

JUSTICE

Previous reading: *Compendium*, 381; *Catechism of the Catholic Church*, 1807-1836.

What is *justice*? Justice is the virtue which disposes us to give everyone what is due him.

I. Definition of justice:

The virtue of justice is the constant and permanent determination to give to everyone his due.

This is the definition given by Ulpianus. St. Thomas, and almost all authors. Sometimes in Sacred Scripture justice is understood in other ways, v. g. for every virtue (*Mt* 5:6), for justification (*Rom.* 4:3), etc. Taken in its strict sense as a cardinal virtue, it is distinct from all other virtues by reason of the subject in which it resides and by reason of its object. The *subject* of justice is *the will*, whereas the subject of prudence is the intellect; the subject of temperance and fortitude is the sense appetite. The *object* of justice is *the good or right due to another*; on the other hand the object of prudence is practical truth, the objects of temperance and fortitude are the passions which have to be regulated. Special attention must be given to the difference between Justice and charity to the neighbor. Each virtue is concerned with our neighbor but in different ways: charity is based on the *union* existing between the lover and the loved and regards the neighbor as another self; justice on the other hand is founded on the *distinction* between a man and his neighbor. Thus, a man can display charity towards himself but not justice in the strict sense of that term, and while he can offend against charity towards himself he cannot be strictly unjust to himself. Since the object of justice consists in rendering to each person what is his due scholastics are correct in their view that in the practice of justice there must be observed a true objective mean. viz. a strict equality between one thing and another.

II. The divisions of justice:

1. *Subjective parts of justice* (i.e. the species of the general virtue) are said by some authors to be three in number: -legal justice, distributive justice, commutative justice, in so far as justice regulates the parts of

society in relation to the whole, the whole in relation to the parts, and the parts in relation to each other. Strictly speaking, however, virtues are to be distinguished not by their objects which they regulate but by their formal objects to which they are directed primarily and essentially. Now the virtue of justice possesses a two-fold formal object: the welfare of the community directly intended (legal justice) and the welfare of the individual (commutative and distributive justice). Therefore, it is better to follow the distinction given by St. Thomas into *legal* (general) justice which is the constant and permanent determination to render to society what is its due and particular justice which is the constant and permanent determination to render to individuals (whether physical or moral) what is their due. Particular justice is then further subdivided into commutative justice which operates in exchanges by preserving a strict equality between the thing given and the thing received, and distributive justice which inclines the ruler of a community to distribute rewards, honors and burdens to his subjects in proportion to their merits and capabilities. Mention must also be made of vindictive justice which inclines the supreme authority to inflict suitable punishment on those who transgress the law. This form of justice is regarded by some authors as belonging to legal justice, by others as part of distributive justice, by others as belonging to commutative justice.

2. *The integral parts of justice* are listed by St. Thomas as twofold: doing good and refraining from evil-not in their wider aspects but as referring to what is due to another.

3. *The potential parts of justice* are nine in number according to St. Thomas: religion, piety, respect, obedience, gratitude, friendship (affability), truthfulness, affability, liberality, epikeia.

The first three of these virtues are called *potential parts* of justice or *annexed virtues* because they do not preserve the equality between one thing and another as perfectly as justice itself does; the other six virtues differ from perfect justice in so far as they do not refer to a strict debt in the same way as justice itself does.

Religion: moral virtue which inclines man to give due worship to God as his supreme Creator. The chief acts of religion are: devotion,

prayer, adoration, sacrifice, use of Sacraments, vows, oaths, adjuration, sanctification of days.

Piety: moral virtue whereby man honors his parents and his country as the principles of his existence (“consists in a profession of charity for parents and country” (2-2, 101, 3 ad 1).

Reverence: is the virtue which inclines man to show worship and honor for persons who enjoy some dignity (civil, religious, supernatural: saints – *dulia*-).

Obedience: is the moral virtue which inclines the will to comply with the will of another who commands.

Gratitude: is the virtue which inclines man to acknowledge (mentally and in words) gifts received and to make at least some return for the gift.

Revenge: consist in inflicting punishment on a private person for the evil which he has voluntarily committed, in order to make reparation for the injury committed and obtain satisfaction for the injured party.

Affability (politeness, courteousness, friendliness) is the virtue whereby each man in consequence of the duty of living in society conducts himself agreeably and fittingly in his companionship with others.

Generosity or *liberality*: is the virtue which regulates love of richness and makes man ready to distribute his money according to the dictates of right reason.

Epikieia or *equity*: is the reasonable moderation of a strict right. This virtue resides in the will and is the exercise of the virtue of *gnome*, which is part of prudence, residing in the practical reason.

III. Means of Progress

Among the negative means of fostering the virtue of justice, we may mention the following:

1) To avoid even the slightest injustice. It is extremely easy to form a false conscience in the matter of justice, saying that one or another moral law has no importance, which opens the way to the commission of habitual venial sins. Granted that there may be smallness of matter in many instances, the evils to be sedulously avoided are the cultivation of a disdain for little things because they are little, and losing sight of the frequency of small justices which pave the way for a more serious fall.

2) To avoid contracting debts without necessity and to pay one's debts promptly. This is an excellent ascetical practice, namely, to learn to do without things which of themselves are not necessities. And when necessary debts have been contracted, the most important duty is to pay those debts owed in justice before contracting new ones.

3) To treat the possessions of others as carefully as one's own. Whether it be a question of things rented for use or shared in the family or religious community, it is common to find a lack of regard for the possessions of others. It is often the sign of selfishness if a person assumes the attitude that what is not his, need not be cared for.

4) To be extremely careful not to injure the good name of one's neighbor. One's good name is of much greater value than created goods, and yet it is often the least respected. How frequently one hears the saying that a certain fault of another is common knowledge and therefore there is no need to refrain from discussing it. Even worse is the frequency of rash judgment, ridicule, contumely, defamation, etc. One must always speak the truth when he speaks, but this does not mean that one always has the right to reveal the faults of others. Both in private conversation and in the modern newspapers and magazines many sins are committed against justice in this matter.

5) To avoid any kind of acceptance of persons, which means favoring them without sufficient reason or denying them their lawful rights. This is a sin against distributive justice; it is committed not only in civil society but even in some ecclesiastical and religious communities. The basic rule which should determine the distribution of offices and honors and the application of punishments should be simple to give to each individual what his merits or faults require in justice. As regards the distribution or assignment of offices, the objective consideration should usually be conclusive, namely, what does the given position or office require, and which person has the capacity and talents to fulfill the task? One of the surest safeguards of peace and harmony in any community or society is distributive justice on the part of the authorities or superiors.

The positive means for growing injustice can be determined under the headings of the three species of justice:

1) Commutative justice. -To give to each his own is a basic rule for the observance of commutative justice. Nothing is small in the eyes of God, and everything good can be an occasion for growth in grace and

holiness. One of the severest blows we can deliver to our own self-love is to maintain a delicate sense of justice toward each of our fellow men. This is not an area of like or dislike, of taste or feeling, but simply of doing what we are supposed to do, regardless of any other consideration.

2) Distributive justice. No superior is anything more than an administrator or steward in the eyes of God. Even more, he is the servant of those he governs. The common good of a society or community must be preserved at all costs, and this common good is not necessarily the selfish good of the majority; it is the good or goal for which the society exists as such. Consequently, the superior will always judge in favor of the society as a whole, and in the distribution of goods or offices he will seek the individual who will best contribute to that same common good of the society. 3) Legal justice. In a certain sense, the members of a Society are the servants and stewards of that society. Every society has its common good or goal protected by the laws which will lead to the accomplishment of that goal.

In this sense, therefore, all the members of a society are bound in legal justice to comply with the laws which further the common good. Any movement of separatism or rebellion is destructive of the society as such. Thus, the citizen of a state, the member of the Church, the children in a family, and the religious in a religious institute must constantly keep in mind their obligations to the society to which they belong. They should be conscientious in fulfilling the laws of the society as perfectly as possible, unless special circumstances honestly allow for a dispensation of exemption.

(Royo Marin A., *Theology of Christian perfection*, 371-372).

IV. Questions:

Am I avoiding injustice in my way of speaking, acting? Do I put interest in searching the common good in my community (family, society, etc.)? Or do I focus my interest in my own likes? Do I respect the honor and fame of others? Am I giving to God the honor He deserves? Am I grateful to all who help me, in my family, my country?