ASPECTS OF REALITY BEHIND THE SYMBOL OF JUSTICE

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Summary The article deals with a critical evaluation of regular definitions of justice from the viewpoint of the concepts and symbols of cosmic, social, judicial and personal justice, with special attention to their interaction in the real world. Any discussion of the nature of justice opens up the prospect of its multiple dimensions. These include the moral sense, inborn rights and moral rightness, cardinal virtues, regulative symbols or principles, all kinds of social contracts and perceptions of the ordering principle of the universe. Through our investigation it becomes clear that the most important dimensions of justice are personal justice and the unselfish self-sacrifice that transcends justice.
Keywords: justice, reality, symbol, literary representation, tragic heroism.

Any discussion about the question of justice opens horizons of multiple dimensions of justice, such as moral sense, inborn rights and moral rightness, cardinal virtues, regulative symbols or principles, all kinds of social contracts and the ordering principle of the universe. The personal dimension of justice means an attribute of God in his relationship to humans and a necessary virtue of individuals in relationship to God and in their interactions with others. An individual can display qualities such as integrity, charity and loyalty. The society can be just when allocating to each his own (*suum cuique tribuere*) in terms of distribution of benefits, equal treatment in allocating rights and burdens, recompense and equality, rewards and punishments, equal protection before the law of civil rights, compensation for the infliction of damage, etc. The investigation of the issue of justice is inspired by recognition of some justice principles that are the same in all or most cultures, even though the representation of justice is strongly dependent upon local mythology, religion and shared history. Justice plays an important role in all life situations and in many fields of the humanities and social sciences: law, natural law, human rights, moral and political philosophy, ethics, theology, education, arts, etc.

1. Dimensions of Justice and Directions of Its Reception

According to the general rational view, justice is the ordering principle of the world in accordance with the cosmic plan, fate determination or a design of Divine Providence, a universal and absolute concept of natural law and a symbol of the social organization of life (Schmid 1968). Existential experiences confirm, however,

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the awareness that the most important dimension of justice is manifested in the personal feelings, beliefs and acts of humans. The inner condition of the human sense of justice and truth implies that justice is not contrasted but interlinked with compassion in relation to suffering people, responsibility for the future, benevolence, charity, prudence, mercy, or generosity and peace. The sociological orientations dealing with the concept of justice are strongly associated with the social contract tradition based on fairness in rational agreement to cooperate with others to their own and mutual interest (Rawls 1973; Sen 2010). There are institutions, conventions and systems of law that determine what is due or appropriate to whom and provide a framework reflecting a commitment to equal treatment of equal consideration for everybody.

The history of Western civilization reflects the interaction between a predominantly cosmic and collectivist understanding of justice in terms of natural and procedural principles of "distributive" and "retributive" justice and an essentially substantive or ontological view of justice as the supreme virtue of a purely personal morality. An ultimate value commitment of personal morality depends on the inner consciousness and the imperative of justice. On this level it is concerned with the recognition of the interrelationship between individual and collective responsibility operating in interaction between a personal morality and solidarity in all human relations and social institutions. Contrasting physical, spiritual, psychological and social conditions of human life and the belief in God as the ultimate authority of the natural and the positive law maintains the tension between the totality of reality and the eternal ideal (Cohen 2008: 512-518) and opens the critical problem of theodicy. The predominantly cosmic and collectivistic understanding of justice is characteristic to the Ancient Greek and of some other ancient and more modern cultures. The predominantly personalist understanding of justice is, on the other hand, the unique great contribution of the Jewish-Christian religion and culture.

An overview of both directions shows that the issue at stake is not only the content of the concept in its diachronic and synchronic perspectives but also the ways of presenting it in various types of representation and rational scrutiny, such as literary sources in prose and poetry, philosophical reflection, juridical provision, the role of tradition, religious creeds, etc. Conceptual methods covering attitudes and procedures met the dilemma of how to systematically define and describe the complex meaning of justice, as reflected in the way of life and custom, in the stories, in the tensions and conflicts, as formulated in oral tradition and in works of literary art. The relevant sources show that there is a great difference between the justice operating in relationships within society and the justice of the soul as the strongest imperative and action of human personality. Consequently, there is a great

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difference between the presentation of justice as a metaphor of narrated memory, active performance, vigorous action and speech, and justice as implanted in the human soul and operating in inner consciousness and in the inner action of intimate feelings, visions and mental processes.[1]

2. The Role of Tradition, Symbols and the Inner Experience of Justice

Tradition plays a very important role in all civilizations and religions. Tradition is the foundation of culture and a spiritual bond between the present and the past. Behind every type of literature such as myths, legends, historical narratives, all sorts of popular stories, customs, morals, geographical and cosmological conceptions, and law, lies a wealth of oral tradition reflecting local conditions, outer and inner circumstances of human life and real events. Traditions concern both the way of personal behaviour and manifestation of practical, social and ideological interests of the society. The same literary types of representing reality often exist in many different variants. The organization of social and political life, the epic and poetic rules of the human mind and the general orientation to the future accelerate unification and fixity of traditions, both in terms of content and form. Havelock (1979: 131) pointed convincingly to the striking dissociation of legal, social and personal dimensions of justice in ancient Greek culture. The functions of the stories in Greek epics "are not primarily psychological but legal, social, and political"; "Justice, as the name of a social principle of universal dimensions, or of a moral sense fundamental to our human nature, may be wholly absent" (*idem*: 184).

Havelock (1979: 1) ranks among the very rare scholars who are able to disclose by close reading of literary and philosophical texts the ways of representing the concept of justice and the far-reaching consequences of the transition from oral to written transmission of experiences and memories. He explains the intention of his study as follows: "It is a fair inference that Plato saw the cultivation of justice as lying at the heart of any educational system. This brings up the question: What is the role of justice in the context of a purely oral and poetic instruction?" Seeking to

[1] The multiple and complex dimensions of justice are the main reason for the fact that all studies about justice are partial and rarely comparative. In the constellation of a rather pragmatic Western society, the most important task and potential contribution of this project is the conceptual and the systematic task to treat justice primarily as the symbol of justice and righteousness of God and as a moral sense of humankind in search of personal identity that is placed in an absolute antithesis to its formal and ethical negatives. Of special interest is to investigate into the web of physical, cultural, psychological and spiritual set of conditions against which the concept and the symbol of justice can be conceived. This direction of research demands persistent consideration of interaction between inner personal or interpersonal motivation and outward actions of justice.

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perceive justice begins with the fact that the delineation of character, the use of thematic motifs or imagery, are used as means for the aesthetic interests of Homer and other poets. The way of life, as presented in myths, is best summed up in the words *nomos* and *ethos*. In their original usage, these words do not signify principles of beliefs, but a pragmatic common sense localizing certain kinds of human beings, socially cohesive human activities, custom-laws, and the habits of a people. Good conduct is that which is appropriate in the circumstances or reflects conformity to custom and a norm implicitly accepted by the whole group to maintain an overall stability. The oral prototype and the regulative principle of Homeric "justice" was expressed in the word *dike* and its derivatives. The most important derivative of this master symbol is the word *dikaiosune*, which gradually replaced the word *dike* through the process of a gradually more personalist understanding of the notion of justice. In the *Septuagint* and in early Christianity, this word gets a strong connotation of faithfulness, solidarity and compassion (Krašovec 1988: 264-291).

The symbolic words *dike* and *dikaiosune* are not, however, the only vehicle of expressing the idea of justice. The centrality of this conception is also expressed with other literary means, as Havelock (1979: 184-185) states: "Crosscomparison can also establish that where the word does not appear, its presence can still be felt implicitly." He (*idem*: 180) recognizes that epics by Homer "are very far from identifying 'justice' as a principle with a priori foundations, whether conceived as the necessary 'rule of law' or as a moral sense in man." Homer's *Iliad* is an epic with psychological overtones, but the conclusion of Book 19 discloses only the state of action:

> The action is so described as to be explicitly governed by the passions and decisions of two men of power: the controlling symbols are those of feud and hatred, pride and blind anger, honor and arrogance, rash decision and rueful regret, pleas and reproaches, defiance and confession, as these distribute themselves on both sides of the argument. Even though the Homeric idiom can sometimes objectify these facts of psychology as forces external to man, we feel their operation within men as they speak and act (Havelock 1979: 127).

In this connection, mention may be made of the antithesis between *dike*, which designates an immanent power, and *hybris*, which designates "unjust" works of aggressive arrogance. The most profound dimension of the Greek understanding of the conception of justice was the awareness that eternally fixed bounds should not be overstepped. Plato knew that poetry was always imitation (*mimesis*) of outward actions. Therefore, he rejected previous poetry as a suitable vehicle for the definition and description of justice as a condition of the *psyche*. At this point, *dike* as a metaphor for describing cosmic situations and as a symbol of tradition reflecting

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mainly customs and social codes, accepted order, propriety and regularity, became an object of definition of the meaning of supreme virtues by themselves. Rules regulating actions performed by persons are promoted as rules of behaviour in their social interrelations. Moreover, supreme virtues are conceived as something personal rather than interpersonal. The awareness of personal morality and the justice of the human personality strengthen the awareness of the community justice, a social morality. Metaphors from the traditional narrative language reflect traditional rules of propriety and assume the role of metaphors for a purely personal morality of the inner consciousness, for integral identity, for mental processes, for abstract arguments and relationships, and for acts of vision.

The transition from the oral transmission of experiences and memories to the written transmission of accepted traditions happened more or less at the same period in ancient Greece and Israel. Within the Greek culture this transition from the traditional metaphors of memory of narrated actions and imitation (*mimesis*), social and personal conventions, to the description of active performance and personification and vision happened with the views and writings of Plato. Within the Hebrew religious and cultural space, this transition took place most strikingly with the testimony of the inner experience of encountering God and the visions of the prophets. Thus, the conception of justice and righteousness became one of the most important attributes of God and the symbol of a condition of the human soul, of a uniform reference and characters who allow the scrutiny of right and wrong as manifested in concrete historical situations and inner conditions of persons. Instead of following the Greek narrative tradition of using justice as a symbol for dramatic purposes, Plato saw in this concept the symbol of a virtue of the soul. Havelock (1979: 319) defines Plato's contribution to understanding justice in his great work the *Republic*. He concludes: "It is fair to say that in the *Republic* the idea of morality as a principle or set of principles which have an existence independent of their application has been brought to birth."

3. Interrelation of Personal or Natural, Social and Cosmic Justice

We note the important transition from the interaction and contrast between the ways of representing regulative principles in narrated actions from the past which are pragmatic and empirical procedures. Sometimes even contradictory to the individuation of the concept of justice and righteousness as a moral sense as an integral identity and as a social principle of universal dimensions, opens infinite dimensions of justice and righteousness in their interrelation of personal, social and cosmic conditions. The multiple dimensions of the conception of justice show both similarities and great differences between the ancient Greek and the Jewish-Christian

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civilizations. The writings of Plato and Platonism played, for instance, an important role in Judaism and Christianity during the centuries of Hellenism. The early Jewish and Christian sacred texts contributed, however, to awakening an inner moral sense of justice and righteousness much more universally than Greek Gnosticism and Mysticism did. In the background of biblical understanding of the concept of justice and righteousness, there is the concept of God's revelation through creation, historical events, inner visions and personal verbal communication. The dialogue between God and humans operates through the manifestation of the created world and historical events, as well as through the words of God in confrontations and demands, visions and the inner experience of peace in love.

For a deeper understanding of the representation of justice in life situations and of "poetic justice" in literature, the recognition of a natural foundation of justice is vital. In all ancient civilisations people agreed that justice is the foundation of law, because the sense of justice was implanted in human nature by God. Cicero is one of the most important authors to express this view, namely, in the first book of his work *De Legibus* (CICERO 1994). Here he repeatedly emphasizes the idea that justice is inherent in human nature:

> Law is the highest reason, implanted in Nature, which commands what ought to be done and forbids the opposite.[2] (...) In determining what Justice is, let us begin with that supreme Law which had its origin ages before any written law existed or any State had been established.[3] (...) And if Nature is not to be considered the foundation of Justice, that will mean the destruction [of the virtues on which human society depends]. For where then will there be a place for generosity, or love of country, or loyalty, or the inclination to be of service to others or to show gratitude for favours received? For these virtues originate in our natural inclination to love our fellow-men, and this is the foundation of Justice.[4] (...) Whatever good thing is praiseworthy must have within itself something which deserves praise, for goodness itself is good by reason not of opinion but of Nature.[5] (...) And indeed all good men love fairness in itself and Justice in itself, and it is unnatural for a good man to make such a mistake as to love what does not deserve love for itself alone. Therefore, Justice must be sought and cultivated for her

[2] See 1.6.18: "Lex est ratio summa insita in natura, quae iubet ea, quae facienda sunt, prohibetque contraria."

[3]. See 1.7.19: "Constituendi vero iuris ab illa summa lege capiamus exordium, quae saeclis omnibus ante nata est quam scripta lex ulla aut quam omnino civitas constituta."

[4] See 1.15.43: "Atque si natura confirmatura ius non erit, tollantur (...); ubi enim liberalitas, ubi patriae caritas, ubi pietas, ubi voluntas poterit existere? Nam haec nascuntur ex eo, quia natura propensi sumus ad diligendos himines, quod fundmentum iuris est."

[5] See 1.17.46: "Quod laudabile bonum est, in se habeat quod laudetur necesse est; ipsum enim bonum non est opinionibus, sed natura."

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> own sake; and if this is true of Justice, it is also true of equity; and if this is the case with equity, then all the other virtues are also to be cherished for their own sake.[6]

In the Bible, the consideration of the interrelation between the personal, social and cosmic dimensions of justice is crucial for understanding the biblical conception of reality. The most appropriate designation for the quality of a relationship is the concept of "knowledge," which designates first of all the totality of "existential" knowledge rather than the knowledge of individual objects and scientific investigation. In the final analysis, it designates the way of life in a basic encounter with God and the humans. The created world is considered as the universe destined to lead people to personal fellowship with God and humans. The universe has an ultimate goal in the consummation in "the end of time."

The complex relationship between the visible and invisible kinds of reality spontaneously generates a representation of reality and truth by use of symbols. Visual and conceptual representation serves as a means of expression of what is unseen and invisible. The symbol points beyond its sign or image to the reality behind mere phenomena and it includes participation in its greatness, power and sublimity. Symbols summarize and interpret human experience in general and in relation to divine claims, demands and ultimate concerns, hopes and expectations. The ability of a symbol to compress meaning into a simple whole and to shape conduct and belief helps to overcome a clear-cut distinction between the sacred and the secular kinds of reality. The supremacy of God's word promising grace and judgment means that the concepts of justice and righteousness are symbols of a living relationship between God's word and human response.

Havelock (1979) discloses the development of the Greek concept of justice by using the word symbol for the Greek designations *dike* and *dikaiosune*. The designations of justice and righteousness are expressions that extend into the area of the symbolic and have a certain tendency towards rational transparency and logical coherence. The function of the symbol and of a coherent complex of metaphors is, in effect, to represent a reality or a truth in their denotative or representative meaning. This is possible because the symbol has an existential as well as an analogous cognitional relationship to the meaning it represents. The concept of justice and righteousness was constructed in a process of emotional experience, intuitive sense perception, imagination and rational reflection. The symbolic word "justice" and/or "righteousness" in its correlation between experience, sense perception, imagination and the work of the intellect is most effectively expressed in specific genres of

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[6] See 1.18.48: "Etenim omnes viri boni ipsam aequitatem et ius ipsum amant, nec est viri boni errare et diligere, quod per se non sit diligendum; per se igitur ius est expetendum et colendum; quodsi ius, etima iustitia; sin ea, reliquae quoque virtutes per se colendae sunt."

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narration and literature, such as myths, pictures, anthropomorphic ideas of God in the terms of space and time, parables, fairy tales, fables, legends and in pictorial poetic expressions. In the all-inclusive symbolic and generally metaphorical use of this concept, the interdependence and the continual reciprocal influence of religion and culture may be observed.

Viewed in various existential relationships to life, in combination of synonyms and many different types of symbolic expression of attributes and virtues, and in pictorial or cognitional mediation of transcendent reality, the complex character of this symbol of justice becomes apparent. The complex character of the concept of justice and righteousness may be the reason for narrower (exclusive) and broader (inclusive) understanding and treatment of the figurative, interpretative and cryptic sense of justice and righteousness in literature, history, philosophy, theology, psychology, law, sociology and politics. How crucial the span between a narrower and a broader approach to the concept of justice is entails the complex interrelation between the concept of justice/ righteousness and other close linguistic symbols, like loyalty and love. The image of a mother and a father, of love and marriage in the literal and the metaphorical senses invites extension to the broadest and most profound possible understanding of the concept. This expectation applies both to individual attitudes and to structured systems of thought, as well as to cultural, political, social and economic institutions and conventions. The many kinds of abusing power constitute one of the reasons for defence in the name of the human rights declarations. The ideals of integrity, unity, the experience of the power of the spirit and interdisciplinary investigation into all domains of sciences and humanities are the most important fruits of practicing justice/ righteousness and other cognate concepts.

The intent to investigate the concept of justice/ righteousness in all dimensions implies cross-comparisons of the concept on diachronic and synchronic levels in relation to various religions and cultures. The comparative question includes those things which are identical or common on the one hand and, on the other, those things which are similar but uncommon and always distant. Whatever the resemblance between the representations of justice in polytheistic, pantheistic and monotheistic cultures in categories such as motifs, vocabulary, imagery and literary structures may be, there is an essential difference on ontological grounds. Within the Jewish-Christian religion and culture, the reference is not primarily to formal cosmic and social order but, with pressing insistence, to moral sense as manifested in human characters and in interpersonal relations. The complex notion of justice/ righteousness indicates that there are two interdependent dimensions of justice/ righteousness: the justice of the soul within the human personality and the justice of the community as the symbol of a relationship within society. So, we shall deal in depth with each tra-

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dition with which we are working by placing each tradition in its historical context, theological presuppositions and the dimensions of its message.

4. Justice beyond Judicial Symbolism and Tragic Heroism

Any judicial system seeking equity in human affairs aspires to establish an exact fit between two acts: deed and reward, promise and enactment, crime and punishment. Literature articulates the conditions that make justice both conceivable and desirable. Justice is satisfied in the sense that the legal system has been respected and preserved from abuse. But justice can be also challenged, especially when unjust authority enacts unjust laws or trample down just laws. The most dramatic situations occur when laws have to be broken in order to defend justice. Repressive societies create the conditions for tragic heroism of those people who dare to break unjust laws in the name of human dignity and freedom.

Tragic heroism is characteristic to the genre of tragedy dealing with heroes who sacrifice their life in opposition to unjust rulers and become victims of their own error. In tragedy and other ironic modes, literature must use the pathetic failure of truth and justice to gesture beyond justice. Tragic heroes discover their errors in order to search purgation and reconciliation in a domain beyond justice. In such cases, the aim reaches beyond jurisdiction, beyond the scope of poetic justice, beyond ethics, and even beyond the aesthetic. Kertzer (2013: 12) points to the moral side of confrontation between heroes and anti-heroes: "Other heroes and anti-heroes do not claim the moral high ground or seek the audience's approval for their transgressions, although they may elicit admiration for their nerve. They may claim to reject the hypocrisy of conventional morality, or they may aspire to go beyond good and evil entirely."[7]

Another important category of "heroism" beyond cosmic and social justice appears in cases when sacrifice, forgiveness, sacrificial suffering and vicarious suffering are made on behalf of some higher good. Justice recognizes only general types defined by established conventions and cannot tolerate, or even imagine, impartial procedures. Kertzer (2013: 19) defines well the unique nature of representation of sacrifice in the genre of romance and tragic:

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[7] Kertzer (2013: 10-11): "Literary designs are always fatal, whether the verdict is marriage in comedy or death in tragedy. Death is a poetically just ending in tragedy, not because it is what the hero deserves, but because it fulfils a pattern imposed internally by the plot, and externally by the generic laws governing tragedy. Tragic heroes like Hamlet rarely deserve their catastrophic fates, which is why tragedy is a transgressive genre that looks for something beyond justice, something that justice cannot satisfy."

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> Unlike comedy, romance and tragedy are genres that employ a rhetoric of sacrifice to surpass the boundaries imposed by justice. Although the structure of sacrifice appears to resemble the neat symmetry of justice which aligns cause with effect, crime with offense, virtue with reward, in fact it is asymmetrical. The innocent (scapegoat, lamb, child, hero, Christ) suffer to redeem the guilty, thereby giving characters far better (romance) or far worse (tragedy) than they deserve. Justice permits restoration; sacrifice promises transformation. It offers grace rather than equity but only through poison and cruelty, unlike a judicial execution where the supreme penalty of one's life is reckoned equivalent to one's crimes.

Sacrifice draws on natural energies to redeem natural faults. Justice is rational, sacrifice is mystical, reflecting unmerited grace; justice satisfies, sacrifice blesses.[8] The awareness of an intrinsic capacity to distinguish between good and evil implies another side of the human nature: pity for suffering characters.[9]

In the Bible, the most prominent cases of sacrifice are: the narrative of Abraham's trial in *Gen* 22, the vicarious sacrifice of Moses in the story of Israel's apostasy in *Ex* 32-34, the saving intervention of Abigail for the sake of her husband and household in *1 Sam* 25, the sacrificial suffering of the Servant in *Isa* 52:13-53:12, and the suffering of Jesus on the cross. The story of Abraham's trial is the most striking case of an unspeakable act of sacrifice, as he is prepared to give up his only son in response to God's demands that he carries his faith beyond all ethical calculation. Kertzer (2013: 21) states: "The path up Mount Moriah leads his meditation beyond the rationality of justice, beyond tragic heroism, beyond speech, towards the absurdity of faith." The story of David and Abigail in *2 Sam* 25 shows how David reveals a dark side of his character when confronted with an offence committed by the foolish Nabal. David decides to take excessive vengeance upon Nabal on behalf of self-salvation, but Nabal's wise wife prevents David from committing vengeance so that both David and her husband Nabal be saved from the consequences of their guilt. Moses is exalted in the story of the Golden Calf (*Ex* 32-34) to the

[8] Kertzer (2013: 47) explains: "Justice secures social order by restoring an ethical balance, whereas sacrifice is disproportionate in its effects: it redeems society by giving it more than it has lost, more than it deserves."

[9] Kertzer (2013: 89) explains: "The structure of sacrifice is asymmetrical: the innocent suffers for the sake of the guilty, and the redemption is not proportionate to the crime, but far exceeds it. On its completion, justice offers closure, whereas sacrifice ("to make holy") evokes an astonishing new possibility not yet achieved. Like grace, which is its uncanny partner, sacrifice is excessive: it gives us more from below, usually by using nature as an intermediary to link the human to the divine, through the agency either of pain, loss, or conflagration (burnt offering), or of animal and even human slaughter."

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position of mediator between God and people. He offers to set his life in place of the people who apparently did not believe in Yahweh as the Lord of their history.

The purest case of sacrifice in the Old Testament is the attitude of the Servant who voluntarily bears the sins of others (*Isa* 52:13-53:12). The passage known as the fourth servant song consists of five verses: 52:13-15; 53:1-3, 4-6, 7-10, and 11-12. The speakers are rather clearly recognizable. In 52:13-15, God speaks and announces the astonishing exaltation of the servant, who was humiliated by many. In 53:1-10, the people confess that the servant's suffering was caused by their guilt. In 53:11-12 God speaks again, and proclaims that the servant will be exalted because he voluntarily submitted himself to death and interceded for the transgressors. The announcement of the exaltation is in itself no surprise, for God is determined to defend Israel and the emissaries sent to her, guaranteeing their ultimate triumph. What is crucial here is the reason for the exaltation: it will reward the servant for the humiliation and rejection which, in the eyes of the people, signify divine punishment for the sin. But the final outcome, the unexpected exaltation convinces those who witness it that the exact opposite is the case, that the servant is truly righteous and has voluntarily taken upon himself the guilt of the people in order to bring about reconciliation.

The song opens up vistas of a profound depth and breadth that make it both permissible and necessary to draw from other parts of the Hebrew Bible and to invoke the postulates of common sense as one seeks to encompass its entire range of meaning. What are the ultimate motive, or the possible justification for the servant's attitude? This question can be answered only in the light of belief and experience, and from personal and supra-personal perspectives. The servant's conduct displays the highest degree of intelligence and love possible in an interpersonal relationship. Centuries-long experience has shown that, in the end, strict justice is not the way to deliverance from the abyss of guilt that threatens the human race. It can and should be complemented by luminous examples of making voluntary atonement for one's own guilt and the guilt of others. Such examples often resolve apparently insoluble entanglements in interpersonal relationships and lead to true reconciliation. It appears that the summit of divine and human righteousness consists in going beyond the mechanical causal principle of retributive justice. It would appear, then, that the ultimate motive of the servant's conduct can be found in the mystery of love. He who really loves a person or the whole of humanity will participate in their suffering and always be willing to atone for their guilt in order to help to bring about healing and restoration. The greatest suffering for him must be the punishment of the beloved one.

The question of vicarious suffering and atonement has to be reconsidered in the light of the glorious possibility of love, which, however, can only exist within the framework of the structure of the created world in general and, in particular, of the

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humankind. The following factors must be taken into account: the positive purpose underlying the created world; the interrelation between the personal and communal levels of human existence and, (consequently), the connection between the principle and practice of individual and collective retribution. It is a matter of natural law that guilt involves punishment. No one can escape the consequences of his guilt. It follows that vicarious suffering and atonement in a strict sense are inconceivable. But it is also a matter of natural law that every sin affects not only the sinner but also the whole created order. Accordingly, everyone must suffer the consequences of his/ her own guilt and that of others. Suffering on account of the guilt of others does not mean suffering in their place but, rather, sharing in their wretchedness.

If human beings resist affliction, their suffering may not be fruitful; but if they submit themselves willingly to the inevitable, it can certainly help to bring about reconciliation and restoration both on the individual and the communal level. Willing atonement for the sins of others signifies a necessary counteraction to the character of the guilt. Since every sin affects the sinner as well as other people, healing becomes possible if someone is willing to suffer and atone for the guilt of others. The possibility of atonement through individual and communal suffering conclusively shows that suffering does not necessarily carry the mark of a curse. It can even signify a blessed way to bring about the healing and restoration of a world that is hurt by the guilt of all (Krašovec 1999: 484-498).

5. Conclusion: Retour à la Tradition!

Justice can be considered a virtue of social institutions or practices, or as the integral righteousness of persons as discerned by intuition. This distinction is fundamental and far-reaching. Theocentric and teleological conceptions of nature, or natural law, and the Jewish-Christian understanding of justice in all its aspects go beyond any formalistic, let alone pragmatist considerations to consider humans fundamentally as persons. This understanding is based on grounds of existential interdependence, the universal human requirements for survival, welfare, and dignity. From this view follows the recognition of the primacy of the moral over the conventional, the personal over the impersonal, and the existential over the merely stipulative. Human rights and retribution are equal and existentially prior to any contract or convention. Our being is both common and unique, dignity belongs to everyone, and all our formal institutions must be held to moral purposes. The Jewish-Christian belief assimilates justice to benevolence; the ideal is an association of saints who forego authority over one another and who work selflessly together for one common end, the glory of God and the salvation of humankind.

Biblical beliefs in creation, covenant, and redemption establish connections between family structures and the transcendental social order. The family mirrors to

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a greater or lesser degree the divine family now and at the consummation of history. Assuming justice as the principal virtue of institutions is supplemented by believing that every human being has intrinsic value and positive purposes within the human family. God as a Person and humans as people are authors of law and, therefore, our systems have no higher authority or deeper basis than holistic relationships among persons.

The dignity of humans deepens the understanding of guilt as a sickness to heal rather than as a wrong act to punish. Thus, the primary concern is not the condemnation and punishment of wrongdoers but descriptions of punishment as modes of moral communication that aims to reconcile conflicting parties and to reform or educate wrongdoers. Judgment means asking what is most likely to rehabilitate offenders. This background makes it clear that justice is not contrasted with, but correlated with compassion, love, and forgiveness. Such justice assimilates justice to benevolence.

The Hebrew concept of divine righteousness means a broadening of horizons to the ultimate possibilities of an intellectual analysis and the dynamics of existence. In Christ, God's righteousness attained a degree that is impossible to exceed because God establishes mutuality between divine and human righteousness in the light of the consummation of the world. The concept of God's righteousness designates the absolute ontological law of divine fidelity to itself, to humans and the whole creation. Thus, it is the sole norm for human righteousness. The personal relationship between divine and human righteousness is the most unconditional consequence of the nature of God's righteousness. The historical dialectic between God's and human righteousness is a consequence of the human freedom for righteousness and self-will, for life and death.

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