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John Wehrly

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CONSERVATIVE SOCIAL JUSTICE

JOHN WEHRLY*

The term “conservative social justice” might be an oxymoron. “Social justice” is often a catch phrase equated with the contemporary Liberal platform that calls for State action to assist the poor. For this reason, conservatives often disparage social justice. But what exactly this term means is anyone’s guess. In this essay I briefly examine what social justice might mean in the context of the Western philosophical tradition, and then try to discover what a “conservative” perspective might add to this definition. I conclude that, in our postmodern world, it is only the conservative who can coherently invoke “justice,” and, thus, conservative social justice may be the only honest form of social justice.

To determine what social justice means, it is necessary to define justice. We will now turn to St. Thomas Aquinas because he accurately represents the classical Western tradition: Justice is a virtue; and a virtue is a disposition in a human being’s will that inclines him to act rightly.¹ The virtuous act in the case of justice is “to render to others their rights.”² The rights of others are derived from nature and positive law.³ And if something is incompatible with natural justice, positive law cannot make it just.⁴ In other words, nature plays the primary role in the determination of what is just.

Thomas also makes a distinction between two species of justice: commutative and distributive.⁵ Commutative justice regulates mutual exchanges between two individual persons. Distributive justice regulates the relationship of a whole to its parts (e.g., a polis to its citizens), and generally it refers to the just distribution of common goods to individual members. “Just” here is determined “geometrically,” which means that

* J.D. candidate, University of St. Thomas School of Law (2010); B.A., Economics, Ave Maria University (2007). This essay was written as part of the author’s application for membership in the UST. J.L. & PUB. POL’Y.

1. St. Thomas Aquinas, *Summa Theologiae* (hereinafter *ST*), II-II, Q. 58, A. 4.
2. *Id.* at Q. 58, A. 1.
3. *Id.* at Q. 57, A. 2.
4. *Id.* at Q. 57, A. 2, Ad. 2.
5. *Id.* at Q. 61, A. 1.

common goods ought to be distributed proportionately, according to the contribution that each member made to the common good of the whole.⁶

The contemporary use of social justice is similar to this classical understanding of distributive justice. Social justice today almost always refers to the fulfillment of the economic or social rights of certain classes in society, and generally the State is said to be responsible for securing these rights. Distributive justice and social justice diverge, however, in how the substance of these rights is determined. Distributive justice is determined geometrically according to the common good, whereas social justice is, generally, determined arithmetically—i.e., it demands absolute equality.

What accounts for this discrepancy is the basic rift between the classical world and the modern world: the loss of the natural order as a reference point for what is true and good. As we saw, the natural order was essential to the classical understanding of justice.⁷ The modern philosophers did not accept this point of reference. They did not believe that there was no order. Rather, they believed that the order was not normative and could be manipulated to the end man assigned to that order. Thus, man himself is now the measuring rod of the world. He must look inside of himself to determine how to act. This provides a major step forward in politics: democracy and freedom. But it comes at a very high price; human society cannot be ordered toward a transcendent good.

In these differences we can understand the difference between distributive justice and social justice. If there is a transcendent “good” in the universe, then it makes sense for a polis to distribute common goods to men in different proportions according to what distribution will best pursue the common good. However, if there is no transcendent good in the universe and man himself, each man, must order reality, then the only logical way to distribute common goods is arithmetically. In other words, social justice is the perfectly logical transformation of distributive justice according to modernity’s first principles.

But the question must be asked: if we remove God, nature, and the good, what are the grounds upon which we can stake claims of social justice? Are there moral grounds for this claim? Is it the naked power of the positive law under which it becomes policy—the advantage of the stronger? Or is man some sort of demigod that earns him absolute rights, notwithstanding the fact that there is no normative order that confers this status upon him? Here’s the point: if we are going to call social justice some form of justice, it must have a moral grounding. Otherwise we are invoking moral authority that we do not have; that is, we are lying. Conservative social justice may have something to contribute here. Conservative social justice may be a more honest social justice because it

6. *Id.* Q. 61, A. 2.

7. *See supra* notes 3 & 4.

recognizes the nature of man and the nature of the universe—that is, it is willing to acknowledge, and thus be bound by, an objective source for its claims to justice.

The modern philosophers created systems without a normative nature or God, and those systems form the foundation for our modern societies and the institutions that govern them. Fortunately, these systems could not actually alter the metaphysical structure of the universe, and modernity has failed. Its logical consequences are enshrined in nihilism, which has left modern man deeply meaningless and anxious, and has given human history the atrocities of Nazi Germany and Communist Russia.

All of us today, we “postmoderns,” realize this failure—most of us unconsciously. But the cause we assign to this failure divides us. Some say it failed because there is no order to the universe, and thus the moderns’ attempt to manipulate it through reason was doomed from the beginning. Others believe it failed because there is a normative order in the universe that is intrinsically tied to the natural order that the moderns tried to manipulate. They tried to use reason to become “master and possessor” of that order. But in so doing they divorced reason from its source, rendering it unreasonable.

The conservative will assert the latter argument. He seeks to inherit what is good from previous generations and tests the *res novae* against this standard. It is he who will test the newness of modernity against what he knows is true about the nature of the world.⁸ In his conservatism, he thus maintains a moral ground upon which he is able to stake a claim to social justice.

In short, my argument is that, in our postmodern world, only a conservative is capable of making moral claims. And because justice inherently invokes moral authority, only a conservative can speak about justice in an intellectually coherent way. Therefore, conservative social justice is the only brand of social justice that might be honest.

8. Peter Augustine Lawler, *STUCK WITH VIRTUE* 23–43 (2005).

