

JUSTICE IN SOCIETY—  
THE STATE AND THE INDIVIDUAL

LET us begin by recalling the moral problem raised last year with reference to private bomb shelters. The problem in particular reduced to the following. What should you do if you and your family were in a private bomb shelter with an attack about to begin, with no more room available, and with your neighbor pounding on the door for admittance? Too often, this issue was not seen to be what it first of all is, a matter of justice; rather, it was viewed as one of charity or mercy or some sort of brotherly feeling and compassion. Even when the issue was discussed in terms of justice, it became evident that justice, especially as a virtue, was miserably conceived. And if justice itself is not well understood, the condition of justice is society is affected accordingly.

One person, commenting on this problem in a well-known national weekly, declared that people who attempt to storm their neighbors' shelters are nothing more than "unjust aggressors" and should be "repelled with whatever means will effectively deter their assault." Another person, replying directly to this view, said "I do not see how any Christian conscience can condone a policy which puts supreme emphasis on saving your own skin without regard for the plight of your neighbor. Justice, mercy and brotherly love do not cease to operate, even in the final apocalypse." Both positions tend to be wide of the mark. The first view would seem to extend to the extreme of countenancing murder; the second opinion appears to propound collective suicide. My point in quoting them is not so much to go on to solve the difficult issue raised, although I shall return to it later, but to note certain misconceptions about what justice truly is and, even more important, to call attention to misapprehensions regarding something more basic than justice itself.

Speaking generally, two widespread errors persist concerning justice. One, arising more often in a Catholic and Christian context, all too often sets justice in opposition to charity, as though being just implied a lack of charity. From such a position it would follow that charity, the higher virtue, simply sup-

plants the role and demands of justice, and may thus cover a multitude of injustices with saving grace. The error here lies in supposing that if you are just you are somehow uncharitable, and if you are uncharitable you can be unjust. In fact, neither charity nor justice is realized in this way. The second widespread misconception narrows justice in a rigid, pinching way: the just man (or society itself) is regarded as one who demands what is due regardless of any other consideration; it is a bloodless, self-centered idea of justice—the hounding justice of a Shylock or of an Inspector Javert in *Les Misérables*. How could justice, so tied down in a one-track mind, be the most excellent of moral virtues?<sup>1</sup>

The extreme opinions given on the bomb-shelter issue suggest that the real misunderstanding of justice and charity must be sought at a deeper level. I am here referring to a misunderstanding regarding the nature and role of true, rectified self-love as the secure basis of all human societies. Without true self-love, no human community can reach a worthy purpose nor can justice come fully into its own.

In seeking to establish this point—a point too often ignored—and at the same time remove a widespread misconception about self-love, let us point out first how the priority of rectified self-love can be seen first in friendship, just as friendship must be seen as having a priority in relation to justice. Following Aristotle, St. Thomas treats friendship as a virtue, an elective habit, tracing it back to the genus of justice.<sup>2</sup> Only in perfect friendship, however—the friendship between men who are good—do we see how such friendship implies virtue and, more to the point for our present concern, that upon this virtue the political community finally depends for the welfare of its members.<sup>3</sup> As

<sup>1</sup> Cf. St. Thomas, *Summa Theologiae*, II-II, q. 58, a. 12.

<sup>2</sup> In justifying the opening line of Book VIII of the *Nicomachean Ethics* ("After what we have said, a discussion of friendship naturally follows, since it is a virtue or implies virtue . . ."), St. Thomas expands as follows: "Amicitia autem est quaedam virtus, inquantum scilicet est habitus electivus . . . et reducitur ad genus iustitiae, inquantum exhibet proportionale . . . vel saltem est cum virtute, inquantum scilicet virtus est causa verae amicitiae." *In VIII Ethic.*, 1, n. 1538.

<sup>3</sup> It is regrettable that the topic of friendship no longer seems to play a significant role in moral philosophy, and that its relation to justice tends to be ignored. St. Thomas points out that because moral doctrine is finally

Aristotle remarks: "Friendship seems to keep the state together, and lawgivers seem to be more concerned about it than justice; for unanimity seems to be something similar to friendship and this they aim at most of all and expel discord as being most hostile; and when men are friends there is no need of justice, but those who are just stand in need of friendship; and friendship especially seems to be the mark of those who are just."<sup>4</sup>

Note that Aristotle says—and it seems startling—that when men are friends they have no need of justice, but that when just they need friendship. This does not mean, of course, that justice is somehow ousted by friendship. Rather, the point is that while those who are not friends need justice in order to deal rightly with each other, this *need* does not prevail among friends because friendship itself is the truest form of justice. To understand this point, we must note that the characteristics which set friendship apart and so define it are taken from a man's relation to himself with respect to love.<sup>5</sup> It is in this way we are led to consider how a man should love himself, for this lies at the basis of friendship and friendship in its turn is the seat of justice.

With regard to self-love, let us make the following point at once. A man should love himself before his neighbor. Why should this be so? The primary reason is that no one has the right to forfeit his own spiritual good for that of his neighbor. For example, a man cannot tell a lie in order to make his neighbor feel better or in order not to offend him nor, for that matter, even if he thought he could save the whole world. That a man should love himself before his neighbor is plainly implied by the very first precept of the natural law: *Do good; avoid evil*. This precept does not imply that he should seek every kind of good for himself first of all, nor that the unworthy should love his unworthy self. The precept enjoins each and every man to be or to become a good man, to a good that is primarily an immanent quality. The artist, the good craftsman, is qualified as good by virtue of an ability that has become his own. A man is good

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ordered to the good of civil society, it pertains to moral philosophy to consider friendship. "Et quia tota moralis philosophia videtur ordinari ad bonum civile . . . pertinent ad moralem considerare de amicitia." *In VIII Ethic.*, 1, n. 1542. In n. 1543, St. Thomas points out how moral philosophy should consider friendship much more than justice.

<sup>4</sup> *Nicomachean Ethics*, VIII, 1, 1155a 23-32.

<sup>5</sup> Cf. *ibid.*, IX, 4, 1166a 1 et seq.

in the unqualified sense of the term inasmuch as he acts according to virtue, an immanent quality acquired by action according to right reason.

That one must love oneself before a neighbor can be shown from the very nature of love. Love consists in a union between the one who loves and what or whom he loves. But oneness is prior to union, and there is no other creature with whom we are more one than we are with ourselves. From the very nature of love, then, we must love ourselves more than any other creature. God, on the other hand, being immeasurably closer to us than we are to ourselves, must accordingly be loved by us more than ourselves.<sup>6</sup> The foregoing can be regarded as the natural or reasonable underpinning of the supernatural order of charity. Now, if a man loves himself the way he should, he will then love and do good to his neighbor, and this he can do only in the respect that he himself is good. Thus we see how the first precept of the natural law enjoins upon us the obligation to become good so that we can rightly love ourselves and thus love our neighbor *as* ourselves and do good to him.

True enough, an incontinent or even an intemperate person may be liberal toward others in need, but we will not attribute this liberal action to his lack of temperance; if it is good, it will be because of some other quality and in spite of the lack of virtue. Whenever an action for the sake of a neighbor is good, it proceeds from an immanent quality of the one who acts. And this quality the good man should love to have; he should not seek the mere appearance of it. Further, he should not love just or courageous action for the mere sake of praise or fame, but rather because such action is good no matter what the external reward.

Now we would miss the issue entirely if we thought that such love of self must assume that oneself is better than his neighbor. One could hardly be a good man without humility. A good person is ready to regard himself as the least of all, for he must know—he must be consciously aware—that any other person may have or achieve qualities which remain hidden to the external observer. As we have already shown, the reason for the relative

<sup>6</sup> “. . . unitate naturae nihil est magis unum quam nos; sed unitate affectus, cujus objectum est bonum, summe bonum debet esse magis nobis unum quam nos.” St. Thomas, *De Caritate*, a. 9, ad 7. See the body of this article for the order of love and the principles on which it is based.

primacy of self-love is not that one's own self is better than another, but that we are by nature more one with ourselves. Here also, nature is perfected by grace, as St. Thomas shows in his treatises on divine charity.

Nevertheless, this doctrine cannot be set forth fully and clearly without taking into account the fact that in common usage "self-love" signifies blameworthy selfishness. It is such a meaning of self-love, understood as the root of all evil, that St. Augustine opposes to the love of God.<sup>7</sup> The reason for this more prevalent meaning of self-love and for this opposition of self-love to love of God is easy to see: most people do in fact love themselves inordinately inasmuch as in every circumstance they place the security of their temporal life above that of neighbor and seek for themselves the greater share of wealth, honors and pleasure. Similarly, the most common kind of friendship is one of utility or of pleasure. While such friendship is not wrong in itself, it does not attain to that quality which makes a friend loved for himself, and the truest kind of friendship achieves precisely this and thereby ennobles one who so loves. But the love which leaves no room for friendship of this kind will attend to even the highest common good of society only inasmuch as it may be reduced to enhance one's private good at any cost. This is blameworthy self-love, which is the root of injustice, cowardice and intemperance. It is this self-love which is diametrically opposed to the love of God.

Let us put aside this sort of self-love which is all too prevalent and too readily understandable and return to the rectified self-love. A distinction must be drawn in regard to the kinds of good that the well-ordered man who loves himself rightly must seek or surrender. We have already stated that it is one's own spiritual good that must never be forfeited. Now with regard to all temporal goods, our life is foremost, yet inferior to our spiritual good. This is manifest with respect to fortitude which, as a spiritual good, demands that we be ready to lay down this life for the good of neighbor—whether friend, family, country, or mankind—and above all for Faith in God's truth. Similarly, justice, even in things utterly material, must never be violated nor intemperance excused for the sake of justice. These examples should suffice to show the kind of good that no one may surrender. True self-love, then, differs from selfishness the way

<sup>7</sup> See, in particular, *The City of God*, Book XIV, chaps. 2-4.

living according to virtue differs from yielding to inordinate passion or seeking to survive by whatever means.

We must press the distinction further, however. Because one must be ready to lay down one's life for the good of neighbor, it does not follow that this will be right under all circumstances. An officer may not sacrifice his life for one of his soldiers if he foresees defeat as a result of his action. There is an order, therefore, in expendible goods as there is in human relations. A father has no right to abandon his own children and put them out in the street to make room for those of his neighbor. If a man is a husband, a father, a citizen of a given country, he cannot behave as if he were not. The good father must in reasonable measure provide first of all for his own children; the good citizen for his own country according to the dictates of peace; and the husband must love his own wife no matter how good the wife of another may be. We thus see how false and disfigured a charity would be without order and without justice. Charity may cover a multitude of sins, but the sins are not the principle and cause of charity.

It is in this context that we can see how in general the bomb shelter issue can be resolved. Waiving the question whether bomb shelters are commendable and whether they should be built individually, and assuming the condition that there is only room for a man and his immediate family, the claims of justice and true love are best realized by refusing admittance to others. The clear obligation for the father is to safeguard his family. The bomb shelter is no different basically from the home; just as we cannot put out members of our own family to make room for others, so in bomb shelters we cannot put out members of our own family simply for the sake of the neighbor.<sup>8</sup> Nevertheless,

<sup>8</sup> One must distinguish between one's mere self from the standpoint of mere temporal life and oneself as the head of a family, responsible for others. In the first instance, although there is no strict obligation for one man to surrender his shelter for another, still one can give up the good of temporal life for the good of neighbor, and in certain circumstances it may be praiseworthy to do so. It is the second instance we have in mind, however, and here the order of charity and justice requires that one safeguard first his family and himself as father. Furthermore, the instance of only one man in a shelter seems rather hypothetical, not only in the sense that one man is not likely to build a shelter just for himself, but also in the sense that, even if this were the case, it is hard to imagine a situation where one or two others might not also safely enter.

this does not require that we treat the demanding neighbors merely as "unjust aggressors" nor does it permit one to repel neighbors "with whatever means will effectively deter their assault." On the other hand, a wholly opposite position taken on this issue is likewise false, namely that if someone wants to use the shelter you yourself should get out and let him use it since this is supposed to be the strict Christian application. No strict Christian application requires a man to go against his primary obligations in love and justice.<sup>9</sup>

True self-love not only provides the basis for solving such issues as that of the bomb shelter but also gives rise to consequences that are immediately relevant to the more general problem of safeguarding justice in society. It demands that one observe the priority of the spiritual and also the order that is found in transient goods. If a man desires the spiritual good of his neighbor in the way that he should, he cannot fail to enhance his own. Selflessness, as opposed to selfishness, is a spiritual good of the highest kind; the more one loves himself this way the more he loves his neighbor. The object of selflessness is the true self. This realization of self is fulfilled thanks to virtue. Thus, by temperance one is related to oneself in the right way with respect to pleasure of any kind; the just and merciful man, as well as the courageous man, is related to the good of his neighbor as he should be. Such a person is good simply. Surely he is the best of friends and, in any given order, he will place the common good above his own.

<sup>9</sup> The foregoing is only a general resolution of the problem, no more. Actual circumstances in individual instances, requiring the incommunicable virtue of prudence, could modify the issue each time it arose without, nonetheless, going against the basic requirements of justice and love. Fr. Francis Filas, S.J., Chairman of the Department of Theology at Loyola University in Chicago, as quoted in *Time*, Aug. 18, 1961, p. 58, gives a good general summary of the moral resolution of the problem: "Shocking as this new possibility may seem to so many people, the fact is that the situation is nothing else but a new application of a constantly recurring moral decision that is described by Roman Catholic moral theologians as the principle of double effect. This means that in doing one good action with good intention, one may find an evil result inextricably connected with the good that is intended. . . . Without any hesitation, I believe one could justify restricting capacity of a fallout shelter because of limited supplies, air, room and the like. But the method of restriction would have to be moral—namely, barring the entrance, and non-use of violent means unless intrusion itself were threatened which would thereby ruin the shelter."

A certain paradox may still seem to remain, however, in maintaining that the man who loves himself above his neighbor according to spiritual good is the man who truly loves his neighbor. This appears paradoxical, I suggest, only because the good man is relatively uncommon. And the paradox—if it is one—dissolves if the proper distinctions are made. St. Thomas, as a matter of fact, is explicit in this matter. After distinguishing between the spiritual and corporeal nature of man, he says that man should love himself according to his spiritual nature, and that it is in this sense man should love himself, after God, more than anyone else.<sup>10</sup> He can also say that such persons who “thus expose themselves to death by acting virtuously for their friends, choose the great good for themselves. And in this it is manifest that they love themselves most.”<sup>11</sup>

We thus arrive at the principal point we seek to establish: the good man, loving himself as he should, is the basis for true friendship and good political society. Now this is all very well, one may say, but given the facts as they are, this sort of approach to justice in society is simply ideal; further, since most men do not love themselves this way, the doctrine of true self-love is quite unrealistic. It may be said in reply to this objection that, even though it may hold to a great extent, nonetheless the importance and relevance of true self-love still cannot be gainsaid. It remains true that the good of friendship and of justice in society cannot be made firm and secure without being built on man's love of virtue in himself, or at least in man's persevering desire to be good. Such self-love may well be ideal, but it is so in the moral sense, for one should constantly intend it and ever strive to realize it as much as possible. At the same time, this main point we are advancing may also be regarded as quite realistic insofar as each one of us must take into account human frailty, his own especially, all the while intending the good of virtue.

Nevertheless, let us briefly take into account what may be considered as a complementary realistic approach to the general problem of attaining justice in society. We have to acknowledge

<sup>10</sup> *Summa Theologiae*, II-II, q. 26, a. 4.

<sup>11</sup> “. . . quod se exponunt morti pro amicis virtuose agendo, magnum bonum sibiipsis eligunt. Et in hoc manifestum est quod maxime se amant.” In *IX Ethic.*, 9, n. 1880.



wholeheartedly that we cannot make true love of self a condition of membership in society. If we did, societies would undoubtedly shrink vastly in numbers. Human beings have to live socially even though most may well love themselves in inordinate ways. The demands of prudence require that we take this into account.

Hence, notwithstanding an overriding propensity to selfishness—the inadmissible type of self-love—social and political life remains possible and does in fact subsist. How and why should this occur? In manifesting how this takes place, it is particularly illuminating to note the kinds of justice. The different kinds of justice must be attended to as a prerequisite to making plain how a society can subsist, made up of imperfect men. We need only refer to them briefly, since they are well known. Legal justice, understood as the virtue by which we order the acts of all virtues to the common good, is what the man who truly loves himself is disposed to realize. But man must also be disposed to realize particular justice, to will the rendering of particular goods to another. Whereas legal justice orders man immediately to the common good and mediately to the good of the singular person, particular justice orders man immediately to the good of the singular person, whether in the form of distributive justice or commutative justice.<sup>12</sup> Now the cardinal virtue of justice is particular justice, not legal justice. It is this virtue we must emphasize for the moment, particularly commutative justice, in recognizing that true self-love cannot be laid down as a condition for membership in the political community.

Political society does in fact flourish to the degree it does among imperfect men because the mean of particular justice is a *medium rei*, not a *medium rationis*. Since most men follow the inclination of sense appetite more or less inordinately, an objective *medium rei* is necessary in order that men get along with each other, and get along with each other *justly* in at least the most necessary matters. The minimum realization of justice is, in a sense, realized in commutative justice: rendering what is due to one's neighbor by objective equality is in turn the minimum of social and political life. In saying this, I do not intend to underestimate the good of particular justice for, without the objective medium achieved in particular justice, political life would be impossible. Moreover, it is a perfection for man to

<sup>12</sup> Cf. *Summa Theologiae*, II-II, q. 58, a. 7, ad 1.

act in accordance with justice so taken, i.e., when by constant and continuing will he gives what is objectively right to another person with respect to a particular good. Still it is, as it were, a first, though necessary, step in developing the political and social life.

The observance of such justice, then, will guarantee at least a workable society, and society will go on as long as the laws of a country seek to uphold the good of the cardinal virtue of justice even if the citizens by and large should not have it of themselves. Yet to solve the many problems connected with justice in society, we have to be at least disposed to be ordered primarily to the common good and so to practice legal justice as well. For it is by legal justice that the acts of all virtues are duly ordered to the common good; it is by legal justice that we see the wholly complementary relation between the proper good and the common good. Confining ourselves to the temporal common good to which political society is ordered, we see that such a common good is mainly spiritual and in no way an alien good. It would be an alien good if one understood this common good in a mere collective sense, a sheer aggregation of proper goods of individuals; in this sense, society would be little more than a controlled jungle.

On the other hand, we must understand that human beings, by legal justice, are not subordinated to society as such. Hence the point is not: which is better, society or the individual; such a way of putting the question leads to a quagmire of irrelevancies. The question is, rather, which is the greater good, that of the person alone or that of the person in society? By means of the virtue of legal justice, we see that the relation is not simply between persons and society, but between the proper good of the citizen and the common good for the sake of which society itself is organized. Then the common good is seen as a perfection of the proper good; this person is better as being ordered to, and participating in, a temporal common good; and he is thus ordered by reason of acquired and immanent qualities of mind and heart.<sup>13</sup>

<sup>13</sup> The temporal common good is therefore not to be identified with material good. The highest temporal good is spiritual, the *bene esse* of the citizen, who is a good man because of his operation according to virtue, an immanent quality.

There is no paradox, therefore, in saying that we must love ourselves more than our neighbor and that our proper good is subordinated to a common good, precisely because the common good in no sense is alien to us whereas the proper good of another person is alien to us. The common good is our good as well as each person's good, as the inverse relation of legal justice and distributive justice manifests: legal justice orders the good of members of society to the common good and distributive justice distributes the common good as common good to the members. Moreover, as St. Thomas points out: ". . . he who seeks the common good of the multitude also seeks as a consequence his own good."<sup>14</sup>

The man who loves himself with a rectified love loves the common good in just this way, and thus we are brought back again to the importance and relevance of true self-love. The point is not so impractical as it might have seemed. When all is said and done, it is true self-love that each one must strive for if he seriously wants justice realized in society and in his dealings with his neighbor. It is important and relevant because, in a profound sense, not only does charity begin at home, but so does all true love, true friendship and true justice. Justice has indeed suffered much at the hands of those who see it merely as a means of exacting something from someone else, a dishonoring of justice. With true self-love, the just man will be honored for what he rightly is: one who loves his spiritual good most and therefore loves uppermost the common good, naturally and supernaturally.

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<sup>14</sup> *Summa Theologiae*, II-II, q. 47, a. 10, ad 2.