

# Looking for justice: the everyday meaning of justice in late Soviet Russia

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**Abstract:** The aim of this article is to describe actors' sense of justice that they intuitively embody in everyday life situations. To make everyday meanings of justice explicit we focus on an analysis of a very particular type of situation denunciations/justifications that appeared in everyday disputes in late soviet Russia. The process of formulating claims in public requires the transformation of the individual complaint into a form of a general statement, relevant to common meanings of justice and injustice in a given society - to the so called common worlds of justice. Describing these worlds (we have singled out six such worlds), which embody the meaning of justice implicitly inherent in everyday practice, permitted us to elaborate the model of everyday meaning of justice in late soviet Russia. As a body of empirical data I used complaint letters from the state archives and materials of the Comrade courts that contain complaints about injustice. The analysis of these materials based on the phenomenological approach has revealed the complexity and the plurality of everyday perceptions of justice in Russia even in the condition of the domination of official ideology in the public sphere of the Soviet society.

**Keywords:** Justice, everyday life, complaints, phenomenology, pragmatic turn

## **Introduction: justice vs. justices**

Justice is a central moral standard in social life. As a central component of any value system, it suggests the explicit and implicit limits within which human social life must operate. In suggesting these limits it also identifies arenas of individual and collective choice among alternative forms of conduct and institutional structures.

Therefore, justice arguments are now widely invoked to improve theoretical and empirical analysis in nearly every field of social studies. The mainstream understanding of social justice refers to a wide range of questions such as human rights and civil rights, freedom of citizens, political participation, and social inequality, which are concerned with the economic and social distribution of scarce goods like health, education, material wealth and environmental resources.

But studying justice we meet some theoretical and methodological problems. In a formal sense, justice involves ensuring that each person receives what she or he is due. But what is each person due: by virtue of what condition, conduct, or characteristic is this to be established, and how? Proponents of different theories disagree about the content of the demands of justice: does it demand priority to the worst off, (maximin (Rawls 1971)) or merely basic needs? They also disagree about its currency: in what dimension should people be made equal: in their welfare, capabilities, resources, or something else? Likewise, there is disagreement about the scope of the demands of justice: is it people in general who owe and are owed the duties of justice to one another? Or is it only members of the same politically

organized society? Another dispute concerns the kind of actors to which justice primarily applies: is it only social institutions that must discharge the demands of justice, or are the private choices of individuals equally under its application?

The most influential answers to these questions have been elaborated within the framework of political theory and economics (especially in the rational choice approach). As a result, we have normative models of ideal justice in the ideal social world, and we have to distinguish between the concepts of justice as analytical tools and real sense of justice, as used in everyday life by ordinary people.

But even if we take the side of the perspective offered by political theory in studying justice we nevertheless will find unity. This discourse is obviously polarized. On the one pole, we can find so called *universalistic theories*, (like Rawls' theory of justice as fairness (Rawls 1971)) and on the other pole, *particularistic theories* (like Walzer's spheres of justice (Walzer 1983)).

The former theories are very variable, but all of them insist on the primary importance of reason as the sole source of justice. The mainstream *inside* universalism focuses now on developing *universal procedures* leading to just decisions. In this case, justice is concerned with the result, based on an ideal discussion mechanism – like *reflective equilibrium* by J. Rawls (1971) or *ideal speech situation* by J. Habermas (1984). These models imply rational justification developed on the basis of independent criteria in the framework of absolutely explicit attitudes.

The proponents of particularism (Taylor, Kymlicka, Walzer) argue that in order to evaluate a situation in terms of the categories of just/unjust we must have some standards in advance, which determine our preferences. A free rational being does not have any reason to choose between different ways of action. According to the particularists, an individual cannot determine the meaning of his doing outside a particular situation, which sets for him particular aims and therefore, involves a  *motive* for a rational action. So, the demand to make a rational choice in an ideal speech situation or behind the “veil of ignorance” (Rawls 1971) is devoid of any reason. The key point in such criticism is close to the anthropological view – the principles of rationalism are not universal and invariable ways of human behavior and thinking. According to MacIntyre, (1988) different cultures imply different rationality standards, which are expressed in their loyalty to certain implicit rules that are learned or picked up unconsciously, perhaps even invented, but never discovered. Deciding on what is just, and what is not, depends on the rules that are beyond rationality, and these unconscious beliefs are part of our form of life. We should not look for the source of justice in the logical constructions of our mind, but rather in our experience, which determines the way we perceive the world around us. Justice depends on the shared social meanings rooted in a particular culture. These meanings have come about as a result of habit rather than as a result of rational choice. We don't choose it, we internalize it, we grow into it.

To summarize the trends in political theory we can say that the universalists are searching for absolute foundation for ideal justice, whereas the particularists understand it only as one of many possible conceptual schemes determining our mentality. But if we have a look at contemporary economics, which is now most influential in studying justice, we run into the same situation: this discussion includes both universalistic and particularistic perspectives. The former is oriented towards searching for a normative

principle of distributive justice, which concerns fair outcomes, as well as procedural justice, which addresses fair processes. Justice is operationalized here mostly in relation to material wealth, the chief concern of most economists, even though it is clear that the forces discussed often impact noneconomic domains. (Konow 2003) To overcome this drawback there recently was elaborated a family of approaches, so called *context theories*, “which do not generate a distributive principle but rather deal with the dependence of justice evaluation on the context, such as the choice of persons and variables, framing effects, and issues of process.” (Konow 2003: 1189) However, these are not primary context theories in the anthropological sense, because the context is understood here as a result of experimental modeling. Their focus is rather remote from the subject matter of the real socio-cultural context in which we live and accomplish our everyday preferences about just/unjust behavior.

Thus both philosophical and economic approaches meet similar substantial problems. All universalists find that in the end it is impossible to justify the principles of justice outside the particular context. On the other hand, the particularists risk falling prey to “strong” relativism, which excludes the possibility of moral choice. It is important to underline that both approaches lack the method of “capturing” the multiple social meanings of this concept.

### **Justice from below: the everyday disputes and complaints**

So, our study aims to develop a research strategy in the anthropological field to describe the various and contradictory phenomenology of social perception and evaluation of justice, which might enable us to escape having to choose between a formal universalism and a kind of unlimited pluralism. We hope that this approach, linked with the method of the pragmatic turn in the social sciences, might propose a realistic way to analyze realistic justice, which coordinates our everyday life. It enables us to see justice as it is, not as it should be<sup>1</sup>.

The proponents of the pragmatic turn consider social phenomena through the prism of linguistic interaction, because the central doctrine of this method is language as an action (language games). The theoretical basis for this approach was outlined by L. Wittgenstein in his famous book *Philosophical Investigations*. (Wittgenstein 1953/2001) Within this concept the meaning of justice is not something abstract. Our understanding of “the just” does not reflect any objective entities or universal principles. The world does not contain justice as some object that one could point at or consider its essence; however, the human world is not devoid of justice. Justice is a concept inscribed into a particular life form of a particular community. This concept exists as an element of language games, the rules of which (grammar) are constructed by the practical experience of human existence. It is the language itself that embodies the justice experience accumulated by many generations and structures our ability to say what is just or unjust, as well as our understanding of just behavior. The ordinary usage of language defines the meaning of justice. This approach states that our concept of justice is not only transferred, but also created in the process of language use. This substitution of “truth condition” of a concept, for its “usage conditions” (or the ontological for the conventional) makes the analysis of everyday word usage the principal instrument in elucidating the sense of justice accepted by the community. The main point is the focus on language as a social phenomenon determining the boundaries of our world, that is,

rapprochement of linguistic and social practices. Therefore, *the facts of word usage are becoming the main means to analyze the meanings of the justice concepts shared by a particular community*. In short, meaning is a usage.

One more characteristic of this approach is that justice here is considered outside any social groups, classes or other stratification schemes. In classical sociology, the multiple concept of justice is linked with the multiple social groups. But how can we account for the normal and stable everyday interaction of people belonging to different social groups? It is difficult to do, if we are guided by the concepts of domination and power. So, in this approach, the different forms of justice are not related to different groups – as they are in classical sociology – but to *different situations*. It follows that a person must – in order to act in a normal way – be able to shift during the space of one day or, even, one hour, between situations, which are relevant to different concepts of justice.

So, according to this approach, my aim was not to discover some normative form of justice in the framework of formal structure and functioning of its institutions, but to describe the actors' *sense of justice* – that is, what people in a given society consider to be just, and what they intuitively embody in everyday life situations. The meaning of “justice” is to be understood in terms of the context within which actors put that understanding to use. To make everyday meanings of justice explicit, we have to focus on analysis of a very particular type of situation in everyday life – *the situations of justification/denunciation*. Justifications cannot be just anything that people employ in ordinary debates. They have to follow *rules of acceptability*, relevant to so called *worlds of justice*. Describing these worlds, which embody the common meanings of justice implicitly inherent in everyday practice, permitted us to create the real picture of common sense of justice<sup>2</sup>. To grasp the process of Justification/denunciation we turned to particular situations that play an important role in everyday life – those of disputes<sup>3</sup>.

In everyday life justice in society seems to function automatically, as a non-reflected-upon sense of observing rules in moral practices. The question of whether a certain action is just or unjust arises only if there is a break of the routine, when the people involved in ordinary interaction start feeling that something is going wrong and subsequent interaction is impossible without introducing some changes. These cases are “breakage” situations. So applied to the present study, the “breakage” situations” are those that are unjust. It is at such moments that our background expectations of justice (so called “sense of justice”) come to the front, explicating the discrepancies with what had been expected. It is only in these situations that the grammar of justice becomes obvious. Publicity in such cases becomes an important feature of an individual's behavior.

The individual must express his disagreement in front of other individuals, thus getting involved in the language game of justification/denunciation. Justifications and denunciations cannot be random. They must follow the rules of acceptability and legitimacy. (For instance, when justifying my actions, I cannot say that I acted in a particular way because I do not like the way you smile, and I cannot make arguments of the type “You are a fool yourself”.) Persons, seeking agreement, have therefore to focus on a convention external to themselves and common for all participants of the dispute. These situations provoke us to explicate our moral intuitions of what is just and what is not.

Such justice imperatives – “the worlds of justice” – do not reflect explicit standard rules underlying any rational procedures that lead to justice, but rather describe the common concepts of justice based on informal rules rooted in traditions and beliefs of a certain life form. In Wittgenstein’s terms, it is the “rock”, the grammar of the concept of justice. These are the meanings of justice that we assimilate in the process of socialization, which determine our preferences for certain evaluation of a particular action. They describe the non-reflected-upon background understanding which we all have, which is beyond our rational ideas of the just and unjust - the so-called common sense of justice. In everyday life, disputes involving only one concept of justice occur very seldom. As a rule, people justify and accuse using different concepts of justice, and this is what constitutes the conflict.

Our purpose was to capture these imperatives of justice in the process of dispute and to describe a social capacity that helps to reach an agreement in ordinary interaction. This task implied a focus on the language that was used to justify oneself or denounce the other.

The problem is that it is not so easy to capture such situations in everyday life. You cannot use the traditional methods like interviews, because these situations arise spontaneously. Our task, however, was to “peep through the keyhole” and spy on the dispute secretly. In order to overcome this difficulty, I used the idea of Boltanski and Thévenot, who studied the letters sent by citizens about unjust situations to the French newspaper *Le Monde*. (Boltanski and Thévenot 1991)

The aim of my analysis was to describe the concept of justice by distinguishing the “worlds of justice” to which the participants appeal. I also wanted to describe the main strategies used by Soviet citizen when they justified themselves or accused others. This analysis was not based on imposing the letter content on the theoretical models of the “justice regimes” as others have done, (Boltanski and Thévenot 1991) but on “extracting” the justice worlds from the texts themselves.

In my work I used *complaint letters*. The genre of complaints in the public culture has a long history in Russia from peasants’ petitions to the Russian tsar to the dissidents’ letters to the party committees, and from the complaint books in Soviet grocery stores to denunciation reports to the secret police. I studied a very special array of documents – the complaint letters sent by Soviet people to the newspapers, magazines and Leningrad City Executive Committee in the 1970s and 1980s, as well as the materials of Comrade Courts kept in St. Petersburg archives. (Central State Archive of St. Petersburg – CSASP in what follows, Central State Archive of Literature and Art – CSALA) The core of these complaints was a description of unjust situations in everyday life and claims for recovery of justice.

In total I analyzed more than 300 letters. It is essential for our study that the original documents are used, so as to avoid any kind of editing and ideological influences characteristic of the published documents of the period. The documents chosen date back to the 1970s and 1980s. Why did I choose this period? There were several reasons for this. First, it was the time of the famous Russian stagnation, and I was interested to learn whether the popular ideas about the pathological inclination of Soviet people to all kinds of leveling (egalitarianism) would be confirmed for that period, or is it just a myth, and whether even in the conditions of mono-ideology the co-existence of different meanings of justice is possible. A second reason, obviously, was the availability of the materials in the archives.

## Worlds of justice

Analyzing the language of justification and denunciation used in complaints I tried to single out repeated arguments that people used to prove their view, and reduce these arguments to several entities – the worlds of justice structured by a number of categories. I managed to single out six worlds which are supported by the arguments of justification and denunciation in most of the analyzed cases. In total these worlds describe the sense of justice shared by ordinary people (lay people) in the late Soviet period. Before a new world was identified, the researcher had to identify in at least 30 letters the presence of specific traits differentiating this (new) world from the already existing worlds.

Such worlds, created by various meanings of justice, are universal and self-sufficient. This approach presupposes the absence of a universally shared principle of justice. Each of the worlds of justice is characterized by a distinctive “grammar of being” that is incompatible with others. Hence, no harmony exists, nor can exist, between these worlds. The logic of argumentation, the grounds used in one world, is not understandable and not acceptable in another one. The situation of injustice is exactly a clash of these different principles when the sides are guided in their activities by divergent grounds and are speaking different languages.

In order to describe each world of justice, using the scheme of Boltanski and Thévenot, (1991) we singled out three basic elements which together help us identify the unique characteristics of each “world of justice”:

*The general principle of coordination of action*– the belief of a proper approach to the distribution of scarce goods - is the primary characteristic of the world. Embodying the general principle of distribution, it guarantees the estimation of the situation according to a unified standard. In a way it symbolizes “the grammar of justice” in this world, i.e. something which is located beyond the limits of justification. The general principle is bestowed with universal power which guarantees internal unity and compatibility of all the elements “inhabiting” a specific world. In the texts of the letters the direct formulation of these principles was not always present. Therefore, this parameter had to be singled out analytically, based on the values which were emphasized by the authors of the letters;

*Value*– the description of the qualities which are the most significant in this world;

*Decay* – the characteristics which describe situations of basic principle violation, leading to destruction of the world.

Using these categories I will briefly describe each of the worlds below. The list of these worlds is still open, and, perhaps, new research based on other documents will expand it.

### The civil world

The general principle of coordination - equality (political, legal, and related to property)

Value – belonging to the common cause, collective essences, state, etc.

Decay – disunity and separation (e.g. identification as a minority, personal interest, private property)

The attention to the entities which are not specific individuals is the primary feature of the civic world. Factually, in this world there are no individuals, but only collectives. We see here representatives, delegates, elects, citizens. Recognition of the value of human persons is only possible as long as they are political creatures, citizens belonging to collectives and representing them. Here often appears the notion of people or people's state: legitimate subjects are equalized not with one or the other individual, and not even with the majority of citizens, but with the nation as a whole. Only action that neglects personal interest is justified. In general, people's actions are significant when they are located within the stream of a certain public movement, public initiative, or common cause. The larger the scale of the collective involved in the action, the more authority is possessed by its representatives. Legality, conformity to the Constitution, and impartiality are the characteristics which are especially esteemed in this world. Regulating texts and documents expressing the general will of the collective often serves as the basis of proof of validity of the demands.

One of the basic characteristics assigned to individuals by this world is the formal equality of each under the law both in possession of political rights as well as in respect of distribution of various goods. This world denies private property and individuality. The ideology of the common cause allows the subjects of this world to overcome specificity that divides them and to create unities, so that they may identify themselves as a part of a common project.

We come across appeals to such a world very often. In our view, it is explained in the first place by the specificities of the array of documents: the analyzed complaints were in their majority addressed into the public space, represented by organizations from different levels of power hierarchy – Executive Committees, District Councils, Central Committee of the CPSU, and Presidium of the Supreme Council of the USSR, as well as Soviet magazines and newspapers. Because of this, in our array of documents appeals to the civic world were characterized by appeals to the equal rights of all citizens in terms of goods distribution, civil consciousness and participation in a common cause. The typical example below illustrates the appeal to this meaning of justice<sup>1</sup>.

People have good rooms and they are provided with even better ones and I have to live in water, in the basement. This is unjust. For example comrade B. had a good room in the Krasny pr., and he is given a new one in a new house. He is a man and a boss and belongs to the party, and I am an unskilled labourer and illiterate must live like a pig with piglets. I ask you to help me since I am also as he is a citizen of the USSR and in our state everyone is equal, and coming home from work I want to have rest like all honest working people I ask you not to decline this. (application for improvement of living conditions – provision of a room, CSASP, Fund. 7384, Inventory 30, File 50, List 143)

The objects of criticism from the civil world most often become striving for profit, both personal and industrial. Profit leads to anomie, to the destruction of the common cause, and arbitrariness of the participants, where personal success gains the upper hand above the glory of the collective person. Being based on egotism and self-

interest, contrary to the self-disinterested feelings of the participants of the common communist project, the principle of profit could not serve as a legitimate basis of justification in the Soviet public space.

I am writing to you regarding the question of individual gardening under the “collective” label. All this causes the feeling of just indignation among the honest communists. This is only self-deception and deception of common citizens. These are in fact the very real tiny individual enterprises, hotbeds of petty bourgeois property and non-labor income. These enterprises [dacha] occupy the territories around the town, get in the way of creation of fruit and vegetable state farms [sovkhoz]. Most of these territories are occupied by the gardeners with their individual buildings which look like huts or dog kennels. People who have the land plots dissociate themselves from public work and labor that is useful for all. Communists dissociate themselves from party work. People start having petty bourgeois tendencies. (Letter to the USSR Council of Ministers, signature – member of the CPSU since 1927, CSASP, F.7384, I.42, F.1755, L.203)

Argumentation of the defenders of public interest addresses the irremovable opposition between mercenariness and altruistic service for the common cause against squandering of the national heritage for the sake of fleeting benefit.

### **World of merit**

The general principle of action coordination – principle of meritocracy.

Value – recognition of input to the common cause.

Decay - equalization.

This world has an intersection with the civic world since the actions of the participants are aimed at realization of the common project (the authors of the letters underline exactly the public, social importance of their life, correlating it with historical moments of realization of the “soviet project” – building the communist future). The subjects are not individual persons but representatives of separate specific groups – participants of the October Revolution, The Second World War, record setters in work productivity and veterans of labor [udarniki], etc. But the conceptual difference is that the participants of this world are not characterized by equality. On the contrary, they possess exclusive rights as a consequence of having rendered special merits for the Soviet society. Therefore the demands for exclusivity in this world are justified, even in the most insignificant everyday situations.

The neighbor’s latrine is being put right near my entrance doors. I have to rub against the walls of the latrine and tear my clothes, and hear the noise that sometimes happens in the latrine. My husband and I have both worked honestly, have given a lot of labor for the sake of the well-being of the nation, we together have an 80-year long [work]time record, the husband has been at

war, has wounds... What did I support the revolution for, what did I, during the blockade, deal with all the difficulties of the city for?" (Materials of the correspondence regarding installation of a latrine in a neighbor's apartment behind a partition shared by both apartments. Complaint. Addressee – Moscow, Kremlin, Central Committee of the Party, personally to comrade Brezhnev, CSASP, F.1008, I.2, F.769, L.202)

Considering the array of letters in which authors justified their pleas arguing from the position of having their own merits for the fatherland, this meaning of justice was the most widespread, refuting the common well-established view that justice of a plain man boiled down to equalizing distribution.

### **The world of inherent rights**

General principle of action coordination – universal equality.

Value – inalienable human rights.

Decay – inhumanity, violence.

In this world justice exists under, beyond, above the positive law. Every person is a bearer of this justice independently of his national, class, citizenship, or party belonging. In this meaning of justice, the sense of community of each individual with the whole humanity is implicitly present. An individual possesses inalienable rights, i.e. rights which each person has as a human in any circumstances regardless of agreements on any level. In this respect the world of natural rights clashes with the concept of justice in the "civic world", where justice is based on the positive law.

A great misfortune has occurred to our family: the mother of my wife who lives with us has been paralyzed. It will soon have been two years since she has been bedridden. Such patients are not accepted to the hospitals, and we cannot get her into a house for chronic patients. We live in a room of a densely populated apartment, have no bathroom, and our kitchen is [only] 6 sq. meters big. We have to bathe a sick, old person in the room, which for her is also a toilet. The four of us occupy the area of 22 square meters. The metric area does not allow us to register [for housing]. But the registry is not the point, when misfortune gets you without taking law into consideration? We appeal to you not just as [to] an official, but as to a human, understand, it is so unjust, even inhumane to make people live and die in such conditions." (Letter to the secretary of the Leningrad Regional Committee, CSASP, F.7384, I.42, F.1761, L.288)

## **The family world**

The general principle of action coordination – continuity, tradition, hierarchy.

Value – rightness (compliance with unwritten rules).

Decay – novelty, betrayal, indifference.

The family world becomes apparent not only within the circle of home relations. It appears each time when in search for justice the primary attention is paid to personal relations. The significance in this world is defined by the positions in the chains of personal dependencies, and on the top of the hierarchy is the figure of the “father/boss”. The primary authority always embodies tradition. Home connections may be also viewed as a chain of generations (family connections), and a chain of hierarchies (boss, supervisor). In the family world, people own superiority which is described by three characteristics. First of all, they are significant in the hierarchy because they are connected to the more powerful and the superior. In order to achieve a status we need to attain the exceptional judgment of “the highest”. Secondly, they are authoritative also because they belong to the tradition, i.e. they are correct and right. And, lastly, they must possess qualities reflecting constancy – personal devotion, loyalty, etc. The primary characteristic of just action in this world is tradition, habitualness, and the necessity to conform to the widely accepted manners of behavior and rules of propriety in the hierarchy of personal connections. Maintenance and expression of hierarchical connections between persons constitutes the primary goal of relationships in this world. The lowest, and therefore the weakest, are accorded support and patronage, and the elders – respect, reverence, honor, loyalty, devotion and care.

The following example successfully highlights the values of family world by criticizing bureaucracy and the callousness of state institutions, the most frequent targets of critique from those taking the position of this meaning of justice.

Honorable Grigory Vasilyevich! We appeal to you as the owner of our common home, our beloved Leningrad. For many years, we are suffering a deep injustice of the local authorities, but we believe the words of our leaders ... Take our letter as a document denouncing the people to whom our party gave the power but also the duty to protect the Soviet people and us as children of the Soviet Union... [For] 15 years we suffer from a leaking attic. When cooking we have to wear an overcoat and with our own bodies shield the pan to protect it from the falling dirt; the people upstairs sleep in cloaks, and the housing office supervisors, engineers, technicians, are changing very often and do not care about us ... We have lived through the blockade in this house, and we are all like a family... To whom are these communists who are entrusted to preserve the housing stock accountable? (Letter to the First Secretary of the Leningrad Regional Committee of the CPSU Grigory Romanov, CSASP, F.1008, I. 2, F.769, L.42)

## **The world of labor**

The general principle of action coordination – efficiency.

Value – professionalism, functionality, utility.

Decay – lack of productivity, inefficiency, unpredictability.

The principle of action coordination in the world of utility is efficiency. It defines those values and personality qualities which are the most significant here: functionality, professionalism, efficiency. A person is evaluated from the point of view of presence of labor potential, expressed in professional qualification. Relations are established on the basis of production necessity, the demands of stability of the production process. High predictability of action in this world is determined by strictly definitive functions ascribed to each being and object, and codified in technical tasks, technical conditions, state standard specifications, and professional diplomas. Violation of the logic of this world is expressed in such terms as “inefficiency”, “unprofitability”, “slapdash”, “defective goods” [brak]. In the analyzed documents appeals to this world are connected with the situations of someone being fired for absence from work, relegation to a lower position due to frequent breaches of discipline, and transfer to another position due to health conditions leading to inability to work effectively.

Although comrade T. has for a long time worked in the supply department, due to her illness she stopped coping with it and was transferred to the position of weigher. Now the collective asks to transfer her to a position of agent since comrade T. as an old industrial worker needs to be compromised with. T. has been working at the factory for 25 years. Her husband was working here too till he died on the frontline. She has children, and she got sick at the factory, so it would be just to transfer her to the position of an agent. But the administration has no possibility [to do it] since there are five disabled agents in the department and there is no one who could work.” (Materials of the Krasny Vyborzhec factory trade union committee, CSASP, F.1633, I.19, F.83, L.98)

Such situations often led to the clash of family world and labor world principles. In the letters such clashes have the character of criticism channeled from the world of labor into the family world and which, as a rule, boils down to the slogan of overcoming string-pulling [blat], favoritism, nepotism and protectionism.

B. works as a director of our scientific research laboratory, and his daughter works as a technician in the state control department. The chief accountant in the same laboratory M. arranged employment for his daughter as a secretary of the laboratory, having fired an employee who was qualified for the job, and B. knew it. On their job they are all subordinated to B. Therefore, the staff was picked according to the nepotism principle. We kindly ask you to restore justice and find out whether B. is planning to hire his closest relatives, grandmothers and grandfathers, in order to improve the scientific effectiveness

of his laboratory as well as the material situation of his family. Signature – employees of the laboratory. (from the group letter to the editors, magazine *Krokodil* CSASP, F. 7384, I.42, F. 1756, L. 43-43b.)

### **Trade world – “weak” world**

The general principle of action coordination – equivalent exchange.

Value – profit, property.

Decay – lack (absence) of resources.

In the period under consideration (the 1970 - 80s) this world was rather weak, since its values were illegitimate in the public space. And although a lot of people in the USSR, aiming for enrichment, acted within the logic of this world, they were in need of justifying their behavior using other grounds, based on more legitimate argumentation. (We will focus on this in more detail when we discuss quasi-worlds in the following paragraph.) In most cases the trade world appeared only as an object of criticism. Most of the time the denunciation is cast from the position of the civil world and boils down to the unavoidable opposition of mercenariness and altruistic service for the common cause, or the squandering of national heritage for the sake of fleeting benefit.

In Leningrad there are many beer stalls. For the trade organization they are profitable since the capital costs are in this case several times lower than in the beerhouse. This profit is the shame of our city. These stalls are the weeds of the city. On the corner of Mayakovski and Manezhny, across the place where the great Soviet poet Mayakovski lived, there is such a stall. Next to it there is always a queue, behind it, on the barrels, one always drinks beer and eats sandwiches. All around the barrels the newspapers, paper and empty bottles are thrown and many traces of urine are there. Buses with domestic and foreign tourists often stop next to Mayakovski’s house, and, therefore, next to this beer stall. They see the stall, the barrels, and what is being done near the barrels. Is this not a disgrace? And can this be justified by the profits of the trade organization. If we cannot live without beer stalls, they should be set up only with latrines. Saving up on latrines turns the national heritage into latrines! (Complaint letter to the *Izvestia* newspaper. Copy to the Executive Committee. CSASP, F. 7384, I. 42, F. 1754, L.81-82)

In the trade world the just order is based on the principle of profit and enrichment. The society is represented as a sum of individuals, hungry for personal profit, whose actions are conditioned by their insatiable “appetites”. Therefore, widening of trade connections most often meets the opponent in the “person” of the civic world. Acting for one’s own benefit leads to anomie, destruction of the common cause, and arbitrariness of the participant’s behavior, where personal success gains the upper hand above the grandeur of the collective. Being based on selfishness and self-interest, as opposed to the self-disinterested feelings of

the common project participants, the principle of profit could not serve as a legitimate basis of justification in the public space.

Defendant K. is not using the house for the designated purpose, leasing it during the summer period and systematically receiving non-labor income. Comrade K. has violated the rental contract and used the state space for the sake of his own benefit. He has in Leningrad the area of 40 square meters and aside from that attached a second house to it – as an unfounded enrichment: the house is used for speculative purposes. (Application and a case of confiscation of a house from citizen K. in a town in Kurortny district for speculation of living space. CSALA, F. 7384,I. 30, F.59, L.2-56)

### **Denouncing and justifying: strategies of a dispute.**

In everyday life it is quite rare to come across situations of arguments happening within one world of justice. People may justify and denounce from positions of different worlds – this is the essence of the conflict. Therefore one of the tasks is to study various strategies of justification and denunciation in conditions of plurality of various principles of justice. As noted above, principles of justice characteristic of various worlds are not compatible, and, co-existing in the same space, they create tension – situations of injustice that need to be eliminated, so that the action could resume as usual. As document analysis has shown the exit from these situations of tension is carried out in several quite typical ways: stable strategies of justification and denunciation.

These strategies are different; the choice of a certain strategy is a struggle for whose viewpoint, language use, and construction of social reality will be accepted as the fundamental one.

As the analysis has shown the primary strategy characterizing both the situation of denunciation and justification is the *strategy of the generalization and resource mobilization*.

The largest group of letters describes stories in which the victim (it can be a group of people, too) and the petitioner are the same person, and appealing to a certain instance represent themselves as a members of an important, from their viewpoint, group. As a rule, these are invalids (as persons with disabilities are commonly called in the Former Soviet Union) of the Great Patriotic War, participants of the October Revolution, Leningrad siege survivors [blokadniki], single mothers, mothers of many children, and labor veterans. The victim and the offender are not engaged in close relations. The strategies that the authors of the letters choose is to maximize the scale of the complaint as well as its social resonance, and augment their own importance by involving various available resources. Examples include – mentioning of famous relatives who have rendered special merits to the state; emphasizing one's belonging to special groups entitled to certain benefits, or having a certain length of service. During the development of certain cases one can see the shifting of identification of its participants: abstractions substitute personal names (e.g. "weapon of bureaucratism" substitutes "the boss and the communist", which in the first appeal was only

“comrade K.”) Newspaper clippings often are attached to such letters, as well as copies of documents of membership in certain organizations. Everything is aimed at attaching social importance to an individual case. The petitioner does not represent himself or herself but takes care of a common cause.

Appealing to you like to Lenin, I ask for your intercession in lowering my unjustly high tax, which is required of me for payment for home labor. I am a participant of the Finnish and the Patriotic wars have been repeatedly awarded. After the end of the war I returned home without legs, shell-shocked. I have the second degree of disability, without the right to work. I work as a home worker, performing small-scale piecework. But the District Financial Department behaves extremely unjustly towards me and imposes high taxes on me... we who honestly fought the fascist aggressors, lost our health, our legs in the frontline, for our Fatherland, for the Soviet power, and deserve tax cuts”. Signature – veteran of the Finnish and Patriotic wars (application to the General Secretary of the CPSU comrade L.I. Brezhnev, CSASP, F.7384, I. 42, F. 1754, L.121-124)

On the one hand this fact (that the primary strategy used by people is that of generalization and resource mobilization) may be explained by the characteristics of the material with which I worked – all these letters are addressed to the judge, presented by a civic organization, that is, into the public space. Perhaps if I had used other documents, the picture would have been different. Aside from that, in the analyzed period, the personal was not considered as a legitimate basis for complaint. Behind one’s back there always had to be a collective. Only such complaints could be heard. It is notable that not a single letter from this group went unanswered [by authorities]. But, possibly, the strategy of conflict generalization is universal and in general possesses better legitimate grounds in any culture than explanation of individual sufferings. Therefore, the attempts of the authors are aimed at representing the private interest as a common one (the same situation can be found in the French cultural context (Boltanski and Thévenot 1991)).

The analysis we carried out allowed us also to single out a group of letters that were labeled “invalid” (not valid, groundless, unsubstantiated) by the addressee. They are characterized by the absence of sense of propriety, and an inadequate evaluation of the situation. The victims of injustice in these stories use a diametrically opposite strategy, posing themselves as separate individuals and trying to attach a nationwide scale without mobilizing any institutional resources. In these letters the dimension of participant correlation is violated, as well as the legitimacy of the grounds of their demands for justice. Being inscribed into this group was an indicator of asocial behavior or, simply put, madness. As a rule, such letters remained without an answer because they did not use the appropriate discursive frame. Let us refer to a quite vivid example in which the author explains “interesting work” she has done.

I've spent a lot of sleepless nights and observations. Have done valuable experimental work in the interest of the state, in the name of justice. During the process of my work I sacrificed everything – health, woman's pride, public opinion. I am currently carrying out interesting work of identifying morally decomposed individuals, among who is my husband. My husband often spends his nights away from home and is connected to some dirty business. He doesn't stop doing business with O. She concentrates [accumulates] gold. I turned out to be a screen behind which they hide their real faces... The enemy acted slowly but surely. In the preceding year my throat has bled thrice. The doctors cannot establish the reason. Perhaps, from nervous shocks or from a slow poisoning. Am I at fault that the Soviet authorities have from the young age cultivated in me such qualities as honesty, straightforwardness, and justice? I cannot indifferently walk passed injustice and lawlessness. (CSASP, F.7384, I. 30, F.50, L. 205-216)

In addition to the already mentioned strategies of justification and denunciation, I will mention three more, which quite often appear in the analyzed materials.

*The strategy of "unmasking"* – it is aimed at identification of alien, strange entities and principles of action in the world, in which, from the author's point of view, this concrete event is taking place. This strategy is characteristic primarily of the situation of denunciation.

How come in Leningrad good laws published by the Government are not always carried out by local authorities. I mean, among others, the question of distribution of living space. And if we review the rights of those who are being settled in this house we will see that a lot of people have no right to this according to law; that laws are published for all of us and we are all equal. Here are some examples. Upon the application to the administration of the Baltiysky factory, family K. received an apartment only because H. is the chief accountant deputy, and K. is the head of the transport shop. And the family of the out-of-staff inspector of the Vasileostrovsky Soviet... received a three room apartment in Kupchino and is now exchanging it for another apartment in a new house since they are from the rank of "special people." (Complaint letter to the general secretary of the Central Committee of the CPSU Brezhnev, CSASP, F. 7384, I. 42, F. 1754, L. 34-36)

As we see from the letter, the author does not demand that the principle of evaluation of the situation be changed, does not doubt the justice of the principle of apartment distribution, and does not demand that it be reviewed. The injustice consists of including in the frame of action grounds that are alien to this principle (such as string-pulling in the situation in the above letter).

Another strategy is *the strategy of "redefinition" (reframing)*, "popular" in both justifications and denunciations, but still used more often in justifications. I will provide the reader with a quite funny redefinition of a family situation as a civic one. The world is penetrated by other entities – this resembles the change of Gestalt.

The first of January I found my husband with the deputy of the Smolninsky council hiding in a dark corridor in an outrageous position. Before that fact there had already been a case when she tried to destroy my family. S. waits for my husband to go to work and immediately follows him. He goes to work after 8, and she used to go to work at 7:30. How come she can be late for work, considering her responsible status (deputy of Smolninsky council)? And when does she manage to do what she is supposed to do in her position? (Petition to the chairman of the Leningrad City Executive Committee, CSASP, F.7384, I.30, F.50, L.151)

Along with the aforementioned “basic” strategies we can speak about *the strategy of compromise*. This strategy is aimed at activation of possibilities of combination or overlapping of principles of justice and resources related to different worlds. Perhaps, in case of a compromising strategy it is necessary to speak of creation of the *quasi worlds of justice*, since in the cases of compromise judgments cannot be fully protected according to the rules of sharp logic of one specific world.

It is impossible to single out a unified principle of action coordination here since the very existence of compromise is conditioned by the attempts to circumvent the demands of universal principles, of clashing worlds. Therefore, quasi worlds are exceptionally fragile; each of them cannot be boiled down to any form of common good. Summoned and united by compromise, the entities continue supporting their belonging to the initial, primary, native world. Therefore in the conditions of compromising strategies there always exists a possibility of returning to the arguable question, sharpening the attention on the different nature of entities. Replying on the principle of one of the present worlds, one can easily expose compromise as menace, turning the shaky agreement into the basis for accusation of injustice.

The strategy of compromise will be illustrated by an example from a letter in which an individual tried to defend his right to own a house, but since in the late Soviet period defending one’s claims to property was quite problematic, the people, trying to justify their claims, resorted to a variety of strategies: they appealed to their own merits, and appealed simultaneously to principles of different worlds. In the following example the victim proves the validity of his arguments by demonstrating the merits of his family, appealing to the civil rights, and blaming his opponents for abuse of office.

I received in the village N. a semi-habitable blockhouse. But considering that a public prosecutor settled in the house that I built and therefore, perhaps the prosecutor’s office had influenced this somehow, and I am being driven out of the house. My family consists of four people – wife, daughter, wife’s sister L. who physically participated in restoration of the house, constantly lives in the house and works in the village of Repino. L. has lived through the blockade in Leningrad, worked in the military production, was awarded a medal “For defense of Leningrad” and “Valorous work in the Great Patriotic War”. I believe the decision of the

Soviet as well as of the Leningrad city executive committee to be unjust. For five months already I have not been able to overcome the bureaucratism blooming in the city executive committee. Perhaps no laws exist to protect the rights of workers according to the Constitution. (Letter to the chairman of the council of ministers, copy to the editor of *Lenpravda* newspaper. SASP, F. 7384 I. 30, F. 59, L. 2 - 56)

## **Conclusion**

We have investigated the cases when arguments “became apparent” through complaints, and tried to reveal the general semantic network of people’s concepts of just and unjust through analyzing various linguistic strategies used for justification and accusation.

The content of common conceptions of justice during the period in question (the 1970s and 1980s) revealed a number of interesting features.

In contrast to the popular view that for Soviet people the idea of equality was identical to that of justice, the content of the letters examined demonstrated heterogeneity of concepts of justice even in the so-called “stagnation” period. It is important that the prevailing argumentation was not the appeal to equality, but a focus on outstanding personal achievements, or difficult family situation, that is – on exclusiveness.

The six worlds of justice arising from the justifications of Soviet people show that it would be incorrect to identify the Soviet people’s mentality with the principles of Soviet ideology. What underlay the choice of arguments by people in the conflict situation was not blind observance of ideological directives, but flexible maneuvering among the different justice worlds construed from an amalgamation of social and cultural fragments inherited from different traditions that our culture has imbibed.

Semantic analysis of the argumentation that people provide to defend their views allowed us to single out the common features of these debates and disagreements.

- In the debate process an individual can justify his personal statement only by referring to some legitimate regulation. This appeal to acceptable principles is what constitutes an explication of the concepts of justice, which are based on the numerous socially established rules – the social conventions. These multiple rules start functioning in certain historical periods, under concrete social obligations, and are not universal.
- Hence comes another special feature – incomparability of opposing arguments. Every argument is logically correct: the conclusion does follow from the premises, but the concurrent premises are such that we do not have the rational way to compare one statement of justice with the other.
- The incomparability of different concepts of justice is what determines the permanent nature of social conflicts at various levels of interaction.
- The differences and incompatibility between various meanings of justice suggest the absence of a unified, central and final concept of justice, which could lay the claim

to universality. There is no “universal justice” that does not belong to a particular tradition (or, more broadly, to a form of life).

- When expressing an opinion on whether a certain action is just or unjust, we have to choose among various principles – the meanings of justice – and this choice also involves our feelings and purposes in the given situation. In other words, “correct” ideas of justice always depend on a particular *interaction system structure*, on a situation. In one type of interaction our concept of justice can coincide with the concept of equality, in another type it may identify with effectiveness, and so on. That is why our moral choice is not one between what is absolutely just and absolutely unjust; it is always a situational compromise between competing principles – the different concepts of justice.

## **Bibliography**

- Boltanski, Luc and Thévenot, Laurent. 1991. *De la Justification. Les Économies de la grandeur*. Paris: Gallimard.
- Habermas, Jurgen. 1984. *The Theory of Communicative Action*. Boston: Beacon Press.
- MacIntyre, Alasdair. 1981. *After Virtue: A Study in Moral Theory*. Notre Dame, Indiana: University of Notre Dame Press.
- Konow, James. 2003. Which Is the Fairest One of All? A Positive Analysis of Justice Theories. *Journal of Economic Literature*. Vol. XLI: 1188–1239
- Kymlicka, Will. 1990/2001. *Contemporary Political Philosophy*. Oxford: Oxford University Press.
- Pecherskaya, Natalia. 2005. Concept of Justice [spravedlivost’]: Origin and Evolution in Russian Culture (XI – XX Centuries). *Jahrbücher für Geschichte Osteuropas*, vol. 53, H.4: 545 – 564
- Rawls, John. 1971/1999. *A Theory of Justice*. Harvard, MA: Harvard University Press.
- Taylor, Charles. 1995. *Explanation and Practical Reason. Philosophical Arguments*. Harvard: Harvard University Press.
- Walzer, Michael. 1983. *Spheres of Justice. A Defense of Pluralism and Equality*. N.Y.: Basic Books.
- Wittgenstein, Ludwig. 1953/200. *Philosophical Investigations*. Oxford: Blackwell Publishing.

## **Notes**

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1. We leave the original orthography, punctuation and style unaltered.
  2. We will not go here into the theoretical details of the so-called pragmatic turn. I just want to note that it is necessary to distinguish philosophical pragmatism, based on the works of Peirce, James, Dewey, and the pragmatic turn in the social sciences that was initiated by the late Wittgenstein philosophy and phenomenological sociology, derived especially from the work of A. Schutz.
  3. It is obvious that the meanings of such central concepts of social life do not jump into the public arena out of nowhere. Each of them has its own story. Therefore, our previous study of justice included the etymological analyses of origin and evolution of “justice” [spravedlivost’] in Russian culture (see Pecherskaya 2005).
  4. I want to stress that this part of our investigation, as well as the idea of addressing disputes, was inspired in great part by the study of justification by Boltanski and Thévenot (1991).