

## Augustine on justice

Ambiguity surrounds the ordinary notion of justice. Some seem to think that justice is the ground-floor of the edifice of virtues, with charity an upper storey. Others believe that when justice prevails universally, there will be no room for charity. Still others look upon their donations to fellowmen who are in dire need of food and shelter as works of charity in the sense of liberality. The importance of understanding justice is indisputable. Since the social order is impossible without justice, any ambiguity surrounding this virtue interferes not only with truth with which philosophers are formally concerned, but with that universal concern - peace, which follows only upon the order established by justice.

Justice, according to Augustine, is one of the four main forms of loving God<sup>1</sup>. From the other cardinal virtues, which are referred to in the Old Testament (Wisdom VIII, 1, 4, 7), he distinguishes it by emphasizing "right relationship". Rightly related to God, man is properly related within himself and to the external world of people and things. Not only does justice produce harmony within man, peace among men, but like the other moral virtues, its value lies in preparing us for the vision of God. This vision begins now with an understanding of what we believe. To the just man belongs this understanding.

This distinctive view of justice as *order within man* redounding to social order was retained by Augustine until the end of his life. Writing much later in the *City of God*, and defining justice in a way that can be found in any ethics text: "Its task is to see that to each is given what belongs to each", Augustine nevertheless says that this public order of just transactions among men is impossible unless there are just men, rightly related to God by an interior order. Justice begins within. There must first be "the right order within man himself"<sup>2</sup>. The struggle for this internal order is always far from finished, but until justice reigns, man's happiness cannot be complete. Augustine advises that the subjection of man to God which originates personal integration begins in the mind. He tells us that the man "with God in his thoughts"<sup>3</sup>, is the man who

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1. Augustine, *Morals of the Catholic Church*, I, 15, 25. B. A. 1, 129-176.

2. Augustine, *City of God*, XIX, 4. B. A. 3768.

3. *Ibid.*, XIX, 24-25. B. A. 37,164.

is becoming just. This Augustinian emphasis upon personal order as the preliminary to social order is constantly recurring. If a man has no order within himself, "then there is certainly no justice in an assembly made up of such men. As a result, there is lacking that mutual recognition of rights which makes a mere mob into a 'people', a people whose commonweal is a commonwealth"<sup>4</sup>. But neither should we miss the key to this personal order, namely, an attitude of subjection to God which serves as the model for the order which should exist between the soul and the body, between reason and the irrational powers. Only when this order prevails in man, can he act justly to others.

Justice obliges that God be loved by man not according to God's value but according to man's capacity. Although God can never be loved as much as He deserves to be loved, he can be "loved wholly" and "by the whole man"<sup>5</sup>. To give God the just measure of love is to love without measure. It is but just on God's part, we come to see, that He should sum up all His requests of man in a commandment of love. For love is the one thing that is so much one's own that circumstances and people cannot interfere with the giving of it. Augustine reminds us that while "no *other* creature can separate us from the love of God", a creature can separate us, none other than one's self<sup>6</sup>.

Nor does the love of God in any way eliminate a love for oneself. If to love is to wish good to another, then man's love for his highest good is the perfect form of self-love. As this love grows, egoism and cupidity decrease. This kind of love for self is the recommended norm for loving others. Augustine says that you do not love your "neighbor as yourself" unless you try to draw him to that good which you are yourself pursuing.

By rooting justice in the love of God and man, Augustine unites all men into a society. Accordingly, in the Augustinian outlook, man is a social animal by reason of his moral exigency. The society formed with God as the common object of love is a just society because men who are rightly related to God will enjoy personal harmony and social peace. This love entails for each one the responsibility of providing the material, social, cultural, moral conditions which are needed to bring the men about them to full human development. Devotion to the common good is the sacred obligation flowing most immediately from God's command to love one's neighbor. This common good is the direct object of social justice. Is not Augustine teaching this when he says: "From this precept [of brotherly love] proceed the duties of human society"<sup>7</sup>? And he adds that failure in this field is very, very easy.

4. *Ibid.*, XIX, 21, p. 138-145.

5. Augustine, *Morals of the Catholic Church*, I, 8, 13. B. A. 1, p. 154.

6. *Ibid.*, I, 12, 21, p. 170.

7. *Ibid.*, I, 26, 49, p. 210.

It is noteworthy that in his directions about how to proceed along the difficult path of social justice, the providing of all men with what is needed for human and spiritual fulfilment, Augustine refers primarily to the interior : " ... the first thing to aim at is, that we should be benevolent, cherishing no malice nor evil design against another "8. This justice, as the virtue which is the *manifestation* of the sincerity of brotherly love, does not remain within the one who loves. It is grounded in the objective social order of external goods. At times there is a tendency to think that whereas physical injury to another is an injustice, a failure to extend a helping hand is *only*, as they phrase it, a failure in charity to which I was not obligated. But Augustine unites these two acts and regards them both as failures in justice and failures in charity : " ... a man may sin against another in two ways, either by injuring him or by not helping him when it is in his power "9. In fact, failure to love one's neighbor sufficiently, refusal to put oneself to inconvenience and unwillingness to suffer in order to assist him is called by Augustine " criminal ", a word generally descriptive of unjust acts of major proportions. This lack of charity to a neighbor is considered by him to be an assault against God<sup>10</sup>.

Augustine's conception of society as the union of all those who love God as their common good does not eliminate the need for many different political states, but by its emphasis upon the removal of all frontiers which separate men from one another the world over, it calls for the developed nations to assist the underdeveloped nations as a social duty flowing from the law of brotherly love. American aid to foreign countries as a technique in the forwarding of foreign diplomacy has been vocally scorned by some foreign students in the U.S.A. who openly question whether their countries would receive any help at all if Communism did not exist as a threat.

We can see that admitting the existence of God is neither a theoretical nor a private matter. The acknowledgment of God's existence brings with it the necessity of obedience to His laws as made known either by studying the dynamisms of human nature or by listening to Divine Revelation. Such laws are universal and bind men together in a society which transcends any individual state. Today nations are more conscious of their role as political parts of a world-wide community seeking the one common good of human fulfilment by using all the benefits and blessings of modern civilization. If obedience to the eternal law of God is the mark of the rightly related man, the just man, this same obedience will charac-

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8. *Ibid.*

9. *Ibid.*, I, 26, 50, p. 210.

10. *Ibid.*, I, 33, 73. B. A. I. p. 244.

terize the just State. The so-called Ten-Commandment-morality is more indispensable than some moderns have tried to make it. It is worth noting that all sins against the Ten Commandments are acts of injustice ; the first three are violations of the virtue of religion – love for God ; the fourth is a violation of the virtue of piety – love for parents ; and all the others violate the law of love for neighbor. Even this negative view of the last six commandments forcibly brings home that Augustine was in deep harmony with the mind of God when he defined the virtue of justice as a function of the law of love – the giving to God and to men the response that is due to them, first, in accordance with their rights, and secondly, in accordance with one's liberality.

Because Augustine set aside Cicero's definition of a people as essentially concerned with justice as a definition too restricted to apply to existing states, and said that " It is possible to define a ' people ' not as Cicero does but as ' a multitude of reasonable beings voluntarily associated in the pursuit of common interests ' " <sup>11</sup> , some historians have too hastily concluded that justice is not relevant to the second definition. Justice remains the norm for evaluating the true success of any State. What Augustine did was to rescue justice from identification with the law or " jus " of the individual nation, reveal the foundation of justice in God's eternal law, and thereby make clear its transcendent power to release the citizen from slavish subordination to the State. Above the State and its laws there is an Absolute to which rulers and citizens cannot rightly be opposed. Hence no citizen need obey an unjust law. The appeal is not merely to the subjective conscience but to the objective law of God as readable in human nature and as revealed in the Ten Commandments. Morality is politically relevant. Augustine declares : " The fact is that any civil community that is made up of pagans who are disobedient to God's command that He alone receive sacrifices and who, therefore, are devoid of the rational and religious control of soul over body, and of reason over sinful appetite must be lacking in true justice " <sup>12</sup>.

Few of us would agree that Augustine's second definition of a commonwealth which allows decadent Rome to be called one, namely, an association of rational beings united by a common love <sup>13</sup>, aptly specifies a State ; in fact, it could be used to cover any club or social organization. Most of us would go along with Cicero in holding that a State is properly " a multitude bound together by a mutual recognition of rights and a mutual cooperation for the common good ". But would all who agree with this definition today also agree that the justice it specifies is rooted in respect for

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11. Augustine, *City of God*, XIX, 24. B. A. 37, p. 164.

12. *Ibid.*

13. *Ibid.*

the rights of God? This, I submit, is the Augustinian contribution to our understanding of Justice. One way to appreciate the need of respect for the rights of God is to look at States where no such respect exists. Augustine reminds us that "here neither the individuals nor the whole community, 'the people' live by that faith of the just which works through that charity which loves God as He should be loved and one's neighbor as oneself - where this kind of justice is lacking, I maintain, there does not exist..."<sup>14</sup> a commonwealth seeking the common good.

Far more than he is generally credited with, Augustine appreciated the necessary role of government in the making of peace within man and among men. Far too often his name for sovereignty as "organized brigandage"<sup>15</sup> is referred to in isolation from the context wherein he shows the contribution to the common good that can be made - not by rulers who are Christian, but by Christian rulers who are just<sup>16</sup>. And if the practice of justice is, as we have seen, a matter of keeping the law of God, this just practice, Augustine teaches, is binding in charity<sup>17</sup>. It is for this reason, and not because of any intolerance that he thinks Christians would make the best rulers, the best citizens. Such men, however, must not be Christian in name only; they must be stamped with the authentic sign of "charity". In fact, Augustine would seem to be urging his fellow-Christians to enter public service not for private gain but for the public good when he says: "Therefore, let those who say that the teaching of Christ is opposed to the welfare of the State produce such provincial administrators, such husbands, such wives, such parents, such sons, such masters, such slaves, such kings, such judges, and finally such taxpayers and collectors of the public revenue as Christian teaching requires them to be, and then let them dare to say that this teaching is opposed to the welfare of the State, or, rather, let them even hesitate to admit that it is the greatest safety of the State, if it is observed"<sup>18</sup>. Augustine would want Christians to cooperate in all ventures of mutual interest to men as men. The temporal peace established by good government assists Christians to work more fruitfully for their goal, and Christians should actively pursue "along with other human beings a common platform in regard to all that concerns our purely human life and does not interfere with faith and worship"<sup>19</sup>. Augustine realizes that "the aims of human civilization are good" and this attitude of cooperation in cultural and civic affairs, while it represents a departure from

14. *Ibid.*, XIX, 23, p. 160-162.

15. *Ibid.*, IV, 4.

16. *Ibid.*, V, 24, B. A. 33, p. 748-750.

17. *Ibid.*, XVII, 4.

18. Augustine, *Ep.* 138 to Marcellinus, 15 (412).

19. Augustine, *City of God*, VIII, 19; cf. VI, 2.

the Plotinian advocacy of a life given almost solely to contemplation, agrees completely with the Christian vocation in this world, a world indeed made good by God, a world capable of becoming better at the hands of man. In view of the foregoing evidence, Augustine did not condemn the State as such, but only an unjust State. What he emphatically condemned was the divorce of morality from politics because such a divorce defeats the very purposes of government<sup>20</sup>. Therefore, when H. G. Wells<sup>21</sup> sees the Augustinian world as an organized kingdom of heaven, when John Bowle<sup>22</sup> considers the *City of God* the origin of medieval political theory, when R. H. Murray<sup>23</sup> would make of the civil power for Augustine merely a weapon of the Church, we can only think that they have allowed their judgments of this fifth century writer to become too encrusted with later history. To hold, as Augustine does, that the State with good Christians as rulers and citizens is the best State, is not to erase the distinction between the temporal city and the eternal city. The evidence is all on the side of Augustinian exhortations to Christians to promote the efficacy of temporal power. The disagreement about how Augustine really regarded the State is exemplified in the two contradictory statements of George Sabine and Christopher Dawson. Sabine states that Augustine thought that only Christian states were true commonwealths<sup>24</sup>, whereas Dawson concludes that the consideration of history leads Augustine " ... to reject the political idealism of the philosophers and dispute Cicero's thesis that the State rests essentially on justice "<sup>25</sup>. Now in rejecting Cicero's first definition of the State, Augustine is not denying the need for justice if a State is to achieve its true goal. He is simply saying that, contrary to the thinking of the philosophers, men can organize themselves in pursuit of material goals, and seek a temporal peace. Augustine afterwards shows that to attain even this kind of peace, a certain " order " is needed. Such order cannot be achieved without justice. The philosophers, however, were unrealistic - not in their highlighting of the indispensable role of justice in society, but in naively believing that men without love for one another can rise to justice. As a realist, Augustine was acutely aware that men naturally tend to shade things in their own favor.

20. Augustine, *City of God*, VI, 2-20.

21. H. G. Wells, *Outline of History*, New York, Garden City Publishing Company, 1931, p. 555.

22. John Bowle, *Western Political Thought*, New York, Oxford University Press, 1948, p. 138.

23. R. H. Murray, *The History of Political Science from Plato to the Present*, New York: Appleton, 1930, p. 41.

24. George H. Sabine, *A. History of Political Theory*, New York, Henry Holt Co., 1956, p. 192.

25. Christopher Dawson, " St. Augustine and His Age, " in *Monument to St. Augustine* (M. C. D'Arcy, etc.) London, Sheed & Ward, 1930, p. 62.

To make this extreme tendency for self-preference serve the interests of society, something more than the precept to "give to others what is their due" is needed. As long as the other remains other, justice – which is only supposed to be possible between two persons – is the virtue that, theoretically, is called for to insure "equality", but, practically speaking, in view of man's great ability to see what is his own due, the true satisfaction of the rights of the other will only be achieved when that other is by love identified with oneself. Love, then, is the indispensable basis for the realization of justice. For this viewpoint on justice, Augustine bases himself not upon the idealism of the philosophers, not upon the might-politics of the later Roman empire, but upon the Pauline doctrine of charity as a social duty. To the Romans (XIII, 8-10) St. Paul clarifies the way to justice, which is the way to personal and social order, and so to peace: "Owe no man anything except to love one another; for he who loves his neighbor has fulfilled the Law. For 'Thou shalt not commit adultery; Thou shalt not kill; Thou shalt not steal; Thou shalt not covet', and if there be any other commandment it is summed up in this saying—'Thou shalt love thy neighbor as thyself.' Love does no evil to a neighbor. Love therefore is the fulfillment of the law".

What, then, are we doing – identifying or confusing love with justice, for did we not previously note that the 10 commandments prohibit injustice? No, this is no confusion of distinct virtues. Justice is still justice, and love is love. But the union of man with his neighbor which is love's fruit enables man to love his neighbor as himself and thereby to shade things in favor of his neighbor, to recognize what is really due to this neighbor. Only thus can our native astigmatism, looking at things in relation to ourselves, a certain effect of original sin, be corrected. Paul and Augustine are not then saying that love is justice but that love is the fulfillment of justice. It is once again a case of Christian realism. And therefore Sabine, in representing Augustine as saying that there is no true commonwealth that is not Christian, is concealing this nuance just described which characterizes Augustine's approach to justice and the State. There can indeed be established a State which seeks a temporal peace, but this State will not survive unless justice prevails. And where there is no love for neighbor, justice cannot prevail, and no State can long endure.

Thus in forsaking Plato's high thoughts about the nature of the State, Augustine does not repudiate the Platonic vision of truth when he turns to Christian thought for the realization of the meaning of Justice. As earlier in the *Confessions*, he once told us that the Platonists saw what happiness was but were unable to provide the way, so now he is telling us that the Platonists appreciate the truth that peace must rest on justice—but Christ, in showing that justice is only fulfilled through love, has once again become the Way.

We can conclude, therefore, that social justice is first and foremost a work of love, whereby that which is due to another person is given. Respect for the rights of the human person is secured in two particular forms : by fair transactions between individuals and by the State's proportional distribution of benefits to citizens according to their social role. Respect for the rights of all is secured in a general form by individual actions on the part of both rulers and subjects to assure each citizen the social conditions necessary for a full human life in this world and the next. This general justice on the part of all is best called social justice, distinguished as it is from the two forms of particular justice by having as its direct object the common good. Social justice helps to realize in each person the specific perfection of humanity, while the two forms of particular justice are directly concerned with an equality and proportion between citizens, being only indirectly ordered to the common good.

Those who tend to think of justice as some foundation upon which the virtue of charity may or may not arise are unconsciously confusing charity with liberality. Justice is indeed prior to liberality, but not to charity.

Those who think that with the progress of justice, charity can be eliminated are unconsciously identifying charity with what is commonly associated with it - the material gift which expresses the love of the giver. Yet all gifts derive their human value from the love which prompts them not from the material expression. Love, moreover, is more directly a relationship between two persons than is justice which is only realized when there is added some relationship to an exterior object.

Those who tend to call the contribution made to another's basic need, by someone better off, a work of charity or liberality need to be reminded that the social function of private property in this case obliges them to a work that is directed toward the common good, and therefore a work of social justice, which *obliges* in charity.

Since love is naturally a free act, there is a tendency to think of it as something untouched by obligation. By firmly grounding justice upon the motivation of love, however, Augustine teaches us that all the commandments of God require of us that which is most our own. And that is why the New Law is one of Love. " And Love is the fulfillment of the Law. " (Romans XIII, 10.)

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