

limbo

Núm. 41, 2021, pp. 45-68

ISSN: 0210-1602

Harmony and Charity as Foundations of Justice in Santayana's Thought

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ABSTRACT

In the present essay I interpret Santayana's conception of justice in terms of harmony and charity, which, as I claim, may be recognized as two facets of love. Two universal human incentives are evoked as possible, empirical motivations behind justice: to idealize the other and to feel compassion for them. In other words, particular attention is paid to the potential excellence of others and their actual suffering. Furthermore, having assumed that diversity is an irremovable human and social fact, justice is viewed as an expression of reason's attempt to organize the empirical diversity in a harmonious way. With reference to Paul Ricoeur's ruminations on justice and love, I emphasize the fact that Santayana's vocabulary comes from beyond the language of retribution and vengeance. With the support of the ideas of other thinkers — Arthur Schopenhauer, John Rawls, and Richard Rorty— I try to show that Santayana's eclectic idea of justice is modern, potentially universalistic, and able to avoid certain problems related to too abstract and purely procedural theories of justice. Whether it is practicable remains an open question.

Keywords: justice, G. Santayana, charity, harmony, love, ethics of compassion, P. Ricoeur

RESUMEN

En el artículo interpreto la concepción santayana de justicia como armonía y como caridad; ambas pueden ser reconocidas, tal como definiendo, como dos aspectos del amor. Como trasfondo de la justicia, se evocan como posibles motivaciones empíricas dos incentivos humanos universales: idealizar a los otros y sentir compasión por ellos. En otras palabras, se presta especial atención a la excelencia potencial de los demás y a su sufrimiento real. Además, aceptando que la diversidad es un hecho social y humano inamovible, se entiende la justicia como la expresión del intento de la razón de organizar la diversidad empírica de un modo armonioso. En referencia a las cavilaciones de Paul Ricouer sobre justicia y amor, destaco el hecho de que el vocabulario santayano salta por encima del lenguaje del premio y el castigo. Apoyándome en las ideas de A. Schopenhauer, J. Rawls y R. Rorty, intento mostrar que la idea ecléctica de justicia de Santayana es moderna, potencialmente universalizable y capaz de evitar ciertos problemas relacionados con las, demasiado abstractas, teorías de la justicia meramente procedimentales. Si es eso practicable es una cuestión abierta.

Palabras clave: justicia, G. Santayana, caridad, armonía, amor, ética de la compasión, P. Ricouer

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In *The Life of Reason* Santayana complains about an unfortunate separation of moral reflection from a broader anthropological and existential context in contemporary philosophy.¹ Rather than asking first: What is? Or: What ought to be? one asks an abstract question: “What ought I do?” as if there existed a separate sphere of morals, a self-standing “compartment.” Some unfortunate conceptions of human morality are based on “artificial views about the conditions of welfare; the basis is laid in authority rather than in human nature, and the goal in salvation rather than in happiness” [Santay-

ana (2013), p. 18]. Likewise, the thinker is critical of deriving morals primarily and directly from religion, which “unhappily long ago ceased to be wisdom expressed in fancy in order to become superstition overlaid with reasoning” [Santayana (2013), p. 18].

According to Kantian conception, morality originates in free persons endowed with autonomous will understood as the ability to act according to principles, the exclusive source of which is *a priori* reasoning. The status of the only source of a universal moral law endows human beings with an intrinsic dignity. The bearers of this dignity are to be treated, without exceptions, as ends in themselves and never as a means to some other end. An ideal state, then, is one that provides conditions for practicing moral autonomy by humans, or, in other words, excludes obstacles (different forms of coercion) that might debilitate the human capacity to follow the rules of reason. In other words, it is a space where rational agents fulfill moral duties in relation to oneself and other persons. This vision, as has been pointed out by critics, is dependent on the transcendental conception of the human self and lacks “universality as an image of moral life” [Gray (1986), p. 51]. Schopenhauer, an early critic, ascribed to it the failure to provide an empirical grounding (for example in the form of a motivation) for moral acts. Hence, the question “Why would one want to be moral?” remains problematic. Santayana, in whose view morality has natural sources and is propagated through culture and thanks to human mimetism, shared much of the criticism mentioned. Like Rorty later, he disagreed with the Kantian association of the sources of morality with transcendental reason, and its form with an “ought,” a moral duty *sui generis*. Unlike Rorty, however, he wouldn’t altogether give up the distinction between “is” and “ought to be” or reduce moral reflection to a summary of existing social practices.²

Even though Santayana’s view of morality is not centered around the traditional notions of natural laws or rights, it 1) relates to a certain idea of human nature and condition; 2) relies on the formula that each life is lived for its own sake; 3) assumes human diversity

to be a basic, natural and social fact. These assumptions, I'd suggest, allow for speaking of an implicit, weak and minimum idea of natural rights pertaining to individual, concrete, mortal beings, endowed with some powers and aspirations, the realization of which is intended to lead to their fulfillment and happiness.³ Individual, vital *autotelia*, which plays, in my view, the role of a borderline idea in Santayana's moral reflection and correlates with the ideal of vital liberty, may be viewed as a naturalistic alternative to Kant's idea of the intrinsic dignity of humans and the intransgressible principle of not instrumentalizing the other. This, I'd suggest, makes Santayana's perspective —itself in some measure relativistic— distinct from, for example, Rorty's *purely* relativistic and contextualistic view, where gravity is shifted towards the collective and the moral circumstances of the individual are dependent on and defined by whatever consensus is reached by a given historical community.

Contrarily to the Kantian tradition, Rorty, following Dewey, avoids any sharp distinction between morality and prudence or sentiments and reason. Behind man's desire to be moral there stands the need to articulate one's practical identity and be able to account for one's moral choices in front of oneself and others.⁴ Interestingly, both everyday morality and justice may be described in terms of *loyalty* to one's peers – everything depends on the scope of those others that one is ready to identify with. Santayana, as signaled at the beginning of this paper, like Rorty and his contemporary pragmatists, was suspicious of theories ascribing to morality an entirely distinct and specific nature. Yet, unlike Rorty, he is interested not only and not primarily in the practical expression of morality and justice, but also in their sources. These he discusses within the boundaries of his naturalism. He refers to family life, culture, man's sociability and mimetism, propensity to idealize and seek perfection, enlightened self-interest, and rationality.⁵ When it comes to justice, Santayana appears to represent a kind of (potentially universalistic) humanistic idealism embedded in naturalism, with a noticeable tendency to blur the boundary between anthropological, existential, and socio-

political reflection. According to my reading, and as I will try to show in this paper with reference to a couple of other thinkers, Santayana projects justice in reference to its hybrid motivation, which at once determines its character. More specifically, behind the ideal of justice, which has the nature of virtue and is meant to speak through human institutions, stand two dimensions of *love*. Alternatively, one may say that the pursuit of justice is fueled by the two facets of love: *erotic* (in a broad, Platonic sense of this notion) and *charitable*. Love is not meant here predominantly as a feeling or a sentiment but rather an attitude of *radical imagination* related to the human propensity to idealization, empathy (or: compassion), and reason alike. Love entails sensitivity to the other's real suffering and the premonition of their potential excellence. This radical imagination may be described in existential terms as a form of *care* that manifests itself —alternatively or jointly— as an *understanding* and *idealizing projection*. It is concerned equally with “what is” and “what may and/or should be,” preserving the distinction between both. Justice thus understood speaks on behalf of both charity (which is a great equalizer) and the pursuit of harmony (which seeks to preserve diversity and distinction). Let me first ruminate on the latter.

In a political context, the Platonic understanding of justice involves harmonizing two elements empirically remaining in a relation of tension or contradiction, namely – “virtue and the political art” [Wallach (2001), p. 215]. Through virtue a just *politeia* conciliates *praxis* with *logos*. Keeping in mind that reason, being a function of human nature, “represents or rather constitutes a single formal interest, the interest in harmony” [Santayana (1954), p. 73], in Santayana's thought this relation may be reformulated in terms of the actual political practice directed towards the ideal of the Life of Reason, which is assumed to be conducive to human well-being.⁶ Politically, then, justice manifests itself as a sustained pursuit of a harmonious organization of human diversity. The specific forms and principles it generates are to a large degree context-dependent. Under certain

circumstances harmony may acquire a weak sense of an equilibrium or a *modus vivendi*, in which case what is sought is an organizing principle applied to a multitude of incompatible interests, different and competing goods and ideals that need be recognized and respected by virtue of their being interests, goods, and ideals held by and relevant for the well-being of some autotelic living beings. While this seems to be the aim of some of Santayana's ruminations, he remains sensitive to the cost or the tribute that must be paid to necessity so that this ideal might be realized.

Perhaps somewhat surprisingly, a useful contemporary reference may be sought in John Rawls's liberal-democratic model, which I will remind now briefly and return to at the end of this essay. Justice here is based on two principles governing the distribution of rights, liberties, socio-economic advantages and duties: 1) equal right to the basic liberties for all citizens; 2) social and economic inequalities being organized in such a way that they work to the advantage of everyone and are "attached to positions and offices open to all." The second principle is built upon the premises of the first, which is fundamental. "All social values... are to be distributed equally unless an unequal distribution of any... is to everyone's advantage." An implicit definition of injustice follows: it consists in "inequalities that are not to the benefit of all" [Rawls (1971/2005), p. 62]. Rawls distinguishes between socially controllable social goods, such as "rights and liberties, powers and opportunities, income and wealth" and those that tend to escape social control, mainly natural endowments, including health, intelligence, and others. He then imagines an ideal arrangement, where the primary/controllable goods are distributed equally.

While Santayana would agree as to the importance of the first principle, he would not ascribe to it the apodictic priority Rawls does, and he would accept —within reasonable limits— the fact of a natural state of inequality as originating from the generative order, where inherited results of competition between lives of unequal natural endowments are crystallized into a more or less stable

social structure, or, in other words, a structure of necessity distribution. In Santayana's vision there is no place for a perfect social *tabula rasa*, not even in his peripheral, imaginative speculations about an international empire of the future, where the most rudimentary material aspects of common life are controlled centrally and scientifically. The natural inheritance mentioned, being part of the generative order, counts, on the one hand, as circumstances that have to be coped with, and, on the other, as subject to rational (but not enforced) and gradual reform.⁷

From Santayana's perspective, no society is a gathering of abstract persons which may be reorganized according to a set of abstract rules, but rather —a people of a concrete historical and cultural background. This does not mean, as already suggested, that Santayana rejects the possibility of universalism at some level. With reason and imagination being functions of human nature, locality and idiosyncrasy may be —to some extent— transcended, and the inherited "burden" reformed. No less importantly, there is the universally shared condition of finitude with all its implications, sometimes referred to by Santayana as a universal "proletarian" condition, an incentive for solidarity.⁸ Thus, Santayana's socio-anthropological reflection, structured into orders as it is, accommodates diversity and uniformity in a non-exclusive way. In envisaging the already mentioned multinational state of the future, Santayana points to *the need of establishing a controllable uniformity at some level in order to preserve a peaceful diversity (harmony) on another*. To repeat, the common level is twofold: it involves the shared, material and finite condition, on the one hand, and the communicative possibility of reaching consensus in some matters, on the other.

Let me now make a digression and refer to the existing interpretations of Santayana's political views in the context of justice. James Seaton once remarked about the compatibility of Santayana's idea of the generative order with Friedrich A. Hayek's conception of the "spontaneous order" of the market. Seaton notes that Santayana personally "would have been unsympathetic" to Hayek's

theory, yet from the perspective of the implications of Santayana's philosophy things seem otherwise [Seaton (2009), p. 97-98]. I disagree with Seaton here. The economic order, according to Santayana, may be "innocently" generative only in its primitive phase of the exchange of goods or at the very early stages of the development of commerce. A complex market system, as it is under the conditions of global capitalism, represents an artificial, non-transparent and militant realm, which, unless controlled by legal and political measures, is more than likely to form an oppressive environment, hostile to human diversity and personal liberty, both easily stifled by the all-pervasive standards of economic efficiency. This is not to say that Santayana was essentially against free market. Rather, he was against the *absolutization* of free market and saw the need for reasonable efforts at curbing it.⁹ In order to prevent the self-reproduction of a cruel and unnecessarily oppressive system of dominations, he recognized the need for the equality of chances and, in my interpretation, ascribed to a just and rational government in an ideal society a function of reorganizing the inherited status quo by way of slow and moderate reform. The ultimate goal of is not so much a society of equals but one where the existing inequalities serve to articulate natural differences between humans in a way beneficent both to society as a whole (for example by contributing to its cultural richness) and its individual members. In such a society, organizing units – classes, professional guilds, and others – would coexist, enabling individuals to shape their social person, engage in arts that correspond to their abilities and occupy positions according to merit. Santayana's ideas here reflect, as classified by John Rawls, a *principle of beneficent difference*, being a form of harmony and an embodiment of justice. Social status in this model would, ideally, be earned rather than inherited, which, in turn, calls for an equality of opportunity to be attended to by a just government.

Despite the presence of certain conservative traits in his political thinking and the fact that in his private letters he sometimes expresses nostalgia after the bygone, nineteenth-century liberalism,

which he contrasts with socialist democracy, Santayana is not blind to the fact, emphasized by Rawls, that a purely formal equality of opportunities may be insufficient and lead to such inequalities that both degrade individuals and are detrimental for society.¹⁰ In some of his critical comments on the existing liberal arrangements, which are dispersed throughout his essays in the collection *Soliloquies in England* (1922) and *Dominations and Powers* (1951), Santayana appears to suggest that elements of welfare state and catering for a fairer equality of opportunities were no longer an option but a necessity in Europe of the second and third decade of the 20th century. He thus displays the awareness of the deficiency – to use Rawls' categories again – of the principle of natural liberty, based on a free market system and a merely formal equality of opportunity. This allows one to infer that under specific historical conditions Santayana might opt – even if not without reservations – for what Rawls calls the principle of liberal equality, which seeks to regulate socio-economic institutions so as to decrease the influence of contingencies upon opportunity.

This being said, let me evoke a passage that, I believe, conveys a general idea of what, according to Santayana, a morally representative, rational, and just government might be:

The objects intimately important to each human being are inevitably various, and the active pursuit of them is let loose by the opportunity that circumstances seem to offer for this or that satisfaction. To secure such satisfaction for everybody cannot be the express aim of any government or of any social institution, since such an aim would be infinitely complex and variable. *Neither good government, therefore, nor high morality but the play of vital liberty is the immediate multiform source of human happiness*; and the best government and the best society, from this point of view, would be those whose pressure never makes itself felt. This does not mean that a man, to be free, must revert to the jungle; for in the jungle he would suffer the unmitigated pressure of all the untamed forces of nature ... A good government, by economic arts,

turns the forces of nature, as far as possible, from enemies into servants and the pressure of society into friendly cooperation and an opportune stimulus to each man's latent powers. It is in these ways that government can be government "for the people" and society a benefit to its members [Santayana (1951), p. 429-430, my emphasis].

The above ideal, which may be summarized as managing necessity, harmonizing diverse interests, and accommodating incommensurable goods, avoids the criticized by Santayana strain of (ideological) dogmatism within liberalism, which consisted in assuming that the future humanity would become unanimous in its vision of a good life and, hence, aspirations – something that has not hitherto happened only because of the backwardness that has been prevailing in the world.

Speculating about different socio-political regimes, the early Santayana of *The Life of Reason* (originally published in 1905/6) discusses a model of *natural aristocracy*, which appears to be the one preferred by him. A natural aristocratic arrangement embodying the principle of beneficent difference should fulfill the postulate of everyone's advantage. As Rawls summarizes it, with a direct reference to Santayana, "[t]he aristocratic ideal is applied to a system that is open, at least from a legal point of view, and the better situation of those favored by it is regarded as just only when less would be had by those below, if less were given to those above" [Rawls (1971/2005), p. 74]. This, by the way, seems to prevent injustice as defined by Rawls. Santayana claims that from the perspective of just government, the existence of natural aristocracy is legitimate exclusively on the condition that the said aristocracy bestows benefits on society as a whole. It may perform the function of a creative minority, a source of cultural inventions and mimetic patterns in Arnold J. Toynbee's sense, and, possibly, hold offices in a representative government. In order that the people may cherish the goods received from aristocracy, in turn, they must be provided with safety, education, and some leisure. If these conditions be met, craving for uniformity, says San-

tayana, would seem almost perverse. A diversified social structure, including hierarchic forms of diversity, being a source of different models of excellence, is a good unless it degrades people.¹¹

Now, typically of his ambivalence bordering on provocativeness, Santayana is not consistent in his condemnation of the debilitating impact of too radical and fossilized social inequalities on individuals and society. In the same book he associates human apathy and misery not only with injustice but also with the fact that “most men seem to miss their vocation,” or, more radically, “most men have no vocation” [Santayana (1954), p. 133]. If so, social hierarchy plays a crucial formative function. Be it as it may, the thinker at once assures that to acknowledge an initial, natural inequality of chances is not tantamount to turning a blind eye to injustice. “Injustice in this world is not something comparative; the wrong is deep, clear, and absolute in each private fate” [Santayana (1954), p. 136]. Injustice in the human world may be irremovable but it should not be made deeper and more acute by social relations. “Every privilege that imposes suffering involves a wrong... suffering has an added sting when it enables others to be exempt from care and to live like gods in irresponsible ease; [then] the inequality... becomes... a bitter wrong” [Santayana (1954), p. 136]. These words may incline one to search for yet another principle of justice, one different from that of beneficent difference or a harmonious diversity, perhaps one coming from beyond the political realm. The other principle, according to my interpretation, may be found in Santayana’s idea of *justice as charity*, at which I will take a closer look later.

In a world where injustice – for example in the guise of “justice” as understood by Thrasymachus – strengthens the oligarchies that democracy tends to engender and allows them rob individuals of their vital powers, literally wasting their lives in most undignified ways, and thus contributing to the emergence of “brute humanity,” a more radical, socialistic kind of state intervention might be needed and justified as a transitory stage. By way of digression, while Rawls emphasizes that the conception of the two principles of justice ex-

cludes “trading” basic liberties and rights for greater gains on the level of other goods, Santayana, especially in his private correspondence, and somewhat unfortunately for his moralist’s image, is more ready to accept some divergences in this respect, especially when they stem from the generative order and/or belong to the course of things, embodying, for example, unintended consequences of the vices and neglectfulness of this or that regime. This might explain his verbal support, even if only tentative and very short-lived, for certain radically illiberal solutions, like communism or Mussolini’s fascism, to the social problems of his time. Of course, the said solutions belong to the repertoire of the “brute” humanity, of the ascent of which Santayana warned on a number of occasions.¹² However that might be, in some of his texts he treated the grim charismatic leaders of the first half of the twentieth century in terms of historical *nemesis*. And this is in accordance with the implications of his political philosophy, where injustice rests in “mutilating other lives or thwarting their natural potentialities” when it could have been avoided. To bring about a broader context, in the conclusion of his ruminations on the aristocratic ideal, Santayana writes:

the ideal of society can never involve the infliction of injury on anybody for any purpose... The ideal state and the ideal universe should be a family where all are not equal, but where all are happy. So that an aristocratic or theistic system in order to deserve respect must discard its sinister apologies for evil and clearly propose such an order of existences, one superposed upon the other, as should involve no suffering on any of its levels... *The privileges the system bestows on some must involve no outrage on the rest, and must not be paid for mutilating other lives or thwarting their natural potentialities* [Santayana (1954), p. 139, my emphasis].

Finally, Santayana’s reflections on just and rational government embrace the possibility of a good authoritarian regime (but not a totalitarian one, which is decisively rejected as an embodiment of an

irrational and extreme militancy) in the already mentioned, quasi-utopian state of the future. Governmental offices in such a regime would be peopled by – roughly speaking – scientists and experts, representing a wide variety of fields, thoughtful and well trained in the art of governing, “persons able to discern the possibility or impossibility of human ambitions” [Santayana (1951), p. 434]. This competence-based government should avoid explicitly ideological, religious¹³ and partisan motivations. Its role would be to “circumvent the defeats or hardships that nature imposes” and regulate social, economic, and cultural activities in such a way that they do not violate or restrict other agent’s liberty. “[B]ound to defend and encourage the expression of vital freedom,” it should protect intellectual and religious freedom [Santayana (1951), p. 433]. In short, it would represent “the rational art of minimizing the inevitable conflicts of primal irrational Wills against one another and against the forces of nature” [Santayana (1951), p. 434]. This description of the basic functions of government in terms of preventing, limiting, regulating and minimizing crises (conflict, loss, waste) caused by unavoidable natural and social antagonizing factors, as sketched by the thinker in the final part of *Dominations and Powers*, allows me to evoke the notion of *managing necessity* as a helpful interpretive tool in unwrapping Santayana’s political thought.¹⁴ To repeat, “harmonizing” in certain circumstances simply means arranging conditions for a peaceful coexistence of an irreducible human diversity and whenever there is conflict – for its efficient resolution. Using Rawls’ and Rorty’s categories, it may concern a *modus vivendi* rather than a community.¹⁵

Let me note that Santayana’s “authoritarian” stands here for as much or as little as representing the authority of the will and interests of the governed in the face of the authority of things/facts. This idea, by the way, contains a universalistic incentive. As long as government is unbiased, scientific, and inclined towards harmonizing diversity, “the very nature of rational economy could perfectly well extend its authority to other nations or even over the whole world”

[Santayana (1951), p. 435]. Santayana realized that the chances for its realization in the twentieth century seemed bleak and admitted these speculations to be a phantasy, yet he thought that in the light of the irresistible processes of globalization and interconnectedness as well as the emergence of pressing global problems requiring global responses, turning a blind eye to a future possibility of some sort of global governance would be unreasonable.

[A] diversity of civilized peoples, each with its vital inspiration and traditional regimen, flourishing perhaps on the same universal basis of a rational economic order, would seem to me highly desirable. Mankind walks on one material planet under one material firmament; these conditions it is to their common advantage to respect. But, that toll once paid to necessity, why should not vital liberty in each heart devise the private or social or ideal order by which it would live? [Santayana (1951), p. 402]

While justice as harmonizing diversity, expressive of pluralism and respect for the multitude of forms of human perfection, may be said to constitute a positive, rationally, aesthetically and “erotically” motivated dimension of the idea of justice, one also finds in Santayana another principle of justice, one embodying the incentive to recognize injustice and minimize suffering, namely – charity. Actually, both principles may be said to converge in a simple *act of understanding* the other, where “to understand is more than forgive, it is almost to adopt” [Santayana (1954), p. 71]. By understanding alien interests and demands and empathizing with the suffering other, one assumes the attitude of humility and expands one’s moral imagination. There also is an obvious aspect of compassion involved. Schopenhauer, a thinker believed to have influenced some of Santayana’s views,¹⁶ saw altruism and compassion as constituting the empirical basis for moral life.¹⁷ The connection made by Santayana between charity and justice may be an example of a direct influence exerted on him by Schopenhauer’s idea of “the moral drive out of

which flow both the virtue of justice and the virtue of philanthropy” [Wolf (2015), p. 47]. One may also think of this connection in terms of Rorty’s conception of justice as “expanding and contracting loyalties” [Rorty (2007a, p. 42)], in the light of which universal compassion is but an example of the most extreme expansion of loyalty, namely – loyalty to mankind, or, perhaps, all suffering creatures. Finally, one should not ignore the fact that, even though an ideal government is not motivated religiously in an explicit or direct way, the example of charity does make room for the recognition of religious heritage as relevant in matters of political ideals.

Santayana’s claim is rather bold: “[j]ustice and charity are identical” and compatible with reason [Santayana (1954), p. 271]. Ideally, *justice, charity, and reason* form a harmonious unity, genuinely expressive of human interests. When the idea of justice is utterly divorced from charity and conceived of in theoretical and abstract terms only, there appear a few problems, one of them being the risk of committing what Santayana calls the *aristocrat’s fallacy*. The said fallacy is a sense of moral omniscience and superiority translated into readiness to impose a given set of norms on others, regardless of the specific circumstances, beliefs, and interests of those others. This, needless to say, is often an issue when political, ideological, and/or explicitly religious motives intertwine. What is more, behind the aristocrat’s fallacy there possibly stands an egoistic motivation —the judge’s interest in their own moral perfection— in which case, to refer to Schopenhauer again, a given action loses any moral value whatsoever [Schopenhauer, par. 15].

Adopting any definitive moral ideal should be accompanied by the recognition of its relativity, which is not tantamount to abandoning it as long as there are arguments for adopting it. The presence of the element of charity warrants that a given ideal is as universally representative as possible – it is accepted only after all relevant interests and claims have been considered, none being prejudged and denied as unworthy. Obviously, in a world of conflicting interests, some disputes must be settled by making mutual concessions,

some claims must be sacrificed so that some other might be satisfied, but, first, “the parties to the suit must in justice be all heard, and heard *sympathetically*” [Santayana (1954), p. 271, my emphasis]. Santayana describes this attitude as taking “a narrow path of charity and valour,” a middle way between fanaticism and nihilism [Santayana (1954), p. 270]. We are talking here about an intended and explicit attitude of the recognition of and an impartial sympathy for other moral agents.

In what echoes Bergson’s well-known distinction from *The Two Sources of Morality and Religion*, the alliance of justice and charity belongs to a type of morality called by Santayana a first-hand or a primary morality. “The masters of life,” individuals able to see through convention and recognize afresh true human interests, are fit to readjust norms so that they serve better human well-being and happiness. On the opposite pole, there is a second-hand morality, peopled by the “retailers of moral truth,” inspired by prejudice, fear of change, and enmity to whatever seems alien to them [Santayana (1954), p. 271]. All in all, there is an insightful remark made by Santayana and shedding light on his political philosophy as a whole, namely: *justice without charity “remains only an organized wrong”* [Santayana (1954), p. 272, my emphasis]. Regardless of the presence of Platonic inspirations in Santayana’s work and the fact that he shared with Plato the rejection of Thrasymachus’ understanding of justice, he evokes *Republic* as a model of polity organized in a wrong way. The ideal assumed by Plato is a harmoniously organized political organism where harmony —as a manifestation of eternal justice— refers to the very organs/parts that constitute it. In other words, an *abstract future whole* is at stake. Venturing an unsympathetic interpretation of Plato, one might say that the criterion of justice employed by him is reason seeking an aesthetic kind of perfection as embodied in a self-perpetuating political order. The ultimate aim is “arbitrary, and, in fact, perverse” for it is neither concerned with the happiness of the subjects nor with the development of the variety of human potential [Santayana (1954), p. 272]. As an alterna-

tive to this and other conceptions of justice that evoke a transcendent ideal, pure reason, or, to use Rorty's term, "the really real," Santayana proposes the idea of justice as charity. From the perspective of Santayana's readers, by the way, there is yet another reason why this idea is important. One may say that it compensates for an apparent coldness and lack of personalism in Santayana's philosophy, which sometimes resembles an aesthetically-oriented humanism. Leaving aside the fact that Santayana's idea of justice seems to be heterogeneous, in *The Life of Reason* he defends the association of justice with charity as fulfilling better the criterion of universality without violating pluralism. Let me quote a key passage in its entirety:

There is accordingly a justice deeper and milder than that of pagan states, a universal justice called charity, a kind of all-penetrating courtesy, by which the limits of personal or corporate interests are transgressed in imagination. Value is attributed to rival forms of life; something of the intensity and narrowness inherent in the private will is surrendered to admiration and solicitude for what is most alien and hostile to one's self... *Charity is nothing but a radical and imaginative justice...* His own [the Christian's or the Buddhist's] salvation does not seem to either complete unless every other creature also is redeemed and forgiven [Santayana (1954), p. 272, my emphasis].

The disinterestedness and imaginativeness through which charity as justice speaks have their obvious limits imposed by finitude, history and culture. What is most important, *charity excludes moral absolutism, which tends to produce ruthless and irresponsible judgments*. Santayana was aware that religion in politics is a double-bind edge. It shapes human personalities both into the direction of fanaticism and that of charity. The latter, which in the secular context of justice may be translated into *a pluralism supported by an effective empathy*, or: *a pluralistic and effectively emphatic imagination*, may be a safeguard against the inhuman sacrifices required by the former, militant and dogmatic attitude. Finally, justice as charity is

said to extend not only to moral agents but “every other creature,” which might, debatably, suggest its potential applicability to non-human creatures.

From the perspective of Christian tradition, where charity received one of its formulas, it completes a model of human relations and, as Santayana claims, may be incorporated into a model of justice. Traditionally, charity involves relieving the body and only then assisting in redeeming the soul. Acts of charity never impose themselves, they are not militant. Christ did not venture to “save them [ignorant people and children] in the regimental and prescriptive fashion adopted by the Church” [Santayana (1954), p. 274]. A just state provides for mechanisms preventing the imposture of the dogmatic views of some of its subjects, no matter whether they constitute a minority or a majority, on the remaining ones.

When reflecting upon Santayana’s ideas about the intimate connection between justice and charity, an association with Paul Ricoeur’s essay “Love and Justice” comes to mind. The notion of love here is broader than Santayana’s “charity,” but charity is definitely a part of it.¹⁸ Between the discourse of love, as exemplified by a few biblical sources, and that of justice there seems to be an unbridgeable difference. The former is poetic and speaks in analogies and metaphors. It is characterized by a logic of superabundance as opposed to the logic of equivalence, which is typical of the formalized discourse of justice. Thus, at the level of language, the two modes seem incongruent. There is, however, a shared field of application, and, hence, a promise of at least partial reconciliation between them, namely – both pertain to the realm of human action. And indeed, in the famous commandment “you shall love your neighbour as yourself” as well as in the Sermon on the Mount, where Jesus recommends loving one’s enemies, love appears in an ethical context and in an imperative form. In the latter case, love exemplifies an irrational superabundance, something very distant from the principle of equivalence. Yet, it comes from a supra-ethical realm of the *economy of the gift*, where one gives because one has (already) been given by God, inso-

far one participates in the realm of creation and salvation. Unlike in the utilitarian context, where —to simplify the issue— one offers so as to receive, here offering does not expect reward. We are presented here, to refer to René Girard's vocabulary, with a transcendent model of non-reciprocal action. Were it not for the possibility of this kind of benevolent imitation, the famous golden rule: "as you wish that men would do to you, do so to them" (Luke, 6:31) might resemble the logic of revenge. The supra-ethical principle of loving one's enemies seems to correct the (ethical) golden rule, whereby it protects the golden rule from becoming purely utilitarian and protects people from the effects of the abuse of the golden rule's meaning. It also establishes a broader horizon for the meaning of justice, which, since Aristotle, has been identified, reductively, with equivalence and distribution, whereby justice has seemed to regulate the realm of competition rather than establish conditions for a true cooperation. Imbued thus with the spirit of superabundance (or: love), the ideal aim of justice aspires to mutual recognition, solidarity, and magnanimity in human relations. Other than that, in this dialectical relation, love, which is extra-moral, becomes part of practical ethics under the *aegis* of justice. In other words, justice becomes a formal vehicle for the substance of love. Ricoeur concludes:

It is only in the moral judgment made in some particular situation that this unstable equilibrium can be assured and protected. Thus we may affirm in good faith ... that the enterprise of expressing this equilibrium in everyday life, on the individual, judicial, social and political planes, is perfectly practicable. I would even say that the tenacious incorporation, step by step, of a supplementary degree of compassion and generosity in all of our codes – including our penal codes and our codes of social justice, constitutes a perfectly reasonable task, however difficult and interminable it may be [Ricoeur (1996), p. 37].

These reflections bring Ricoeur, and ourselves, back to John Rawls' theory of justice as fairness. They also bring us back, quite

obviously, to Santayana's insistence that charity and justice share much of their essence. Santayana's and Ricoeur's arguments, different as they are and drawing on some other subtleties of love, both offer substantial support for the alliance of justice and love. Coming back to Rawls, he aims at a situation where the socially controllable goods are as equally distributed as possible. This should be achieved not by a forced and artificial allocation of goods, but by adopting a principle according to which those endowed with "undeserved" (uncontrollable) assets can get richer on condition that it is to the benefit of all, and, in particular, the worst-off citizens. Thus, a social unity based on a *conscious, benevolent, and responsible cooperation* is achieved. Ricoeur, unlike some other interpreters, who focus on the formalism and abstractness of Rawls's theory, interprets the second principle of justice by Rawls as inexplicitly connected to the commandment of love as long as the principle aims at *preventing harm*, in which it differs, for example, from the utilitarian maxim, which silently assumes sacrificing some minority.

Also Rawls' idea of *reflective equilibrium*, which stands for a coherence between one's most abstract ideals, theoretical convictions, and specific judgments, a coherence assuming the possibility of *revision* on any of these levels of reflection, or, in Rorty's words, "fabricating a new practical identity" [Rorty (2007b), p. 201], may be viewed as an expression of this connection. It is so, I'd suggest, first, because reflective equilibrium requires readiness to sacrifice — in the name of justice — one's theoretical convictions, and, hence, even part of one's self, and, second, it is assumed that justice is not finite (although concrete decisions are) and cannot be contained once and for all in any set of dogmatic convictions or written laws. *Love or charity, when it comes to judgment in situation, literally disrupts any dogma, any absolutism.*

To return to Santayana, the association of justice and love in his thought is not limited to the context of charity. Charity involves the recognition of the suffering and unhappy others, as well as mercy for and solidarity with this "living dust." Charity, as Santayana describes

it, may be considered in the context of Schopenhauerian ethics of compassion and may be associated with Santayana's acquaintance with Buddhist philosophy, not to mention the obvious associations with Christianity. Whatever are its sources, and they seem to be eclectic, it is important that the idea of charity as a foundation for justice forms at once a substantive and universalistic part of Santayana's general conception of justice. As for the other dimension of love discussed here —the "erotic" one— it is based on idealization, which involves recognition of the human potential for perfection and inclines Santayana towards the (ancient Greek) idea of justice as harmony, which translates itself into a harmonious organization of diversity, whereby a tacitly assumed right of an autotelic life to strive for fulfillment, perfection, and well-being may be accommodated. It is in this context that Santayana says that *excellence is representative of humans* and proposes that the ideal of natural aristocracy should not be dismissed as a possible form of just government. An attempt to establish —under the *aegis* of justice— a *reflective equilibrium* between charity, which seeks to minimize suffering, and the ideal-seeking pursuit of harmony has been undertaken by Santayana in an insightful and sensitive way, even if never incorporated into a complete and practicable political project.

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NOTES

¹ This paper is a modified version of one of the subchapters of an upcoming book by the same author, devoted to Santayana's political hermeneutic. Both have been written as part of a research project no. 2016/23/D/HS1/02274, financed by National Science Center in Poland.

² See: Rorty (2007a), p. 46-47 and Rorty (2007b), p. 198.

³ In a socio-political context, they also help free Santayana from a suspicion of a radical kind of moral relativism, which condemns any moral judgment to sheer arbitrariness as soon as it concerns anything beyond the narrow context of the speaker.

⁴ See for example: Rorty (2007b), p. 193 and 199.

⁵ Other than that, Santayana, to his credit, distinguishes between morality and religion, morality and law, as well as legality and justice.

⁶ Approaching the Life of Reason requires “an analytic spirit and a judicious love of man, a love quick to distinguish success from failure in his great and confused experiment of living” [Santayana (2013), p. 5].

⁷ The generative order is the first – followed by the militant and the rational – out of three orders or stages in the development of collective agents (nations, states etc.) operative in the political realm as discerned by Santayana in *Dominations and Powers*. In short, it describes the phase of a natural, spontaneous, and continuous growth of a people, a culture, an economy, and a political body.

⁸ See for example: Santayana (1951), p. 455.

⁹ To be sure, Santayana was not always consistent in his views, but one finds more than enough material in his writings, including private letters, that support my interpretation.

¹⁰ In point of fact, Santayana uses the term “capitalism” rarely and usually does so in a pejorative sense. For example, in a letter to John Hall Wheelock, dated 24 August 1948, he calls capitalism “criminal.” See: Santayana (2008), p. 90.

¹¹ The said ideal of natural aristocracy, Santayana emphasizes, does not, by any means, imply the existence of natural slavery, as presented by Aristotle and easily justified by a doctrine that sanctifies any facticity that happens to exist. In fact, these two ideas are not only not complementary but rather at odds with one another. The first suggests at least the possibility of a universal elevation of humans, the second justifies unjust and cruel degradation, serving the existing social relations of power. Indian castes are an example of a social structure not based on ability or merit but rather on inherited injustice. “Thus stifled ability in the lower orders, and apathy or pampered incapacity in the higher, unite to deprive society of its natural leaders.” See: Santayana (1954), p. 133 and 137.

¹² As for Santayana’s unfortunate words of support towards Mussolini, other scholars have already addressed the issue in detail. See, for example: Seaton (2009).

¹³ In the introduction to *The Life of Reason*, Santayana notes that Christian faith, whenever it confuses myths and ideals with real powers in historical circumstances, misrepresents the conditions of human action and “make[s] a

rational estimate of things impossible” [Santayana (2013), p 7]. This being said, one needs to keep in mind that this is but one aspect of Santayana’s much more complex perspective on Christianity.

¹⁴ I introduce and discuss the idea of managing necessity in: Krempleska (2018).

¹⁵ See: Rorty (2007a), p. 51.

¹⁶ For a discussion of similarities between Santayana and Schopenhauer see chapter five in: Michael Brodrick (2015), p. 84-106.

¹⁷ See: Schopenhauer, par. 14-17. See also: Wolf (2015), p. 41-49.

¹⁸ Ricoeur challenges the well-known distinction between *eros* and *agape*; he sees no bases for it in the Bible. He focuses on a few biblical sources of love discourse: I Corinthians 13, Song of Songs, and Sermon on the Plain in Luke, 6:20-49.

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