

TRANSFORMING RELIGIOUS COMMUNITIES THROUGH THE VIRTUE OF JUSTICE

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Abstract

Since the virtue of justice governs relationships between one another¹ and since it particularly teaches us to specifically give to each other what belongs to him/her, we decided to explore it with a view to seeing how it can assist us reform our religious communities. Because human person is a free and intelligent being, created in the image of God, he/she has a dignity and a worth vastly superior to the material and animal world by which he is surrounded. Hence, it is within the purview of human person to know, love and worship his/her creator. Moreover, humanity is made for an end which he/she is destined to attain perfectly in future, which is immortal and never-ending life. In view of this God equipped humanity with faculties and liberty in order that he/she might freely work for the accomplishment of this destiny. Since humanity is under obligations to fulfill the God-given duty he/she is consequently invested with rights, God-given and primordial, antecedent to the State and independent of it. Such are human natural rights, granted to him/her by nature herself, sacred, is their origin, and inviolable. Beside these, humanity may have other rights given to him/her by the Church or State, or acquired by his/her own industry and exertion. All these rights, whatever might be their source, are the object of the virtue of justice.² In this essay therefore, we study the virtue of justice with a view to seeing how its requirements can afford all persons in our communities, free enjoyment of all their rights for the purpose of their transformation.

1. Introduction

This essay is out to explore the virtue of justice with the intention to seeing how it can impact on the formal structure of religious life and effect a positive transformation. By definition transformation is a change that brings about renewal of a person or thing in a given environment. Hence, we are compelled in this essay to explore justice as a virtue that can bring about fundamental and indeed positive change to avowed men and women in communities. In effect justice will be defined in all its ramifications as we search all its parts to contribute much needed constructive change in this regard. Besides definition, there will be a meticulous analysis of the parts of justice to outline its potentiality in the production of a worthwhile change that will reform religious life in our clime. Consequently, we are going to examine contributive or legal justice, commutative or retributive justice and distributive justice, respectively with a view to discovering their potentiality in effecting a positive change in human persons that form the religious Orders and Congregations and then we draw a conclusion.

2. Definition

Slater maintains that justice in its ordinary and proper sense, is a moral quality or habit which perfects the will and inclines it to render to each and to all what belongs to them.³ Moreover borrowing from Aquinas, Kelso defines justice as “the firm and constant will to give to each one his due.”⁴ Even as he has dropped this seeming complete definition, Kelso still complained of his puzzlement over “what is due.” However, Peschke has since argued that many scholars of philosophy and theology have adopted the above definition as a classical working definition for justice.⁵ Hence, Aquinas endeavors to extend the definition beyond the duties of strict right to the obligations of gratitude, obedience, respect of persons, even friendliness and worship of God.⁶ Following other scholars, however, Kelso aptly defines justice as “the fulfillment of that to which our neighbor has a strict right,” or as “rendering to each what is his own or due by right.” Peschke further explains that since certain items like duties of worship are not ordinarily considered obligations of justice, the last definition has to be attuned to read, rendering to each person and collectives what is their own or due by right, although, such duties actually constitute strict duties of a person and a divine right. Hence Aquinas is right when he argues that since religion is a virtue that involves offering God his due honors it falls under justice.⁷ Peschke further draws our attention to the fact that human community is mentioned in this definition means that communities and not just individuals are subjects to right. He further draws our attention to the distinction between what a person owns and what a person is due to own by right. Hence we can rightly say for certain that justice gives to people not only what is rightfully their own now, but also gives people what they do not yet own but what is rightfully their own. Peschke, citing the principle of equality in exchange, distribution and contribution, asserts that goods owned or obligations due by right are usually protected and enforced by families and communities who stake their interest on such a property. “Since obligations of gratitude, common respect, and friendliness are not of this nature, they are not included in this definition.”⁸ Hence, Peschke finally maintains that “the understanding of what is owned or due by right will basically depend on the theory of justice a person adopts.”⁹ At this juncture we classify the forms of justice with a view to discovering their transformational values.

3. Classification of Forms of Justice and their Transformational Values.

Attributive Justice

Jackson together with Peschke drawing from many other scholars before them asserts that justice is rendering to each person and human community their own thing

and what is their due by right.¹⁰ They explain that when justice is defined in this way, it means two basic forms of justice, namely: justice that gives to people what is their own by right and at the same time attributes to them what they really are. Peschke names this type of justice, "attributive justice," saying that it encompasses the right to one's person, to the property which one has acquired, to one's honor and merited reputation, to one's discoveries, to impartial acknowledgement of one's qualifications. According to Jackson this aspect of justice, indeed amounts to "the value of personal dignity."¹¹ In this connection, Lanari explains human dignity as something deriving from God as a consequence of his/her creation in the image and likeness of God.¹² This understanding therefore, exposes that aspect of justice which demonstrates that each person has God's life, law and love deeply imprinted in his/her very nature. She further explains that as a consequence of this derivation, each person has the ability and desire to give and receive life, and to give and receive both law and love to others. This capability to practice virtues to fellow human persons is also the part of grace God inserts in human person which places humanity above every other creature on earth. Hence, human ability to practice virtues of charity, prudence, justice, fortitude, temperance and other allied virtues enables a religious to hopefully bring in the powers and gifts of loving communion with God and his fellow humans to bear.¹³ It is this packaged individual that becomes a religious by choice and desire to further fulfill one's baptismal vow to be for Christ and serve God and humanity forever.

Thus, when this individual duly takes a vow of chastity, poverty and obedience, the individual totally becomes a full religious and as such is incorporated to the full membership of the Order or Congregation. What this means is that the avowed person becomes an individual within a group of professed men or women. It means then that this individual becomes a participating individual who through the power of profession acquires the power to share in everything pertaining to the Order or Congregation. Thus, this individual belongs to a juridical body of religious who from all intents and purposes participates in everything pertaining to the Order or Congregation. This is what Christ taught when he told his disciples that he was no longer going to call them slaves because a slave does not know his master's business but that they should be addressed now as friends because he had taught them everything from his father.¹⁴ Hence, when a religious undergoes religious training from postulancy through novitiate to simple profession and finally to final profession the candidate becomes a full-fledged religious; he/she becomes a friend and not a slave anymore since he/she has learned everything that appertains to life and duty of a particular Order or Congregation he/she has chosen to serve God and humanity. Such an individual with

full consent in religious vows should be seen and addressed as a full member and friend by the members since he/she has fulfilled all the legal requirements to become a religious. With this understanding of full membership in Christian community, Paul addresses the Ephesians as follows:

You are strangers and aliens no longer. No, you are fellow citizens of the saints and members of the household of God. You form a building which rises on the foundation of the apostles and prophets, with Christ Jesus himself as the capstone. Through him the whole structure is fitted together and takes shape as a holy temple in the Lord; in him you are being built into this temple, to become a dwelling place for God in the Spirit.¹⁵

But empirical evidence has shown that at times the human dignity of some religious members is evacuated by obnoxious religious Superiors, rendering them non-human. This aspect of justice demands now that such Superiors should reconsider their attitude to fellow religious with the intention to do a fundamental attitudinal change. When such Superiors reinvent themselves and change in the interest of justice, the maligned religious members will of course, begin to change and rediscover themselves as human beings created in the image and likeness of God who happen to be a religious. From this standpoint, the affected communities will begin to experience the feeling of transformational value which justice renders to communities intent upon God. Alternatively, when such a Superior fails to see the reason to change in the name of justice, the community in question must resort to their Constitution addressing impeachment matters and honorably remove him or her from office in the interest of justice; because all humans are called for peace.¹⁶ When the community takes up this kind of posture any elected or appointed Superior should sit up and justifiably carry out his/her religious responsibility judiciously in the name of God of justice. It is when religious communities savor the peace resulting from this kind of justice that they can realize the transformational values of justice. At this juncture, we shall further analyze the concept of proportional justice. Proportional justice is subdivided into the subspecies of commutative, distributive, and contributive (legal) justice as follows:

4. Contributive or Legal Justice: Jackson explains contributive or legal justice as characterizing the relationship between an individual and the political order.¹⁷ This is the aspect of justice that guides all religious communities in enacting moral laws every member must obey under the penalty of serious punishment. In democratic government for instance, because the people make the laws themselves they are

generally evenhanded and fair. At least in theory, all are equal before the law. For instance, rules for voting, trial by jury, right to cones, and protection against arbitrary arrest are regulations that signify fairness for all citizens.¹⁸ In democratic religious communities, people are equal before the law. For instance, rules for voting, for further studies, for appointment, for meals, for prayers, for recreation and indeed for anything pertaining to the religious Order or Congregation. This distinguishes comparatively with the rule by military dictatorship for instance or one party system, as is the case in most communist countries as it frequently demonstrates little respect for the individual. Hence, Peschke maintains that contributive or legal justice further obliges the members of a community to comply with the demands of the common good.¹⁹ Compliance to common good demands in this context means members of the Order or Congregation adhering to a conception of the good life that defines the community's 'way of life.' This means that no community will submit to adjusting the common good to people's preferences. Rather communities should insist on the way of life which forms the basis of their ultimate ranking system of preferences. Here, lies the justice within the membership as they follow their shared common religious values. Since, its substantial life is lived in a certain way, a way faithful to the shared understandings of the members. We must bear in mind that the objective of a communitarian state is to encourage people to adopt conceptions of the good that conforms to the community's way of life, while discouraging conceptions of the good that conflict with it.

Whereas distributive justice is concerned with the individual members of a community, contributive justice is concerned with the general good of the community (therefore this form of justice is sometimes also called general justice). Furthermore, within the state, contributive justice obliges the citizens above all to comply with the just demands of law, e.g. tax laws, social legislation, military service; and it obliges authorities to contribute to the common good by appropriate laws. Because of this close relation, contributive justice to the law within the community, it has been named legal justice. However, it would be wrong if this term misled one into the assumption that contributive justice is almost exclusively operative in the realm of law.²⁰ Even independently of positive law and prior to it, people have the strict duty to contribute their share to the common good of those communities that essentially help them in securing their existence and development or assets them in the fulfillment of their obligations. Hence this duty is also effective in the Church, in intermediate communities such as local communities or religious Orders and Congregations, and even in the family.²¹ He suggests further that states as members of the community of nations are bound by legal justice to comply with the laws enacted by a legislative authority of this

community. Here, Paul the Apostle would say, "obey the legal authorities because it is God who put them in the Government."²² This implies that every member of the community is obliged to obey the communitarian law in justice. This means that there should be no sacred cows or status symbolic difference. Justice compels all the community members to obey the law. Hence, every well-meaning religious member makes it a point of duty to obey the law of the community. Thus, when a bursar is appointed to a community, he/she is bound by law to keep and account for the money accrues to the community and to provide sufficient and required food for the community. Now, justice demands that the bursar dispenses his/her duty to the satisfaction of the community and not seizing the opportunity for his/her selfish aggrandizement. It is therefore against the spirit of justice for the bursar to seize the opportunity to procure only the type of food of his/her delights abandoning the community to perish on want and penury. Hence, it is when the laws justice are heeded to that the virtue of justice brings relief to the Orders or Congregations in question. It is this resultant relief therein that people regard as the transformational values, which the virtue of justice offers to a people. This is the virtue this paper earnestly argues with hope that it will transform our communities. Meanwhile, let us consider commutative justice as we search all parts of justice to contribute to the reformation of our lives.

5. Commutative Justice

Jackson maintains that commutative justice is to give opponents equal share of respect or common courtesy in all situations.²³ It is under this provision that this paper thinks that arrogant religious superiors, parish priests within religious communities and bursars offend against commutative justice since they construe leadership as domineering and dictatorial. To the extent that some parish priests among the religious insulate themselves so high that they render other members of the community as salves and even at times non-existent at all. This understanding denies women and men religious equal respect as avowed religious and indeed as creatures of one God. It permanently renders member religious as inferior and underdogs. Perhaps, that is why I strongly side with some religious congregations who have obliterated the word 'parish priest' or 'superior' from their lexicon. Since this has brought so much bad blood within many religious communities; it is high time we considered with civility the life of the pristine church where every member lived with concern of the other in heart; to the extent that resources were pulled together to ensure equality and non-privation of any sort.²⁴ Or more importantly, we passionately heed the suggestion of Oduyoye.²⁵ While speaking in the case of family life, Oduyoye rightly suggested that a family

situation should be a “policy of mutuality, a situation where women and men will live together and share their lives and whatever they have together on the principle of equal partnership and not servant-master or inferior-superior situation.”²⁶ When we understand religious communities in this way and endeavor to practice what we believe, then the purpose of commutative justice will be served since it accords respect and dignity to the humanity of every member. Besides, we give mankind an enormous respect as we recognize women and men religious as equal on the basis of their profession and in indeed their creation. This will then ensure responsible partnership between vowed religious persons not just a mere cohabitating member in the world but a living together that honors human persons and the God who created them. When this is brought to bear, we discover that commutative justice cancels the archaic and primitive idea of religious communities being one-man/woman-show phenomenon. With this understanding of equal partnership then, all should be recognized as vital members of the community all the time. This brings respect and dignity to all members as a whole. This, in effect, transforms the communities and indeed the nation where the communities are domiciled for better.

When the communities assume this position, Ackermann suggests that the best metaphor for community situation in this case is ‘relationality’.²⁷ She reasons that it is relationality that gives justifiable meaning to the injunction of Jesus “You must love your neighbor as yourself.”²⁸ Citing Martin Buber, Ackermann claims that his I-Thou concept is tantamount to the love enjoined by Christ in that it produces a genuine relationship. She maintains that relationality is good because it neutralizes power domination, spiritual deprivation, apartheid, sexism, racism, patriarchy and above all engenders the power to choose what one wants and likes to do. It is under this rubrics of affording every person common courtesy and respect in all situation that Minuchin suggests the knowledge of boundaries – a family situation where every member of the family knows the rules of coexisting subdivisions, formed by generations, gender, interest, or role and function within the family and knows when and how to apply the knowledge effectively.²⁹ This understanding exposes not only commutative justice in action but also encourages mutual freedom and boosts individual self-esteem in the family. In this way men and women religious will understand that they are but representatives of the full humanity, unveiled by Jesus of Nazareth.³⁰

This means therefore, that frequent cover-ups, cheating, and double-dealing operating in many religious houses should be redressed since they are against commutative justice. Thus, when people duly profess into any religious community, the person, by

that very fact becomes a full member of the community. This means that the person should in justice share in everything pertaining to the community. Every professed member should as much as possible participate in every duty justifiably. Thus, this idea of some people qualifying for profession but not qualifying for justifiable appointments is against commutative justice. Or people not giving the opportunity for further studies whereas the supposedly loved ones of the Superiors are not only sent many times but even begged at times to go for such studies is totally unacceptable to commutative justice. It is when every member of the community is given what is due to him/her in this regard that commutative justice is practiced and seen to be practiced. It is in this way that justice brings progressive transformation to professed members of religious community. Furthermore, it is in this connection that expectation is made in regard to the dignity of the religious communities whose temporal effects are emasculated by mighty hands of the local Ordinaries. Since these religious communities are juridical bodies,³¹ they must stake to their temporal property such as land, buildings, schools, etc. and guard them jealously as they explain the implications to the Ordinaries in the interest of justice.³² Next is retributive or vindicatory justice.

6. Retributive or Vindicatory Justice

While all types of justice gear towards human development, Peschke points out that “retributive or vindicatory justice” is particularly framed for human development and social coexistence.³³ He argues further that any attempt to violate them must be vehemently resisted. This is why injury infliction relies on retributive justice to demand for reparation. Retributive justice also demands compensation of the injured person and active punishment of the offender.³⁴ Thus, it is justice to punish any religious felon who selfishly siphons the congregation’s fund for their own aggrandizement. Such religious persons should be investigated and punished according to their religious Constitution and seen punished if convicted by competent jurors set by the Provincial and his Council. This is not happening now simply because many religious felons happen to be the beloved friends of the ruling powers that be, who cover up their iniquities in the name of chumship. When such acts are persistently covered up, they beget carefree religious minded people who follow suit with impunity. In this way the goddess of impunity is allowed to ruin the avowed communities. What develop in the process are mediocre and very weak religious communities who parade themselves as religious but a quite sepulcher full of bones and rotten bodies. But if the retributive/vindicatory justice is applied all the time; all religious communities will sit up and serve God in justice, with fear of God. Next is distributive justice.

7. Distributive Justice: According to 2013 version of Wikipedia, distributive justice is clearly directed at the proper allocation of things such as wealth, power, reward and respect among different people. Jackson contends that since there are natural inequalities in abilities, talents, age, education and other various areas of human existence, all things will never be equal.³⁵ For some people are indeed naturally more energetic, more productive, and more responsible than others and therefore have a right to have more right of allotment to certain jobs requiring their potentiality. While this is not expected to conjure any pride to such a religious, it is an opportunity for him/her to demonstrate humility in serving the community in that capacity without counting the cost. Since we are one human family called to live in solidarity with one another, any burden given to any member of the community will be assumed as a vantage position to serve the community and God dutifully. Those who are blessed with more talents should consider that as an advantage to serve as in many areas as they have comparative advantage. It is in this way that such a person shares with his/her community and the world at large the wealth of divine bounty on him/her without counting the cost. Furthermore, distributive justice regulates the relations of a community with its members. It demands that benefits and burdens be distributed in the community according to proportional equality. Distributive justice has to guide those in authority, be it in the state, in the Church, in smaller communities, such as religious orders or in the family. Insofar as individuals and groups are not all equal in their qualifications, resources and dedication to the common welfare; aids, burdens and honors must be distributed in proportion to needs, capacities and merits, i.e. according to proportionate equality, where things are understood and done according to comparable destiny. This means that no good religious should whine and complain when functions are proportionately shared. Religious should rather work assiduously in any rear they are judiciously assigned. This paper also wants to draw an example of tax gradation to illustrate the principle of proportionality in communities. This is to say directly that taxes should be paid according to community's income; communities who earn more in a way of having plum parishes and great philanthropists within the parish should help the communities that are less privileged. Plum parishes also should be sensitive to the needs of the poor parishes and help them. And in case of paying taxes, communities who earn less should pay less and those who earn more should pay more; this is what we know in common parlance as 'pay as they earn;' this is totally in agreement with the spirit of distributive justice.

Moreover, we must understand that disproportion in the distribution of burdens and partiality in the award of favors is contrary to distributive justice. Above all we must

know that lack of distributive justice promotes nepotism; produces mediocrity, and maximizes substandard religious; the underdogs in the community are always forced by the prevailing circumstances to whine and lament of their marginalization and malignancy. This is why the powers that be must be aware of distributive justice as they portion out the burdens and favors to member religious men and women. Above all, because of its potentiality to produce peaceful environment, authorities of different areas of human endeavor should be mindful of distributive justice so as to ensure that each member of the community receives something proportionate to his/her ability and contribution. This is what is called justice in action. This in effect is what transforms the spiritual power of avowed communities and we need it now.

8. Conclusion

This essay has considered the virtue of justice in all its ramifications and discovered its incontestable values in transforming avowed communities. It is the belief of this paper that when justice is served and seen being served the communities will be transformed progressively for better. Moreover, among other things, the paper discovered that according proper attention to the virtue of justice will bring succor to the marooned religious persons and or communities. Moreover, the paper further discovered that the lack of punishment to various felons in religious communities is the cause of the deepening corruption in all fibers of avowed life and therefore appealed for justifiable and commensurate punishment to all the felons so that justice would be seen served. The paper hopes that when the punishment is carried out, justice will not only be served as a correction but also deter future offenders from venturing into crime. The paper frowns at being an avowed religious and developing chumship and nepotism that certainly mars the true understanding of religious life and indeed retards the progress of life lived in communities as it produces carefree religious thinkers, mediocre and lazy religious members who discover complaint and whining as their religious duty. Besides, the paper discovers that the application of justice in all ramifications of religious life transforms avowed religious persons and communities. It is on these that we can robustly conclude this paper saying that the virtue of justice is the only virtue our communities need now for its transformation and wellbeing.

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References

Ackermann, D. (1991). Patriarchy. In D. Ackermann et al. (Eds.). *Women hold up half the sky*. Pietermaritzburg, South Africa: Cluster Publications.

Aquinas, T.(1947). *The Summa Theologica: Second Part of the Second Part*. Catholic Way Publishing Retrieved April 5, 2013: http://www.amazon.com/The-Summa-Theologica-Second-Volumes/dp/1481885553/ref=pd_cp_b_2

_____ (1993. Trans). *Commentary on Aristotle's Nichomachean Ethics (In NE)*. Notre Dame, IN: Dumb Ox Books. Retrieved, May 7, 2013.
https://www.google.com.ng/#output=search&scient=psy-ab&q=summa+theologica&oq=summa+theolog&gs_l=hp.1.0.0l10.5154.8915.1.22283.13.10.0.3.3.1.770.4393.3-

_____ (1975.) *Summa contra gentiles (SCG), vol. III*. Vernon Bourke (Trans.). Notre Dame: University of Notre Dame Press. Retrieved, May 7, 2013.
https://www.google.com.ng/#output=search&scient=psy-ab&q=summa+theologica&oq=summa+theolog&gs_l=hp.1.0.0l10.5154.8915.1.22283.13.10.0.3.3.1.770.4393.3-

Jackson, O. R. (1985). *Dignity and Solidarity: An introduction to Peace and Justice Education*. Chicago: Loyola University Press

Kelso, L. (2013). *The Third Way: A New Paradigm for Economic Empowerment of the Family in the 21st Century*. Retrieved, May 2 2013. <https://www.google.com.ng/#scient=psy-ab&q=Defining++Economic+Justice+and+Social+Justice&oq>

Lanari, B. (2013, March 13). *Ignetius Insight*. Retrieved May 5 2013
http://www.ignatiusinsight.com/features2011/blanari_rerumnovarum_may2011.asp

Minuchin, S. (1974). *Families and Family Therapy*. Cambridge, MA: Harvard University, Press

Oduyoye, M. A. (2001). *Introducing African Women's Theology*. Cleveland, OH: The Pilgrims Press

Peschke, K. H. (2004). *Christian Ethics*. India: Theological Publications.

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Slater, T. (1910). *Justice*. In *The Catholic Encyclopedia*. New York: Robert Appleton Company. Retrieved October 5, 2012 from New Advent:
<http://www.newadvent.org/cathen/08571c.htm>

Wikipedia (2013). Distributive Justice. Retrieved April 5 2013.
http://en.wikipedia.org/wiki/Distributive_justice

¹ Aquinas, 1947, 57: 1

² Slater, 1910:1.

³ Slater. 1910:1.

⁴ Kelso, 2013.

⁵ Peschke, 2004.

⁶ Aquinas, 1947, 81: 1.

⁷ Aquinas, 1947, 81: 1.

⁸ Peschke, 2004:235.

⁹ Peschke, 2004:235.

¹⁰ Jackson 1985; Peschke, 2004.

¹¹ Jackson, 1985.

¹² Lanari, 2011:2

¹³ Ibid.

¹⁴ Jn. 15:11-17.

¹⁵ Eph. 2:19-22.

¹⁶ Col 3: 15.

¹⁷ Jackson,1985.

¹⁸ Jackson, 1985: 310.

¹⁹ Peschke, 2004: 239.

²⁰ Ibid.

²¹ Peschke, 2004:239.

²² Rm. 13: 1ff.

²³ Jackson, 1985.

²⁴ Act, 2:42, 4:32.

²⁵ Oduyoye, 2001: 71

²⁶ Ibid

²⁷ Ackermann,1991: 100.

²⁸ Mark, 12:31.

²⁹ Minuchin. 1974:6.

³⁰ Oduyoye, 2001:71.

³¹ Canon 1256.

³² Canon 634: no.1.

³³ Peschke, 2004:235.

³⁴ Ibid.

³⁵ Jackson, 1985.