DILEMMAS OF JUSTICE IN LAW – THE HISTORICAL-LEGAL AND SEMANTIC ASPECTS OF JUSTICE

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Abstract. The article focuses on the dilemmas of justice in law, and especially on linguistic (semantic) and legal-historical issues. This study is part of a broader research project devoted to the study of justice in law – in particular, its understanding, formation and impact, as well as its possible use today (e.g. in legislation). Due to the complexity of the research problem examined, the article presents some introductory remarks and clarifies certain limitations. This is followed by the presentation of historical and legal considerations, and a series of linguistic and semantic considerations. These lead to particularly spectacular results, as it turns out that the concept and understanding of justice have shaped the concept and understanding of law.

Keywords: theory and philosophy of law; justice; just law; dilemmas of justice in law; history of law; semantics; legalese

INTRODUCTION

The concept of "justice" has accompanied humanity since ancient times, or at least this is our belief. Many analyses, some of which are presented in this text, make it possible to formulate such statements. Justice is an extremely complex concept. One can therefore discuss its multifaceted nature. It refers to many phenomena, not only legal ones. So, for example, we discuss justice in law, but also *a contrario* – injustice in law. We can relate analogous antagonisms to the economy, in science, education, politics or social relations. It is also common, in many language systems, to discuss "justice" (in polish *wymiar sprawiedliwości*) as a term for the exercise of judicial power.

Justice is debated – sometimes extremely emotionally – by various social groups; lawyers, politicians, businessmen, medical doctors, priests, journalists,

scientists, workers, farmers; young and old. Discussions about what justice is and is not, ignite debates among ethicists, moralists, theologians, religious scholars. Justice is a slogan that sometimes unites but also sometimes divides [Raiser 1992, 154]. Justice is present in mass culture taking prominent places in the titles of movies, TV series, books. Justice can be discussed from the division of scarce goods such as a cake by two children or food supplies during a siege, for which Pythagoras is said to have created the famous "cup of justice" causing the drink poured into it too greedily and to the detriment of others to flow out of the vessel and the delinquent was left with nothing, to setting rules for the equitable redistribution of financial resources at the multistate level (e.g., the "European budget").

Dilemmas of justice in law – this is the guiding idea of a research project involving a series of studies and publications on this highly relevant topic. Originally, it was initiated by one of the co-authors of this article through the publication of a scholarly monograph [Kokoszkiewicz 2022] and then through the joint work of both authors. For we thought it worthy of attempting to explain what justice in law is? What does it mean? Is it universal for all legal systems? Finally, we can ask – what is a just law? What specific regulations (legal provisions) should it contain for such a law to be defined in this way? And additionally *a contrario* – what will the injustice of this law consist in? We instinctively feel that answering such numerous and capacious questions may pose many difficulties, or even be impossible. As L. Kołakowski notes with characteristic irony, "since almost all philosophers, moralists and legal theorists have tried to clarify what justice, a righteous deed, a righteous man and a righteous state consist in, it must be thought that they have not reached clarity and agreement on this matter" [Kołakowski 2000, 50]. Because of the above problem, that is, that justice is a very complex concept, we make an assumption – of limiting the research area. On the ground of this article we will focus only on selected aspects accompanying justice in law. These will be the historical-legal aspect and the semantic aspect. We want this article and the considerations contained herein to become a contribution to a broader discussion on justice in law. At the same time, we wish to avoid accusations about other topics not being reported on.

Underlying this choice is the conviction that it is of interest from the perspective of the study of the state and law, and is also multifaceted. In developing such a judgement, we point to two main arguments. Firstly, we are convinced that historical, and in particular historic-legal, experiences often have a measurable impact on shaping the phenomena we face today. Historical-legal experiences, therefore, can have an impact on the contemporary legal system. Historical experience can be used in lawmaking activities. Secondly, research on justice in law, reveals an interesting semantic problem.

For it turns out that the concepts of "justice" and "law" are sometimes linked at this level – and thus not only at, for example, the ontological level. The question of how the understanding of justice can be determined by language and how such a phenomenon presents itself in different languages thus arises somewhat naturally [Gizbert-Studnicki 1986]. In the polish "Encyclopedia of Law" [Kalina-Prasznic 2007, 801] we read that justice is the characteristic of one's conduct toward others, which consists in treating all persons belonging to the same category equally. Justice boils down to the rejection of arbitrariness, that is, treating people according to a certain formula. The following formulas of justice are most often mentioned: "to each the same", "to each according to his merits", "to each according to his works", "to each according to his needs", "to each according to his position", "to each according to what the law grants him". And although almost everyone is in favor of justice, however, there is no consensus on how to understand this concept, i.e. what specific conduct is just. In the practice of social life, following only one formula of justice either does not occur, or leads to injustice in other respects. It is also a feature of acts of application of the law consisting in issuing compliant decisions (rulings) that are the same in similar (or at least very similar) cases; sometimes justice also means the compliance of acts of application of the law with certain rules considered by the evaluator to be principles of justice. From this encyclopedic definition or, rather, an attempt of definition, the claim of the multiplicity of views and the fact that there is no consensus in principle on how to understand the concept. However, it seems reasonable to assume that the meaning of justice can also be learned by learning about its opposites. To this end, we can pose the question – what does it mean to act unjustly? On the basis of opposites, after all, we can attempt to study the main problem. The ethical literature explains that it can mean treating people unequally in some matter that presupposes the assignment of good or bad things to them and such that no moral considerations [principles] that would require inequality play a significant role in the given circumstances this definition also implies that injustice is essentially unequal treatment, which is consistent with the traditional belief that equality is a value also makes it possible to accept the traditional adage that "justice is giving everyone what they deserve" which can be interpreted very broadly it also makes it possible to understand the close relationship between "unjust" and "bad" – assuming that for some reason we believe it is wrong to treat people unequally when there are no particular moral reasons for doing so [Brandt 1996, 694]. Such an ethical perspective also does not provide a satisfactory answer, but it directs to certain characteristics of just and unjust behavior. It therefore prompts the search for answers on other levels – and thus justifies, in our view, reaching for a historical perspective.

On the basis of the above introduction, we can therefore pose the following exemplary research questions: what references do we find to attempt to explain justice, is this concept complex? Has it undergone changes, depending on the legal culture? What might be useful research perspectives for jurisprudence, for the study of justice in law? Is the discussion of justice in the law characteristic to the present day or was it present earlier? What is the relationship of the words "law" and "justice" in different languages? What conclusions does such an analysis lead to? Is it relevant to contemporary jurisprudence?

1. HISTORICAL-LEGAL PERSPECTIVE ON JUSTICE IN LAW

Now let's reach to historical experience. After all, according to the study of dozens of texts, considerations of justice have accompanied mankind for a very long time, having held its rightful, supreme place in the hierarchy. Legal writing points out that for centuries, the social attribute of justice has been assigned a prominent place among other characteristics of a well-organized community [Wilczyńska and Wilczyński 2015, 54]. It is significant and interesting that the understanding of the concept of justice has been and is constantly changing. One would like to write "evolution" however, such a statement may be incorrect. For example, an important component of 16th-century and later Polish criminal justice was the methodology of administering one of the punishments, the gallows. Historical sources describing Polish city of Lublin, which played a significant role in the pantheon of criminal justice at the time (for it had the privilege of an executioner), indicate that the gallows (*suspensium, patibulum*) was important in the administration of justice. Lublin's patibulum was erected on the city's most important route to Krakow near the statue of the Passion of Christ [Kus 2002, 50]. Certainly, it is necessary to go back much earlier. Through a review of selected historical sources, we can observe that justice as applied to the state and the law is not something new, applied only to the modern state, and that the content of the concept of justice, its understanding, has undergone and continues to undergo various interpretations and changes.

However, as we signaled earlier, the roots of the understanding of justice as well as attempts to realize it should be sought much earlier. It seems that even with the emergence of humanity, and certainly from the time of organized communities. After all, justice is a value that allows for survival, a kind of regulator of social relations. In this context, K. Fokt draws an interesting separation – into tame and untamed justice, explaining that if one proceeds from the assumption that the accepted model of justice is related to the degree of complexity of a given society, untamed justice would have to refer to pre-state societies, organized into

tribes and chiefdoms. These societies, oriented mainly to biological surviv-al, lived, as it were, in the eternal now, relying on unshakeable tradition and collective action [Fokt 2006, 10].

In fact, for example, in the Code of Hammurabi we find references to jus-tice in law. The purpose of this codification was indicated as "to bring justice to the country, to exterminate the wicked and the evil, so that the strong do not harm the weak"[1] adding in its continuation also "so that the strong do not harm the weak, so that the orphan (and) the widow may be giv-en justice."[2] This demonstrates the significant, measurable and multidimen-sional importance of justice as values that can or should guide the state and the laws it creates. Two aspects are noteworthy in this codification. On the one hand, a kind of brutalism in the understanding of justice, which is incompatible with the standards of the modern rule of law. For the cod-ifier understands justice as a value in which "evil and wicked" persons will be exterminated. This is characteristic of the normative systems of the time (but also of later ones). On the other hand, however, and very important-ly, and perhaps surprisingly for some, the universality of this codification draws the reader's attention. It should be reminded that the code was issued around 1772 BC. "That the strong do not harm the weak" contains a norma-tive charge characteristic of modern legal systems, including the Polish sys-tem. It is about the preservation of a certain equality of parties and also pro-cedural means to prevent injurious actions or to defend effectively in case of their realization. We also read about the need for special protection for those in particular need of it – the reference is to "orphans and widows." This is a normative solution also familiar to contemporaries and appearing, for example, in Polish social legislation.

Justice is also mentioned in the Old Testament or the laws of ancient Egypt [Kuryłowicz 2006, 207-22]. M. Weinfeld, exploring the meaning of jus-tice, points out that in ancient texts (Hebrew, Egyptian or Mesopotamian) it is often juxtaposed directly with righteousness; and "justice and righteous-ness are considered a lofty, divine ideal" [Weinfeld 1994, 230]. Interestingly, the author concludes that the judge (who exercises this justice – own foot-note), although subject to the laws, cannot overlook considerations of fair-ness and righteousness, which leads to "true judgment". "Justice and righ-teousness" is therefore not a concept that belongs exclusively to the legal community but is much more appropriate for socio-political leaders who create laws and see to their execution [ibid., 245-46]. This is an interest-ing point demonstrating the relatively broad meaning given to the concept

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[1] Code of Hammurabi (translated by M. Stępień), p. 9.
[2] Ibid., p. 71.

of justice in ancient thought – referring not only to the (as we would say now, in legal aspect) positive sphere, but having a general meaning.

Also interesting observations are provided by the analysis of legal norms contained in the Bible, which is, after all, excellent historical research material. P. Bovati, after conducting research on a wide range of biblical texts, indicates that this has allowed to expose an important fact: legal vocabulary can be found, albeit with varying frequency, in many biblical texts. The concern for justice, both in human history and in the relationship between God and humanity, appears as one of the most important themes in the text of the Bible [Bovati 1994, 389].

Richard Hiers, discussing (as if by reference to modern jurisprudence) legal norms grouped according to typology: civil law norms, criminal law norms, and social legislation, concludes that a significant number of biblical laws provide the accused with what can aptly be described as due process protection [Hiers 2009, 221]. Of course, it makes no sense to relate the legal norms envisaged for use among an extremely different society than we face today in Western democracies. Nevertheless, it points to certain points of reference that may prove valuable even today. They also testify to a certain universality of values, as does the example from the Code of Hammurabi discussed earlier. So, too, the legal norms contained in the biblical texts point to certain universal values attributed to justice, such as the provision of procedural guarantees to a party. From the research perspective adopted, it is particularly important to pay attention to biblical social legislation, which we can relate to modern administrative law legislation. This is due to the somewhat surprising discovery that biblical legal texts imposed a number of provisions that, taken together, can reasonably be considered a well-developed system of social welfare [ibid., 174]. Author highlights the – also well-known contemporary elements of the social law system whose essential element of functioning is also the need to ensure due process standards – full, fair and equal justice in the courts, provisions against oppression or mistreatment of protected classes (including consumer protection, provisions against corruption in trade or the use of false weights and measures) relating to, among others, widows, orphans, wage earners, foreigners, disabled people [ibid., 175-211]. These values are linked directly to justice in the biblical texts, personifying its essence. In other words, justice is treated uniformly here, without typologizing into, for example, material or formal justice – what is just in the biblical sense is unitarian in both the material and formal sense, and both aspects are meant to embody the assumptions of the concept adopted. This, therefore, may prompt the search for certain universals of the concept of justice, especially in law. However, there is a risk that in other religious or ethical systems, the above concept will not gain acceptance, so that the hypothesis of the universality

of the concept falls. Accepting certain limitations, nevertheless, and examining, for example, the normative systems of the democratic legal state of the Western model based on the idea of Christian justice, we can already make such a search with a certain degree of efficiency, assuming that it will give a measurable effect and not provide only slogans. It is worth underlining at this point, following M. Sandel, that almost all of the great reformers in the history of the United States – were not only guided by their faith, but also constantly used the language of religion to argue their case. So it would be absurd to argue that men and women should not bring their personal morality into the debate about public policy [or justice – Authors' note]. Our law is by definition a codification of moral norms, growing largely out of the Judeo-Christian tradition [Sandel 2020, 334]. So, a certain moral particularism, as a kind of research optics, which is also presented by us, does not, interfere with the possibilities of an effective search for the truth about certain universal characteristics of justice.

2. SEMANTIC PERSPECTIVE ON JUSTICE IN LAW

Knowledge of justice in both titular aspects (historical-legal and semantic) is provided by Antiquity. A "mine" of knowledge about justice in the state and law is the output of Roman jurists. The partial acquisition and then development of philosophical and legal thought, including considerations of justice, together with a good study of the area, gives very interesting scientific results [Dziedziak 2012, 90]. Considerations of the concepts related to *iustitia* or *aequitas* remain universally relevant and are certainly valuable in finding answers to numerous research questions. M. Kuryłowicz explains that at the root of the concept of law, which included the principle of equity – *aequitas*, was, according to Roman jurists, justice (*iustitia*) as a constant and unchanging will to grant everyone his due: *Iustitia est constans et perpetua voluntas ius suum cuique tribuendi*. Despite a certain amount of pathos, it is impossible, in considering the concept of justice, to omit the commonly known from the Justinian Digests, the definition of law as the art (skill) of finding and applying what is good and right – *Iuri operam daturum prius nosse oportet, unde nomen iuris descendat, est autem a iustitia appellatum: nam, ut eleganter Celsus definit, ius est ars boni et aequi* [Kuryłowicz 2003, 161-65].

In ancient Greek, too, the connection between law and justice is significant. It is necessary to note that law and justice have always been closely linked, as evidenced, among other things, by the fact that the Greek word *dike* meant both [Woleński 2010, 200]. So there are undoubtedly strong – in the crudest assumption in the linguistic area – links between law and justice.

It will be very important here to give special attention to the concepts of *ius* and *lex* in Roman law. The relationship of *ius* and *lex* is an excellent exemplification of certain problems between law understood strictly in a positive way, and law understood more intangibly – as a set of certain abstract values. This particular relationship, has happily received a significant literature on the subject. In the literature it is explained that this distinction, which originated in Latin, was and is invoked as an expression of the belief in the dual nature of law, according to which the concept of law is not exhausted in legislated norms, but also includes standards of other origin and type. Thus, it can be said, roughly speaking, that the expression *lex* denotes the law that is legislated by a competent subject, while *ius* denotes those legal standards that do not come directly from the legislator and are usually considered not dispositive of his actual will [Pichlak 2017, 49].

Therefore, it is necessary to pay the utmost attention to the fact that *ius*, which means the law not dispositive of the will of the legislature, is the component of justice, which expresses *iustitia*. It is not *lex*, as legislated law (we do not have the phrase *lextitia*). From such a cursory linguistic analysis, we can deduce that the vocabulary of justice is associated with a value that is in some way universal, ontological. This, in turn, may prove the attribution of justice to a broader meaning than that referring exclusively to the currently established law.

Similar linguistic considerations can be made on the ground of German. Two phrases are in use there: *recht* and *gesetz*, which can be compared to *ius* and *lex*. The phrase *gerechtigkeit* is used to describe justice. As can be seen, in linguistic terms, *recht* not *gesetz* is the component of *gerechtigkeit* (justice). A similar relationship can be seen in Chinese philosophy of law, where we observe deliberations on the *li – fa* line by proponents of Confucianism and Chinese Legalism. A. Kość points out that Confucian *li* motivates man to free, internal obedience, legistic *fa* leads to external obedience by using punishments, *li* creates harmony and peace, *fa* external order, *li* emphasizes the practice of virtues, *fa* on conformism and procedural conduct, according to *li* man should act, so as to avoid disputes, according to *fa*, however, disputes should be resolved by trial [Kość 1998, 84].

In Polish, unfortunately, we do not observe such a relationship. This is because we use only the term *prawo* (law); only its specification by adding some adjective (e.g. natural or positive), determines the meaning given to it. However, it is found in the phrase *sprawiedliwość* (justice) constituting its literal (and not only) quintessence. It is rightly emphasized by S. Karolak that in the Polish language, in the term of interest here "justice" is included the subject of the word "law". Such a phenomenon is not the rule, and in many languages such a coincidence does not occur. Therefore, there is no doubt that when speaking of justice we often connect it with the law,

with its content, its observance or failure to observe it, or even breaking it [Karolak 2007, 11-12].

From the above examples, the primacy of *ius* over *lex* is evident, which today, it seems, is sometimes questioned. It is pointed out that the primacy of *ius* over *lex* was challenged only in post-Hegelian philosophical and legal reflection, which consisted of transforming the previous formula of legal thinking "law before statute" into the formula "statute before law" [Płeszka 2006, 98]. There may have been at least two reasons for this variation. First, there was a contemporary turn to the natural sciences and the empirical method. The modeling of the natural sciences as providing universally valid and enduring laws of natural reality prompted the science of law to seek analogous regularities relating to law. These regularities were much easier to identify in relation to the statute *lex* than in relation to the discursive *ius* [ibid.].

It seems that a similar turn is currently observed in at least Polish science, which implies the search for a uniform method for all disciplines, which is obviously impossible. The second reason is a type of practical destruction of the *lex* through the use of non-statutory solutions through the application of extraordinary institutions (e.g., punishments that have no statutory basis or for acts that are not specified in the law), or the appeal in the practice of adjudication to reasonable judicial discretion. This state of affairs led to the abrogation of formal guarantees of the legal order, and the liberation of judges from subordination to the law led to almost complete legal uncertainty. In place of justice there was arbitrariness. Hence, not only jurists recognized that only the law and the strict binding of its contents on both adjudicators and executors would ensure the protection of individual liberty from the power and arbitrariness of the state [ibid., 99].

So in such a situation, despite the supremacy of *ius* over *lex*, and the semantic inscription of *ius* in justice, such action was a facade of justice. For this one requires guarantees in order to be realized. Such, in turn, cannot exist solely in the abstract realm. On the backdrop of linguistic considerations, it is worth signaling finally that it is "from the Latin term *iustitis*, derived from *ius* (law), that it is derived in Italian – *giustizia*, Maltese – *gustizzia*, Portuguese – *justica*, Romanian – *justipie*, English – *justice*, German – *justiz*. It is related to the German term *recht* (law) in Dutch – *rechtvaardigheid*, Danish – *retfaerdighed* and Swedish – *rättvisa*, while it is related to the native sound of the term 'law' in Serbian – Πравоcуde, Bulgarian – Πравоcьdue, Slovenian – *pravica*. From the name of the goddess of justice *Diké* (Greek Δίκγ) comes the name 'justice' in Greek – *diakoisyne* (Δικαιοσύνη) and probably Estonian – *oiglus* and Finnish – *oikeus* [...] The Polish-language noun 'justice' comes from the adjective 'just' as a borrowing from Old Czech *spravedlivy*, being a transformation of the earlier form

spravedlny. Similar sounds are found in Russian – справед ивость, modern Czech – *spravedlnos*t and Slovak – *spravodlivosť*" [Tokarczyk 2016, 13-14].

In our subjective opinion (especially as a persons who are not a qualified linguists), such statements are extremely interesting and of value to legal science. The process of vocabulary and the interrelationships between words defining the concepts of "law", "justice" in different languages can indicate certain views of people. What I want to convey with this is that since at that time certain assumptions of a philosophical (or perhaps more, ontological) nature were made, which consequently determined the formation of subsequent words, this is interesting and valuable for modern science. It may also prove, as I pointed out earlier, some fairly universal qualities that could be attributed to the studied concepts. In addition, from the perspective of considering the methods used in the study of law, it shows how valuable and interesting it is to draw on historical or linguistic methods.

CONCLUSIONS

We will begin the concluding section with a brief consideration of symbolism. It is important but also directly related to the aspects that have been touched upon above. Finally, it is also interesting to depict, illustrate and attempt to embody the concept of justice by creating corresponding symbolism. Justices of antiquity; Greek and Roman still today occupy prominent places in public institutions: offices or courts as well as many law offices. It is significant that they embody the qualities of justice. As J. Warylewski writes what do the Roman (*Iustitia*) and Greek (*Temida*) personifications of justice do? Variously depicted, but they are always women. Most often clad in white (she must be undefiled by self-interest and emotion), sometimes with a blindfold over her eyes (the senses, including sight, should not interfere with reason and symbolize impartiality), holding in her left hand a bundle of rods with an axe (carried in Rome before the Consul and the Tribune of the People) and fire (the judge's mind should be directed toward Heaven) or a sword and a scale. With the scales and sword they deal with the consideration of guilt and punishment. The scales are a symbol of justice, balance and legislation, judging and public administration of justice. In Christian iconography, the scales are used by the Archangel Gabriel, weighing souls at the Last Judgment [Warylewski 2016, 446].

Justice, therefore, has enlivened and enlivens minds, and is the subject of volatile discussions aimed at capturing its essence and developing solutions to suit it. Given that it is an issue that is very rich in content, deep and, perhaps most importantly, belongs to many scientific disciplines, it is worth undertaking research on it. In my opinion, such multifaceted research on justice in the law, on the dilemmas of this justice can lead

to the discovery of some of its features. In particular, I find interesting here a kind of "historical return" to a broader view of justice in law and reading it through the prism of *ius* in the face of the currently dominant primacy of lex. In doing so, this does not mean rejecting either one or the other, but seeking a scientific platform of understanding. Both the one and the other are arthritic. For we cannot speak of an efficient and just system of law in a modern democratic state of law of the Western model without justice. Although, at the same time, it can be reduced to partisan slogans, thus giving rise to disputes "whose justice is at stake"? This is all the more of a challenge to seek, on the one hand, the values that are paramount to the law (based precisely on justice) and derive from it (and legislate) the laws that make it a reality. And this, in our opinion, is the biggest challenge for jurisprudence for the near future. Even rejecting the aforementioned aspect of *ius* and the typically positivist, dogmatic-legal approach, it will in its essence be an extension of some overarching idea.

In a final attempt to summarise and answer the research questions posed at the outset, it can be concluded that the concept of justice is undoubtedly of a complex, multifaceted nature. Any attempt to define it and enclose it within a specific framework is therefore risky. Justice belongs to scientifically multidisciplinary values and is of interest to various scientific disciplines – among them the science of law. In the scientific literature we find a great many attempts to explain justice, none of which is definitive. A diversity of approaches to explaining the concept is apparent. It has been (and is) changing. It is undoubtedly influenced by the context of the legal culture in which we try to explain the concept of justice. For there was a different conception of justice in Mesopotamian times, a different one in ancient times, and a different one in the Middle Ages or today. Therefore, it seems that the historical or semantic perspectives of justice research might be useful for contemporary jurisprudence. Of course, this in no way detracts from other approaches to the topic. The aforementioned historic-legal perspective reveals that the discussion of justice in law is not characters only for the present day. References to justice – both explicitly in legal systems and more broadly – are found in past cultures. Nowadays, justice in law is also discussed, although we make the cautious thesis that in recent years, not very intensively. There is certainly a great deal of scope and perspective for researchers here. The state and the law, contemporary jurisprudence, need a consideration of justice in law. This allows for a better understanding of the essence of law and thus, for example, for the creation of better regulations within the legal system. Against the backdrop of linguistic considerations, which are also useful for contemporary jurisprudence, the relationship of the words "law" and "justice" in different languages is particularly intriguing. The juxtaposition of this relation leads to the conclusion

that in some languages, law understood in an ontological way (as an entity, value, and not as a legislated law, rules of law, although one cannot deny the ontological value of the latter either) is a component of the word justice. Thus, it is possible to pose a thesis about the mutual, indispensable, interrelation of these two concepts. Such a perspective is undoubtedly important for contemporary jurisprudence, making it possible to develop research e.g. on lawmaking based on the postulate of prohibition of its instrumentalisation and obligatory basing it on justice understood as a value. However, this is a subject for further, complex analysis.

REFERENCES

Bovati, Pietro. 1994. *Re-Establishing Justice Legal Terms, Concepts and Procedures in the Hebrew Bible*. Sheffield: Journal for the Study of the Old Testament. Supplement Series.

Brandt, Richard. 1996. *Etyka. Zagadnienia etyki normatywnej i metaetyki*. Warszawa: Państwowe Wydawnictwo Naukowe.

Dziedziak, Wojciech. 2012. "Z zagadnień słuszności w prawie." In *Państwo – prawo – polityka: Księga poświęcona pamięci Profesora Henryka Groszyka*, edited by Mateusz Chrzanowski, Jarosław Kostrubiec, and Ireneusz Nowikowski, 90-101. Lublin: Uniwersytet Marii Curie-Skłodowskiej w Lublinie.

Fokt, Krzysztof. 2006. "Sprawiedliwość «nieoswojona» i «oswojona». Między prawością a poprawnością." In *Sprawiedliwość: tradycja i współczesność*, edited by Janusz Smołucha, Paweł Nowakowski, and Wiktor Szymborski, 9-14. Kraków: Księgarnia Akademicka.

Gizbert-Studnicki, Tomasz. 1986. *Język prawny z perspektywy socjolingwistycznej*. Kraków: Państwowe Wydawnictwo Naukowe.

Hiers, Richard. 2009. *Justice and Compassion in Biblical Law*. New York: Continuum.

Kalina-Prasznic, Urszula. 2007. *Encyklopedia prawa*. Warszawa: C.H. Beck.

Karolak, Stefan. 2007. *Sprawiedliwość. Sens prawa. Eseje*. Warszawa: Kantor Wydawniczy "Zakamycze".

Kokoszkiewicz, Artur. 2022. *Sprawiedliwy proces administracyjny jako zadanie państwa. Studium teoretycznoprawne. Just administrative process as a task of the state theoretical and legal study*. Warszawa: C.H. Beck.

Kołakowski, Leszek. 2000. *Mini-wykłady o maxi-sprawach: Seria trzecia i ostatnia*. Kraków: Znak.

Kość, Antoni. 1998. *Prawo a etyka konfucjańska w historii myśli prawnej Chin*. Lublin: Pracownia Poligraficzna przy Prywatnym Katolickim Liceum Ogólnokształcącym.

Kuryłowicz, Marek. 2006. *Prawa antyczne. Wykłady z historii najstarszych praw świata*. Lublin: Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej.

Kuryłowicz, Marek. 2003. *Prawo rzymskie. Historia – tradycja – współczesność*. Lublin: Wydawnictwo Uniwersytetu Marii Curie-Skłodowskiej.

Kus, Józef. 2002. *Księgi złoczyńców: O przestępcach i wymiarze sprawiedliwości w dawnym Lublinie*. Lublin: Radio Lublin.

Pichlak, Maciej. 2017. "Rozróżnienie ius et lex we współczesnej filozofii prawa." *Archiwum Filozofii Prawa i Filozofii Społecznej* 2:49-59.

Płeszka, Krzysztof. 2006. "«Ius» i «lex» w prowspólnotowej wykładni prawa krajowego." In *Prawo – Władza – Społeczeństwo – Polityka: Księga jubileuszowa profesora Krzysztofa Pałeckiego*, edited by Maria Borucka-Arctowa, 93-107. Toruń: Wydawnictwo Adam Marszałek.

Raiser, Konrad. 1992. "Reflections about Social Justice within he Ecumenical Movement." In *Justice and Righteousness: Biblical Themes and their Influence*, edited by Henning Reventlow, Yair Hoffman, 154-62. Sheffield: Sheffield Academic Press.

Sandel, Michael. 2020. *Sprawiedliwość: Jak postępować słusznie*. Warszawa: Wydawnictwo Naukowe PWN.

Stępień, Marek. 1996. *Kodeks Hammurabiego*. Warszawa: Wydawnictwo Alfa.

Tokarczyk, Roman. 2016. "Sprawiedliwość: próba syntetycznej systematyzacji zagadnień." *Gdańskie Studia Prawnicze* XXXV:13-50.

Warylewski, Jarosław. 2016. "Klondike czy złoto głupców wymiaru sprawiedliwości karnej?" *Gdańskie Studia Prawnicze* XXXV:445-63.

Weinfeld, Moshe. 1994. "Justice and Righteousness – the expression and its meaning." In *The Justice of God: a fresh look at the old doctrine of justification by faith*, edited by James Dunn, and Alan Suggate, 228-46. Grand Rapids: W. B. Eerdmans.

Wilczyńska, Agnieszka, and Przemysław Wilczyński. 2015. "Doktrynalne i konstytucyjne podstawy sprawiedliwości pomocy społecznej." In *Sprawiedliwość i zaufanie do władz publicznych w prawie administracyjnym*, edited by Małgorzata Stahl, Michał Kasiński, and Katarzyna Wlaźlak, 54. Warszawa: Wolters Kluwer.

Woleński, Jan. 2010. "Globalizacja i Sprawiedliwość." *Diametros* 26:188-205.