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## Justice and Rights

(pp. 44–48)

### LESSON OBJECTIVES

- What justice is
- Personal and social justice
- Justice and rights
- Basic natural rights

### BASIC QUESTIONS

- What is justice?
- Why is justice both personal and social?
- What is the relationship between justice and rights?
- What are the most basic natural rights?

### KEY IDEAS

- Justice is giving each person what one owes him or her.
- Acts that are just or unjust are always *personal* because individual persons act; they are also always *social* because they involve the rights of at least one other person.
- We owe others something according to justice when they have an underlying right to it.
- Basic rights include life, bodily integrity, personal and vocational freedom, and the right to hold property.

### FOCUS QUESTION

- Why does every society establish some kind of system of justice?

Since human beings by nature are both social and have a desire for justice, they tend to build societies with systems that promote justice.

## Social Doctrine of the Catholic Church

### CHAPTER TWO

# Justice and Rights: The Foundation of All Order in the World



The Church, therefore, by virtue of the Gospel committed to her, proclaims the rights of man, she acknowledges and greatly esteems the dynamic movements of today by which these rights are everywhere fostered. Yet these movements must be penetrated by the spirit of the Gospel and protected against any kind of false autonomy. For we are tempted to think that our personal rights are fully ensured only when we are exempt from every requirement of divine law. But this way lies not the maintenance of the dignity of the human person, but its annihilation. — *Gaudium et Spes*, 41

#### IN THIS CHAPTER, WE WILL ADDRESS SEVERAL QUESTIONS:

- ✦ What is justice?
- ✦ What are rights?
- ✦ What is the foundation of human rights?
- ✦ What are some major obstacles and threats to human rights?
- ✦ What are the different types of justice?
- ✦ What is natural law?
- ✦ What does the Bible say about justice?

### JUSTICE AND LAW

*That's not fair.... We deserve better.... Divide everything evenly—right down the middle.... When do I get my share?*

People are intensely interested in justice. We want life to be fair. We want good things to be distributed equitably. When deeds must be punished, we want punishments to fit the crimes. We say that murder “cries out for justice,” as do lesser crimes such as fraud and theft; and we know that, in an ordered society, such anti-social behavior must have consequences.

We often speak of “rights”—certain goods that are ours by nature and that may not unjustly be taken away from us.

To be concerned about justice is part of being human. And, since human beings are social by nature, we tend to build societies that reflect our innate desire for justice. Every society establishes systems and

### ANTICIPATORY SET

Have each student work with a partner to perform a **paragraph shrink** on the selection from Vatican II's *Gaudium et Spes* 41 (p. 44). Have the students **read** the selection; **identify** the main idea and the two or three most important supporting ideas, arguments, or illustrations; and **rewrite** the selection in one or two sentences.

To assist in writing the summary, the students might consider the following questions about the passage:

- What is the *good* of which this passage speaks?
- What could annihilate this good?
- Why would that annihilate it?
- What would safeguard this good?

If human rights are divorced from divine law, they could be lost completely. This is why the Church wants to connect modern movements that support human rights with the Gospel.



*Curses Against the Pharisees* (detail) by Tissot. "But woe to you Pharisees! for you tithe mint and rue and every herb, and neglect justice and the love of God; these you ought to have done, without neglecting the others." (Lk 11:42)

Christ condemned the religious leaders of his time precisely because they "neglect[ed] justice and the love of God" (Lk 11:42).

Biblical faith is very clear. Justice is a necessary and important characteristic of a godly life.

## DEFINING JUSTICE

*But what exactly is justice?*

Christian theology speaks of justice as a *virtue*—that is, a habitual and firm disposition of the will to do good. Indeed, it was numbered among the four governing virtues, called *cardinal virtues*, the other three being prudence, temperance, and fortitude. Most philosophers considered justice to be the most important of the four.

Yet, even those who placed justice at the pinnacle of human virtue did not agree unanimously on its definition. St. Augustine defined virtue as "nothing else than perfect love of God" and the four cardinal virtues as simply "four forms of love." "Justice," he said, "is love serving God only, and therefore ruling well all else, as subject to man."<sup>1</sup> Thus, he directs our attention to certain facts about justice: It has to do with human dominion over goods—goods that God created in order to sustain and enrich his children.

St. Thomas Aquinas gave a definition that is perhaps more practical, adapting it from ancient Roman law. Justice, he said, is *the steady and lasting willingness to give to others what belongs to them by right.*<sup>2</sup>

Of the four cardinal virtues, only justice is necessarily *social*. Only justice is directed toward other people. Fortitude and temperance are concerned mostly with oneself. Justice is the measure of how well we treat others.

Yet, justice comes into play in the exercise of every other virtue. That is why it is called a *cardinal* virtue. The term "cardinal" comes from the Latin *cardo*, meaning "hinge." The cardinal virtues are the hinges upon which the door of the moral life opens and closes.

Since most external acts have some social consequences, almost every act of virtue or vice will involve justice or injustice. A small act of temperance—moderation in eating, for example—will leave more food for others to enjoy. An act of fortitude (courage) may save a child from a burning building.

structures—laws, courts, and law enforcement—to preserve its conception of a just order and to correct and remedy injustices.

From its earliest beginnings, human society has always been concerned with justice. In the ancient world, justice was a primary concern of philosophers as well as the ordinary people. The idea of justice is mentioned more than eight hundred times in the Bible. (The Hebrew and Greek terms for "just" and "justice" are sometimes translated into English as *righteous* and *righteousness*.)

In the Old Testament, the commandment is simple and direct:

Justice, and only justice, you shall follow, that you may live and inherit the land which the Lord your God gives you. (Dt 16:20)

Justice is therefore at the heart of the law. It is essential to the message of the prophets as well:

What does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God? (Mt 6:8)

## GUIDED EXERCISE

Have each student work with a **partner** to (1) think of one concrete example for each of the following vices or virtues and then (2) explain how that act could result in justice or injustice:

- Cowardice
- Not telling the truth out of fear could get someone blamed unjustly for something he or she did not do.
- Drunkenness
- Getting drunk and letting your tongue run wild could result in destroying someone else's reputation unjustly.
- Studiousness
- Studying hard for an exam justly "repays" all the work your teacher put into instructing you.
- Cheerfulness
- Cheerfully doing the chore your mother gave you justly honors her.

## FOCUS QUESTIONS

- Why is justice a social virtue?  
It is concerned with how we treat other people.
- Why does justice come into play with almost every good or evil act?  
Because most acts affect other people, almost every act of virtue or vice will involve justice or injustice.
- Why is an unchaste act unjust?  
It involves the unjust use of another person.

## FOCUS QUESTIONS

- What is the relationship between *just* and *righteous*?  
They mean the same thing.
- What virtue is at the heart of the Law and the prophets?  
Justice is at its heart. *Extension:* So is love.

## FOCUS QUESTIONS

- What is a virtue?  
It is a habitual and firm disposition of the will to do good. *Extension:* Good acts become habits by repetition.
- What are the four cardinal, or governing, virtues?  
They are justice, prudence, temperance, and fortitude.

## FOCUS QUESTIONS

- How did St. Augustine define justice?  
Justice is "love serving God only, and therefore ruling well all else, as subject to man." *Extension:* Love for God should "rule" how we act.
- How did St. Thomas Aquinas define justice?  
Justice is the steady and lasting willingness to give to others what belongs to them by right.

## FOCUS QUESTION

How are justice and charity related?

Justice helps others by giving them what is rightfully theirs. Charity helps others by giving them what is rightfully ours.

## FOCUS QUESTIONS

There are *Focus Questions* for this lesson on page 66.

## CLOSURE

Have each student summarize what he or she considers the most important ideas in this chapter in one **paragraph**.

## HOMEWORK ASSIGNMENT

- Study Questions 1–7 (p. 63)
- Practical Exercises 1–2 (p. 64)
- Workbook Questions 1–28
- Read “Types of Justice” through “What Rights Do We Have?,” including the sidebar “Dr. Bernard Nathanson and the Right to Life” (pp. 48–53)

## ALTERNATIVE ASSESSMENT

Have each student write a **paragraph** based on the *Graphic Organizer* on natural rights (p. 46). The paragraph should define what a natural right is and then identify the four most basic ones, briefly defining and providing an example of each.

The same principle applies in sinful acts. All sexual sins, for example, are sins against justice, since they involve an abuse or theft of something that belongs to someone else. A person's sexual faculties belong properly to his or her spouse—or, if one is unmarried, to no one—and should not be taken or misused by acts of adultery or fornication. Any unchaste act is social because it involves the unjust use of another person.

Together with charity, justice plays a decisive role in all human relationships. Charity leads us to help others in their need by sharing what we have. Justice teaches us to give others what is rightfully theirs.

All people naturally admire justice and hate injustice. Even criminals—those who commit unjust acts habitually—do not wish to be treated unfairly themselves. When St. Thomas Aquinas spoke of the primacy of justice among the moral virtues, he quoted the pagan Roman statesman and philosopher, Cicero: “Justice is the most resplendent of the virtues, and gives its name to a good person.”<sup>3</sup> As it was in pre-Christian Rome, so it is still today: A good person is a just person, and a just person is a good person.

## JUSTICE IS PERSONAL

Justice is a social virtue, but it always begins with a personal act. The philosopher Joseph Pieper observed:

That one man gives to another what belongs to the other is the basis of all just order in the world. In contrast, all injustice means that what belongs to someone is either withheld or taken from him, not indeed by misfortune, bad harvest, fire or earthquake but by man.<sup>4</sup>



Homer and His Guide (detail) by Bouguereau.  
“Our inviolable rule ought to be never to do anything that wounds our conscience or that makes us ashamed of ourselves.”

We will speak often, in this book, of “social justice,” but all social justice begins with the personal moral decisions of individual men and women, boys and girls. When we work diligently during all the hours our employer pays us for, we are acting with justice; and, indeed, it is *social* justice. We are giving our employers the time they have bought from us—the time that belongs rightly to them, the time we owe them. When we use the common goods of our household with care, we are preserving them for use by other family members, because they belong to the whole family. Because our family members have a right to the use of appliances that are kept in good repair—the lawnmower kept in good working order, the blender cleaned after making a milkshake—we have a corresponding duty to keep up the maintenance on these things.

Social justice, like charity, may extend to the far reaches of the planet and touch the lives of millions of people, but it must begin at home, in one's own neighborhood, school, playground, or workplace.

## RIGHTS PRECEDE JUSTICE

Justice always presumes the existence of *rights*. In fact, the word justice comes from *ius* (or *jus*), the Latin word for “right.”

Rights precede justice. If you must pay a bill you owe, it is because someone has a right to collect upon the debt. If you have worked for a full week, you are entitled to payment by your employer. Some portion of the money your employer possesses now *belongs* to you by right. It is your property.

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## GRAPHIC ORGANIZER

Have each student complete the following **table** on natural rights. For each right, have him or her provide (1) a brief explanation and (2) a negative example of, i.e., an infringement of, that right other than those presented in the textbook or in class discussions.

Natural Right	Brief Definition	Negative Example
Life	We have a right not to be killed without just cause.	To slow population growth, a dictator aborts any child beyond two per couple.
Bodily integrity	No one may illegitimately mutilate or harm a human person's body.	An assailant beats his victim.
Personal and vocational freedom	We have a right to follow the vocation that God has given us as well as the right to personal freedom.	To curb excesses, a government outlaws the practice of certain religions.
To hold property	We have the right to own property in order to possess what is necessary for life.	A thief steals personal items from houses.

## JOHN HOWARD GRIFFIN: Raceless Vision

John Howard Griffin was born in Texas in 1920 and grew up in a home filled with music and ideas. His mother was a classical pianist, and he followed after her. But he was also inclined to study medicine to help others. When he was fifteen he sailed to France in pursuit of a classical education. He earned scholarships to study music and medicine at universities in France. He took up both with gusto, studying under great composers and arrangers of his day. Meanwhile, he also assisted at some of the very early research into music therapy for people with mental illness.

His time in France coincided with the beginning of the Nazi occupation of the country. The racist ideology of the Nazis sickened him, and he decided to place his medical training at the service of the French Resistance movement. He also helped Jews escape arrest and certain death.

On leaving France, he entered the United States Army Air Corps, where he served more than three years, the remainder of World War II. Almost all of his time was spent in the South Pacific. He earned medals for bravery—and also pursued research in ethnic studies. Griffin lost his sight in a bombing raid and returned home disabled.

Unable to pursue a career in medicine, he turned to writing, producing five novels. He also gave piano lessons. His study and his suffering led him to the Catholic Faith in 1950. An intense and devout man, he became a Third Order (Lay) Carmelite. In 1953, he married and began a family. He and his wife, Elizabeth, eventually had four children.

In 1957, he miraculously regained his sight. With renewed vigor—and a renewed appreciation for the visual arts—he took



up photography and became a respected photojournalist. He saw with new eyes the injustices suffered by African-Americans in the southern United States. The so-called "Jim Crow Laws" were still in effect, denying blacks equal rights and equal access to public facilities, transportation, and voting.

Griffin decided he would suffer everything African-Americans suffered, and he would keep a careful record of it, in words and pictures. In 1959, under a doctor's supervision, he darkened

his skin, shaved his head, and set out on a journey through Louisiana, Mississippi, Alabama, South Carolina, and Georgia. He was often denied service in restaurants, motels, and shops. People expressed contempt for him because he appeared to be a black man. Yet, he also recorded instances of genuine kindness. His account of the journey, the book *Black Like Me* (1960), became a bestseller and earned many awards. Its eyewitness testimony roused many people to take up advocacy for civil rights.

For Griffin himself, the journey of 1959 was part of the same struggle for justice that had inspired him to join the French Resistance and then to enter the Catholic Church. He wrote in *Black Like Me*: "The real story is the universal one of men who destroy the souls and bodies of other men (and in the process destroy themselves) for reasons neither really understands. It is the story of the persecuted, the defrauded, the feared and detested. I could have been a Jew in Germany, a Mexican in a number of states, or a member of any 'inferior' group. Only the details would have differed. The story would be the same."

John Howard Griffin died of cancer in 1980.

## GUIDED EXERCISE

Conduct a **think/pair/write/share** using the following question:

- To what extent did John Howard Griffin live the virtue of justice to a heroic degree?

During Griffin's lifetime, fascism abroad and racism at home were two great injustices. During World War II, Griffin opposed Nazi fascism by serving in the French Resistance and opposed Japanese fascism by serving in the South Pacific. At home his photojournalism publicized the injustices of the Jim Crow system in the South, and his personal experience of posing as a black man exposed racism and moved many to support the civil rights movement.

## FOCUS QUESTION

- What is *Black Like Me*?

It is Griffin's nonfiction account of his experiences travelling through the Deep South of the United States in 1959 disguised as a black man.

## FOCUS QUESTIONS

- Did John Howard Griffin grow up relatively rich or poor?  
He grew up relatively rich—in a home filled with music and ideas—and got to study music and medicine in France.
- What did Griffin do during World War II?  
Initially he was in the French Resistance as a medic and helped Jews escape the Nazis; later he served in the South Pacific.
- During his period of blindness, what did Griffin do?  
He wrote novels, taught piano, converted to the Catholic Faith, became a Lay Carmelite, got married, and started a family.
- What work did Griffin take up when he regained his eyesight?  
He became a photojournalist.

## Types of Justice and Natural Rights

(pp. 48–53)

### LESSON OBJECTIVES

- Types of justice
- Origin and limit of natural rights

### BASIC QUESTIONS

- What types of justice does Catholic moral theology distinguish?
- What is the origin and limit of natural rights?

### KEY IDEAS

- The four kinds of justice distinguished by Catholic moral teaching are commutative, legal, distributive, and social.
- Natural rights come from human nature as God created it; the limit of a natural right is reached when it harms another.

### ANTICIPATORY SET

In the section “What Rights Do We Have?” (p. 50) have the students **read** silently (1) the block quote from the *Declaration of Independence* and (2) the paragraph “Many national constitutions . . .” which lists the contents of the Bill of Rights of the U.S. Constitution. Then lead a **class discussion** using the following question:

- Based on these two passages, why might Catholics feel at home in the United States?

In justice we receive what is ours and we give others what belongs to them. When we borrow books, we must return them. If we break someone's bicycle, we must pay to have it restored to its former, undamaged condition. If we download music or games that are for sale, we must make sure we have paid the required fees for ownership. We must have the right of ownership over the property we possess, even if it is “intellectual property,” such as the nontangible content of books, music, movies, or games.

Certain rights belong to us simply because we are persons created by God. For example:

- We have a right to life. No one is permitted to murder a human being.
- We have a right to bodily integrity. No one may legitimately mutilate or physically harm another person. A government may not, for example, force its citizens to undergo surgical sterilization or donate bodily organs against their will.
- We have a right to personal and vocational freedom. No one may force us to marry or refrain from marriage. No one may enslave us. We lose our right to personal freedom only if we have forfeited it by committing a crime and subjecting ourselves to the just judgment of a prison sentence.
- We have a right to hold property. All the things of the earth were created for the use and benefit of the human race. Everyone has a right to possess the things that are necessary for a good and orderly life.

However, not all rights are absolute and inalienable. The state, for example, may place limitations on the ownership of some property, if those restrictions will benefit society as a whole. In times of severe shortage, a government may ration food or fuel in order to make it available to a greater number of people.

Even the right to life may be abrogated under certain rare circumstances. An individual may legitimately, in self-defense, take the life of an attacker. Military personnel may, if acting under legitimate authority in a just war, kill enemy combatants.

But these are rare exceptions to the general rule. And the state exists in order to protect rights, not take them away.

Such rights to life, limb, liberty, and property are called *natural rights*. We have them by the very *nature* of being human. Natural rights ensure that we have the freedom and the means to fulfill our natural and supernatural destiny as human beings.



Dr. Martin Luther King Jr. (1929–1968) dedicated and sacrificed his life for social justice through nonviolent resistance to unjust laws.

### TYPES OF JUSTICE

Catholic moral teaching distinguishes different types or dimensions of justice. The *Catechism* summarizes them:

Contracts are subject to *commutative justice* which regulates exchanges between persons in accordance with a strict respect for their rights. Commutative justice obliges strictly; it requires safeguarding property rights, paying debts, and fulfilling obligations freely contracted. Without commutative justice, no other form of justice is possible.

One distinguishes *commutative justice* from *legal justice*, which concerns what the citizen owes in fairness to the community, and from *distributive justice* which regulates what the community owes its citizens in proportion to their contributions and needs. (CCC 2411)

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### FOCUS QUESTIONS

- What are the four kinds of justice distinguished by Catholic moral teaching?  
*Justice can be commutative, legal, distributive, and social.*
- What is commutative justice?  
*It governs the ordinary mutual transactions of everyday life. Extension: The word “commutation” refers to exchanges.*
- Why is gossip a violation of commutative justice?  
*Our neighbor has a right to and need for his or her good reputation, which gossip attacks.*



**Commutative justice** governs the ordinary mutual transactions of everyday life. Commutative justice directs us to honor our promises and contracts, to do the job we are paid to do, and to pay for the products we have purchased or the services we have engaged. Commutative justice forbids homicide, theft, fraud, exploitation, gossip, and false witness. Why is gossip included here? Our neighbors have a right to their good reputation, and they need it, as they need food and water, in order to live a happy and productive life in society. When commutative justice has been violated, the offending party has an obligation to repair the wrong that has been done.

**Legal justice** measures the way individuals respond to the obligations of living in society or living under the state. Individuals must not fall into *individualism*, neglecting to obey the law or fulfill their duties to the common good. Legal justice is concerned, not directly with the rights of individuals, but with the common good of society. Legal justice leads us to give generously of ourselves for the sake of the community, placing our time, money, and talents at the service of others.

The exercise of authority is meant to give outward expression to a just hierarchy of values in order to facilitate the exercise of freedom and responsibility by all. Those in authority should

practice distributive justice wisely, taking account of the needs and contribution of each, with a view to harmony and peace. They should take care that the regulations and measures they adopt are not a source of temptation by setting personal interest against that of the community.<sup>5</sup> (CCC 2236)

**Distributive justice** measures the ways and means by which authority distributes the goods and obligations of social life among the members of society. Distribution is made according to the merits and needs of the different members of society. People should receive in just proportion to what they need and what they contribute. Since needs and accomplishments will vary from person to person, inequality is inevitable and not necessarily unjust. Still, authorities should ensure that inequality does not lead to the exclusion, oppression, or exploitation of some members of society.

In addition to these three classical forms of justice, the Church has paid increasing attention to *social justice*, which considers the cultural, political, and economic aspects of the human community, with particular concern for structural problems and solutions. The *Catechism* explains:

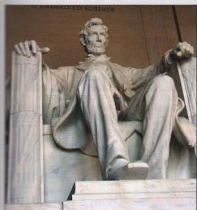
Society ensures social justice when it provides the conditions that allow associations or individuals to obtain what is their due, according to their nature and their vocation. (CCC 1928)

Thus, true social justice depends upon a proper understanding of human nature:

Social justice can be obtained only in respecting the transcendent dignity of man. The person represents the ultimate end of society. (CCC 1929)

Social justice is increasingly important in a world united by instantaneous communication, “free” trade, and easy travel. What happens on the stock market in Singapore can affect the disposition of crops in Kenya and the availability of certain products in Kansas. With these new conditions in the world come new responsibilities, duties, obligations, and rights. The world is beginning to discover what they might be, and Christians—and the Church—must take part in that development.

Even so, the morality of justice always comes down to the choices of persons. Peace begins with virtue, which is always personal. Personal virtue leads to individual initiatives, which in turn can attract many others to a cause. This can soon become a movement, which can change the world.



Abraham Lincoln (1809-1865) as the sixteenth President of the United States preserved the Union and abolished the institution of slavery. “...let every man remember that to violate the law is to trample on the blood of his father, and to tear the charter of his own and his children’s liberty.”

## FOCUS QUESTIONS

### ❑ What is legal justice?

It is based on what a citizen owes to a society. **Extension:** It refers to the various laws that a society enacts and requires to be obeyed for the common good.

### ❑ What is the problem of individualism?

It is neglecting to obey the law or to fulfill one’s duties to the common good.

### ❑ How do people with a generous sense of legal justice act?

They place their time, money, and talents at the service of others.

## FOCUS QUESTIONS

### ❑ What is distributive justice?

It is the proper distribution by authority of the goods and obligations of social life among the members of society.

### ❑ What is a just distribution of goods?

A just distribution of goods is achieved when people receive what they need and are rewarded according to what they contribute.

### ❑ Is an unequal distribution of goods in society necessarily unjust?

No. Needs and accomplishments will vary from person to person. **Extension:** In most classrooms the student-teacher ratio may be many times higher than in a special education classroom because of the greater and just needs of the latter.

### ❑ What does an unjust distribution of goods entail?

It entails the exclusion, oppression, or exploitation of some members of society.

Chapter Two 49

## GRAPHIC ORGANIZER

Have each student complete the following table to identify each of the four kinds of justice, define it briefly, and give an example.

Type	Brief Definition	Positive Example
Commutative	Justice in ordinary transactions and commitments.	Keeping a promise to give a friend a ride.
Legal	Justice in the obligations of living in society to benefit the common good.	Obeying the speed limit.
Distributive	Justice in the ways and means by which authority distributes the goods and obligations of social life among the members of society.	Paying taxes to support schooling, even by those with no children.
Social	Justice in the cultural, political, and economic aspects of human communities, with particular concern for structural problems and solutions.	Working for a foundation to provide fresh water to people who lack it.

## FOCUS QUESTIONS

- ❑ What is the focus of social justice?

It is the cultural, political, and economic aspects of the human community, with particular concern for structural problems and solutions.

- ❑ When does a society ensure social justice according to the *Catechism*, no. 1928?

It provides the conditions that allow associations or individuals to obtain what is their due, according to their nature and their vocation.

- ❑ What does a society need to understand about humanity to have social justice?

The human person has a transcendent dignity and is the ultimate end of society.

- ❑ Why does social justice have worldwide dimensions?

Because of the way the world is developing in an increasingly interconnected way, what happens in one part of the world affects people in another.

- ❑ When it comes to merit or blame in regard to social justice, who is responsible?

The individuals who act are responsible.



*Declaration of Independence by Trumbull.*

This famous painting depicts the five-man drafting committee of the Declaration of Independence presenting their work to the Continental Congress on June 28, 1776. The Committee of Five consisted of John Adams of Massachusetts, Benjamin Franklin of Pennsylvania, Thomas Jefferson of Virginia, Robert R. Livingston of New York, and Roger Sherman of Connecticut.

## WHAT RIGHTS DO WE HAVE?

Everyone wants justice and fairness. Most people agree that human beings have certain rights by nature. And all sane people want their own rights to be protected.

Many national constitutions guarantee the protection of certain rights. For example, the United States Constitution includes ten amendments known as the “Bill of Rights,” and those legally recognized rights include the free exercise of religion, freedom of speech, freedom of the press, freedom of assembly, the right to bear arms, the right to a timely trial by jury, protection from unlawful search and seizure, protection from cruel and unusual punishment, and many others. These rights and guaranteed freedoms have come to define the United States legal system and even the broader culture. They have, moreover, influenced the development of other countries’ legal systems, throughout the world.

When Pope Bl. John Paul II visited the United Nations in 1979, he noted that “the quest for freedom in our time has its basis in those universal rights which human beings enjoy by the very fact of their humanity.” In 1995, he argued that nations, too, have rights. In both addresses, he argued from a presumed agreement that human beings possess certain rights by nature. Nevertheless, he acknowledged that, apart from religious faith, it is difficult to determine what those rights are—and who determines what they are.

The Declaration of Independence, written in 1776, addresses these problems directly.

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed.

According to this account, rights come from the Creator. Government is their custodian, their caretaker, and their guarantor—but not their origin. Government’s legitimate task is to recognize and protect the rights that have been given to every human being by God.

50 Chapter Two

## FOCUS QUESTIONS

- ❑ According to Pope Bl. John Paul II, from where do human rights come?  
Human beings possess certain universal rights by the very fact of their humanity.
- ❑ According to the *Declaration of Independence*, what is the ultimate origin of human rights?  
They are given by our Creator.
- ❑ What is the relationship between government and human rights?  
Government is a caretaker of human rights. Its job is to recognize and protect human rights, but it does not create them.
- ❑ Is it self-evident to all people that human rights exist and come from God?  
No. Our shared religious heritage that human beings are made in the image of God is the basis of our belief in human rights.

## DR. BERNARD NATHANSON and the Right to Life

**D**r. Bernard Nathanson was once the most prominent advocate for so-called “abortion rights.” He was cofounder of the organization that became the National Abortion Rights Action League (now NARAL Pro-Choice America). Until 1973, abortion was illegal or severely restricted in most of the United States. Through the efforts of NARAL, all of the nation’s anti-abortion laws were effectively overridden with the U.S. Supreme Court’s decision in the case *Roe v. Wade*.

He believed that his ends justified any means, including trickery and deception. Dr. Nathanson later admitted that he was willing to falsify data and lie outright in order to advance the cause. He lied, for example, about the number of women who died from illegal abortions, inflating the figure from hundreds per year to more than ten thousand per year.

Dr. Nathanson knew the abortion business well. He ran the Center for Reproductive and Sexual Health in Manhattan, the largest abortion clinic in the Western world. He personally presided over 75,000 abortions. He even aborted one of his own children.

For all his experience and expertise, however, he did not really understand what happens during an abortion. “I had done many, but abortion is a blind procedure. The doctor does not see what he is doing. He puts an instrument into a uterus and he turns on a motor, and a suction machine goes on and something is vacuumed out; it ends up as a little pile of meat in a gauze bag.”

One day, Dr. Nathanson asked a colleague if he would attach an ultrasound to a mother so that they could later watch a tape of the procedure from the perspective of the developing fetus.

He later recalled that he “was shaken to the very roots of my soul by what I saw.” He saw a baby, recognizably human, fighting for life,

silently screaming in pain, recoiling from the murderous instruments as they approached.

He never performed another abortion. Haunted by the thought of all the suffering he had caused through his years of performing abortions, he felt he had to work as tirelessly as he had worked in advance of *Roe v. Wade*, but now for its undoing. Dr. Nathanson made a documentary film, *The Silent Scream*, which used ultrasound technology to show people the horror of abortion as he himself had seen it on that life-changing day. He wrote a book, *Aborting America*, to make people aware of the effects of abortion on society.



Dr. Nathanson came to realize that every “fetus” was a human being with rights.

When Dr. Nathanson saw abortion as it really was, he realized that every “fetus” he had aborted was a human being with rights—beginning with the right to life. He soon became a tireless advocate of the pro-life cause, producing more books and documentaries, providing expert testimony in court and on television news, and protesting outside abortion clinics.

He sought forgiveness for the acts of homicide he had committed in his years of moral blindness. After years of religious seeking, he asked to be baptized as a Catholic.

Until his death in 2011, Dr. Nathanson continued praying and working for the reversal of laws permitting abortion in America.

## GUIDED EXERCISE

Have each student work with a partner to write and answer three *Focus Questions* on the sidebar “Dr. Bernard Nathanson and the Right to Life” (p. 51) in regard to the virtue of justice.

- How was it evident that Dr. Nathanson was an unjust person? He falsified data willingly and lied to get abortion legalized. Then he performed over 75,000 abortions, including one of his own children.
- What converted Dr. Nathanson to the pro-life cause? Through an ultrasound, he saw the unborn baby recoiling from the murderous instruments and silently screaming.
- What did Dr. Nathanson do for the rest of his life? He dedicated himself to making up for what he had done by seeking forgiveness and trying to end abortion in his country.

## FOCUS QUESTIONS

1. What role did the Catholic philosopher Jacques Maritain and notions of natural law and natural rights play in the *Universal Declaration of Human Rights*? Catholicism’s conceptual framework of natural law and natural rights articulated by Catholics like Maritain provided the framework that enabled people from different perspectives to converge and come to an agreement.
2. What is natural law? It is the objective order in human nature, established by God and discoverable by right reason, that determines the requirements for people to thrive and reach fulfillment.
3. Why are some natural rights necessarily limited? A natural right cannot be used for injustice. For example, freedom of speech cannot justify slander.

## GUIDED EXERCISE

Conduct a **think/pair/share** using the following question:

- ❑ How is the “right” to abortion an example of a natural right being used to justify injustice?

There is a natural right to seek health care, but abortion is not good for anyone’s health and kills the child, a great injustice.



Jacques Maritain (1882-1973), a French Catholic philosopher, helped revive St. Thomas Aquinas for modern times. Pope Paul VI, his friend and mentor, presented him with his “Message to Men of Thought and of Science” at the close of Vatican II.

In the years following World War II, world leaders formed the United Nations in order to secure rights universally for the sake of peace. The Catholic philosopher Jacques Maritain was an influential advisor during the drafting of the United Nations’ *Universal Declaration of Human Rights*. Years later, he would recall: “During one of the meetings...at which the Rights of Man were being discussed, someone was astonished that certain proponents of violently opposed ideologies had agreed on the draft of a list of rights. Yes, they replied, we agree on these rights, *providing we are not asked why*. With the ‘why,’ the dispute begins.”<sup>6</sup>

The man who prepared the first draft of the *Declaration*, John Humphrey, later recalled that Catholics such as Jacques Maritain provided the theoretical foundation for the document, introducing the notion of the *natural law* that dictates *natural rights*. It was Catholicism’s conceptual framework that enabled people from vastly different perspectives to converge and come to an agreement.

The natural law, present in the heart of each man and established by reason, is universal in its precepts and its authority extends to all men. It expresses the dignity of the person and determines the basis for his fundamental rights and duties:

“For there is a true law: right reason. It is in conformity with nature, is diffused among all men, and is immutable and eternal; its orders summon to duty; its prohibitions turn away from offense...To replace it with a contrary law is a sacrifice; failure to apply even one of its provisions is forbidden; no one can abrogate it entirely.”<sup>7</sup> (CCC 1956)

Natural law, in Catholic thought, is an objective order established by God that determines the requirements for people to thrive and reach fulfillment. Natural rights issue from that foundation. But they are also necessarily limited. Freedom of expression may be a natural right, for example, but it does not protect libel, slander, defamation, treason, or pornography. Everyone has a right to ownership of property, but the government cannot tolerate the stockpiling of plutonium or anthrax spores in a suburban home. Freedoms are necessarily limited and restricted. Otherwise, one person’s expression of freedom could trample the rights of others. A man who stockpiles plutonium or anthrax is endangering the lives of those around him. A person who uses pornography is supporting an industry that exploits, oppresses, and dehumanizes people; pornography has encouraged the commission of sexual crimes, most heinously against children; and it has destroyed many marriages.

Today, many special-interest groups are advocating “rights” that are destructive to society. It is important that we cultivate a proper understanding of what rights are and where they come from. We must also be able to state articulately our opposition to illusory “freedoms” that actually enslave people—“rights” that destroy the rights of others.

## CLOSURE

Have each student write a **paragraph** with either of the *Key Ideas* of this lesson as its topic sentence.

## HOMEWORK ASSIGNMENT

- ❑ Study Questions 8–19 (p. 63)
- ❑ Practical Exercises 3–4 (p. 64)
- ❑ Workbook Questions 29–53
- ❑ Read “Justice in the Bible” through “Conclusion” and the sidebar “St. Thomas Aquinas: On Justice” (pp. 53–57)

## ALTERNATIVE ASSESSMENT

Have each student **scan** the natural rights enumerated in “Rights are the Basis of Order” (pp. 58–61), selecting one natural right that has significance to him or her, and **free write** on how to persuade someone—using reason alone—why this is a natural right and how it could be protected.

For one response, see *Practical Exercise 1* (p. 64).

Let us consider the most egregious example. Some people claim that there is a universal “right” to abortion as a matter of “health care.” This is absurd for many reasons. Everyone indeed has a right to health care, but abortion is not good for anyone’s health. It damages the mother psychologically and often physically as well, resulting in infertility, infections, and other problems; and it always kills the child, who is a human person endowed with the fundamental and inalienable right to life. There can be no justification for this. No authority on earth can give people the freedom to trample the basic rights of others, even to the point of taking innocent life. Thus, abortion is a most abominable injustice.

The right to health care, moreover, is not absolute and unrestricted. If you need a transplant, for example, you cannot demand your neighbor’s kidney simply because your neighbor might be a compatible donor. Your right to health care does not require your neighbor to forfeit his right to bodily integrity.

Rights precede justice. Justice, therefore, by definition, requires the protection and preservation of rights.

Justice is the moral virtue that consists in the constant and firm will to give [what is] due to God and neighbor. Justice toward God is called the “virtue of religion.” Justice toward men disposes one to respect the rights of each and to establish in human relationships the harmony that promotes equity with regard to persons and to the common good. (CCC 1807)

## JUSTICE IN THE BIBLE

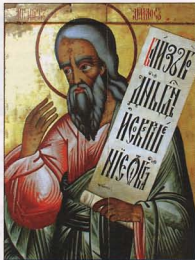
In the Old Testament, we see how the prophets sometimes brought God’s word of judgment to lands that were enjoying apparent peace and prosperity. Amos and Isaiah tried to awaken the people of Israel from their complacency, so that they could see that their domestic tranquility was bought with the exploitation of poor workers. Their national security came about because of the dire misfortunes of the nations around them. Their wealth stood in horrific contrast to the marginalized and vulnerable people in their own cities, especially orphans and widows. In the marketplaces, merchants were thriving because they routinely cheated their customers. In the courts, judges compromised their office and rendered false decisions, bought by bribes.

Amos was not afraid to condemn his countrymen for their injustices. He was particularly horrified when crooked merchants and magistrates took their ill-gotten fortunes and used them to make a show of religious piety.

They sell the righteous for silver,  
and the needy for a pair of shoes—  
they that trample the head of the poor into the  
dust of the earth,  
and turn aside the way of the afflicted;  
a man and his father go in to the same maiden,  
so that my holy name is profaned;  
they lay themselves down beside every altar  
upon garments taken in pledge;  
and in the house of their God they drink  
the wine of those who have been fined.  
(Am 2: 6-8)

He reminds them that they are under judgment. When the Day of the Lord arrived—a day awaited by all the people of Israel—it would be for them a day not of salvation, but of punishment.

The Lord issued similar oracles through the prophet Isaiah. The Book of Isaiah begins with an outright rejection of Israel’s prayers of sacrifice. Israel’s worship was invalidated by social and personal injustice.



Old Testament Prophet Amos, Russian Icon.  
Amos was not afraid to condemn his countrymen  
for their injustices.

Chapter Two 53

## Biblical Justice

(pp. 53–57)

### LESSON OBJECTIVES

- The Bible and social justice

### BASIC QUESTIONS

- What is the basic biblical position on social justice?

### KEY IDEAS

- Both the Old and New Testaments demand that believers act with justice, respect the dignity of others, contribute to the common good, and do what is in their power to protect and preserve human rights.

### ANTICIPATORY SET

Incorporate into the class’s **opening prayer** Christ’s Parable of the Sheep and the Goats (Mt 25:31–46). Then have each student **free write** to respond to this parable—for his or her eyes only—on what his or her judgment would be if the Judgment were to occur right now.

## FOCUS QUESTIONS

- In the time of Amos what was the unjust basis of some of the wealth of prosperous people in Israel?  
Merchants routinely cheated their customers and judges took bribes in exchange for false decisions.
- According to Amos, what would the “Day of the Lord” mean for the unjust?  
It would be not a day of salvation but of punishment.

## GUIDED EXERCISE

Lead a **class discussion** on the following claim:

- In order to work for social justice, it is not necessary to be a Christian, but it really helps.

## FOCUS QUESTIONS

- According to Isaiah, why was the Lord sick of Israel's sacrifices and prayers?

Israel's worship was invalidated by their social and personal injustices.

- According to Isaiah, what did God want the people of Israel to do?

He wanted them to stop doing evil and to learn to do good by seeking justice, correcting oppression, and defending those who could not help themselves.

- How do Isaiah's words apply to Christians today?

All believers are required to seek justice, correct oppression, defend the defenseless, and plead for the poor.

Bring no more vain offerings;  
Incense is an abomination to me.  
New moon and sabbath and the calling of  
assemblies—

I cannot endure iniquity and solemn assembly.  
Your new moons and your appointed feasts my  
soul hates;

they have become a burden to me,  
I am weary of bearing them.

When you spread forth your hands,  
I will hide my eyes from you;  
even though you make many prayers,  
I will not listen;

your hands are full of blood.  
Wash yourselves; make yourselves clean;  
remove the evil of your doings  
from before my eyes;

cease to do evil,  
learn to do good;  
seek justice,  
correct oppression;  
defend the fatherless,  
plead for the widow. (Is 1:13-17)

These words, spoken to ancient Israel, remain true today. Justice is an essential component of Christianity. All believers must seek justice, correct oppression, defend the defenseless, and plead for the poor. Justice is, as it ever has been, essential and not optional. Where it is neglected or violated, the people cannot flourish, even if they appear to be prosperous.

In the New Testament, Christ spoke of the Judgment Day in terms that were even more stark for the unjust—and promising for the just.

Then the King will say to those at his right hand, "Come, O blessed of my Father, inherit the kingdom prepared for you from the foundation of the world; for I was hungry and you gave me food, I was thirsty and you gave me drink, I was a stranger and you welcomed me, I was naked and you clothed me, I was sick and you visited me, I was in prison and you came to me."

Then the righteous will answer him, "Lord, when did we see you hungry and feed you, or thirsty and give you drink? And when did we see you a stranger and welcome you, or naked and clothe you? And when did we see you sick or in prison and visit you?"

And the King will answer them, "Truly, I say to you, as you did it to one of the least of these my brethren, you did it to me."

Then he will say to those at his left hand, "Depart from me, you cursed, into the eternal fire prepared for the devil and his angels; for I was hungry and you gave me no food, I was thirsty and you gave me no drink, I was a stranger and you did not welcome me, naked and you did not clothe me, sick and in prison and you did not visit me."

Then they also will answer, "Lord, when did we see you hungry or thirsty or a stranger or naked or sick or in prison, and did not minister to you?"

Then he will answer them, "Truly, I say to you, as you did it not to one of the least of these, you did it not to me." (Mt 25:34-45)

Whatever we do to the least of our neighbors, we do to God himself. For it is the poor, the widows, the oppressed, whom Christ pronounced "blessed" from the beginning of his ministry, in the Beatitudes of the Sermon on the Mount (cf. Mt 5:1-11). God himself became flesh to share the condition of marginalized people, to suffer their want, and to vindicate them.



Old Testament Prophet Isaiah by Michelangelo.  
"learn to do good; seek justice, correct oppression"

## FOCUS QUESTIONS

- According to Jesus' Parable of the Sheep and the Goats, what will be the fate of those who help the needy?

Eternal life in Heaven.

- According to this same parable, what will be the fate of those who neglect to help those in need?

Eternal death in Hell.

- According to this parable, when you help someone in need, who is counted as being helped?

God himself.



Moses Receiving the Tables of the Law (detail) by Tintoretto.  
God's laws are the path toward profound personal fulfillment and intense happiness.

## CONCLUSION

All human beings possess rights because they have inherent dignity. They are persons, with intelligence and free will, created in the image and likeness of God. It is a matter of justice to give people what is theirs by right.

People have a strong sense of what belongs to them. They want to secure and protect it, whether it is property or freedom or security or livelihood. Thus, rights and justice have always been major preoccupations of individuals and governments.

The modern era has witnessed an increased recognition of the universality of human rights. Yet, this has been undercut by a widespread and radical secularism that forbids the acknowledgment of God in any public accounting of human rights. It is difficult, if not impossible, to make a case for human dignity, human rights, and even human nature, apart from God.

When rights are dependent on mere human decisions, they are easily changed, easily multiplied to the point of meaninglessness, easily put aside, and readily abolished.

Rights come with corresponding duties. We are obliged *always* to do justice, to respect the dignity of others, to contribute to the common good, and to do what is in our power to protect and preserve human rights.

## FOCUS QUESTIONS

- ❑ Why is it difficult or even impossible to make a case for human dignity, human rights, and even human nature apart from God?

When rights are dependent only on the will of human beings, they can be changed, multiplied to the point of meaninglessness, put aside, and even abolished.

- ❑ What duty comes with the right to be treated with justice?

The right to be treated with justice creates in a person the duty to do justice, to respect the dignity of others, to contribute to the common good, and to protect and preserve human rights.

## GUIDED EXERCISE

Deliver a **mini-lecture** on St. Thomas Aquinas's explanation of justice:

- In his *Summa Theologica*, St. Thomas used a very specific "template," or form, of argument.
  - First, he broke down every subject into very specific thesis statements that he thought were true. He then stated each thesis in the form of a question that could be answered with either a yes or a no. Each article dealt with just one question. In this case, the question is whether a good definition of justice is "the perpetual and constant will to render to each one his right." His position is that the answer is yes.
  - Then he listed every known objection, or "no" answer, to his question; in this case, these are the six "objections." The "Philosopher" he mentions in Objection 1 is the pagan Greek philosopher Aristotle.
  - In the section that begins, "I answer that . . ." St. Thomas stated his own position and then explained and defended it.
  - Finally, he replied to each original objection in the order in which he raised it at the beginning. He showed the shortcomings of each objection.
  - In this way he made his argument, proved it, and disproved those who objected.
- Then have the students **read** silently the sidebar "St. Thomas Aquinas: On Justice" (pp. 56–57), and then have each student work with a **partner** to answer the three following questions to understand the content of his teaching:

## The Saints

### PILLARS OF THE CHURCH



#### ST. THOMAS AQUINAS: On Justice

**Article 1. Whether justice is fittingly defined as being the perpetual and constant will to render to each one his right?**

**Objection 1.** It would seem that lawyers have unfittingly defined justice as being "the perpetual and constant will to render to each one his right" [*Digest*, i, 1; *De Just. et Jure* 10. For, according to the Philosopher (*Ethic.* v, 1), justice is a habit which makes a man "capable of doing what is just, and of being just in action and in intention." Now "will" denotes a power, or also an act. Therefore justice is unfittingly defined as being a will.

**Objection 2.** Further, rectitude of the will is not the will; else if the will were its own rectitude, it would follow that no will is unrighteous. Yet, according to Anselm (*De Veritate* xii), justice is rectitude. Therefore justice is not the will.

**Objection 3.** Further, no will is perpetual save God's. If therefore justice is a perpetual will, in God alone will there be justice.

**Objection 4.** Further, whatever is perpetual is constant, since it is unchangeable. Therefore it is needless in defining justice, to say that it is both "perpetual" and "constant."

**Objection 5.** Further, it belongs to the sovereign to give each one his right. Therefore, if justice gives each one his right, it follows that it is in none but the sovereign: which is absurd.

**Objection 6.** Further, Augustine says (*De Moribus Eccl.* xv) that "justice is love serving God alone." Therefore it does not render to each one his right.

**I answer that.** The aforesaid definition of justice is fitting if understood aright. For since every virtue is a habit that is the principle of a good act, a virtue must needs be defined by means of the good act bearing on the matter proper to that virtue. Now the proper matter of justice consists of those things that belong to our intercourse with other men, as shall be shown further on (2). Hence the act of justice in relation to its proper matter and object is indicated in the words, "Rendering to each one his right," since, as Isidore says (*Egym.* x), "a man is said to be just because he respects the rights [iust] of others."

Now in order that an act bearing upon any matter whatever be virtuous, it follows to be voluntary, stable, and firm, because the Philosopher says (*Ethic.* ii, 4) that in order for an act to be virtuous it needs first of all to be done "knowingly," secondly to be done "by choice," and "for a due end," thirdly to be done "immovably." Now the first of these is included in the second, since "what is done through ignorance is involuntary" (*Ethic.* iii, 1). Hence the definition of justice mentions first the "will." In order to show that the act of justice must be voluntary, and mention is made afterwards of its "constancy" and "perpetuity" in order to indicate the firmness of the act.

Accordingly, this is a complete definition of justice; save that the act is mentioned instead of the habit, which takes its species from that act, because habit implies relation to act. And if anyone would reduce it to the proper form of a definition, he might say that "justice is a

*Continued*

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#### Guided Exercise, *continued*

- According to this article, what is a good definition of justice as a virtue?  
**Justice is a habit that makes a person "capable of doing what is just, and of being just in action and in intention."**
- In your own words, what is a good definition of justice, taking into consideration the qualities of "perpetual and constant"?  
**Justice is respecting the rights of others at all times and in all situations.**
- Based on Objection 6 and Reply 6, how did St. Thomas reconcile St. Augustine's definition of justice with his own?  
**St. Augustine wrote that justice is the love serving God alone. St. Thomas explained that, since love of God includes love of our neighbor, the service of God includes rendering to each neighbor his due.**



## STUDY QUESTIONS

1. Virtue is a habitual and firm disposition of the will to do good. [p.45]
2. St. Augustine taught that "justice is love serving God only, and therefore ruling well all else, as subject to man." St. Thomas taught that "justice is the steady and lasting willingness to give to others what belongs to them by right." [p.45]
3. Justice is a "social" virtue because it is directed toward other people. [p.45]
4. Since most external acts have some social consequence, almost every act of virtue or vice will involve justice or injustice. [pp.45–46]
5. Justice is a cardinal, or "hinge," virtue because it affects the exercise of every other virtue. [p.45]
6. Rights are goods that are owed to a person by nature. [pp.46, 48, 62]
7. Before the moral law compels that you be given a particular good (an act of justice), it must be owed to you by nature (a right). [p.46]
8. Natural rights are inviolable and belong to every human being because of his or her inherent dignity as a person, possessing a rational intellect and free will. These include the right to life, the right to bodily integrity, the right to personal and vocational freedom, and the right to hold property. [p.48]
9. Certain rights belong to us simply because we are human beings created by God. [p.48]

## VOCABULARY

**ABORTION**

The destruction of a child after conception but before birth. Direct abortion or cooperation in it is forbidden by the Fifth Commandment; it is a violation of the child's fundamental right to life.

**CARDINAL VIRTUES**

Prudence, justice, fortitude, and temperance. Because they are pivotal, these virtues are called "cardinal" (from the Latin *cardo*, "hinge"). They are stable dispositions of the intellect and will that govern actions, order passions, and guide conduct in accordance with reason and faith.

**COMMUTATIVE JUSTICE**

The form of justice that governs the ordinary transactions of everyday life, directing us to honor promises, contracts, and commitments.

**DISTRIBUTIVE JUSTICE**

The form of justice that governs the ways and means by which authority distributes the goods and obligations of social life among the members of society.

**JUSTICE**

One of the four cardinal virtues; this virtue refers to the steady and lasting willingness to give to God and to others what belongs to them by right.

**LEGAL JUSTICE**

The form of justice that governs the way individuals respond to the obligations of living in society or living under the state.

**NATURAL LAW**

An objective order established by God that determines the requirements for people to thrive and reach fulfillment.

**RESPONSIBILITY (OR DUTY)**

The demand for an account of one's acts; it includes accepting the consequences of those acts.

**RIGHTS (ALSO, NATURAL RIGHTS)**

The goods that are owed to a person by nature. Natural rights are inviolable and belong to every human being because of his or her inherent dignity as a person, possessing a rational intellect and free will.

**SOCIAL JUSTICE**

The form of justice that governs the cultural, political, and economic aspects of human community, with particular concern for structural problems and solutions.

**PROPERTY**

What belongs to someone; what someone owns. Persons have the right to private ownership of property, but that right is not absolute, and it may be limited.

**VIRTUE**

A habitual and firm disposition to do good.

Study Questions, *continued*

10. The right to own property may be restricted for the benefit of society as a whole. The right to life may be abrogated under rare circumstances such as in an act of self-defense or killing enemy combatants in a just war. [p.48]
11. Commutative justice governs the ordinary mutual transactions of everyday life with a strict respect for rights. For example, it requires us to honor our contracts. [pp.48–49]
12. Distributive justice measures the ways and means by which authority distributes the goods and obligations of social life among members of society. For example, a person with more dependents may receive more tax relief. [pp.48–49]
13. Legal justice concerns what a citizen owes to a community. For example, a person with more income may be required to pay more in taxes. [pp.48–49]

## STUDY QUESTIONS

1. What makes justice a virtue?
2. What is justice?
3. Why is justice always a social virtue?
4. How does justice apply in daily events in school and family life?
5. Why is justice a cardinal virtue? What other virtues depend upon it and why?
6. What are rights?
7. Why must rights precede justice?
8. What are natural rights, and which rights belong to human beings by nature?
9. Why do human beings have natural rights?
10. Which rights may be limited by the state?
11. What is commutative justice? Give an example of it in action.
12. What is distributive justice? Give an example of it in action.
13. What is legal justice? Give an example of it in action.
14. What is social justice? Give an example of it in action.
15. What is the origin of rights? Why does the origin of rights present a problem for modern societies?
16. How did the United Nations enlist Catholic social thought as it prepared its *Universal Declaration of Human Rights*?
17. Name two twentieth-century Catholic philosophers known for their work on justice and rights.
18. What is natural law and how does it relate to human rights?
19. Why is abortion a particularly egregious violation of human rights?
20. What injustices did the biblical prophets identify in their own lands and times? What solutions did they offer?



Christ and the Children (detail) by Bloch.  
 "Whoever humbles himself like this child, he is the greatest in the kingdom of heaven." (Mt. 18:4)

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Study Questions, *continued*

18. Natural law is an objective order established by God that determines the requirements for people to thrive and reach fulfillment. Natural rights issue from that foundation. [p.52]
19. Abortion is wrong because the right to life is the most fundamental and inalienable human right. Unlike a true understanding of health care, killing a child damages the mother psychologically and sometimes physically. [p.53]
20. The prophets identified the unjust distribution of wealth, mistreatment of orphans and widows, dishonesty in business transactions, and judicial bribery. They reminded the people of the Last Judgment, when the unjust would be punished, and called Israel to repentance and to seek justice, correct oppression, defend the defenseless, and plead for the poor. [p.53]

Study Questions, *continued*

14. Social justice governs the cultural, political, and economic aspects of human community with particular concern for structural problems and solutions. For example, we should abolish laws that discriminate based on race, religion, or ethnicity. [p.49]
15. Rights are given to us by God. When individuals or societies refuse to acknowledge God or reject the natural law, it becomes difficult to agree on which rights are absolute and which may be limited or to what extent they may be limited. [pp.50, 52]
16. The drafters of the *Universal Declaration of Human Rights* looked to the natural law in Catholic tradition and philosophy to determine which natural rights should be guaranteed to all people. Even those who rejected the existence of God or the teaching authority of the Church agreed that these rights should be guaranteed. [p.52]
17. Maritain was an advisor to the United Nations during the drafting of the *Universal Declaration*. Bl. John Paul II wrote several encyclicals that contributed to the social teaching of the Church. [p.52]

## PRACTICAL EXERCISES

Answers will vary:

1. *Answers will vary*, but students should keep in mind that failing to mention God does not necessarily diminish the essential truthfulness of a document, in part or whole.
2. *Answers will vary*, but students should remember that justice is the only cardinal virtue that is always directed not toward oneself but toward others, measuring how well we treat them. Have students be attuned to ways in which a person's conception of justice might turn this virtue into a vice.
3. Examples include abortion, pornography, human trafficking, euthanasia, and acts of terror.
4. *Answers will vary*.

## PRACTICAL EXERCISES

1. Read the United Nations' *Universal Declaration of Human Rights*, the United States' Bill of Rights, and another country's charter or constitution of basic rights. Compare and contrast the way they account for the origin of rights; which rights they guarantee; and which rights they limit. Evaluate these efforts in light of the Supplemental Readings from Pope Bl. John XXIII and the *Compendium of the Social Doctrine of the Church*.
2. In the course of a single day, keep a journal of instances when your friends, family members, teachers, or others make appeals to justice (or fairness, rights, restitution, payback, revenge, and so on). What do your findings tell you about the importance of justice? How would you analyze these ordinary appeals in light of Christian teaching and tradition?
3. What are the most important human-rights issues today? Write an essay arguing your case in light of Catholic teaching, biblical witness, and natural law.
4. Find an example, in world history of the twentieth century, of a regime suspending, limiting, or abolishing a human right for some or all of its citizens (e.g., freedom of the press, freedom of religion, or the right to life for preborn children). Explain the circumstances leading to this action, with the response from the populace. Was the right restored over time? If so, how? If not, why not?



*Parable of the Man Who Hoards* by Tisot.  
Charity leads us to help others in their need by sharing what we have. Justice teaches us to give others what is rightfully theirs.

## FROM THE CATECHISM

**1807** *Justice* is the moral virtue that consists in the constant and firm will to give their due to God and neighbor. Justice toward God is called the “virtue of religion.” Justice toward men disposes one to respect the rights of each and to establish in human relationships the harmony that promotes equity with regard to persons and to the common good. The just man, often mentioned in the Sacred Scriptures, is distinguished by habitual right thinking and the uprightness of his conduct toward his neighbor. “You shall not be partial to the poor or defer to the great, but in righteousness shall you judge your neighbor.”<sup>38</sup> “Masters, treat your slaves justly and fairly, knowing that you also have a Master in heaven.”<sup>39</sup>

**1928** Society ensures social justice when it provides the conditions that allow associations or individuals to obtain what is their due, according to their nature and their vocation. Social justice is linked to the common good and the exercise of authority.

**2238** Those subject to authority should regard those in authority as representatives of God, who has made them stewards of his gifts.<sup>40</sup> “Be subject for the Lord’s sake to every human institution.... Live as free men, yet without using your freedom as a pretext for evil; but live as servants of God.”<sup>41</sup> Their loyal collaboration includes the right, and at times the duty, to voice their just criticisms of that which seems harmful to the dignity of persons and to the good of the community.

**2239** It is the *duty of citizens* to contribute along with the civil authorities to the good of society in a spirit of truth, justice, solidarity, and freedom. The love and service of *one’s country* follow from the duty of gratitude and belong to the order of charity. Submission to legitimate authorities and service of the common good require citizens to fulfill their roles in the life of the political community.

**2240** Submission to authority and co-responsibility for the common good make it morally obligatory to pay taxes, to exercise the right to vote, and to defend one’s country:

Pay to all of them their dues, taxes to whom taxes are due, revenue to whom revenue is due, respect to whom respect is due, honor to whom honor is due.<sup>42</sup>

[Christians] reside in their own nations, but as resident aliens. They participate in all things as citizens and endure all things as foreigners.... They obey the established laws and their way of life surpasses the laws.... So noble is the position to which God has assigned them that they are not allowed to desert it.<sup>43</sup>

The Apostle exhorts us to offer prayers and thanksgiving for kings and all who exercise authority, “that we may lead a quiet and peaceable life, godly and respectful in every way.”<sup>44</sup>

**2412** In virtue of commutative justice, *reparation for injustice* committed requires the restitution of stolen goods to their owner:

Jesus blesses Zacchaeus for his pledge: “If I have defrauded anyone of anything, I restore it fourfold.”<sup>45</sup> Those who, directly or indirectly, have taken possession of the goods of another, are obliged to make restitution of them, or to return the equivalent in kind or in money, if the goods have disappeared, as well as the profit or advantages their owner would have legitimately obtained from them. Likewise, all who in some manner have taken part in a theft or who have knowingly benefited from it—for example, those who ordered it, assisted in it, or received the stolen goods—are obliged to make restitution in proportion to their responsibility and to their share of what was stolen.

## FROM THE CATECHISM

## #1807

- Justice is giving to everyone his or her due.
- Justice toward God is called the virtue of religion.

## #1928

- Society has a duty in regard to social justice.

## #2238

- Obedience to just authority is obedience to God.
- Loyalty to authority includes criticizing it when it is unjust.

## #2239

- Citizens have duties.

## #2240

- We have a duty to pay taxes and obey just authority.

## #2412

- Injustice requires restitution.