

2012

John Courtney Murray, S.J.: The Meaning of Social Justice in Catholic Thought

Robert John Araujo
Loyola University Chicago

Follow this and additional works at: <http://lawcommons.luc.edu/lucj>



Part of the [Law Commons](#)

Recommended Citation

Robert J. Araujo, *John Courtney Murray, S.J.: The Meaning of Social Justice in Catholic Thought*, 44 Loy. U. Chi. L. J. 331 (2012).
Available at: <http://lawcommons.luc.edu/lucj/vol44/iss1/6>

This Speech is brought to you for free and open access by LAW eCommons. It has been accepted for inclusion in Loyola University Chicago Law Journal by an authorized administrator of LAW eCommons. For more information, please contact law-library@luc.edu.

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW
THIRD ANNUAL LECTURE OF THE JOHN COURTNEY MURRAY CHAIR
NOVEMBER 10, 2011

John Courtney Murray, S.J.:
The Meaning of Social Justice in Catholic Thought

Remarks of Robert John Araujo, S.J.*

First of all, I want to thank you for being at this lecture this evening. I am grateful for your attendance and participation!

In preparing my remarks, I realize that you, as individuals and in association with others, pay attention to the plight of other people. Social justice is woven into your community life and exercised through your teaching, advocacy, and corporal works of mercy. I applaud you in these manifestations of being a good citizen. But now I must ask the question: what is social justice? More particularly, what does social justice mean in a Catholic context? This question surely would have been of interest to John Courtney Murray. Furthermore, what should it mean? I shall attempt to supply answers to these questions this evening.

Let me begin with the Constitution of the United States of America, a text often studied and commented upon by Father Murray. That

* John Courtney Murray, S.J., University Professor, Loyola University Chicago. A.B., Georgetown University; M.Div., S.T.L., Weston School of Theology; Ph.B., St. Michael's Institute; B.C.L., Oxford University; J.D., Georgetown University; LL.M., J.S.D., Columbia University. Upon completing military service as an officer in the United States Army, Father Araujo served as a trial attorney and attorney advisor in the Solicitor's Office of the United States Department of the Interior (1974–1979). In 1979, he joined the Law Department of the Standard Oil Company (Ohio) and served in a variety of capacities until 1985. After corporate service, he joined the general corporate department of a New England law firm and remained there until entering the Society of Jesus in 1986. Since 1997, he has served as an advisor to the Holy See, providing counsel on issues dealing with public international law. He was also a member of the law faculty at Gonzaga University from 1994 to 2005 and became the Robert Bellarmine, S.J., University Professor in American and Public International law. He then became Ordinary Professor at the Pontifical Gregorian University from 2005 to 2008. He has been a visiting Professor at Georgetown University Law Center, St. Louis University School of Law, and Boston College School of Law. In the academic year 2000–2001, he was the Stein Fellow at Fordham University Law School. During his graduate legal studies in New York, he was the Chamberlain Fellow at Columbia University School of Law.

remarkable document's Preamble makes some notable assertions at the outset:

We the People of the United States, in Order to form a more perfect union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.¹

It is not the state; it is not the agencies of the civil authorities; it is not the President, Congress, or the Judiciary that do this; it is, rather, *we* the people who do these things.

That's all quite neat, but just how are these objectives to be achieved by Americans? For many of our sisters and brothers in faith, it is social justice. I do not dismiss this notion; moreover, I think there is something to this two-word phrase that we frequently encounter. Perfecting unity; establishing justice; insuring domestic tranquility; providing for the common defense; promoting the general welfare; and securing liberty for now and forever, have all been addressed by that element of the Christian faith known as the social doctrine of the Church. And, I hasten to add, social justice is often referred to as the touchstone that accomplishes these objectives. But I must ask again: what is social justice? I will tip my hand at this point and, recalling attention to the Constitution's preamble, suggest that social justice first and last concerns the moral formation of the person and, then, the citizenry at large—*we the people*. Without this order, the institutions of society—which have enormous involvement with the administration of justice—are inert.

We know that the term *social justice* frequently appears in the academy with which we are familiar and in which we labor. Surely no one would insist that he or she is for social injustice! Yet, finding a consistent definition for this term is an elusive task, especially when one considers that while many individuals, organizations, and advocacy groups claim social justice as their work, their respective goals are often in direct conflict with those of other individuals and groups who employ the term to describe and justify their own work.²

In 1950, Father John Cronin, S.S., took steps to supply a definition of the phrase in his book *Catholic Social Principles—The Social Teaching of the Catholic Church Applied to American Life*.³ His definition merits

1. U.S. CONST. pmbl.

2. One commentator has confirmed that “no comprehensive definition of the term ‘social justice’ exists in church teaching, nor will one be given here.” Terence T. Grant, *Social Justice in the 1983 Code of Canon Law: An Examination of Selected Canons*, 49 JURIST 112, 112 (1989).

3. JOHN F. CRONIN, *CATHOLIC SOCIAL PRINCIPLES: THE SOCIAL TEACHING OF THE*

repetition here:

Social justice deals with reciprocal rights and duties of social groups and their members in relation to the common good. It might be described as the obligation upon individuals to participate, according to their ability and position, in *group action*, designed to make the *institutions of society* conform to the *common good* in the socioeconomic sphere.⁴

Father Cronin noted that the italicized phrases in his definition—organization through group action, institutions, and the common good—emphasized the crucial aspects of social justice as he understood the term.⁵ However, Father Cronin places little, if any, emphasis on the moral formation of the individual person regarding the subjects he emphasized.⁶ Moreover, Cronin tethered his definition to those matters involved with socioeconomic issues. Why? Was he correct in his approach?

Many will also recall the important 1961 study, *The Church and Social Justice—The Social Teachings of the Popes from Leo XIII to Pius XII*,⁷ undertaken by Jean-Yves Calvez, S.J., and Jacques Perrin, S.J. While Calvez and Perrin expended considerable effort in discussing social justice, they did not define it.⁸ As they stated, “How are we to interpret a term which has no apparent roots in tradition?”⁹ This is a central question that I intend to address here and will argue, in counterpoint, that there *are* roots in the Catholic tradition. Perhaps this is why Calvez and Perrin highlighted an important statement made in a letter by Cardinal Gasparri in 1928 (to M. Eugene Duthoit, President of Semaines Sociales de France), which they dub a “clear definition” of *social justice*.¹⁰ The letter states, in part: “To the extent that selfishness is conquered by charity, the social sense becomes purified and social justice—that *virtue* which directs to the common good the external acts of all the other virtues—becomes much more effective.”¹¹ I am not

CATHOLIC CHURCH APPLIED TO AMERICAN ECONOMIC LIFE (1950).

4. *Id.* at 112.

5. *Id.*

6. My point is substantiated by Father Cronin’s further discussion of and emphasis on institutional rather than personal formation. *See id.* at 119 (“Emphasis upon leadership is good, but there are limitations to the power of example alone. Organized effort is often indispensable.”).

7. JEAN-YVES CALVES & JACQUES PERRIN, *THE CHURCH AND SOCIAL JUSTICE: THE SOCIAL TEACHINGS OF THE POPES FROM LEO XIII TO PIUS XII* (1961).

8. *Id.* at 138–53.

9. *Id.* at 139.

10. Letter from Cardinal Gasparri, Sec’y of State, to M. Eugene Duthoit, President of the Semaine Sociale of Paris (July 7, 1928) (on file with author).

11. CALVES & PERRIN, *supra* note 7, at 148. The authors point out that while social justice

sure that this is per se a definition as Calvez and Perrin suggest; however, it is an important lens through which scrutiny of the term's meaning can produce good fruit—as I shall later demonstrate—particularly in the context of the juxtaposition of virtue and the common good. The significance of Cardinal Gasparri's letter is in its reference to virtue! I suggest that virtue and the virtuous person are crucial to understanding what social justice is and what it is not.

As I proceed in my development of the virtue thesis, it is crucial to take stock that virtues are qualities ingrained in the human person that cultivate prudence, courage, forbearance, and justice, among other things like charity, love, faith, hope, and wisdom. As Professor Brian Benestad contends, some of the greatest commentators about public life—for example, Plato, Aristotle, Augustine, Aquinas, and Thomas More—have reminded us that justice “always depends on the wisdom and virtue of individual citizens.”¹² Virtue contributes to the building of a person's character—a character that is disposed not only to furthering the interests of one's self but of those whom one must call his or her fellow human beings. Virtues, in short, form the person so that one's rights *and* duties are simultaneously pursued for the furtherance of the common good, which is the good of each and, simultaneously, the good of all. It is my argument that social justice must be preceded by the virtuous person and, then, the community of virtuous persons which is the foundation and framework of social justice.

As one further considers the term *social justice*, another series of questions emerge: what distinguishes justice pure and simple—*sans* the modifier, “social”—from social, political, economic, restorative, retributive, distributive, commutative, or legal justice? Justice is justice, is it not? Moreover, is not all justice social in that it is a concept which represents right relationship with others?¹³ Justice is the key to right relationships between and among persons. Can there be such a thing as “justice” outside of society, outside of a social setting, beyond a social context? Can there be justice if only one person exists—or at least exists where there is no contact with other human beings? The circumstance of the character Chuck Noland, played by Tom Hanks, who is marooned on a deserted island in the film “Cast Away,” comes

may parallel Thomas Aquinas's notion of general or legal justice, it may be said that in the Catholic understanding of the mid-twentieth century, social justice is a form of general justice “applied to the economic, as distinct from the political society.” *Id.* at 153.

12. J. BRIAN BENESTAD, CHURCH, STATE, AND SOCIETY: AN INTRODUCTION TO CATHOLIC SOCIAL DOCTRINE 93 (2011).

13. See Rev. Robert John Araujo, S.J., *Justice as Right Relationship: A Philosophical and Theological Reflection on Affirmative Action*, 27 PEPP. L. REV. 377, (2000).

to mind.¹⁴ Could Noland, who finds himself in a one-person world for several years, be the subject of justice as he exists in a community of one? Could he seek justice? Was he bound by justice? Can it be argued that the term “social justice” is, in fact, redundant—a pleonasm, if you will?

While these questions are intended to stimulate thought about the social nature of justice and, therefore, *social justice*, I do not mean to suggest that modifying the term justice with adjectives is a senseless enterprise. To the contrary, I argue that modifying the term justice with the adjective “social” has merit as modifiers can provide particular contexts necessitating additional investigation. The question I pursue today is what does the noun *justice* mean when modified by *social*?

To assist in answering this issue, I again turn to the thoughts of others. In 1955, William Drummond, S.J., pursued a methodical approach in examining the meaning of the term in his study *Social Justice*.¹⁵ The foundation of his research was Pius XI’s 1931 encyclical, *Quadragesimo Anno*,¹⁶ in which the term was used for the first time in an official ecclesiastical document. In essence, Drummond’s thesis is: the meaning of *social justice* is tied to economic matters, as those were largely the subjects that were at the heart of Pius XI’s fortieth anniversary commemoration of Pope Leo XIII’s renowned encyclical *Rerum Novarum*.¹⁷ Drummond indicated that the term “is a concept still evolving as the whole modern social complex where justice must be applied is evolving.”¹⁸ This is an important point that requires considerable attention—if the term’s meaning was or is still evolving, a constant investigation to determine its meaning would logically have to be ensued. But Drummond also noted that the end of social justice is the common good,¹⁹ which he defined as a “temporal good, an external

14. CAST AWAY (Twentieth Century Fox 2000).

15. WILLIAM F. DRUMMOND, S.J., *SOCIAL JUSTICE* (1955).

16. See Pope Pius XI, Encyclical Letter, *Quadragesimo Anno* ¶ 58 (May 15, 1931), reprinted in *CATHOLIC SOCIAL THOUGHT: THE DOCUMENTARY HERITAGE* 42 (David J. O’Brien & Thomas A. Shannon eds., 1992) [hereinafter *CATHOLIC SOCIAL THOUGHT*] (“To each, therefore, must be given his own share of goods, and the distribution of created goods, which, as every discerning person knows, is laboring today under the gravest evils due to the huge disparity between the few exceedingly rich and the unnumbered propertyless, must be effectively called back to and brought into conformity with the norms of the common good, that is, social justice.”).

17. See DRUMMOND, *supra* note 15, at 19–30 (discussing the meaning of social justice in regard to the common good, wages, and economic life). Drummond’s views appear to accord with the later work of Johannes Messner. See JOHANNES MESSNER, *SOCIAL ETHICS: NATURAL LAW IN THE WESTERN WORLD* 320–21 (1965). See also Pope Leo XIII, Encyclical Letter, *Rerum Novarum* (May 15, 1891), reprinted in *CATHOLIC SOCIAL THOUGHT*, *supra* note 16, at 14.

18. See DRUMMOND, *supra* note 15, at 19.

19. *Id.* at 24.

good, a good common to all . . . and to be attained through the common efforts of all who make up society, complementing individual need.”²⁰ Yet, in the context of social justice, Drummond restricted it to the economic order—it is a division of wealth where “all may share in the benefits of the socioeconomic process.”²¹ But is this in fact what constitutes the common good in Catholic social thought?

The concept of the common good has long been essential to the doctrines associated with Catholic social thought. As the Second Vatican Council in the Pastoral Constitution of the Church in the Modern World (*Gaudium et Spes*) demonstrated, the term “common good” is multi-faceted.²² Nevertheless, the Council Fathers provided a fundamental definition of the term and described it as “the sum of those conditions of social life which allow social groups and their individual members relatively thorough and ready access to their own fulfillment.”²³ In noting that the common good is not restricted to one sphere of issues (and this point is pertinent to the frequent prominence on economic matters as Father Drummond emphasized), the Council Fathers further elaborated that the common good contains “an increasingly universal complexion” that pertains to the rights and responsibilities of every member and group of the human race.²⁴ The Council Fathers also stated that the common good applies to “the general welfare of the entire human family.”²⁵ Drummond, however, explained the common good in a particular context and thus maintained that the objective of *social justice* is the economic common good,²⁶ or as he stated elsewhere, it is the “condition of affairs whereby all will have access to such material goods.”²⁷ In the end, Drummond defined *social justice* in an economic context as “a special species of justice, distinct from commutative, legal and distributive, which requires that material goods, even privately owned, shall serve the common use of all men.”²⁸

Here, we need to go back in time to the nineteenth century to understand more clearly the foundation on which Father Drummond

20. *Id.* at 13.

21. *Id.* at 24.

22. See generally Pope Paul VI, Encyclical Letter, *Gaudium et Spes* (Dec. 7, 1965), reprinted in CATHOLIC SOCIAL THOUGHT, *supra* note 16, at 166.

23. *Id.* ¶ 26.

24. *Id.*

25. *Id.*

26. DRUMMOND, *supra* note 15, at 40.

27. *Id.* at 43.

28. *Id.* at 55. Drummond noted that his definition corresponds to that of Father J. Donat, S.J., in the latter’s *Ethica Specialis*, 1934. *Id.* at 56 n.27.

stood and the premises upon which he elaborated. We know that the term *social justice* was introduced in Catholic, and perhaps all other literature, with the publication of Luigi Taparelli d'Azeglio's *Saggio Teoretico di Diritto Naturale—Appoggiato sul Fatto*.²⁹ It is probable that Taparelli's erudite writings influenced Popes Leo XIII and Benedict XV. The phrase *social justice* appeared regularly thereafter in the writings of the popes of the twentieth century, beginning with Pius XI (1922–1939) in his encyclical *Quadragesimo Anno* (1931).³⁰ In this letter, Pius XI employed the term nine times. Although he did not define the term, he correlated it to the common good in his landmark encyclical.³¹ But did he intend to restrict it to an economic context? I think not.

Seven years later, in another encyclical, *Firmissimam Constantiam* (On The Religious Situation in Mexico, 1937), Pius XI provided a contextual definition for *social justice*.³² Here, he addressed the social and religious issues then existing in Mexico. At the time, the faithful of Mexico were subjected to the barrage of anti-religious and “de-Christianizing propaganda” that promised an earthly paradise but at the exorbitant cost necessitating apostasy from God and the Church.³³

It is clear that Pius XI recognized the inextricable link between the idea of *social justice* and salvation—the ultimate objective of Christianity. Social justice is not a stand-alone concept that is different from Christianity or apart from it. Moreover, it is not confined to a particular area such as socioeconomic issues. It is inextricably tied to Christianity and a first principle of the faith in God that accompanies it—eternal salvation for the human person. So when Pius XI spoke of or addressed *social justice*, he did so not only in a context of faith that is

29. LUIGI TAPARELLI D'AZEGLIO'S SAGGIO TEORETICO DI DIRITTO NATURALE: APPOGIATO SUL FATTO (1850). An Italian Jesuit and long-time contributor to *La Civiltà Cattolica*, Dr. Thomas C. Behr of the University of Houston has dedicated much of his scholarly life to investigating the work of Father Taparelli. As Behr points out, “for Taparelli, “dritto ipotattico” is the body of principles for evaluating, in concrete circumstances, the proper relationship between authority and liberty, order and freedom, on the social level, and underpins his definition of social justice in the arrangement and perfection of civil society, political society, and international society.” Thomas C. Behr, *Luigi Taparelli D'Azeglio, S.J. (1793–1862) and the Development of Scholastic Natural-Law Thought as a Science of Society and Politics*, 6 J. OF MRKTS. & MORALITY 99, 105 (2003). Behr sees Taparelli as recognizing an important nexus between the *diritto ipotattico* (social justice) and the common good. *Id.*

30. *Quadragesimo Anno*, *supra* note 16.

31. *Id.* ¶¶ 57, 58, 71, 74, 88, 101, 110, and 126. Without elaboration, Pope Pius X used the phrase social justice in his encyclical letter *Iucunda Sane* to describe Pope Gregory the Great as a “defender of social justice.” Pope Pius X, Encyclical Letter, *Iucunda Sane* ¶ 3 (Mar. 12, 1904).

32. See Pope Pius XI, Encyclical Letter, *Firmissimam Constantiam* ¶¶ 16–17 (Mar. 28, 1937).

33. *Id.* ¶ 16.

simply geared to furthering corporal works of mercy or economic development of persons, *but* of the faith that leads to salvation and union with God. While the physical improvement of the “proletariat” in the material world is of great concern, it is not *the* concern. Rather, the focus is with the entire flourishing of the human person and the cultivation of the virtuous life which promotes this flourishing. These two points are interrelated and crucial to understanding *social justice* in the Catholic context. As Pius XI noted, it is undue emphasis on the material (and, perhaps, only the material) which separates the reality of human flourishing and fulfillment—union with God. Theories of “social justice” which do not take account of this are not congruous with the Church’s explanation of this important phrase.

In another encyclical, *Divini Redemptoris* (On Atheistic Communism, 1937), Pius XI demonstrated the depth of the concept by reminding the faithful of the fundamental connection between *social justice* and the infusion of Christian love—*caritas*—in the temporal order.³⁴ Again, the Pope demonstrated that social justice is not something restricted to the world of the material. Rather, it deals with the formation of the human person and the fashion in which the person should live righteously with the neighbor. As our Lord Jesus Christ reminded us, the Great Commandment is a conflation of two principles: love God and the neighbor as one’s self.³⁵ God does not need economic development, and the human person needs more than it. Pius XI developed the idea of *social justice* with sophistication by explaining what it is not: it is not about a theory of class warfare. Instilling a theory of class warfare is antithetical to Catholic social thought. As Pope Leo XIII asserted (and upon whom Pius XI relied), labor and capital are co-dependent; each must have the other for the survival of each is dependent on the other.³⁶ Labor and capital are complementary

34. Pope Pius XI, Encyclical Letter, *Divini Redemptoris* ¶ 32 (Mar. 19, 1937). As Pius elaborated,

We have indicated how a sound prosperity is to be restored according to the true principles of a sane corporative system which respects the proper hierarchic structure of society; and how all the occupational groups should be fused into a harmonious unity inspired by the principle of the common good. And the genuine and chief function of public and civil authority consists precisely in the efficacious furthering of this harmony and coordination of all social forces.

Id.

35. *Matthew* 22:36–40.

36. See *Rerum Novarum*, *supra* note 17, ¶ 19 (“The great mistake made in regard to the matter now under consideration is to take up with the notion that class is naturally hostile to class, and that the wealthy and the working men are intended by nature to live in mutual conflict. So irrational and so false is this view that the direct contrary is the truth. Just as the symmetry of the human frame is the result of the suitable arrangement of the different parts of the body, so in a

rather than adversarial; both have rights *and* duties.

Mindful of this, Pius XI developed insights about the human order in which *each* person—be they from the ranks of labor or management or other—is a vital element of society and is essential to the common good that is a guarantor of the healthy, flourishing society. As the pope explained,

[J]ust as in the living organism it is impossible to provide for the good of the whole unless each single part and each individual member is given what it needs for the exercise of its proper functions, so it is impossible to care for the social organism and the good of society as a unit unless each single part and each individual member—that is to say, each individual man in the dignity of his human personality—is supplied with all that is necessary for the exercise of his social functions. If social justice be satisfied, the result will be an intense activity in economic life as a whole, pursued in tranquility and order. This activity will be proof of the health of the social body, just as the health of the human body is recognized in the undisturbed regularity and perfect efficiency of the whole organism.³⁷

This statement is crucial to the thesis that Pius XI's understanding of social justice extends beyond the realm of economic issues—it is, after all, dependent on “tranquility and order.”³⁸ And with this tranquility, an ordered society—meaning order in the minds and hearts and deeds of its members—will surely understand the importance of economic issues, but it cannot regard those as the only sources of disruption for society and all its members. Social justice, while concerned with economic matters, is not restricted to them and cannot disregard whatever else may be required by greater society.

In essence, then, *social justice* properly is an exercise in the *suum cuique*, to each person his or her due—the due being what is essential to satisfy the dignity that inheres to the human person who is first and last the creature of God. This concept of *social justice* does not mean that the individual person, who requires or demands something, must be catered to on all accounts; rather, it means that each person is to receive his or her due so that the person is well fortified to be a moral and contributing member of society. This concept transcends purely economic concerns. The virtuous person would know this and seek this. Each person is an essential, moral agent who is a crucial factor in

State is it ordained by nature that these two classes should dwell in harmony and agreement, so as to maintain the balance of the body politic. Each needs the other: capital cannot do without labor, nor labor without capital.”).

37. See *Divini Redemptoris*, *supra* note 34, ¶ 51.

38. *Id.*

achieving the common good. What is essential for the common good is the contribution of each person to the flourishing of not only one's self but also of one's neighbors. The virtues—courage, prudence, forbearance, justice, wisdom, faith, hope, and charity—prepare the person to become and remain a good citizen and a good neighbor. With these virtues informing thoughts and molding actions, the person becomes the essential component of *social justice*.

The emphasis of Christian social justice must be on each person being viewed as significant to the society in which he or she lives, and where the welfare of each person is tied to the welfare of all persons. What is due each person cannot be resolved until the dues of all persons are accounted for. No one must be left out. No one must be excluded. Should the elimination of anyone's just concern occur, society will, at best, have only the appearance of success but not its reality. As a living organism, to borrow from Pius XI's analogy, the whole of a society cannot be healthy if any portion of it is ill.³⁹ The application of the virtues ensures the organism's health; its absence, however, predicts social ill.

Pius XII (1939–1958) likely had in mind the term *social justice* when delivering his September 7, 1947, address commemorating the silver jubilee of the Union of Men of Italian Catholic Action.⁴⁰ In his exhortation, the Pope encouraged the men of Catholic Action to strive to know and follow the Church's social teachings in their daily lives. The most important of these issues addressed by Pius XII is the element of the Great Commandment that entails the love of the neighbor as oneself. As he said, the good society is that in which each person and groups of persons take stock of their rights *and* duties while simultaneously taking account of the rights and duties of those with whom they share the societies in which they coexist. This is recognition of the principle of right relationship between and amongst neighbors. Rights cannot exist without duties, and duties must protect rights. In a fashion, each is dependent on the other. Again, this is a fundamental principle which the virtuous person embraces.

In commemorating the centennial anniversary of *Rerum Novarum* in 1991, Pope John Paul II's encyclical letter, *Centessimus Annus*, expanded upon the theme of social justice. In commemorating Leo XIII's watershed work, Blessed John Paul, while noting the relevance of

39. *Id.*

40. Pope Pius XII, Address at the Silver Jubilee of the Union of Men of Catholic Action (Sept. 7, 1947). See PETER C. KENT, *THE LONELY COLD WAR OF POPE PIUS XII 197–99* (2002) (discussing Pope Pius XII's relationship with the Union of Men of Catholic Action).

economic issues, did not restrict his points to them. For example, he spoke of social justice in the context of societies emerging from Communist control and striving to replace totalitarian oppression with democratic society.⁴¹ Although Marxism was an economic system, it was also a totalitarian ideology that permeated every element of society and molded people in a manner that eliminated virtue. Knowing this, Blessed John Paul considered the means of promoting harmonious social relations amongst the members of society.⁴² These social mechanisms are designed to advance the opportunities for “democratic participation in the life of society.”⁴³ But, as John Paul also stated, even a democratic society must be on guard, for “a democracy without values easily turns into open or thinly disguised totalitarianism.”⁴⁴

Like his predecessors who emphasized the need to avoid class warfare, Blessed John Paul acknowledged that the quest for social justice cannot be a struggle of one person or one group against another.⁴⁵ Moreover, he further explained that authentic social justice cannot be viewed as a means of eliminating any opponent; rather, it is the Christian tool for seeking and securing the dignity to which all are entitled.⁴⁶ Although Papa Wojtyła did not define the term, he expanded the contexts in which Leo XIII and Pius XI discussed issues relevant to social justice. In his encyclical letter, *Laborem Exercens*, he, like Father Drummond, suggested that the term’s meaning and application are evolving but nevertheless must replace conflict between interests with God’s peace and justice.⁴⁷

The *Compendium of the Social Doctrine of the Church* provides further insight into the meaning of *social justice* by recognizing the

41. Pope John Paul II, Encyclical Letter, *Centesimus Annus* (May 1, 1991), reprinted in CATHOLIC SOCIAL THOUGHT, *supra* note 16, at 439.

42. *Id.* ¶ 19.

43. *Id.*

44. *Id.* ¶ 46.

45. See Pope John Paul II, Encyclical Letter, *Laborem Exercens* ¶ 20 (Sept. 14, 1981), reprinted in CATHOLIC SOCIAL THOUGHT, *supra* note 16, at 352 (“[Unions] are indeed a mouthpiece for the struggle of social justice, for the just rights of working people in accordance with their individual professions. However, this struggle should be seen as a normal endeavour ‘for’ the just good . . . not a struggle ‘against’ others.”).

46. See *Centesimus Annus*, *supra* note 41, ¶ 19.

47. See *Laborem Exercens*, *supra* note 45, ¶ 2 (“Commitment to justice must be closely linked with commitment to peace in the modern world.”). Pope Benedict XVI has not elaborated on the subject of social justice even though he mentioned it twice in his 2009 encyclical *Caritas in Veritate* in the context of market economies. Pope Benedict XVI, Encyclical Letter, *Caritas in Veritate* ¶¶ 25, 35 (June 29, 2009). To date, Pope Benedict XVI has not discussed the topic in his annual World Day of Peace messages.

nexus between social and general justice.⁴⁸ Here, two important matters dealing with the common good come into view. First, social justice does not solely address fiscal issues, as it clearly tied to those matters which regulate social relationships—this is acknowledgment of the vital role that right relationship among all peoples plays in Catholic social teachings. Second, the rule of law is crucial to achieving the social justice, and the rule of law depends on just norms.

Moreover, the norms that are designed to implement social justice must be of general application as they are to be applied to all elements; that is, to all members of society and the various circumstances that adversely affect society's members. While particular norms may clearly be related to the improvement or protection of certain persons or groups, they must also take stock of their universal application that necessitates equitable concern for the social, political, and economic aspects of the common good. The virtuous person comprehends this; moreover, he or she plays a crucial role in the making and implementing of these norms that have a bearing on the common lives existing in the society to which they belong. With the input of virtuous persons in place, the essential protection and improvement of the lives of their fellow citizens should follow—that is to say, *social justice* will be achieved.

Since Pius XI, every pope has mentioned and addressed *social justice* within a variety of contexts. But within the Church's teachings, how are we to understand the meaning of *social justice* that is precise and that is distinguishable from the use by other persons or institutions whose views conflict with those of the Church and Her teachings? If justice—*social justice*—is to be a part of the Church's general enterprise, it must be understood as the work of the Disciples and then all of us as disciples. A few other voices on this matter are instructive.

I agree with David Hollenbach, S.J., that social justice is a term “much used but rarely defined.”⁴⁹ However, I am not drawn to Father Hollenbach's understanding of the term as a means for governing “the basic structures of society”—the basic structures being “the major political, economic, and social institutions that determine the division of advantages from social cooperation.”⁵⁰ Hollenbach has further suggested that *social justice* is largely a means for incorporating the global assimilation of peoples into various political and economic

48. See generally PONTIFICAL COUNCIL FOR JUSTICE AND PEACE, COMPENDIUM OF THE SOCIAL DOCTRINE OF THE CHURCH ¶¶ 201–03 (2004).

49. DAVID HOLLENBACH, S.J., THE COMMON GOOD AND CHRISTIAN ETHICS 201 (2002).

50. *Id.*

processes. As he states, “social justice requires abstention from actions that exclude groups from active participation in the transnational common good and that global institutions avoid such exclusion as well.”⁵¹ This is an expansive claim about *social justice*. My take is that Pius XI would see the concept as being more vital at the local level of human experience where the doctrine of subsidiarity, also developed by Pius XI in *Quadragesimo Anno* and which exercises a principal role in the social doctrine of the Church, is operative and directly experienced by the human person.⁵²

Elsewhere, John Langan, S.J., has concluded that *social justice* is

51. *Id.* at 226. In another work, William Dych explains that social justice “is a conceptual tool by which moral reasoning takes into account the fact that relationships between persons have an institutional or structural dimension.” DAVID HOLLENBACH, S.J., *CLAIMS IN CONFLICT: RETRIEVING AND RENEWING THE CATHOLIC HUMAN RIGHTS TRADITION* 54 (1979) [hereinafter *CLAIMS IN CONFLICT*]. Dych further argues that Pius XI’s introduction of the “notion” of social justice “indicates the emergence of a new sensitivity in Catholic thought to the possibility of conscious institutional change.” *Id.* at 55. Dych also contends that

the extent of the right of private ownership must be determined with reference both to personal freedom *and* social strategies for fulfilling basic human needs. Social justice demands that the economy be directed and structured in such a way that both of these purposes are attained. The state has the ultimate responsibility for assuring that these demands are met.

Id. (quoting *Quadragesimo Anno*, *supra* note 16, ¶ 49). There is, however, an important element of this paragraph upon which Dych relies that seems to militate against his conclusion regarding the role of the state. While acknowledging the proper role of the state in determining “what is permitted and what is not permitted to owners in the use of their property,” *Quadragesimo Anno*, *supra* note 16, ¶ 49, Pius XI also argues, by acknowledging that “man is older than the state,” that it is grossly unjust for a State to exhaust private wealth through the weight of imposts and taxes. “For since the right of possessing goods privately has been conferred not by man’s law, but by nature, public authority cannot abolish it, but can only control its exercise and bring it into conformity with the common weal.” Yet when the State brings private ownership into harmony with the needs of the common good, it does not commit a hostile act against private owners but rather does them a friendly service; for it thereby effectively prevents the private possession of goods, which the Author of nature in His most wise providence ordained for the support of human life, from causing intolerable evils and thus rushing to its own destruction; it does not destroy private possessions, but safeguards them; and it does not weaken private property rights, but strengthens them.

Id. (quoting *Rerum Novarum*, *supra* note 17, ¶ 67). In short, the role of the state is a limited rather than an unlimited one. Nevertheless, another commentator, John Langan, maintains that social justice “is a practical guideline for the use of power, especially government power.” See *CLAIMS IN CONFLICT*, *supra*, at 153.

52. See *Quadragesimo Anno*, *supra* note 16, ¶ 80 (“The supreme authority of the State ought, therefore, to let subordinate groups handle matters and concerns of lesser importance, which would otherwise dissipate its efforts greatly. Thereby the State will more freely, powerfully, and effectively do all those things that belong to it alone because it alone can do them: directing, watching, urging, restraining, as occasion requires and necessity demands. Therefore, those in power should be sure that the more perfectly a graduated order is kept among the various associations, in observance of the principle of ‘subsidiary function,’ the stronger social authority and effectiveness will be the happier and more prosperous the condition of the State.”).

a standard which seeks to guarantee human dignity by specifying forms of governmental intervention which are appropriate for the protection of minimum standards of well-being, access and participation for all individuals. . . . Social justice, therefore, justifies governmental limitation of the accumulation of wealth or the exercise of political influence to the extent this is necessary for the institutionalization of basic economic and political rights of all.⁵³

But is social justice really focused or dependent on governmental intervention? Does it not essentially depend on the formation of the individual and his or her moral character? Would not the cultivation of the virtuous person be precisely the antidote needed to assist in the reform of vital public morals? Does not *social justice* in fact depend on the flourishing of the human person rather than on the intervention of the state? That is what the concept of subsidiarity would suggest, and this was the position advanced by Pius XI in *Quadragesimo Anno*.

Knowing that all modern popes have pointed to social justice as a central theme of Catholic social doctrine, I turn once more to the first formal papal treatment of social justice, *Quadragesimo Anno*, and examine it in detail to identify the distinguishing features or characteristics of *social justice* from the Catholic context. *Quadragesimo Anno* must be understood in a particular context—a papal commemoration of the fortieth anniversary of Leo XIII's *Rerum Novarum*—*On the Condition of Workers*. In offering his tribute to the work of his predecessor, Achille Ratti spoke within a context formulated by Leo XIII who, in *Quadragesimo Anno* (1891), was addressing the particular circumstances of the last decade of the nineteenth century: the economic relations between two classes of people. However, the world of 1931 was quite different from the world of 1891. Their respective encyclicals, while having common denominators, were separated by forty years of rapid changes in many aspects of human existence.

Although both popes were concerned about fiscal disparities, Pius XI was also concerned about other issues that were evolving in society and reaching beyond purely economic matters. Even though Pius XI understood that human institutions are involved with many aspects of public life, he knew that it is people who are responsible for establishing, monitoring, and controlling the mechanisms of their societies that are the source of the discrepancies which exist in economic, cultural, social, educational, and other realms. Pius XI also knew that the chasms which exist throughout society and which were

53. CLAIMS IN CONFLICT, *supra* note 51, at 154–55.

made by people could be corrected by them as well. Once this fact is taken into account, hope emerges. And hope in the future and the betterment of God's creation and His people are a vital part of Catholic teaching. This realization goes to the heart of *social justice*. And it would be *social justice*, properly understood in its Christian exercise, that would provide the solutions to these evolving inequities which artificially separate one person from another.

Are Herculean means or methods required to make the indispensable corrections to the man-made inequitable distributions of wealth, power, and influence in the direction that society would take? Are these the means needed to address questions of social justice?

The common answer to these questions is: No. Man can nullify whatever problems he has generated that assault the dignity properly belonging to each member of the human family. For the unjust institutions that humans have generated and that are responsible for the assault on human dignity, humans can and must rectify. This perspective was shared by Pius XI, as he recognized that Pope Leo XIII's initiative "taught the whole human family to strike out in the social question on new paths."⁵⁴ What was relevant to Pius XI in proceeding with the rectification of society's ills would be central to identifying the meaning of *social justice*. Fundamentally, the solutions to the "social confusion" of the day for Pius XI resided in the "Christian reform of morals."⁵⁵ In my opinion this is the crux of *Quadragesimo Anno* and therefore the meaning of social justice.

Pius XI saw that the root of social concerns would be best addressed by correcting the source of the problem rather than relying on the creation of institutions to tackle the problems. Institutions are important, no doubt, but they are established and administered by men and women. What is essential to the correction of problems made by man is the reform of the human person as him or herself. A restructuring of society is not what is required; rather, the moral reform of the human person is imperative. With human reformation as the goal through the Christian reform of morals, the transformation of political, social, and economic institutions will follow.

Reliance on the fundamental sources of papal thought is an exercise in *ressourcement*. I take the view that the meticulous scholarship essential to constructing a definition of *social justice* mandates a return

54. *Quadragesimo Anno*, *supra* note 16, ¶ 9.

55. *Id.* ¶ 15. As Pope Pius XI points out elsewhere in his encyclical, study of methods for improving the status of the laboring classes was ongoing in a variety of academic and other forums. *Id.* ¶ 20.

to the written thought of Pius XI. Since the Pope emphasized the need for the Christian reform of morals, I am certain that he would acknowledge that social justice is dependent on the formation of the thinking and acting of persons rather than the reform of institutions or states themselves. After all, institutions are made by persons and are employed by persons. Institutions and governments do not exist on their own. They are not self-generating. If the person is (if persons are) sensitive to the needs of others, the customs, laws, and then governmental structures initiated by the members of society—by persons—will reflect the fundamental needs of those who are disadvantaged in some way. The theological virtues (faith, hope, and charity) and the cardinal virtues (justice, prudence, fortitude, and forbearance) will uniquely assist the person in understanding what problems people have made and how these problems can be addressed responsibly.

So, *social justice* in the Christian context is fundamentally about human rather than governmental or institutional intervention. It is about human rather than institutional rehabilitation through virtuous formation. It is vital that persons be conscious of the need to address those human faults that are at the root of the denial of human dignity and frustrate right relationship between and among members of society. As Professor Benestad has acknowledged, “it is not really possible to bring about the reform of institutions and living conditions unless people really know and want to do the right thing.”⁵⁶ And they know what the right thing is by deciding which are “favorable to virtue.”⁵⁷

If I can offer my own take on this, social justice, when all is said and done, is the labor of citizens toward establishing and preserving right relation among all of society’s members. Perhaps this is what the renowned social commentator Monsignor John Ryan was getting at when he stated in 1939 that social justice is “the virtue which governs the relations of the members with society, as such, and the relations of society with its members; and which directs social and individual activities to the general good of the whole collective community.”⁵⁸

Although Pius XI addressed the distribution of goods, services, and wealth and the inequities that exist regarding their distribution,⁵⁹ the Pope was also concerned that the possession and use of property were not ends but rather means to human fulfillment and flourishing. That is,

56. J. BRIAN BENESTAD, *supra* note 12, at 113.

57. *Id.*

58. John A Ryan, *Social Justice and the State*, COMMONWEAL, June 16, 1939, at 205–06.

59. *See Quadragesimo Anno*, *supra* note 16, ¶ 57.

these subjects, while important, are not the only matters at the crucial center of human nature and existence. That is why he spoke about the soul and human salvation on several occasions in his pioneering encyclical.⁶⁰ Pius XI would understand that the economic issues often associated with social justice are a means, not an end—a means to safeguard “the public order, peace, and tranquility of the whole world.”⁶¹ This remark of his suggests that the mechanism for addressing social problems would fundamentally rely on the virtuous formation of the citizen. States, public institutions, and private associations clearly have important roles in providing for the common good of citizens. But these entities will not be able to achieve this objective if the persons who participate in these bodies lack the necessary and proper formation. And, this formation is dependent on the implantation and cultivation of virtue.

Without this happening, *social justice* will mean anything and, therefore, it will mean nothing.

I thank you very much!

60. See *id.* ¶ 130 (“Minds of all, it is true, are affected almost solely by temporal upheavals, disasters, and calamities. But if we examine things critically with Christian eyes, as we should, what are all these compared with the loss of souls? Yet it is not rash by any means to say that the whole scheme of social and economic life is now such as to put in the way of vast numbers of mankind most serious obstacles which prevent them from caring for the one thing necessary; namely, their eternal salvation.”).

61. *Id.* ¶ 74.