/rjpss.2022.v47i01.008)

The conflicts between the demands of friendship and the demands of justice arise due to the essential nature of the two virtues themselves. In the common discussions, justice is often identified with equality or impartiality. It is argued that justice demands us to treat everyone equally. Since friendship, by virtue of its very nature as a particular and personal relationship, demands us to give special attention to our friends, it enters into a conflict with the demands of justice. Various issues that need to be discussed here are whether there is really a tension between the two virtues or each of these provides some scope for the other. Moreover, in case of a discord, which of the two shall be treated as an overarching virtue? Is it possible to reconcile the two? Does friendship demand privileging against the demands of justice or is it the other way round? For coming to any conclusions regarding these issues we shall briefly examine the different conceptions of justice that have been given by different philosophers and try to figure out the extent and depth of this apparent tension between the two virtues.

Friendship and the Different Conceptions of Justice

The aspects of equality and impartiality have been over-stressed in the context of justice. Though justice includes these two features it is not just this. In book 4 of 'Republic', Plato has discussed the concept of justice. According to him, it is the overarching virtue, which rules a person as well as a society. A human soul is divided into three parts: reason, spirit, and appetites. A person is just when each party adheres to its own function. Corresponding to each of these parts is a class of the society. Thus there are philosophers who are guided by reason, warriors having the prominence of spirit and the peasant class that is ruled by appetite. When each of these three classes performs their role, the result is a just society. Plato has also emphasized thus that social justice consists in 'giving every man his due'. Thus friendship can be justified in Plato's account on the basis of the argument that our friends deserve our attention. Treating them in a special way is giving them their due. Hence caring for a friend is not against justice but rather promoting it.

Aristotle too has accepted justice as a virtue and discussed the concept at length in chapter 5 of '*Nichomachean Ethics*'. He accepts that justice can be understood in both the general and the particular sense. In the general sense, justice includes all the habits of good citizens, and this seems closer to Plato's conception. Particular justice on the other hand is one of the virtues among other intellectual and moral virtues. The particular justice, according to him can be divided further into distributive and retributive justice. The former is concerned with the fair distribution of goods whereas the latter with restoring the balance between two parties. Aristotle has not only accepted in his account the compatibility of these two virtues, but even argues that among friends, justice is no more required.

There are a few other philosophers like Mill, Sidgwick, and Rawls who have discussed the concept of justice in detail. Though they have not included friendship in their discussions, it would be good to see whether it is possible to find some space for friendship in their account of justice. J.S. Mill discusses justice in the last chapter of his book 'Utilitarianism'. The five different notions of justice given by Mill are: “ (1) respect for legal rights, (2) respect for moral rights, the rights accorded by an ideal system of law, (3) distribution in according with desert, (4) keeping faith or fulfilling reasonable and justified expectations and (5) impartiality.”¹ He admits that commonly much importance is given to the sentiments of justice than the sentiments of charity and benevolence. While, the former refers to our perfect duties, the latter to the imperfect duties. He explains the duties of perfect obligation as ‘those duties in virtue of which a correlation **right** resides in some person or persons.’ Though impartiality is one of the criteria for defining justice, he also talks of fidelity. He holds that if a person by his conduct raises the expectations of another and then fails to perform in order to meet those expectations then it is an unjust act. Now keeping in mind the conception of friendship that we discussed earlier, it can be argued that since friendship by its very nature comprises of loyalty, reliability, and trustworthiness, it should not be regarded as a threat to justice. Moreover, since justice demands us to meet the expectations that others come to have from us as a result of our conduct, failing to meet the commitments of friendship would surely lead to injustice.

Henry Sidgwick has also discussed the concept of justice in ‘The Method of Ethics’. He thinks that there is more to justice than conformity to law. Thus he raises the issue that a just man where law observance does not matter is to be taken as an impartial man. He defines an impartial man as, “...one who seeks with equal care to satisfy all claims which he recognizes as valid and does not let himself be unduly influenced by personal preferences...if we neglect to give due consideration to any claim which we regard as reasonable, our action cannot be just in intention.”² Lawrence A. Blum has borrowed the notion of ‘claim’ from Sidgwick’s definition of justice to argue that since justice lies in satisfying all claims hence if I help my friend instead of a stranger the act should not be regarded as an impartial or unjust act³. This is so because between the two, it is my friend rather than the stranger who has a claim to my help.

In the more recent times, John Rawls, ‘Theory of Justice’, is the starting point from where most discussions on the concept take off. According to Rawls, “Justice is the first virtue of social institutions, as truth is of system of thoughts.”⁴ For Rawls, justice can be understood as fairness or impartiality. He presents a

hypothetical situation in which in the original position, there is a 'veil of ignorance. He argues that in such a situation each person will prefer a state of affair, in which the interests of the least advantaged are taken care of in the best possible manner. Since nobody is sure of his position in the actual state of affair there can be no chance of partiality or favor to any particular position of one's subjective preference. Thus his conception of justice is concerned primarily with the distributive aspect and advocates fairness in this distribution.

Although Rawls accepts that equality is an important feature of a just society he accepts that this equality is to be sought only in cases where a distribution is concerned and apart from those cases inequality is not an evil in itself. He says, "Now by inequalities, it is best to understand not *any* differences in the benefits and burdens attached to them either directly or indirectly, such as prestige and wealth, or liability to taxation and compulsory services. Players in a game do not protest against there being different positions, such as batter, pitcher, catcher, and the like, nor do the citizens of a country object to there being the different offices of government such as president, senator, governor, judge, and so on, each with their special rights and duties. It is not differences of this kind that are normally thought of as inequalities, but differences in the resulting distribution established by a practice, or made possible by it, of the things men strive to attain or avoid."⁵ Thus the point that he takes into consideration the 'special rights and duties of people and does not take inequality as an intrinsic evil, suggest that his view on justice provide space even for personal relationships like friendship and does not demand us to treat all individuals equally, to the extent that they do not interfere with the allocation of goods.

Issues of Conflict between Friendship and Justice: Equality and Impartiality

Though equality and impartiality are related to the notion of justice they do not represent the concept by themselves. In the context of distributive justice, equality is just one of the criteria for the proper distribution of social goods. It faces challenges from other principles like that of need, where the just distribution is such that the needy person gets more than one who is well off. Another criterion of justice is meritocratic; where one is treated according to his merits or as he deserves to be. According to yet another principle of distributive justice, a just distribution is one that promotes the overall social good (the utilitarian's conception). Thus it is evident that equality is not the sole criterion for the evaluation of an act as just or unjust. The demands of friendship can often be justified on any or all of these grounds. It can be argued that my friend is in more need of my attention and concern, than a stranger because it is he who holds this special value for me and not the stranger. If I do not help a stranger in a situation where the two are facing a similar problem and

it is possible for me to help only one person, that stranger will be left to deal with only the problem that he originally had while if I choose to help the stranger and leave my friend I'll add to his problems in the sense that now he also has to deal with the emotional setback of being deserted by a friend.

The criterion of merit or being a deserving candidate can be justified in the favor of a friend, on the ground that, being a friend entitles one to be a more deserving candidate for our concern. I am a better judge of the merits of my friend. Let us take a situation where one of my friends and a colleague who is a mere acquaintance, both ask me to lend them a particular sum of money. Let us also take it that I have the resources to help only one of them. In such a situation I'm justified in helping a friend rather than a stranger, for I'm sure that my friend is in genuine need of that money, also that the need for borrowing is not a result of some demerit in his character (he could be into gambling, etc. or just extravagant) and that he is sincere in his promise to return the money in a given time. Yet another criterion for justice offered against equality is that a just distribution is one that promotes the overall social good. It can be argued here that if each individual focuses his attention towards his obligation towards his friend, this shall lead to the promotion of the overall good. For, being a friend one is able to comprehend the requirements and needs of a person in a much better way than a stranger can.

Impartiality is another criterion offered for justice. The philosophers like those following the Kantian model of morality and the Utilitarian have emphasized that impartiality is an important value on which any moral theory should be based. Thus it is taken that, for an action to be a just action, it should be carried out without any intention of benefiting some particular person against others. Friendship is a special relationship that one can share only with a few people, 'acting out of friendship' is seen as being partial towards some and hence in conflict with justice. Diane Jeske has argued that this special care for one's friend does not amount to injustice. She says that, "All virtuous persons are equally deserving of my concern, but pragmatic considerations force me to choose only a few as my friends."⁶ She holds that though there might be reason for caring for all virtuous people, one can focus one's attention on only a few. She distinguishes between justificatory and explanatory reasons in this context.⁷ While my explanation for starting to care for a person may be the fact that he is a virtuous person my being partial towards my friend needs no more justification than the fact that he is my friend. The feeling of love that I have for a friend leaves me in a better position to care for him than a stranger.

She argues that friendship is not one of those goods that have to be distributed and once we become friends giving special attention to our friends

comes naturally. In her words, “Intimacy simply is not possible between any and every two persons. So we cannot distribute friendship in the way that we can distribute food or health care. Those without friends are in an unfortunate position, but they have no special claim that someone is their friend.”⁸ It could be said that partiality is inherent in the relation of friendship. Once I become friends with a particular individual, I come to have this obligation to care for him even if that does not help in the maximization of other socially valuable goods. Thus Jeske concludes that, “Friendship is a unique resource that demands a partiality grounded in the nature of the relationship itself...”⁹

The impartialists claim that is not that we should not give any special attention to a particular individual but that when it comes to rules that relate to the allocation of benefits, one should not be guided by these special relations. Marcia Baron has made a distinction between two levels of impartiality. The first level is concerned with the particular acts while the second level is related to the stage where principles are chosen or affirmed. She holds that, “Impartiality at level 2 is consistent with partiality at level 1, as long as principles accepted at level 2 approve partiality at level 1.”¹⁰

Sibyl A. Schwarzenbach remarks that in the modern time, none of the philosophers like Hobbes, Locke, Hume, Rawls, and Hegel have given any importance to the role of friendship in holding a society together. They are more concerned with security, freedom, commerce, law, and justice as the values required for a well-ordered society. He says, “Indeed, the argument that friendly feeling-or a shared interest in friendship could actually help bind citizens of the state together (and not simply lead to partiality, bias, and factions) is more often explicitly rejected by modern thinkers.”¹¹ He refers to Aristotle’s idea that friendship is not opposed to but rather helps in the achievement of justice and asserts that this ancient notion needs to be revised in the present world.

Seeking Compatibility between the Two Virtues- Friendship and Justice

Any attempt to find compatibility between the demands of justice and friendship must find its roots in the philosophy of Aristotle. Justice and friendship find a place among his list of moral virtues that are necessary for achieving ‘eudemonia’ or the state of happiness. He not only accepts that justice is compatible with friendship but goes on to accept friendship as a requirement of a just society. Sibyl A. Schwarzenbach remarks, “The theme that in a just society citizens experience a form of friendship or *philia* for each other-they wish each other well for their own sake, do things for fellow citizens both individually and as a citizen body, and share in values, goals, and a sense of justice is a constant theme running throughout

Aristotle's ethical and political works. In fact, *philia* becomes a central criterion distinguishing just regimes from unjust ones..."¹²

Julia Annas contrasts Aristotle's conception of friendship from that of Plato's as described in the *Lysis*. She says that while Plato's primary concern seems to be personal friendships; Aristotle has included even its wider implications in the form of social or community relationships. Aristotle, keeping in mind the inequalities prevalent in the society, distinguishes between equal and unequal friendships. These inequalities give rise to the question of justice. Annas refers to these remarks of Aristotle in saying, "The long discussion is held together by the analogy constantly claimed between friendship and justice. 'Friendship and justice seem . . . to be concerned with the same objects and exhibited between the same persons' (1159bz5-26). The closeness of the parallel he draws brings out that the Aristotelian notion of justice is not quite the same as ours: 'the demands of justice also seem to increase with the intensity of the friendship' (I 160a3-4). For Aristotle it is not just mean or deplorable but actually more unjust, to cheat a friend than a stranger. To our minds, the parallel drawn out between the concepts makes Justice too personal and friendship too impersonal. Justice, for Aristotle, is not a matter of rights held independently of one's social relationships, and friendship not merely a matter of one's personal likings but to a great extent defined by one's social position as subject, son, demesman, etc"¹³

While philosophers like Aristotle have tried to establish a relationship between the concepts of friendship and justice, there are others who claim that the two virtues are independent of each other. These philosophers, for example, Lawrence A. Blum, hold that there are two distinct areas in which the two kinds of duties: 'duties of justice' and 'duties of humanity' apply. The duties of humanity include benevolence, charity, and duties born out of our personal relationships. Within this field of humanity, the rules of justice are not applicable. Thus Lawrence A. Blum says, "when acting from friendship it is neither required nor appropriate (normally) to look to impartial or impersonal considerations to guide our actions. Impartiality, fairness, and justice are personal virtues, but they are merely some virtues among others. They are not definitive of moral virtue altogether."¹⁴ Blum has borrowed the notion of 'claim' from Sidgwick's definition of justice to argue that since justice lies in satisfying all claims hence if I help my friend instead of a stranger the act should not be regarded as an impartial or unjust act. This is so because between the two, it is my friend rather than the stranger who has a claim to my help.

Michael Sandel expresses a similar viewpoint as Blum. Michael J. Meyer discusses Sandel's view that among friends there is no need for rights, he holds that considerations of justice and claims of right tend to diminish the moral worth of

friendship and other close-knit communities. Sandel compares this with the bonding within the family where relations are governed by the mutual affection that exists between the members of the family and the questions of right may never arise at all. This does not imply that the situation refers to the prevalent injustice but to the fact that the spirit of generosity rules over the need for justice. Sandel is of the view that justice is not the primary virtue of all societies and holds that, “an increasing injustice does not necessarily imply an unqualified moral improvement”.¹⁵

Nancy Sherman has referred to the contrast between the Aristotelian and the Kantian notion of attachments. For Kant morality essentially consists of impartiality, and he gives a minimal space to personal affection in the field of morality. On the other hand, for Aristotle, such attachments form the fundamental virtues. Sherman holds that for Aristotle, “...these claims, of wider generosity, justice or the like, do not have a privileged position in the good life. They do not always trump other virtues, nor are they constituted any less by passional dispositions.” Moreover, these passional dispositions are neither blind nor irrational forces, but rationally informed and guided intentional states.”¹⁶

According to Michael Sandel, the identity of a self cannot be established by isolating it from the various attachments that it has. He holds that these social relationships give a person his self-consciousness. He says, “Allegiances such as these are more than values I happen to have or aims I ‘espouse at any given time.’ They go beyond the obligations I voluntarily incur and the ‘natural duties’ I owe to human beings as such. They allow that to some I owe more than justice requires or even permits, not by reason of agreements I have made but instead in virtue of those more or less enduring attachments and commitments which taken together partly define the person I am”¹⁷ thus he too suggests that these attachments are above the requirements of justice.

Marilyn Friedman has discussed the role of friendship within the feminist debate. She distinguishes between the communities of origin that include family, nation and the likes and the community of choice that is shared by individuals who share some sort of commonality thus most resembling to friendship. She says, “A community of choice might be a community of people who share a common oppression. This is particularly critical in those instances in which the shared oppression is not concentrated within certain communities of place, as it might be, for example, in the case of ethnic minorities, but, rather, is focused on people who are distributed throughout social and ethnic groupings and who do not themselves constitute a traditional community of place. Women are a prime example of such a distributed group. Women’s communities are seldom the original, nonvoluntary,

found communities of their members.”¹⁸ Such communities of choice help the members to rediscover their self-identity and fight against oppression. Thereby, leading to the struggle for justice through friendship.

References

1. Anthony, Quinton. (1989). *Utilitarian Ethics*, Gerald Duckworth & Co. Ltd.: London. **Pg. 73.**
2. Henry, Sidgwick. (1963). *The Method of Ethics*, Macmillan & Co. Ltd.: London. **Pg. 268.**
3. Lawrence, A. Blum. (1980). *Friendship, Altruism and Morality*, Routledge and Kegan Paul: London.
4. John, Rawls. (1999). *A Theory of Justice*, revised, Oxford University Press, Oxford. **Pg. 3.**
5. John, Rawls. (1958). ‘Justice as fairness’, *Philosophical Review*, vol. LXVII. **Pg. 166.**
6. Diane, Jeske. (1997). ‘Friendship, Virtue and Impartiality’, *Philosophy and Phenomenological Research*, Vol. 57, No. 1, March 1997. **Pg. 59.**
7. Gautam, Satya P. (1983). The distinction between explanatory reasons and justificatory reasons is generally taken as that the former refers to the explanatory reasons while the latter is given in order to provide good grounds for one’s action. For more on this distinction refer to : Satya P. Gautam, *Reasons for actions: A Praxeological Approach to Philosophy of Social Sciences*, Ajanta Publications: New Delhi.
8. Diane, Jeske. (1997). ‘Friendship, Virtue and Impartiality’, *Philosophy and Phenomenological Research*, Vol. 57, No. 1, March 1997. **Pg. 70.**
9. *ibid.* **Pg. 72.**
10. Marcia, Baron. (1991). ‘Impartiality & Friendship’, *Ethics*, Vol. 101, No. 4, July 1991. **Pg. 843.**
11. Schwarzenbach, Sibyl A. (1996). ‘On Civic Friendship’, *Ethics*, Vol. 107, No. 1, October 1996. **Pg. 98.**
12. *Ibid.* **Pg. 97.**
13. Julia, Annas. (1997). ‘Plato and Aristotle on Friendship and Altruism’, *Mind*, New Series Vol. 86, no. 344, October 1997. **Pg. 552.** the numbers in bracket refer to lines from the text in *Nicomachean Ethics*.
14. Blum, Lawrence A. (1980). *Friendship, Altruism and Morality*, Routledge and Kegan Paul: London, 1980. **Pg. 55.**
15. Meyer, Michael J. (1992). ‘Rights between Friends’, *The Journal of Philosophy*, Vol. 89, No. 9, September 1992. **Pg. 467-483.**

16. Nancy Sherman, 'Aristotle on Friendship and the shared Life', *Philosophy and Phenomenological Research*, Vol. 47, No. 4, June 1987. **Pg. 592-93.**
17. Sandel, Michael. (1982). *Liberalism and the Limits of Justice*, Cambridge: Cambridge University Press. **Pg. 179.**
18. Friedman, Marilyn. (1989). 'Feminism and Modern Friendship: Dislocating community', *Ethics*, Vol. 99, No. 2, January 1989. **Pg. 290.**