

SOCIAL JUSTICE AND THE COMMON GOOD WITHIN AND BETWEEN DIFFERENT SPHERES OF SOCIETY

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THE CONCEPT OF THE COMMON GOOD

The essential connection between social justice and the common good has been clearly established in social theory. Russell Hittinger has provided a brilliant and profound explanation of the history of the concept of social justice and its links with justice in general. I must also mention my master, the unforgettable Antonio Millán-Puelles, who devoted a wonderful book to this subject (*Persona humana y justicia social*).

Millán-Puelles also published another study on the issue of the common good, in which he gathered together the best classic theory on this subject. When he refers to what the common good is, he indicates that the first element of all is peace. If there is no peace, then no community exists. From this point of view, peace is the minimum requirement that permits people to have something in common. Secondly, the common good contains the cultural and material goods that need to be shared.

The task of determining what the common good is has generally not been presented as a simple one. We could say that the concept of social justice is easier to think of and imagine than is that of the common good. And yet without the common good, social justice would have no object.

None of this should come as a surprise, because the most basic concepts are those which are hardest to imagine and most difficult to think about. To use Thomist terminology, what is last on the path of knowledge is what is first in ontological terms, even though this must have already been in our minds from the start. The method enables us to make explicit what is implicit.

An equally classic distinction is made between the common good on the ontological plane, which is God, and the common good in practice. On the

one hand, in this distinction we understand God as the common good of the whole universe because He is in fact the One in whom everything finds its meaning and its perfection; on the other hand we are referring primarily to common good of the human being. But here it is necessary to take into account the fact that the practical also has being – for it is – and that to the extent that praxis is the way of life of a spiritual being like the human being, and that God is spirit, the radical practical common good can mean nothing other than to live in God. As the Holy Father Benedict XVI has stated so many times in his writing, the human being is relational by his/her nature – relational with other human beings, and with God. Therefore it is impossible to imagine an individual practical good which exists independently of the ontological common good.

The human being therefore cannot choose between a particular practical good and the common good, because praxis has being, and there is no ontological good outside God. The only thing that someone can do is reject the common good, *tout court*, but there is no possibility of something positive being achieved outside the common good.

In this respect, I would like to point out a rhetorical nuance concerning the current use of the concept of person. Quite rightly, the core nature of the condition of being a person is emphasized: we are more than mere individuals, and more than mere elements in a collective society. We have no difficulty understanding that being a person is more than being a mere individual, but the notion that society is for the person, and not the person for society, seems to me to be genuine in its intention but somewhat difficult to explain. In fact, there is no individual good without a common good, and if the common good is necessarily social, it is hard to perceive what comes before and what comes after. If we only achieve holiness, that is, conquer our own being (because heaven is for those who have attained their identity, their being, and hell is for those who never manage to become what they are, that is, those who fail to reach their own identity and end up being nothing) by giving up our own life to God and to others, the formula given above, which subordinates society to the person, might strike us as strange.

I do not wish to return to the old controversy involving Charles de Koninck versus Jacques Maritain, in which de Koninck defended the primacy of the common good against personalist theories. I simply wish to emphasize that when we speak of the subordination of society to the person, perhaps we do not always take into account the fact that the human being belongs in ontological terms, and in practice, to a society known as humanity, which contains all the past, present and future members of the human race.

One of the infinite impressive aspects of Christianity is that it takes this concept totally seriously. In other words, it does not leave it in a 'merely theoretical' or ontological and theoretical Olympus, but actually takes it seriously in practice. This explains, among other aspects, why the social teaching of the Church exists.

Usually, when reference is made in political life to the concept of the common good, albeit implicitly, this common sphere refers to a given sector of the population, and within this sector, to external aspects of life. Even today, when we seem for the first time in history to be living in a unified humanity ('globalized' or 'world' humanity), the humanity which is discussed in the political and economic sphere is that of the present, but, as is clear from so many details, such as abortion, or the economic debts left for future generations to pay, it does not mean humanity in general, including past and future members of the human race, and still less does it refer to the unity of humankind, that is, to Christ.

But this means ignoring the fact that every person, every generation, every 'nation', only fulfils its existential truth by serving the 'building of humanity'. For this reason, too, it is so true that we can only be happy by serving God and other people. Here, humanity has a meaning that is both qualitative (what is fully human) and quantitative (everyone who is human).

I may be wrong, but I understand that the insistence not on the concept of person (which has always been fundamental to Christianity), but on the social 'centrality' of the person, may have been motivated by the desire to dialogue with a modern world that has from its outset taken the freedom of the individual as its fundamental principle. But, as it could not be otherwise, the modern idea of freedom is increasingly revealing its misconceived nature. This can be perceived on the one hand in the rise of mass culture, and in the disguised but real totalitarianism in politics, and on the other, in the exacerbated individualism of our age, which sociologists have so amply documented.

In practice, insistence on the primacy of the person still often leads to moderate, though real, variants of individualism. For example, solidarity is understood as what we in Spain call 'the cherry on the cake': once someone has achieved what he or she wants, showing solidarity with others is an excellent virtue. Moreover, it is one which makes you very popular. The profound meaning which the Church's social teaching gives to the concept of solidarity is not understood. What is more, people fail to see that the first principle of solidarity is that we must fulfil our human obligations to others. Young people today do not know what this *natural duty* to others real-

ly means. They tend to be moved by emotional factors, which means that these are a powerful political weapon.

In other words: to be truly social implies sacrifice, meanwhile to be a kind individualist means being deeply indifferent towards others, showing at the same time emotional solidarity.

COMMON, PUBLIC, STATE, POLITICAL

It does not seem to me to be possible to talk – as I intend to do here – about the ‘Common good within and between different spheres of society’, without referring first to the common good itself. Let me give two more brief reflections on this issue.

The first takes its inspiration from a distinguished Spanish jurist: Alvaro D’Ors. He makes a distinction between some pairs of concepts that are related, but different. Thus we have what is ‘common’ and what is ‘individual’, ‘public’ and ‘private’, ‘state’ and ‘non-governmental’, ‘political’ and ‘social’.

Today, it is common to make the equation: ‘common’ – ‘public’ – ‘state’ – ‘political’; this contrasts with ‘individual’ – ‘private’ – ‘non-governmental’ – ‘social’. Such a dichotomy is fraught with misconceptions.

What is common is what is already given, what unites; the individual is the way that each person participates in this. What is common is therefore not accessible to our freedom. We can only accept it, each person in his/her way, or reject it. What is common is both in us and above us. For this reason, it cannot be identified with the common interest, which is not above us and, for this very reason, does not have the strength of union characteristic of the good.

We can and we should put the means to make a community appear as a reality, but if it does appear, it would always come as *a gift from above*. The human being on his/her own, has no power to *create* what is *common*.

Nor can the common will be identified exactly with the *volonté générale* or the common good. But there can be a common will, which is the subject’s dimension (and therefore ‘subjective’ dimension) of the common good, which is objective by nature. In this view, the common will, in its highest form, is practically the same as solidarity in the deeper meaning that is attributed to it in, for example, point 203 of the Compendium of the Social Teaching of the Church. Solidarity, as genuine love, is equal to the common will. And in love, what is common and what belongs to each person are inseparable. In this context, we might say that, since at one extreme

there is no true love without common faith, the traditional formula used by the Church ('we believe') is at least as valid as the more individual one used today ('I believe').

Now let us return to the subject of love. Here it is enough to add that all genuine love is common, in the sense that everyone can participate in it, in different ways. It always radiates out. All love is specific in its intention, but there is no love that is 'only' specific or individual. I mean that the person or object of love is specific, but love itself is not. Nonetheless, love – even the love of friends – is never directly public, because it is private by nature. It is the consequences of love that are public. A scientific friendship can generate ideas that are made public and which will benefit many people. A couple will have children and bring them up, and they will be known and appreciated by the whole of society.

What is public is not what is already given and unites, like what is common, but what is expressed or placed at the disposal of a larger or smaller group of people. Whereas what is common is not within the realm of choice – even air and water, for example, as material common goods, are necessarily 'usable', but we have to respect them absolutely – public things are available. They can be made public or not, and it is not necessary to use them. For example, it is not only possible to suppress or restrict public opinion for a time, it may actually be necessary to do so, from the point of view of political prudence, for the sake of the common good. By contrast, it is not possible to limit or confiscate the common good.

On the other hand, the public and private spheres need and complement each other. The better the private sphere, the better the public, and vice versa. For example, many religious organizations found private schools and hospitals which are open to the public – that is, they use private resources for the public good. The converse is also true: people often use so-called public institutions for the benefit of private people or groups, such as political parties, etc. This is what we know so well today as corruption, the essence of which is precisely the use of public goods for private gain.

THE STATE AND THE COMMON GOOD

The State is an *institution* and as such it has certain ends, like any other institution. As the *Compendium* explains, it cannot claim that its purpose is the common good, because this is beyond its powers. It can only aspire to creating the *best possible conditions* for its citizens to live out the

common good as fully as possible. But the State itself is incapable of achieving this aim because, as is quite clear, it needs to collaborate with other institutions in order to do so. That is, in one sense, other institutions are subsidiary to the State, because the State has to ensure that they are working properly. But on the other hand, the State is subsidiary to all the other institutions, because without them, it can achieve nothing. Since the essence of subsidiarity is the ability to use one's own resources to help others, the State depends more on other institutions (is more truly a subsidiary) than they do on it. One proof of this is that the State as an institution cannot survive without the resources generated by other social institutions. Without an educated population, created by families and, secondarily, by schools and universities, without production and service companies, and without different organizations, the State simply cannot exist. For this reason, the State traditionally used to ask other institutions for financial subsidies, which were not always forthcoming. It is paradoxical that, in an age which is supposedly characterized by freedom, the State is able to *impose* taxes in an authoritarian way, instead of asking for them.

Today, we accept that the State can do this, to the extent that some time ago it was very fashionable in the political quarters of some countries with a Catholic majority to emphasize the *moral obligation* to pay taxes. However, less emphasis was placed on the State's moral duty to ask for taxes, first of all, and secondly, to ask for them in just measure and by just means.

At the root of this attitude there may lie another confusion, that is, the confusion between the 'state' and 'politics' or the 'political sphere'. The sphere of politics includes everything that contributes to *the proper government* of the *polis*. Thus an organization may have a good, or bad, business policy or sports policy, or Church policy. Politics cannot be reduced to the sphere of an institution known as the 'state', even though it is now often understood this way.

All governments need a subsidy so that they can carry out their functions; moreover, governance as a service to the common good is essentially a *noble* activity (a person concerned with the common good is noble), and it is fair that all true nobility should receive the *honour* which it deserves. Someone who serves the common good honourably on behalf of the State is worthy of honour and should be subsidized. However, the same is true of good company directors or mothers. It is obvious that the State needs mothers more than they need the State, even though it is common today to find people who think that this is the other way round.

The Church's social teaching, which is very accurate in this respect, underlines the primacy of the family and civil society with respect to the State. The family and other organizations do not only come first because they precede the State in time, and have to exist before a State can come into being. They have primacy chiefly because the State essentially depends on them.

CIVIL SOCIETY AND ITS CONCEPTOGRAPHY

Here, in other words, we cannot apply the Aristotelian framework of act and potency, matter and form. The State *is not* the form and act which give the final unity to society, but rather is *one social institution* – albeit an important one – *among others*. This means that, as is clearly explained in the social teaching of the Church, the act and form of society – any society – and the element which gives it unity and therefore being, is a reality which transcends not only the State (which is a mere institution), but also the political sphere as such.

What makes up society lies beyond the political sphere. The political sphere therefore exists to *serve* society, not to invent it. The expression *civil society* is essentially a tautology, as it conveys the idea of *civilized society*, but there is no human society in this world unless there is at least some degree of *civilization*. Civilization is not the product of states in any fundamental or primary sense. Many states interfere unwarrantedly in the social fabric, performing activities that are profoundly uncivilized.

A civilized society is necessarily united and cohesive. If it were not, it would not exist. To put it another way, *competence* is a *means* for improving a society, while *cooperation* is its *objective*. The means are just as necessary as the ends, but confusion of the two is fatal. When competence comes first, as is usually the case today, people seek enrichment; where cooperation takes precedence, the goal is the good of the human being.

Cooperation is an act of solidarity and subsidiarity at the same time, because the purpose of cooperation is not to eliminate others, but to respect them.

Let us now analyse social justice and the common good within and between the different spheres of society in some detail. To do so, let me offer you a conceptography of this subject, in order to clarify how language should be used, and, insofar as this is possible, the real articulation of all societies.

In my view, we should distinguish between three conceptual levels:

a. *Transcendental* social concepts

b. Social categories or subsystems

c. Social institutions

By *transcendental* concepts I mean those which cover the same area as society and are inseparable from it. I consider that there are four such concepts:

- According to human time: *history*
- According to human space: *civilization*
- According to human subjectivity: *education*
- According to human objectivity: *culture*

Any act which can be regarded as social, in the widest and most essential sense, has to do with history, civilization, education and culture.

By *categories* I mean concepts which, implicitly or explicitly, reflect elements which appear in *all societies* but which are not as broad as the concept of society. I can identify six such categories:

1. habitat
2. economics
3. law
4. politics
5. ethics
6. religion

The order which I follow here is not accidental, but rather reflects the *structure* of reality, which was formulated by Aristotle. I mean the distinction between what is ‘chronologically first’ and what is ‘ontologically first’. The first thing to *appear* is a manifestation of the first thing that *constitutes*, which remains concealed. In other words: what is *explicit* presupposes what is *implicit*.

As far as the above structure is concerned, the first thing that human beings do is live, then they intensify their life through economic activity, which requires an order that is provided by law, which cannot be applied without politics, which is the highest sphere in the ‘external’ social order. But politics must be ethically justified, in the ‘inner’ order, and this is ineffective without religion. So from the point of view of explicit, ‘chronological’ organization, which focuses on ‘appearances’, what comes first is living, but from the implicit ‘ontological’ or ‘fundamental’ viewpoint, what comes first is religion. Ever since the human being first set foot in the world, religion has been operating secretly and silently, even though its operations may also sometimes have been distorted.

In other words, the bottom categories (starting from habitat) are *conditioning factors* of the top categories, and the top ones (starting from religion) are *directive factors* of the lower ones. It is important to respect both types of logic, that of condition, and that of direction.

To my mind, from the point of view of categories, there is no possible doubt that religion holds the key to all societies, while the political sphere does not. Politicians themselves, when they act in one way or another, necessarily presuppose the existence of ethics and religion. There is no way that they can avoid doing so. One proof of this is found in Rousseau, who understood this point well, and therefore called for a 'civil religion'. However, this cannot work, because it ends up by being understood as a 'political religion'. Another example is the supposedly 'neutral' state which turns out to need laicism, which is itself a religion. It is hard not to notice how, in some countries today, democracy itself has been raised to the level of dogma and converted into a pseudo-religion. For example, public opinion generally does not like it when a bishop condemns someone, but politicians and journalists (who are the heralds of politics) utter public condemnations with surprising frequency. Nonetheless, people die for their religion, for their family or for their country (since all of these entities participate in the sacred sphere), but they would never lay down their lives for democracy or for the State.

The problem is therefore not one of determining which is higher, religion or politics. The problem can be presented, as it has been historically, on the third level, that is, not on the 'transcendental' or 'categorical' level, but on an 'institutional' one.

INSTITUTIONS AND THE COMMON GOOD

As we know, the word 'institution' has been used in various ways over the course of history. Here, I am not using this term in the way that is usual in law, politics or the Church, but in a broad sense as any social organism that exists on its own, such as a family, a business, a club, a parish or a State.

Just as all the transcendental elements are reflected in each category, all the categorical elements are reflected in each institution. Law, for example, is historical, civilized, educational and cultural; religion is historical, civilized, educational and cultural; and the same goes for the other categories. So each institution 'contains', at least implicitly, all the categories. I mean that in this sense, there are no institutions that are only religious or political or economic. A business is not a mere economic entity, but one which has an implicit religion, ethics, policy, law, economy and habitat. The most we can say is that the category which interests it most is the economic one, but we cannot maintain that it is a strictly economic institution. The same goes for the State: it has its own implicit religion, ethics, politics, law, eco-

nomics and habitat. This is also true of a parish, for example: it cannot exist without economic means, legal regulations, a place, etc. The same goes for a club, or a University, or a family, which requires the political authority of the 'paterfamilias', as well as an ethics, some rules, an economy, a house and, of course, religion (in ancient times, for example, the Lares).

In my view, these structures reflect reality and help us to avoid linguistic confusions. For example, general education, which exists, positively and negatively, in all the categories (particularly in ethics and religion) and institutions (particularly in the family), is not the same as an educational establishment, which is an institution set up to provide education. But there is no sense in thinking that education is the responsibility only of educational establishments, not because it is morally wrong to think this, but because it is simply not true. In fact, today 'education' of a negative sort is provided much more by the media and some 'political' and 'economic' groups than by actual schools.

Regarding the categories implied in the institution, it is necessary to emphasize that every institution has some specific purpose, but that no institution can use this specific purpose to subvert the intrinsic order of categories. This must be borne in mind specifically in the case of social justice between different social spheres.

A company, for example, may be interested in making money. This is fair, but we have to distinguish between necessity and superabundance. Concerning the former, we should note that when a need is present, not only can we act legitimately until we do not want to go any further, provided the work we do is honest, but there are even extreme cases in which stealing what we need to live is not regarded as immoral, as long as we are not placing the owner of those goods at risk. However, today it is increasingly the case that businesses seek to acquire wealth, to increase their riches.

This does not seem to be right from the point of view of the common good, for the simple reason that a mere increase in wealth as an end is not an individual good for anyone. To hold this aim exclusively would be degrading, because something that is essentially a means is being turned into an end. For a business to be *worthy*, it has to be clearly oriented towards its own specific end. If it thereby also makes a large amount of money and then uses it well, through investment, job creation, distribution of wealth and aid to the needy, etc., then it is within its rights, and can be said to be doing good. But if it exalts money as its sole purpose, however well it may seem to work, and however much profit it pays out to its shareholders, it is not building the common good. This is because the key to personal and social education lies in the example and the atmosphere, and a business of this kind creates an

extremely unhealthy atmosphere – the fever for ‘financial success’ as a fundamental good is catching – and gives a very bad example.

It is surprising that so little attention is paid to the poor educational example set by some politicians, businesspeople and media people, not because their actions are wicked, but because of the *style* that they set for others to follow.

So each institution’s contribution to the common good, that is, the way it exercises social justice, consists first and foremost not, as one famous American author says, of *making profits*, but of *fulfilling its specific aims*, while also respecting the essential condition, which is that these aims should be *honourable* ones.

It is another matter to say that if a company is not in a good economic condition, it obviously cannot achieve its goals. It therefore has to try to keep afloat and to do as well as possible. But this is not a issue specific to what are sometimes, in my view wrongly, called ‘money-making businesses’ – it is actually a basic consideration for any kind of institution, since no one can survive without resources.

Furthermore, institutions make a powerful contribution to the common good when they respect, both outwardly and inwardly, the internal order that exists within the different spheres and categories of society, as I describe them above. The economic category cannot be the first one, but nor can politics, for example. It is unjust to subordinate the work of those people who deposit money in the bank to certain political ends for which these banks and their resources may ultimately be used.

Again, within any organization, the person who governs cannot (in order to fulfil his/her political activity regarding this organization) act in a way contrary to ethics. This would be a disorder of a categorical nature. A person or company may like a given habitat and regard it as his/her own, but if his/her ownership is socially uneconomic, he or she can ultimately be justly expropriated since the economy (the economic sphere) is not subordinate to habitat, but rather is conditioned by it, which is different. Along the same lines, we can understand the famous Latin aphorism *summum ius, summa iniuria*. The law is as important as the other categories – all of them are important – but it is not the highest in the order of things.

This ‘rivalry’ in terms of importance, which many people implicitly activate when they emphasize a particular social sphere or category, is a kind of sophism which goes against the common good and against social justice. Only two things are really important: one, that everything is necessary; and two, that we have to respect the natural order that exists between the spheres or categories.

COMMON GOOD, SOLIDARITY, SUBSIDIARITY

What I would like to stress is that, in my view, we should strive to avoid an overwhelmingly imaginative and external concept of the common good as far as the different social spheres are concerned. There will not be much more respect for the common good if it is continually being redistributed (which is a way of giving power to the State) by means of laws, because *quid leges sine moribus?*, or political actions and economic regulations. All of this may be useful and even necessary, in the just measure indicated by prudence. But the key to achieving the common good *in* and *between* the different spheres of society lies chiefly not in *designs* and *models*, nor is it solved by making laws; it lies not so much in something that is objectively verifiable, since the common good, though objective, transcends any particular way of objectifying it; the key is to be found, above all, in the subject (though it is not 'subjectivist'). It lies in the different people, particularly those with responsibility for governance, having the order of society in their heads and in their hearts, and acting in accordance with this vision.

To my mind, this would make real another idea which seems to me to be basic, and which can be seen to be distorted today. This is that the common good cannot be pursued when we lack the basic organ through which we perceive its existence, which is *common sense*. A society which believes that any opinion about society, or about the human being, is in principle equally valid, and which holds that one must always be open to new intellectual 'surprises' (relativism), cannot have more common sense than the absolute minimum which God, despite society's own resistance, has endowed it with.

If, 'underneath' so many *social changes* and so many *opinions*, which may often also be legitimate, there are no *constitutive constants* concerning society or the human being which can be known and shared, then that society has no *common sense*, and we cannot realistically aspire to seeking the *common good*.

In the arrangement of categories, each category has solidarity with all the others and is subsidiary to them. It is so *by nature*. The institutions, in turn, if they do fulfil the categorical order both inwardly and outwardly, will necessarily, without realising it, build a *social network* characterized by solidarity and subsidiarity, which is free rather than imposed, because any imposition would be contradictory. This would be the result of *the ethics of those who govern* and not the consequence of laws, political decisions or economic motives. There is no valid substitute for ethics.

What is more, despite the old Habermasian quest, there is no possible *Ersatz* for religion. At bottom, without religion we cannot understand what the common good is. Christianity understand this well, as is reflected in the Church's social teaching, as it puts *genuine love* in the central position.

Just as love is both *conservative* – because it wants the loved one to go on existing – and *progressive* – because it is inventive, and only love can truly invent, love also implies *solidarity* – because it cannot be understood without an equal relationship with others – and *subsidiarity* – because love is not possible if the relationship of difference with others is not respected.