

Social Justice as a Work of Art in Action

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According to Jacques Maritain, the final end of the state should be the common good. To achieve this end the enforcement of social justice is the primary duty of the state. Social justice is not the same as the common good but is an essential ingredient of it. We do not desire justice for itself, but for the sake of the common good. A similar point arises in Maritain's treatment of the relationship between beauty and the arts. He argues that the contemplation of beauty produces delight. The fine arts create beautiful works that are delightful, whereas useful arts not only produce delight but also satisfy practical human needs. We do not desire the useful arts for themselves but rather for the sake of satisfying human needs.

Maritain says that beauty is a kind of good which produces delight. The common good may be called something beautiful. In fact, social justice which is essential to the common good as something beautiful may be characterized as a work of fine art. In addition, since social justice serves to promote the common good and thus to satisfy a practical human need, it may also be characterized as a work of useful art.

To elucidate these thoughts on social justice, I shall examine first Maritain's theory of beauty and the relationship which the common good and justice have to this theory. Secondly, I shall discuss Aristotelian, Augustinian, and Thomistic ideas of justice to which Maritain's thought is much indebted, and I shall contrast these ideas with the ways in which some modern philosophers have dealt with the question of justice.

BEAUTY AS A KIND OF GOOD

In the classical tradition the essence of a work of art is called beauty. Although for many contemporary artists and aestheticians beauty thus under-

stood has disappeared, Maritain's aesthetics follows classical thought. Maritain maintains that beauty produces delight: "Not just any delight, but delight in knowing; not the delight peculiar to the act of knowing, but a delight which superabounds and overflows from this act because of the object known."¹ According to Maritain, this delight in knowing does not depend on the delighted subject or viewer, but rather on the thing seen and known. Something is called beautiful because of its effect on the beholder, but this pleasing effect is the result of the very nature of the object seen.

Now since beauty fulfills the human need of delight, Maritain observes that beauty is a "kind of good."² However, the beautiful and the good differ logically: the beautiful relates to a cognitive power since it pleases when seen or known, whereas the good relates to appetite since all things desire the good. Desirability is not the very essence of the beautiful. Something beautiful is not necessarily an object of desire, but it is essentially delightful. Insofar as the beautiful assumes the aspect of the good, it is desirable; as such, the sight or knowledge of the beautiful allays the appetite.³

Following St. Thomas, Maritain mentions three characteristics of beauty: integrity, proportion, and clarity. Integrity refers to the "fullness of being," to "perfection" or "completion," which can be realized not only in one way but in a variety of different ways. Proportion means that a thing of beauty is characterized by "order and unity," "fitness and harmony." Integrity and proportion must be understood in relation to the clarity or the brilliance of the form.⁴ Furthermore, Maritain argues that beauty produces love. Every form of beauty is loved for its own sake. Love in its turn produces ecstasy: the lover is in a real sense transported outside of himself. He is overtaken by the beauty of the work of art.⁵

After having seen what Maritain understands by beauty, we can now consider its relationship to art. This relationship can be analyzed by turning to the distinction between the fine arts and the useful arts. Works of fine arts are ordered to beauty; as beautiful works, they suffice of themselves and they give delight when seen. Useful arts, on the other hand, are ordered to the service of practical human beings and are therefore mere means.⁶

¹ Jacques Maritain, *Art and Scholasticism and The Frontiers of Poetry*, trans. Joseph W. Evans (New York: Charles Scribner's Sons, 1962), p. 23.

² *Ibid.*, pp. 26, 167, n. 57.

³ *Ibid.*, pp. 23, 167–70. See John W. Hanke, *Maritain's Ontology of the Work of Art* (The Hague: Martinus Nijhoff, 1973), pp. 15–16.

⁴ Maritain, *Art and Scholasticism*, pp. 27–28.

⁵ *Ibid.*, pp. 26–27.

⁶ *Ibid.*, p. 33.

Maritain acknowledges, however, that some arts can simultaneously pursue beauty and utility.⁷ Although Maritain's work contains a more detailed analysis of beauty and of art, the distinctions discussed above are sufficient for my argument.

SOCIAL JUSTICE AS A WORK OF ART

We have already seen that beauty is a kind of good. Something beautiful may be called good not only because it gives pleasure when known but also because it fulfills a human need; thus, we desire what will satisfy our need. The common good may be described in terms of such a desirable good and consequently in terms of the beautiful. The common good is for the well-being of society and its citizens, and when known it produces delight. It is a good that is "common to the whole and to the parts."⁸

According to Maritain, the desired end of the state should be the common good and it is to be achieved by the strengthening of social justice.⁹ The latter is not the same as the common good, but it is "essential to the common good."¹⁰ Now since the common good may be called beautiful and since justice is essential to it, we may also say that justice is something beautiful. Like any other beautiful object, justice is characterized by integrity, proportion, and clarity.

In elaborating the essentials of the common good, i.e., the characteristics of social justice, Maritain enumerates three features which are compatible with the conditions of beauty: (1) the intrinsic morality or integrity of life, the perfection of the good and righteous life of human persons; (2) a proportionate or harmonious distribution of goods among persons; aid fitting for their development; and order, unity, and authority in society; (3) the highest possible realization of persons in their lives as persons (that is, the highest compatible with the good of the whole) and of their freedom of expansion or autonomy.¹¹ Such optimal realization of persons may be considered the splendor of the common good.

⁷ Ibid., p. 158, n. 40. See Hanke, *Maritain's Ontology*, pp. 35–36.

⁸ Jacques Maritain, *The Rights of Man*, in *Christianity and Democracy and The Rights of Man and Natural Law* (San Francisco: Ignatius Press, 1986), p. 94.

⁹ Jacques Maritain, *Man and the State* (Chicago: The University of Chicago Press, 1951), pp. 14, 20.

¹⁰ Maritain, *The Rights of Man*, p. 96. See also Jacques Maritain, *The Person and the Common Good* (Notre Dame, Indiana: University of Notre Dame Press, 1985), p. 55.

¹¹ Maritain, *The Rights of Man*, pp. 94–95. See James V. Schall, *Jacques Maritain. The Philosopher in Society* (Lanham, Maryland: Rowman & Littlefield, 1998), p. 145.

These characteristics determine the essence of social justice as an aesthetic-moral principle. Social justice may be characterized both as a work of fine art that produces delight and as a work of useful art that serves a human need, that furthers the common good. To explain my thesis that social justice is in effect a work of art, I shall compare and contrast the ideas of ancient and modern philosophers on justice.

JUSTICE AND THE GOOD LIFE

Aristotle argues that the *polis* exists for the sake of the good life, that is, the most exalted of all goods.¹² The good life is constituted by the practice of virtues, and in particular by the virtue of justice. Aristotle discusses justice in a general and in a particular sense. In the general sense, justice is the supreme moral virtue because it can be practiced for the sake of all citizens, and it brings about what is to the advantage of all citizens. For a legislator the virtue of justice means making just laws that are to the advantage of all, that promote the common good. For a citizen this virtue means obeying the laws of the *polis* and performing his civic duties.¹³ Particular justice aims at giving to people their fair share. It is based upon the principle of the equality of citizens, that is, treating equals equally and unequals unequally but in proportion to their relevant differences.¹⁴

Particular justice is divided into distributive and corrective justice. Distributive justice is exercised in the distribution of honor, wealth, and the other divisible assets of the community, which may be allotted to its members in equal or unequal shares. In the distribution of common funds, the same ratio in which the contributions of the different persons stand to each other will be followed. What is just in such a distribution follows "geometrical proportion."¹⁵ Corrective justice consists of a corrective principle in private transactions.¹⁶ It is characterized by an "arithmetical proportion"; the law treats the parties as equals, merely asking whether one has inflicted damage and the other has sustained damage. The injustice here consists of the inequality due to the damage incurred and the judge endeavors to make both parties equal once again through the penalty he imposes.¹⁷

¹² Aristotle. *Politics* I.1.1252a1–9, trans. H. Rackman (Cambridge, Massachusetts: Harvard University Press, 1932; rpt. 1990).

¹³ Aristotle. *Nicomachean Ethics* V.1.1129b1–1130a10, trans. H. Rackham (Cambridge, Massachusetts: Harvard University Press, 1926; rpt. 1990), hereafter cited as *NE*.

¹⁴ *NE* V.2.1130a14–30.

¹⁵ *NE* V.3.1131a20–25.

¹⁶ *NE* V.2.1130b30–35.

¹⁷ *NE* V.4.1132a1–35.

We see that justice in a general sense tends to promote the advantage of all citizens and the body politic at large. It serves to promote the common good or the good that is common to the whole and its parts. This characteristic of justice in a general sense is precisely what Maritain calls the intrinsic morality or integrity of life, the perfection of the good and righteous human life of the people. Aristotle employs mathematical arguments to express his conception of particular justice which effects a certain proportion. This argument is compatible with what Maritain calls a proportionate or harmonious distribution of goods among persons, which leads to their development and to order in society. Justice both in a general and in a particular sense brings about the ultimate end of the state, that is, the good life of its citizens. In other words, this ultimate end gives justice its brilliance. This corresponds to Maritain's third characteristic of justice: the splendor associated to the highest possible realization of the lives of persons and of their freedom of expansion.

Based upon these three characteristics, I call Aristotle's ideas of general and particular justice together social justice. Since I characterize social justice as an aesthetic-moral principle, I have to criticize the mathematical arguments used by Aristotle to explain his conception of particular justice. A distinction must be made between the essence of particular justice and mathematical arguments. The latter originally belong to the sphere of numbers and quantities and not to the essence of the aesthetic-moral principle of justice. If the discussion on justice is restricted to mathematical arguments, and man's dues, as it were, to mankind are determined by pure calculation, then in practice communal life would necessarily become inhuman.¹⁸ Besides, in what respect are human beings equal and in what respect are they not equal? There may be damage that can never be restored despite the punishment inflicted. And in regard to distributive justice, excellence should certainly be recognized and given appropriate weight, but we should also acknowledge the claims of those less fortunate in society.¹⁹ Mathematical calculations alone cannot adequately explain social justice, the essence of which is characterized by the intrinsic morality of human life and the proportionate distribution of goods, both of which are related to the splendor of the good life.

¹⁸ See Josef Pieper, *The Four Cardinal Virtues* (Notre Dame, Indiana: University of Notre Dame Press, 1966), p. 113.

¹⁹ See Yves Simon, *Philosophy of Democratic Government* (Notre Dame, Indiana: University of Notre Dame Press, 1993), pp. 197, 94. See also Ralph Nelson, "The Scope of Justice," in *Freedom, Virtue, and the Common Good*, eds. Curtis L. Hancock and Anthony O. Simon (American Maritain Association, 1995), p. 352.

A RADICAL SHIFT IN JUSTICE

Like Aristotle, Cicero argues that justice and the existence of the state are closely connected.²⁰ He also distinguishes between distributive and corrective justice which are based upon a rationally calculable distribution of goods in order to promote a harmonious society. However, justice was to be achieved only through the state as an institution of power.²¹

One of the most important critics of Cicero's idea of justice was Augustine. Still, like the classical Greek and Roman jurists, he is of the opinion that justice is the supreme virtue and that a true political society cannot exist without true justice. Again, like these jurists, he holds that justice is "the virtue which accords to each and every man what is his due."²² However, his interpretation of true justice is very different from theirs. Augustine was motivated by the heroic and humane concept of virtue in late Roman ethics and culture, where the emphasis was on the promotion of individual and common well-being. He must have been fully aware of this conception of virtue when he developed his own alternative interpretation.

Although Augustine agrees with the general formulation of justice given by the Romans, he argues that justice transcends the sensible sphere and is related to God.²³ Justice may be illustrated by mathematical harmony and proportion, but Augustine does not deduce these from mathematical arguments. Augustine grounds his idea of justice in the Christian faith, and he relates justice to love of God and love of neighbor, both of which should produce moral integrity in relationships between persons and a harmonious society. The divine law should be the source of inspiration for the legislator.²⁴ According to Augustine, the state that achieves a moral and harmonious society would also promote true justice (although he was not optimistic about the possibilities of such a state in his time). If the state could achieve these goals, it would be considered neither an institution of power nor the highest end of human life but rather a means to serve the happy life of its citizens.²⁵

²⁰ Cicero, *De Re Publica*, III, 22-23, trans. C. W. Keynes (Cambridge, Massachusetts: Harvard University Press, 1988).

²¹ Cicero, *De Officiis*, I, 4, 11-14; IV, 14; VII, 7; XIII, 40, trans. W. Miller (Cambridge: Harvard University Press, 1990).

²² Augustine, *The City of God*, XIX, 21, trans. G. G. Walsh and D. J. Honan (Washington, D.C.: The Catholic University of America, 1954).

²³ Augustine, *Confessions*, X, 33-34, 50, 53 (New York: Arno Press, 1979).

²⁴ See R. A. Markus, *Saeculum: History and Society in the Theology of St. Augustine* (Cambridge: Cambridge University Press, 1970), pp. 89-90.

²⁵ Augustine, *The City of God*, II, 19.

Augustine's conception of justice consists in promoting the moral integrity of human life and a proportionate distribution of goods. Moreover, integrity and proportion are related to love of God and love of neighbor and their purpose is the happy life of citizens which gives justice its splendor.

JUSTICE AND LOVE

Like Aristotle, Thomas Aquinas considers justice to be the supreme moral virtue for promoting the common good of the state and its citizens. Moreover, like Augustine, he argues that faith creates justice in us: "Just as love of God includes love of our neighbor, . . . so too the service of God includes rendering to each one his due"²⁶

Following Aristotle, Thomas holds that justice presupposes equality of human beings, that is, treating equals equally and unequals unequally but in proportion to their relevant differences. Our relations with other persons and the relations of persons to the political community should be guided by the general virtue of justice. Since the law should aim at the common good, justice should be achieved by law. The justice that is achieved by law is called "legal justice," which orders the relations of citizens to the political community.²⁷ Thomas discusses particular justice, which consists of commutative justice as ordering the mutual dealings between citizens, and distributive justice as ordering the relations between the community and its citizens.²⁸ In the case of commutative justice, Thomas, like Aristotle, applies geometrical proportion, whereas in the case of distributive justice the arithmetical proportion is applied.²⁹

The general virtue of justice which orders the relations of citizens to the state for the sake of the common good pertains in Thomas's thought to the intrinsic morality or integrity of human life. Particular justice (including both commutative and distributive justice) pertains to the proportionate distribution of goods. Although Thomas's conception of particular justice is illustrated by mathematical arguments, the essence of justice transcends these arguments.

Like Augustine, Thomas begins his discussion on justice with the love of God, which includes love of neighbor; this love produces justice for the common good. The aesthetic characteristics of justice just mentioned are

²⁶ Thomas Aquinas, *Summa Theologiae* II-II, q. 58, a. 1 (Westminster, Maryland: Christian Classics, 1981), hereafter cited as *ST*. See Pieper, *The Four Cardinal Virtues*, pp. 43-113.

²⁷ *ST* II-II, q. 58., a. 5.

²⁸ *ST* II-II, q. 61, a. 1.

²⁹ *ST* II-II, q. 61, a. 2.

related to the service of God—a service which determines the meaning of human life and gives justice its splendor. The three characteristics that determine social justice as a moral-aesthetic principle correspond to the features Thomas enumerates of beauty: integrity or perfection, proportion or harmony, brightness or clarity.³⁰

MODERN DEBATES ON JUSTICE

Modern philosophers rarely analyze the essence of justice. Their discussions of justice are derived from a discussion of other matters. I shall illustrate this briefly by some examples.

Thomas Hobbes holds that the origin of justice is produced through covenants which must be controlled by the coercive power of the state. Justice should be understood in terms of the commands given by law, which are the result of the formative power of the governor.³¹

John Locke argues that the government "is bound to dispense justice," based on the rights of private properties. To guarantee these rights, "men unite into Societies, that they may have the united strength of the whole Society to secure and defend their Properties, and may have *standing Rules* . . . , by which every one may know what is his."³²

David Hume holds that "public utility would be the *sole* origin of Justice."³³ Utility is characterized by the strongest energy, and as such has the most complete command over our sentiments. According to Hume,

It must, therefore, be the source of a considerable part of the merit ascribed to humanity, benevolence, friendship, public spirit, and other social virtues of that stamp; as it is the *sole* source of the moral approbation paid to fidelity, justice, veracity, integrity, and those other estimable and useful qualities and principles.³⁴

Utility would be evident in a just society without excessive richness and extreme poverty.³⁵

Jean-Jacques Rousseau acknowledges that God is the source of justice. However, he says that if we knew how to receive it from above, we would

³⁰ *ST I*, q. 39, a. 8.

³¹ Thomas Hobbes, *Leviathan*, ed. C.B. Macpherson (Hammondsworth, England: Penguin, 1968), chap. 26.

³² John Locke, *Second Treatise of Government*, in *Two Treatises of Government*, ed. P. Laslett (Cambridge: Cambridge University Press, 1965), paragraph 136.

³³ David Hume, "On Justice," in *Essays: Literary, Moral and Political* (London: Ward, Lock, and Warwick, 1915), p. 416.

³⁴ Hume, "On Justice," p. 429.

³⁵ See Hume, "Some Further Considerations with Regard to Justice," in *Essays*, pp. 489–94.

need neither government nor laws. Since this is obviously not the case, there must be laws to link the rights of citizens to their duties on the basis of a social contract. These laws will produce justice.³⁶

Karl Marx argues that in the history of all societies the interpretation and application of a moral value such as justice has been determined through class antagonisms, antagonisms that assume different forms at different times. Whatever form they may have taken, one fact is common to the history of all societies: the exploitation of one part of society by another.³⁷ After the eradication of antagonistic economic and social relations, justice would be achieved in the socialist society of the future, a society which Marx describes as "a community of free individuals, carrying on their work with the means of production in common, in which the labor-power of all the different individuals is consciously applied as the combined labor-power of the community."³⁸

The contemporary philosopher John Rawls argues that all people, whatever their world-view or philosophy may be, have an intuitive idea of justice. Rawls designs an imaginary social contract on the basis of which people want to be treated as equals. He formulates two principles of political justice: (1) Each person should have an equal right to the most extensive political liberties (compatible with those of others), and (2) Social and economic goods should be arranged so that they are both to the greatest advantage of the least advantaged and also attached to positions open to all.³⁹

Unlike Rawls, the communitarian philosopher Philip Selznick maintains a procedural conception of justice, along with a material or robust conception of justice. Like Michael Walzer,⁴⁰ Selznick argues that justice is a principle that is at the basis of communities and that should be practiced within communities in order to improve the quality of life. Moreover, he argues that a just distribution of social goods occurs through differentiated communities. He does not agree with authors who interpret this principle as a minimalist conception of justice: to mitigate oppression and to avoid destructive conflicts. On the contrary, Selznick argues: "The process of doing

³⁶ Jean-Jacques Rousseau, *On the Social Contract*, II, 6 (New York: St. Martin's Press, 1978).

³⁷ Karl Marx, *The Communist Manifesto*, in Karl Marx, *Selected Writings*, ed. D. McLellan (Oxford: Oxford University Press, 1977), p. 236.

³⁸ Karl Marx, *Capital. A Critical Analysis of Capitalistic Production*, I, I, 4, in Marx and Engels *Gesamtausgabe* (Berlin: Dietz Verlag, 1990), vol. II/9, p. 68.

³⁹ John Rawls, *A Theory of Justice* (Oxford: Oxford University Press, 1972), pp. 302-03.

⁴⁰ See Michael Walzer, *Spheres of Justice. A Defense of Pluralism and Equality* (Oxford: Basil Blackwell, 1983).

justice stimulates moral and legal development. . . . Justice affirms the moral worth of individuals; sustains autonomy and self-respect; domesticates authority; and establishes a framework for moral discourse on public matters."⁴¹

Selznick demonstrates that justice is a comprehensive concept. Its meaning cannot be captured by a single element such as the impartiality of procedural fairness, or by an abstract formula comparable to giving to each his due. If we minimize justice, we lose a great deal of its resonance and promise. Selznick refers to Aristotle who argues that the *polis* exists for the sake of the good life. He is aware of the fact that many contemporary philosophers have resisted this idea, mainly because it is incompatible with the doctrine that moral value is an expression of will and an arbitrary choice. Furthermore, there is concern that the notion of the good life commits us to specific conclusions about which ends we should pursue. However, like Alasdair MacIntyre, Selznick argues that the notion of the good life does not necessarily specify means, ends, or outcomes. Selznick does not present a blueprint of the just society or of the good life, but he does maintain that justice gives a direction to human striving toward individual and social well-being.⁴² This well-being is often called the common good. However, Selznick interprets the common good as neither the sum of individual goods, as libertarians often do, nor as the goods of the community as a whole, as socialists formerly defended it. Like Maritain, he argues that the common good is a normative idea that directs the process of the just distribution and redistribution of material and immaterial goods among individuals and groups participating in society.⁴³ In Selznick's theory the practice of justice is characterized by the moral development of human life, by a proportionate distribution of goods, and by a commitment to the good life. In contrast to other modern philosophers, Selznick acknowledges that various agencies are involved in bringing about social justice; besides the government and citizens, private associations should also participate in this effort.

EVALUATION OF THE DISCUSSION

There is an important difference between the ancient and modern philosophers on social justice. The former, and also Selznick, who is an ex-

⁴¹ Philip Selznick, *The Moral Commonwealth, Social Theory and the Promise of Community* (Berkeley, California: University of California Press, 1992), pp. 430–31.

⁴² *Ibid.*, pp. 148–51. See Alasdair MacIntyre, *After Virtue* (London: Duckworth, 1981), p. 164.

⁴³ Selznick, *The Moral Commonwealth*, pp. 535–37.

ception among modern philosophers, are discussing social justice according to deontological and teleological arguments. They argue that both government and citizens ought to act according to the principle of justice in its general and particular sense. The practice of social justice should promote the common good. They begin their discussions on justice by focusing on the good life of the political community (Aristotle and Selznick) or on love of God and love of neighbor (Augustine and Thomas Aquinas) as foundational for their ideas of justice. Elaborating on these arguments, they understand the essence of social justice as an aesthetic-moral principle which is characterized by the intrinsic morality or integrity of human life, by the proportionate or harmonious distribution of goods, and by the splendor that is attached to the good life or to love of God and love of neighbor.

Many modern philosophers discuss social justice as a derivative of the coercive power of the state (Hobbes), of the rights of property (Locke), of public utility (Hume), of rational arguments borrowed from a social contract theory to guarantee certain duties and rights (Rousseau and Rawls), or of the eradication of antagonistic economic and social relationships (Marx). They do not analyze the essence of social justice.

Since these modern philosophers are presenting social justice only as a derivative of other factors, they reduce social justice to these factors, and in so doing they formulate strict deontological or teleological norms to uphold their speculations. However, their theories will effect a theoretical destruction of the essence of social justice, and consequently, social justice will lose its potential dynamism because its inherent mission and promise have not been acknowledged.

CONCLUSIONS

I have argued that the common good, and in particular social justice, is something beautiful. I characterized social justice as both a work of fine art that produces delight and as a work of useful art that serves human needs. I would also say that it is a work of useful art which produces love. By way of conclusion, I shall pose three questions: (1) What kind of needs are served by social justice? (2) What kind of useful art is social justice? and (3) What kind of love is produced?

To answer the first question, the concept of justice has traditionally been related to the legal duties and rights of citizens and to their material interests. Recently, more attention has been paid to justice in relation to needs and their satisfaction. It would be incorrect to confine the notion of needs to biological, physical, and material requirements, and to ignore education,

public health care and popular morality.⁴⁴ Selznick discusses justice as directive of the distribution of material and immaterial goods. Attention should be given to the redistribution of immaterial goods for the sake of the less advantaged and socially vulnerable.

However, who will satisfy these needs? In contrast to ancient and many modern philosophers who argue that either the government or individual citizens are responsible, Selznick and Walzer argue that a variety of social agencies bear this responsibility together. Given the plurality of private communities which are characterized by their own autonomy, there would be a number of distributing agencies, so to speak, from the family to voluntary associations, from benevolent associations to public bodies.⁴⁵

Now moving to the second question, we cannot assume that all works of fine art display the structure of things. This is obvious if we compare a painting or a sculpture to music or poetry. Works of art belonging to the realm of music or poetry lack the constant actual existence proper to things. They can only be constantly objectified in the structure of scores or texts. The latter are characterized by symbols that can only signify the aesthetic structure of a work of art in an objective manner and cannot actualize it. They give rise to a separate kind of art, the performance.

Social justice as a work of art is also objectified in the structure of its enumerated characteristics. We may compare the aesthetic structure of these characteristics of social justice to the score of a work of music or the text of a poem. With respect to this objectification, social justice as a work of useful art should not be separated from its end as a work of fine art. I have already referred to the fact that some arts, according to Maritain, can pursue both beauty and utility. Social justice is such a work of art; it has the characteristics of both. It is an aesthetic-moral principle that is characterized by integrity of life, proportioned harmony and splendor, and at the same time, it is meant to fulfill material and immaterial needs.

We may argue that the measure of the attainment of social justice in society, that is, the measure of the fulfillment of the material and immaterial needs of the people, corresponds to the measure of happiness and moral soundness of the people. Moreover, the practice of social justice varies within different socio-historical and political situations. Since a work of art is located within a socio-historical context, and its style differs

⁴⁴ See Yves R. Simon, *General Theory of Authority* (Notre Dame, Indiana: University of Notre Dame Press, 1980), p. 24.

⁴⁵ See Ralph Nelson, "The Scope of Justice," p. 351.

from one context to another, so the measure of the attainment of social justice can vary from one political situation to another. Therefore, in such concrete situations social justice as a work of art cannot be considered simply as an object of contemplation that gives delight to the intellect. Here the one-sidedness of Maritain's classical idea of aesthetics is evident because the work of art might then become an object of elitist contemplation.

Nicholas Wolterstorff argues that contemplation for the sake of delight is certainly an ingredient of aesthetics; however, the aesthetic-contemplative tradition often served to maintain unjust social relations. He argues that "all works of art are objects and instruments of action. They are all inextricably embedded in the fabric of human intention. They are objects and instruments of action whereby we carry out our intentions with respect to the world, our fellows, ourselves, and our gods. Understanding art requires understanding art in man's life."⁴⁶ Wolterstorff argues that works of art are meant to play many diverse roles in human life and that they are objects of human action. We may apply Wolterstorff's theory to social justice as a work of art: social justice plays many roles in a variety of unjust situations; it carries out our intention to change these situations, and it may be characterized as a work of art in action.

With respect to the third question, Maritain argues that beauty produces love, that is, we are captivated by something beautiful and we love it. We may love social justice as a work of art, and we certainly love this aesthetic-moral principle even more when it is attained in practice. Although there is a difference between justice and love, there is no opposition between the two. Since moral love has its own meaning and power, it strengthens our understanding and practice of social justice in order to promote the common good. In other words, moral love reinforces and directs justice. The latter should not be reduced to what modern philosophers see as the common good that is founded upon mathematical calculation, commands of law, rights of property, or rational organization by contract. On the contrary, social justice should be strengthened by love. Only in this way can social justice continuously take care of a multitude of needs and interests.

Finally, let us consider whether social justice guided by love implies a transcendental reference to religious love and justice. Like Augustine and Thomas Aquinas, Maritain answers this question in the affirmative. He ar-

⁴⁶ Nicholas Wolterstorff, *Art in Action. Toward A Christian Aesthetic* (Grand Rapids, Michigan: Eerdmans, 1980), p. 3.

gues that love of art produces ecstasy, such that the lover is beside himself: an ecstasy whose fullness we experience in the love of God.⁴⁷

The teaching of the Old and New Testaments instructs the people of Israel as to their obligations in particular toward widows, orphans, strangers, the poor, and all socially vulnerable persons. The basis for these obligations, for the practice of justice, is the remembrance of God's love: the fact that God delivered the Israelites from slavery in Egypt. This remembrance changes the bipolar model of justice between the government (and other agencies) and citizens into a triangular model. Instead of the rule of the bipolar model of social justice, that is, "to give everyone his or her due," the rule of the triangular model reads as follows: "Do unto others as God did unto you."⁴⁸ The point of the triangular model is that the characteristics of social justice should be achieved especially by taking care of the needs of the socially vulnerable. Doing justice in this manner actualizes what the memory of God's liberating action promises and gives social justice its dynamism and splendor. Because of this dynamism social justice should be characterized as a work of art in action.

⁴⁷ Maritain, *Art and Scholasticism*, pp. 26–27.

⁴⁸ See Hans S. Reinders, "The Golden Rule between Philosophy and Theology," in *Ethik, Vernunft und Rationalität/Ethics, Reason and Rationality*, eds. A. Bondolfi, S. Grotefeld and R. Neuberth (Münster, Germany: Lit Verlag, 1997), pp. 163–66.