

FROM POST-TRUTH TO POST-JUSTICE? IN DEFENCE OF TRUTH IN THE ERA OF POST-TRUTH. A CONTRIBUTION TO THE DEBATE

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Abstract. The article explores the interplay between truth and justice, two primary values in humanistic and social spheres. The thesis maintains that even in the *post-truth* era, where facts are often disregarded, justice still motivates an individual to seek objective truth. Ultimately, justice is a crucial norm in society and cannot be abandoned for the betterment of humanity. To foster a just society, it is imperative to acknowledge and recognise objective truths. Therefore, comprehending mankind and the fundamentals of social structures is crucial for the attainment of fair and impartial interpersonal relationships. The absence of truth compromises the credibility of justice, resulting in vacuous verbiage from politicians, a mere slogan and a façade for totalitarian regimes.

Keywords: person; society; justice; personalism

INTRODUCTION

In *A Theory of Justice*,¹ John Rawls noted “like truth in knowledge systems, justice is the primary virtue of social institutions” [Rawls 1994, 13]. This is the particularly suggestive way the American thinker defined the relationship between the two foremost values of human activity that are uncompromising [ibid.]. The link between these values is so close it’s virtually impossible to practise one and ignore the other. In spite of the variety of concepts of both truth and justice, the initial intuition is simple: truth is pre-requisite to justice while justice, the primary social value, leads to the truth about the most profound foundations of public life, in particular, to the truth about law by reflecting its deepest meaning [Tokarczyk 1997, 141].

To support this idea, and following the principle *per opposita cognoscitur*, the doubts can be raised: Can action inconsistent with truth be just? Can a court issue a just judgment without knowing the truth about all evidence

¹ The book published by Harvard University Press in 1971. The Polish edition of 1994 is used here.

in a case? Doesn't justice without truth, on the other hand, become merely a means to achieving goals set by powers and politics in the service of ideology? Even a cursory interpretation of the interdependence between truth and justice shows its determination is important not only to philosophers but also to every so-called ordinary man. Therefore, given the dangerously fashionable notion and phenomenon of post-truth, which is gaining considerable acclaim, for the sake of the human person's good and rights and above all in the name of the proper shape of public reality and good interpersonal relations, the closest possible links should be highlighted between truth and justice. This is the idea I see as fundamental to the issue addressed in this paper. To make my purpose a bit clearer, it must be added it consists in arriving at the juncture of the truth-justice relationship and demonstrating some dangerous social consequences of severing the links between them.

The understanding of truth in its classic sense is the starting point for this discussion. To avoid becoming entangled in the considerations of justice undertaken by a range of scientific disciplines, this approach to justice will be restricted to the philosophy of law and guided by the perspective of neo-scholastic personalism in its metaphysical, axiological, and ethical profiles. I'll mainly refer to the leading lights of the Polish personalism.

1. TRUTH AS A TASK FOR THE HUMAN PERSON

The question "What is truth?" has played a special role in the cultural development of humankind among the great theoretical questions. It comprises a fundamental problem whose perception defines man as such in relation not only to the entire variegated reality but first of all in relation to himself. Focusing on the issue of truth is the evidence of the discovery of the status of reason in human life. Aristotle's significant words in the beginning of *Metaphysics*: Πάντες ἄνθρωποι τοῦ εἰδέναι ὀρέγονται φύσει ("The desire for cognition is native to all humans") are worth citing here. Using the word 'φύσει' (from φύσις – nature), the Stagira thinker points out the desire for cognition is natural, or innate, and this fact can be observed in everyone. This is not about specialist scientific ambitions yet, but about commonsensical knowledge shared by everybody who is conscious [Jaroszyński 2008, 28]. As cognitive powers become spontaneously active in every person and oriented towards their proper object, so the human thought spontaneously turns to truth. Human reason tends towards truth as its task by its very nature.² In order to know the nature of thinking and thus the deepest essence

² See Jan Paweł II, *Homilia w czasie liturgii słowa skierowana do środowiska Katolickiego Uniwersytetu Lubelskiego, Lublin, 9 czerwca 1987 r.*, in: *Dzieła zebrane*, vol. IX: *Homilie i przemówienia z pielgrzymek – Europa*, part 1: *Polska*, edited by Paweł Ptasznik, Wydawnictwo M, Kraków 2008, p. 322.

of human rationality, therefore, one must ask, What is truth? Non-truth, or falsehood, is its opposite.³

Man is the only being in the entire visible world who not only desires and is able to know but also realises he knows, and therefore will know the truth about what he perceives and experiences. It's not indifferent to him, as a rational being, whether his knowledge is true. The skill of distinguishing the truth from falsehood and of making your own judgment about the objective state of affairs is proof of man's personal maturity.⁴ Certain types of cognition are shared by man and animals. The latter, guided by senses and instincts, do not have the desire for truth, however. They do have the ability of receiving sensory impressions, and some even have memory and imagination and thus can acquire certain skills. However, as Piotr Jaroszyński notes, "in man, that cognitive drive gains a kind of impetus where the animal skills end" [Jaroszyński 2008, 29]. Aristotle expressed it as follows in *Metaphysics*: "They [animals] all live by imagining and remembering and take but little part in experiencing, where the humankind lives by art and reasoning" [Aristoteles 1984, 980b, 25-28]. The art the Stagira philosopher writes about involves the skill of producing by means of knowledge and experience.

Relying on some valuable intuitions of both Christian and pagan authors, the full definition of truth in its classic meaning was provided by Thomas Aquinas as follows: *veritas est adaequatio intellectus et rei, secundum quod intellectus dicit esse quod est vel non esse quod non est* ("truth is the conformity of intellect and things, where the intellect declares the existence of what is there or speaks of the non-existence of absent things").⁵ In spite of the numbers of objections to this formulation, it remains the point of reference for any considerations of truth [Stróżewski 1982, 121]. The classic definition of truth assumes the existence of a thing and of thought. Truth is determined by the very structure of broadly-defined reality, which as if splits in two different domains: things and thoughts. They are facts completely different to each other, on the one hand, and the issue of determining their proper relationship arises. On the other hand, it's possible to determine that relationship [ibid., 122]. One can repeat after Władysław Stróżewski, therefore, truth is a task, something to reconcile (*ad-aequatio*) [ibid.].

By speaking of truth as a task for man, we identify man with the domain of thought. The classic definition of truth is conditioned not only by everything contained in the Latin *rei* but also by everything included in the term

³ Ibid.

⁴ Cf. Ioannes Paulus PP. II, Litterae encyclicae cunctis catholicae ecclesiae episcopis de necessitudinis natura inter utramque *Fides et ratio* (14.10.1998), AAS 91 (1999), pp. 5-88, no. 28.

⁵ Thomas Aquinas, *Summa contra gentiles*, I, 59.

intellectus. The human subject is specific among the whole gamut of beings and this specificity consists in truth as a task and a fulfilment of this task. Truth is thus a particular way of existence of the human subject, who reaches towards things in his acts of cognition – inherent only in him in the visible world. The issue of truth emerges anywhere there is intellect, a knowing subject, and where there is a thing, an object of cognition. The difference between them is to be overcome as part of the cognition. Truth as a task consists in overcoming of both this difference and the inconsistency between thought and thing, that is, non-truth. In this manner, non-truth conditions truth as a task [Stróżewski 1982, 123-24]. Man's original link with existence and reality is revealed in man's absolute desire for truth. This is the special power of truth, too – by tending towards it, man strives for a consistency with the objective reality as well [Tischner 1982, 131-32].

The cognition of truth is at the same time the cognition of a being, object of cognition, and of oneself as a knowing subject. A denial or rejection of a known truth introduces an ontic dissonance, since truth has a property Tadeusz Styczeń defined as a “binding force”, expressed in the sentence “I mustn't contradict what I have stated myself” [Styczeń 2013d, 326]. In logic, that “binding force” of truth, persuading people to obey it, shows in reasoning. By rejecting what I first of all stated with my own act of a knowing subject, I “construct” myself as an inconsistent person. In this sense, truth is a fundamental value [ibid.]. Faith to an internally discovered and accepted truth is the fundamental duty of man as a human being. Any attempt at denying the evidence of one's own cognition of truth leads to a collision against one's own identity [Chudy 2007b, 46]. To support his claims, T. Styczeń would cite the instances of the numerous “prisoners of conscience” – those who remained free even as they were locked in prison cells. They were free by force of their faith to the truth they'd known before. The examples of Socrates, Thomas Moore or Stefan Wyszyński prove the choice of truth liberates man towards his own fullness – show that truth is pre-requisite to man's inner freedom, while a self-betrayal, always a lie and a betrayal, is the sole thing one must fear at all times [Styczeń 1994, 503].

The cognition of reality becomes the starting point for man's decisions and actions, through which his inherent potentialities are actuated. Mięczysław A. Krąpiec writes: “A human person is a potential personality, that is, one that improves, builds, and fulfills itself, or reaches its fullness, through its acts” [Krąpiec 1988, 26]. Elsewhere, the Lublin-based metaphysician offers this analysis: “The human personal action is truly human insofar as it springs from our cognition, which originally connects us to the world, enriching ourselves with the contents of real being that we continue to process. In the domain of cognition ... truth is the criterion separating valuable from non-valuable cognition and the immanent objective. If man is guided

by cognition in his actions, truth as the criterion and objective of human cognition is a preliminary and basic value, declaring the value of all other personal human actions, since the charge of non-truth essentially disqualifies human action from being just that, human and personal” [Idem 1990, 282-83]. Through his decisions and actions, man is to become what he should. It is not and shouldn't be indifferent to him, therefore, whether he constructs himself, through his acts, as a liar or someone telling the truth, a traitor or a faithful person, someone capable of keeping secrets entrusted to him or someone faithless [Lekka-Kowalik 2017, 79-80].

Seeking truth in the theoretical domain has its practical consequences, therefore, as the truth refers to the good that should be done. It thus has a profoundly ethical dimension, related to man's desire to define and attain the meaning of life. In the era of post-truth, when facts don't matter and populism and subjectivism seem to triumph, a life in accordance with reason is particularly demanding. Nevertheless, even in such a world truth remains what it is, i.e., truth. Therefore, it appears before man as a task at all times. And since man is what reason makes of him, in the name of respect for his rational nature, each man is bound by the fundamental moral duty of searching for truth and abiding by it once it is found.⁶

2. TRUTH AS THE SOCIAL SUBJECT'S *MODUS ESSENDI*

Truth is also the necessary foundation of social and political order in the framework of objectivist-oriented axiology. It's present in all the dimensions of social life, starting from the truth of opinion (judgment), through the truth of words to the truth of social relations and structures and scientific theories [Ślęczka 2007, 154]. In public life, it acts as the assumption for a range of formal and informal social interactions and actions [Bartkowski 2018, 15]. A society with no room for truth and its respect is no longer genuinely and fully human. It is the value that merges those in the sphere of its influence and integrates a community. Wilbur Schramm, the founder of communication studies, notes society can be regarded as the sum total of certain relationships as part of which people communicate a certain type of information to one another. Communication is the tool owing to which society continues to exist. It's no accident communication and community derive from the same root. Without communicating, no society would be possible, and vice versa [Schramm and Porter 1982; Zasepa 2000, 56].

⁶ Cf. Ioannes Paulus PP. II, Litterae encyclicae cunctis catholicae Ecclesiae episcopis de quibusdam quaestionibus fundamentalibus doctrinae moralis Ecclesiae *Veritatis splendor* (06.08.1993), AAS 85 (1993), pp. 1133-228, no. 34.

Social bonds are founded on conversation, which can be understood broadly. It can comprise both thoughts, words, and values [Chudy 2007a, 14]. In each instance, the meaning of any forms of communication is a passage of truth to others. Held and communicated, truth is a factor that develops and spiritually enriches another man and the entire society. It's the inspiration and sense of man's everyday decisions as well as all scientific research. Thus, it constitutes a fundamental common good of every human community, without which other values important to public life, such as justice and peace, can't be realised. "Where there is no ultimate truth, a guide to and trend-setter of political activity, it's easy to treat ideas and convictions as instruments towards objectives the power sets itself,"⁷ John Paul II emphasised. The Polish realities of the Communist enslavement became a clear point of reference for the Pope's words, although the problem has a universal dimension.

T. Styczeń paid a lot of attention to the issue of linking truth to public life, especially social ethics. He claims neither the values I discover nor the obligations I perceive are my exclusive discovery, but are discovered together with another man. This is because he, like myself, is capable of discovering truth and, like myself, is bound with truth [Styczeń 2013b, 242; Moń, 2020, 334]. Styczeń said the choice of truth is at the same time the choice of another man. The discovery and exploration of the truth about oneself leads to the cognition of truth of every other I, that is, the universally important truth [Styczeń 2013c, 134]. Therefore, in the name of truth about oneself, about one's personal I, one must "step beyond oneself towards every other" [Styczeń 1994, 509]. Others appear as another I and, like I am, they are trapped within the truth of every other I in the act of self-cognition by force of self-transcendence in truth. Every other falls into the same 'trap' of truth of every other as soon as they commit the act of self-discovery. By learning the truth, he binds himself to recognise it and what's particularly important, the other can only fulfil himself to the end by affirming every other, including myself [ibid.]. Styczeń assumes an anthropology that shows man as someone who, being an individual, remains in relation to society. "An autonomy called to communion, self-dependence called to solidarity – this is the name of man" [Styczeń 2013a, 60], the Lublin-based ethicist states. In his view, the notions of justice and law become comprehensible only by meting the other on the foundation of truth and by experiencing a community with the other [Moń 2020, 343].

⁷ Ioannes Paulus PP. II, Litterae encyclicae Venerabilibus in episcopatu Fratribus Clericisque et Religiosis Familiis, Ecclesiae Catholicae Fidelibus universis necnon bonae voluntatis hominibus saeculo ipso Encyclicis ab editis litteris «Rerum novarum» transact *Centesimus annus* (01.05.1991), AAS 83(1991), pp. 793-867 [hereinafter: CA], no. 46.

Truth can in no way be imposed forcefully, it can be only discovered [Styczeń 1993, 90]. Truth cannot be subordinated to ideologies or any other values. It should hold the supreme place in individual and public life. The only thing one should fear is lie. It causes the most harm to man's personal structure, undermining his cognitive and volitional capacities. "To fall into the most radical crisis is to choose non-truth ... and abide by it" [Styczeń 2013c, 123], Styczeń maintains. Living in non-truth also becomes the main cause of a range of social disorders. The lie, in the variety of its forms, weakens and even destroys the interpersonal social bond grounded in the communication of values. Penetrating successive areas of public life, i.e., politics, culture, science, it impairs the ethos of professions requiring a particular faith to truth [Chudy 2007a, 304-400; Ślęczka 2007, 154].

Many attempts are made at capturing the essence of the lie. Relying above all on Thomas Aquinas' concept, Wojciech Chudy offers two definitions: "1. Lie is an utterance of things we believe to be false; 2. lie is a conscious misleading of someone" [Chudy 2003, 110]. That someone being misled may be another person or a whole society. Lie consists in offering non-truth as truth, hence a deformation and denial of truth. Without going into a detailed analysis of the diverse types of lying, it should be noted the intention of telling someone else non-truth is always essential. Lie always has a social dimension, therefore. Every lie presumes the value of truth, thereby, as Józef Tischner points out, making an indirect tribute to truth. Lie is never presented as a lie, but as a truth, so it appears to be true. Second, whoever lies recognises another expects him to be truthful as a natural duty. Finally, constructing a world of non-truth, a liar must be as consistent as possible. Because of all of that, even a liar cannot free himself from the awareness of truth and its categorical power [Tischner 1990, 112-17].

Political lie has a particular capacity for spreading and is especially harmful as a result. This is "a lie that arises from and serves the interests of power" [Idem 1988, 1]. Power uses it to expand and reinforce, and above all to legitimise its rule [Idem 1991, 119]. In the organised political lie, J. Tischner saw the key to explicating the mechanisms totalitarian systems rest on. He claimed the totalitarian ideology is a peculiar system of lies, whose awareness was universal in the societies it affected. Both politicians and journalists, scientists and artists were involved in lying. Their attempts at justifying their parts in lying became another symptom of lying [Idem 1993, 67-68].

It's not only in totalitarian systems, though, that politics is especially conducive to formal non-truth. In democratic states, it's also liable to the danger of contamination with populism, demagoguery, manipulation, or simple deception. In an era of post-truth, the political lie functions as a tool of political marketing employed to specific ends. Electoral campaigns have long

been referred to as the festivals of empty promises where politicians, to win the mandate of public trust, consciously “depart from truth” [Pawelczyk and Jakubowski 2017, 204]. Contemporary politicians have less and less belief in what they say themselves. Anxious for electoral success at all cost, they say not what accords with truth but what a majority of electors are currently expecting and the polls say [Wielomski 2007, 309]. In the political sphere, lie is fostered with information and communication as well as moral chaos, the absence of appropriate authorities, that is, people who can be trusted absolutely [Chudy 2007a, 269]. Undermining the value of truth in democratic societies results in the lack of moral foundations, which naturally triggers mechanisms specific to totalitarianism. Abandoning the notion of objective truth produces a situation where all the questions of axiology, ethics and anthropology are reduced to the level of resolutions arrived at as part of a voting procedure, with a parliamentary majority being the only reason. An alliance of democracy with ethical relativism brings a danger Friedrich von Hayek named “totalitarian democracy” [Hayek 1993, 249-58], where “a tyranny of the majority”, capable of voting in of sheer nonsense, can be practised. Where truth loses its power in public life, facts and arguments no longer matter. What remains is invoking emotions and mutual dislikes or, put differently, a confrontation of naked forces.

As a summary to this part of the discussion, Wojciech Chudy’s claim should be echoed that the fundamental task of a responsible politician is to win support for truth. It’s expressed as a responsibility for the truth of political declaration and for the truth of man’s nature and dignity. A politician’s service to the public is, at its deepest core, a service to truth [Chudy 2007a, 272]. Without openness to truth and faith to truth once it’s known, justice cannot be introduced, which is not only an ethical and political virtue but also the most profound sense of law, whose particular functions serve the realisation of fundamental assumptions of public life.

3. TRUTH AS THE CONDITION OF JUSTICE AND LAW

The concept and reality of justice contain a powerful axiological and emotional load. “Over justice, wars are fought ... in the name of justice, however it is understood, revolutions break out, people are sentenced, goods are taken away from some and awarded to others, privileges are given and removed” [Ziemiński 1992, 15]. Aristotle called justice the most perfect of all virtues [Arystoteles 1956, V, 1 1129b, 30-35]. Following the Stagira philosopher, justice is usually defined as man’s inner righteousness – a virtue ordering everyone to be given what is their due. Thus, justice is ‘an entrenched disposition that makes people capable of just acts, of acting justly and desiring what is just’ [ibid., V, 1 1129a, 6-9].

Although justice as a virtue is man's internal perfection, it is externalised and reaffirmed in relations with others, therefore, it has a social dimension. Aristotle's definition of justice draws attention to an obligatory relation between the one who is owed and the one bound to effect this obligation. The community involves relations of three types: person-person; person-community as a certain whole, and community-person. Depending on the kind of relation, a form of justice will come into play (respectively, sharing, cooperative, and distributive justice). Man is the subject of all justice relations. They are all grounded in the dignity due to each man by virtue of their being persons [Szostek 2008, 121; Wroczyński 2008, 215-16].

Any philosophical theory of the state, law and justice is based on an anthropological concept, which must, in one way or another, contain an answer to the question about man's nature. The idea of natural law remains a major point of reference for any discussions of the issue [Stawrowski 2012, 37]. In the framework of natural law, a person's rights are rooted in their rational nature. Man reads these rights, recognising some basic inclinations associated with his personal good. In line with their hierarchy, a human legal order emerges which should be respected. If justice is about giving each human person their due, it's first of all about respecting their right to life and a fully personal development. Statutory law is just insofar as it best protects both these natural entitlements of man and the entitlements founded on them [Jaroszyński 1997, 94-95].

In the context of natural law theories, justice first of all requires a recognition of and respect for the dignity of every man. Such an understanding of justice presumes the possibility of learning the truth of the special rank of that being, that is, the person. It can be said, therefore, any wrong concepts of justice originate in a philosophy relying on a false vision of man, the background of society and state. Those errors have metaphysical sources in the loss of the classic philosophical for the sake of the subjectivist perspective, which leaves no space for objective truth, including the truth of human nature. The questioning of the meaning of truth and the possibility of arriving at it, originating in the Enlightenment philosophy, has resulted in an undermining of human nature and subsequently of the connection between law and the nature of being, with the objective-good as a genuine motive for action, and with reason learning the order of real interpersonal relations [Stępień 2003, 281]. The philosophical resolutions of modernity have given rise to the legal positivism, prevailing since the 19th century, whose supporters stress the conventionality of the concept of justice. Ius-positivists, denying both any links of law and truth and the existence of any permanent truths in law, treat law, and thus justice, as determined solely by the will of the legislator [ibid., 290-92; Tokarczyk 1997, 142].

Voluntarism, present in legal positivism, was adopted and entrenched in the Marxist theories of the state, law and justice [Tokarczyk 1997, 146]. Marxist anthropology sees man as a product of both the biological evolution of species and a socio-historical product [Zdybicka 1990, 176]. The fundamental thesis of historical materialism states a human individual is, “in their reality, the entirety of social relations” [Marks and Engels 1962, 7]. “Human nature” is even a function of social relations. Everything man has in his nature is owed to society. Therefore, it’s not a man-person but a collective that acts as a sovereign subject and is a holder of dignity and a subject of rights. Not a subject, man has no dignity or right to personal development. It’s a collective (e.g., the party) that decides what is true, good and just, determining the goals of action and means thereto [Skrzydlewski 2003, 247-48]. Given that legal nihilism, which gave rise to its theory of state and law, was a fundamental assumption of Marxist ideology, it’s no wonder the attainment of the objective, namely, a classless communist society, justified any means, including those unjust, before such a society could come into existence [Wrzesiński 1992, 213].

Individualism and its varieties offer a defective understanding of man in which a false theory of justice is rooted. Individualism presents man as an individual without any genuine social relations and bonds, hence deprived of any social duties and obligations. If any arise, it’s only to protect individual good and freedom from other individuals [Skrzydlewski 2003, 246]. The anthropological concepts of Enlightenment thinkers and the idea of a pre-social state of nature, ending in the conclusion of the social contract they adopted for the purpose of explicating the origins of society and state, are the philosophical underpinnings of individualism. Any contracts restrict individuals and their freedoms, however. They are a necessary evil, temporary and conditional [ibid.]. The anthropological individualism generates theories with an anti-social bend. These theories fail to note the truth man needs others for his full development – needs a community of persons. These theories ignore the truth man has certain obligations and, by realising them, arrives at the fullness of his humanity [ibid.]. The duty of affirming the dignity of every other man takes a special place among those obligations. This cannot be done without a sense of interpersonal solidarity that helps to see every other not as a rival and enemy, but a neighbour having their good. Without a solidarity reaching the foundations of humanity, justice will not be able to step beyond the limits of egoism, enmity or revenge. It will then assume forms well-known from history, such as party, class or racial justice.

These faulty tendencies in modern social thought and practice have their contemporary varieties and shades as well. How can one defend injustice in individual and public life, then? Truth seems the most effective weapon. Justice is only feasible in a world subordinated to the primacy of truth.

Before desiring to make the world more just, therefore, one must undertake the endeavour of understanding it in depth.

CONCLUSIONS

By recalling the significance of truth to intellectual, moral, and public life, this paper intends to demonstrate the link between truth and law and, in particular, the crucial value of justice. In an era of post-truth when, as *Oxford English Dictionaries* claim, “objective facts have less effect on determining the public opinion than invoking emotions and personal convictions,”⁸ justice still seems a value that opens to the effort of arriving at truth. It’s in the name of justice that truth, for instance, historical truth is defended. Any attempts at bending the truth in this respect are interpreted as injustice, and thus harm, to not only individuals and particular nations, but also the whole humanity. Polish protests against the phrase “Polish death camps” that comes up in global media from time to time can be mentioned in this connection. This description, which gives rise to righteous anger, is not only against the truth, but also extremely unjust to the Polish nation and anyone who died or miraculously survived in the *Lager* constructed by Germans during the Second World War.

Post-truth is accompanied by other, older notions, namely, postmodernism, post-culture or post-history. They all proclaim the end of something: of faith in reason, science, and progress, of human capabilities, of culture and history. A *post-justice*, announcing the end of justice, would be a nightmarish justice whose practical consequences would be quite obvious. This situation proves the notion of justice, and thus of truth, cannot be abandoned in public life. Without truth, justice would be a mere empty word that cannot be assigned any specific content, or devoid of meaning. Justice makes sense, however, even if it’s not always satisfied.

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⁸ See <https://languages.oup.com/word-of-the-year/2016/> [accessed: 14.02.2022].

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