INTRODUCTION

The Ethical Archaeology of Justice in Marx

In the 1970s and 80s in the United States there was a brief renaissance in Marxian scholarship which focused on whether or not Karl Marx had a theory of justice in his writings. Part of the inquiry by Analytical Marxists became known as the Tucker-Wood thesis. It was an important contribution to the rediscovery of Marx's discussion on issues of justice and morality in the context of his overall critique of political economy. Within this debate there were three distinct strands of thought: there were the followers of Robert Tucker and Allen Wood who maintained that because of his theory of moral ideology and historical materialism, Marx eschewed grounding his critical social thought in any moral philosophy or theory of justice; there were those who like Ziyad Husami and Gary Young argued for a distinctive theory of juridical justice in Marx's early and later writings based on legal rights and economic distribution; and, finally, there was a third group of authors who agreed with the fundamental thesis of Tucker and Wood, thus rejecting any consideration of justice in Marx, but who also claimed that he did develop a moral philosophy based on the principles of freedom, self-determination, self-realisation, well-being, and human dignity.¹ Much of this discussion hinges on the interpretation of a limited number of texts in Marx's writings, emphasising the *German Ideology*, *Manifesto of the Communist Party*, the first volume of *Capital*, and the *Critique of the Gotha Program*.

This manuscript outlining Marx's theory of social justice takes a different approach from those mentioned above. Rather than continuing to examine the same texts from a different perspective, it may be useful to approach the issue from an entirely different vantage point by providing a broader and more comprehensive theoretical context to the texts, thereby mapping out the internal dynamics and structure of Marx's overall theory of political economy. That is, by a textual mapping of the overall outline and structure of Marx's early and later writings, we begin to see an interesting internal coherence and logic that closely mirrors Aristotle's ethics, politics, and physics. The specific comparisons between the two authors have already been examined in detail elsewhere by a number of scholars and it is not the goal of this work to repeat these earlier writings. In this work, however, we will examine the deep archaeological layers of Marx's works and map out his overall design that mirrors Aristotle's formal definition of justice as it develops throughout his intellectual and political career. We will see that Marx's definition of justice fits the overall design of
Aristotle’s writings and provides it with an organisation and coherence that at first does not surface using traditional methods of exegesis. A major difficulty with the thesis developed by Tucker and Wood is that it begins with a definition of justice that is simply not a reflection of Marx’s own understanding of the issues.²

The Tucker-Wood thesis is based on a two-part definition of justice that highlights the law, rights, wage contracts, and the economic distribution of benefits and income. The whole focus of this tradition is directed at Marx’s criticisms of the natural rights of man in the French Declaration of the Rights of Man and of the Citizen (1793) and the fair and equitable distribution of income in the wage contract between capital and labour. Both features of justice – rights and distribution – are grounded in a labour theory of value and the capitalist defence of the rights of property and the labour market that have clearly been rejected by Marx as the basis for a future democratic and socialist society. The ideals of equality and fairness at the heart of this definition of bourgeois legal and civil justice rest upon a historically limited ideal of individual freedom that is tied to the materialism and utilitarianism of capitalist production and a market economy. According to Tucker and Wood, with a revolutionary transformation of industry, capital, and class within this historical economy, its corresponding ideals of justice will also disappear. It is Marx’s theory of historical materialism and the social relations between the economic base and political/cultural superstructure that provide the insight that politics under capitalism is an unnecessary mystification and juridical illusion designed to conceal the exploitation and domination rampant in a class society. For these reasons, revolution will dissolve the economic foundation of society along with its political ideals of liberal justice. Tucker recognises that the application of justice to the wage contract in the workplace has some ‘superficial plausibility’, but that results from an inability to understand the nature of work, subsistence wages, and the wage contract in a capitalist economy, along with an inability to appreciate how moral principles are derived from and are expressions of the prevailing economic relations of civil society. Tucker summarises his analysis of Capital on this position when he writes: ‘It [wage agreement] is nowise an injustice because the subsistence wage is precisely what the commodity labour power, sold by the worker to the employer, is worth according to the laws of commodity production’.³

The wage relationship and the creation of surplus value may be a form of exploitation, but it is not unjust according to the labour contract and market standards applied. The capitalist purchases a commodity and the worker receives a wage to recompense and replace the loss of labour power; this is the law of equivalency exchange between the commodity of labour power and the