



**THE VALUE OF “JUSTICE” IN AUGUSTINE’S TEACHING AND ITS  
RELEVANCE TO THE NIGERIAN SOCIETY TODAY**

**By**

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**ABSTRACT**

Have you experienced injustice of any kind? Have you ever felt unjust in your actions? Justice is a moral virtue or a cardinal virtue which is concerned with “doing the right thing” “in the right way” and at “the right time”. So what are we up to in this article? People demand for what is their due and would not want to be denied. That which is demanded is exactly what justice is all about. The understanding of justice as a virtue to be lived and practiced is a thing scholars have discussed since ancient time in moral philosophy (Ethics) and moral theology (Christian Ethics). Grasping its true meaning and nature has not been easy. In this article, Augustine’s approach to the understanding of the concept of Justice will be examined and analysed. Nigerian society today is overwhelmed with so many issues of injustice. In the religious realm, the fundamental right of many people for worship is denied, in the political arena, it is not different as electoral right are often not respected. Politicians and many leaders live above the law and flout court summons. Insecurity is lacking, the people are experiencing injustice day after day as they are oppressed and marginalised. Thus, this article will bring to the fore the true notion of justice in Augustine teaching and evaluate the situation of justice in Nigeria.

**Key Words:** *Justice, Rights, Augustine*

**INTRODUCTION.**

“There is no justice in this world,” and “I demand justice” are firm statements of anger against oppression, maltreatment, and deprivation of people’s rights. In the book of the kings, a harlot demanded for justice from King Solomon against her fellow harlot. It was an event that obviously would have been a hard nut for the King to crack, but the last verse of the chapter says, “When all Israel heard of the judgement which the king had given, they marvelled at him, seeing that God’s wisdom was in him to render justice” (1Kings 3:28). Justice is demanded at all levels of life, but within the realm of leadership it is an imperative upon those in the corridors of power, to discharge this special duty very well. Augustine’s account of justice in the state is summed up in his work *City of God*, Book 4, Chapter 4 thus: “Remove justice, and what are kingdoms but gangs of



criminals on a large scale?”<sup>1</sup> This informs us that justice is a tool of leadership for the service of fairness of freedom, human rights and equality.

In the gospel of Luke, Jesus told a parable about a judge who had neither fear of God nor of people in a certain town. It happened that there was a widow in the same town who demanded justice from the judge against her enemies. The widow kept going to the judge to say, “Give me my rights against my opponent.” The judge responded to the woman’s demand thus: “even though I neither fear God nor care about people, this widow bothers me so much I will see that she gets justice.” (Lk.18: 1-5). The instances cited from the old and the new testaments are clear realities of an outcry for justice.

Our World today is in search of justice. The justice people seek is basically fundamental freedom, human rights and equality. Many persons have fought for it, musicians have sung about it, authors have written about it and activists have suffered torture for it. St. Augustine is one of the Church Fathers who showed concern for the virtue of justice. The purpose of this article is to examine justice in Augustine’s political theology. The article will address his position on justice in relation to torture and capital punishment, and then apply his thought to Nigeria in the twenty first century by way of evaluation and conclusion.

### **UNDERSTANDING THE CONCEPT OF “JUSTICE”**

In Book V of Aristotle’s *Nichomachean Ethics*, he examined the concept of justice and injustice and stated that justice is that which is lawful, equal or fair. It is, he says, “a perfect virtue which is displayed towards others”.<sup>2</sup> Expatriating on the concept, he says, that it is conceived to be the chief of virtues, which is the practise of perfect virtue in a special degree in relation to others. It is a virtue that is for the “good of others”, because; it does what is for the advantage of another, who may be a ruler or an associate. In this regard, he concludes that the arbiter of justice in the society is a Judge. He states, “To go to a Judge is to go to justice, for the ideal Judge is so to speak “justice personified.”<sup>3</sup> The duty of the Judge therefore, is, to restore equality.<sup>4</sup> Justice for Aristotle is a phenomenon for the human society. It is an act that promotes oneness for the human good. As a concept, it connotes the same meaning for different people, even when viewed differently.

Thomas Aquinas following the Aristotelian understanding, writes, in his *Summa Theologiae* “The proper characteristic of justice, as compared with the other moral virtues, is to govern a man in his dealings towards others. This involves a certain balance of equality.”<sup>5</sup> In Aquinas’ position, it is a virtue that properly speaking, concerns relationship with another person or group.

Annabel S. Brett defines justice as that which enables human beings not just to look out for themselves, but also to take into account the interest of others. It is therefore, that which enables

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<sup>1</sup> Oliver O'Donovan and Joan Lockwood O'Donovan, *From Ireneaus to Grotius: A Sourcebook in Christian Political Thought* (Cambridge: William B. Eerdmans Publishing Co., 1999), 45.

<sup>2</sup> Aristotle, *The Nichomachean Ethics*, trans. Harris Rackham (Wane: Wordsworth editions limited, 1996), 114.

<sup>3</sup> Aristotle, *Nichomachean*, 114-20.

<sup>4</sup> Aristotle, *Nichomachean*, 121.

<sup>5</sup> Cf. *Summa Theologiae* 2a2ae.57-122 (justice) in O'Donovan and O'Donovan, *From Ireneaus to Grotius: A Sourcebook in Christian Political Thought*, 355.



them mutually to create a “Public thing”. Justice is therefore the foundation of any political society, and the justice of the ruler or the law is to respect and to foster the good of this public thing.<sup>6</sup> Justice is an act that allows for peaceful relationship among people on a common ground. When justice is not available then the human society becomes uneasy to dwell in. Annabel points to this when she said, that Aristotle and Cicero understood that there are different interests and appetites in people, which may not be in agreement with others; to this effect both philosophers are of the opinion that no Community can exist without the virtue of justice, the virtue that gives to others what is rightly their own.<sup>7</sup>

Finnis, from his own perspective identifies justice as one of the requirements of practical reasonableness. Practical reasonableness is a basic good or a human value as well as a moral principle of operation for human actions. Justice operates within the framework of reasonableness in order that human beings achieve the goodness of their actions. He therefore, opens the discussion on justice under three elements.<sup>8</sup> The first, which is other-directedness,<sup>9</sup> has to do with people’s relations toward another. This relationship Finnis claims is inter-subjective or inter-personal.<sup>10</sup> The second element is that of duty, of what is owed or due to another and in return, what that other person has right to.<sup>11</sup> Justice in this sense, he says, concerns something that in reason must not be done or be done for the avoiding of a wrong. Lastly, and third of the elements of justice he says can be called equality.<sup>12</sup> He treats this in an analogical sense because equality can be present in different forms. Through an understanding of these three elements, he aims to give the concept of justice sufficient precision to be useful in an analysis of practical reasonableness.<sup>13</sup> His theory of justice, in order to be distinct from theorists and theories that are restricted or limited, he says, his own includes principles for assessing how a person ought to treat another regardless of whether or not others are being so treated.<sup>14</sup> So, justice in his theory is a principle by which people favour and foster the common good of the community, based on the three elements of justice in conjunction with the basic requirements of practical reasonableness.<sup>15</sup>

### **ST. AUGUSTINE AND JUSTICE.**

Augustine was born in Tagaste in North of Africa in 352 A.D. His mother was a Christian by name Monica and the father was a pagan by name Patricius. Augustine had a very rough life but he sojourned through most stages of his life in search of wisdom or truth.<sup>16</sup> This truth he found only at

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<sup>6</sup> Annabel S. Brett, "Political Philosophy," in *The Cambridge Companion to Medieval Philosophy*, ed. A.S. McGrade (Cambridge: Cambridge University Press, 2003), 278.

<sup>7</sup> Brett, "Political Philosophy,"

<sup>8</sup> John Finnis, *Natural Law and Natural Rights* (New York: Oxford University Press, 1980), 161.

<sup>9</sup> Finnis, *Natural Law*,

<sup>10</sup> Finnis, *Natural Law*, 161-2.

<sup>11</sup> Finnis, *Natural Law*, 162.

<sup>12</sup> Finnis, *Natural Law*,

<sup>13</sup> Finnis, *Natural Law*, 163.

<sup>14</sup> Finnis, *Natural Law*, 163-4.

<sup>15</sup> Finnis, *Natural Law*, 164.

<sup>16</sup> Carol Harrison, *Augustine: Christian Truth and Fractured Humanity* (New York: Oxford University Press, 2000), 4.



his conversion, which was greatly influenced by Ambrose of Milan. He was later made the Bishop of Hippo. He wrote many letters and books, some of which form the sources for his political theology. Scott describes him as a political realist and the grandfather of the 'just war' theory.<sup>17</sup> Concerning his political thought, Elshtain remarks that, "what is "Political" about his theology must, for the most part be teased out. He never penned a specific treatise on the subject."<sup>18</sup>

Augustine's concept of justice is discussed in book 19, of the *City of God*. In chapter 14, he averred, Divine instruction teaches us two commands the love of God and neighbour. The objects of our love are God, Neighbour and self, but the safe love of self should be the love of God. The goal of this love is peace.<sup>19</sup> Love and peace are two key elements in his thought that enables a person to comprehend his concept of justice. They are the root or foundations of justice. What guides human behaviour is the basic good, upon this Augustine admits that we must live justly to attain supreme good.<sup>20</sup> He questions the means we employ to achieve human goods, In Bk. XIX, Chapter 4, he asked "What about justice, whose function is to render to each his due, thereby establishing in man a certain just order of nature."<sup>21</sup> It is implicit in this question, first and foremost, that justice is an activity by which people render to another what is each person's due. Secondly, it is an order in human nature that must be carried out for the sake of harmony.

Augustine, prior to his analysis of justice, explained how human society at various levels is sinful. Certain human acts like torture, is a practical example of injustice. In Chapter 6 of Book XIX, he propounds that torture is the product of ignorance on the part of those who apply it. He considers a judge who is compelled to investigate truth as unjust because of the torturing of innocent witnesses concerning cases that is not theirs but undergo torture for such a case. He puts it vividly, "a judge, on account of ignorance, tortures an accused in order not to execute an innocent person mistakenly, yet it happens that the judge does execute, through wretched ignorance, one who is both innocent and tortured"<sup>22</sup> St. Augustine elaborating further, stated that the tortured person may choose to avoid pain of torture and admit to an offence he or she did not commit, which might lead to death. In such a situation the judge will have tortured and executed an innocent person out of ignorance.

In Chapter 21 of Book XIX, Augustine elaborates on the importance and inevitability of justice in the society. He clarified some concepts such as "republic" which Scipio defined as "the affair of a people". The implication of Scipio's definition is that there never was a Roman Republic, because its activities were never the affair of the people. Scipio also defined "a people" as "a fellowship of a multitude united through a consensus concerning right and a sharing of advantage." This definition, which Augustine cited also, implied that it was not possible for a people united through a consensus

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<sup>17</sup> Jean Bethke Elshtain, "Augustine," in *The Blackwell Companion to Political Theology*, ed. Peter Scott and William T. Cavanaugh (Oxford Blackwell Publishing Ltd, 2004), 45.

<sup>18</sup> Elshtain, "Augustine" 35.

<sup>19</sup> Augustine. *The City of God*. New York: Penguin Book. 2003; O'Donovan and O'Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought*, 157.

<sup>20</sup> Michael L. Morgan, *Classics of Moral and Political Theory*, 2nd ed. (Indianapolis: Hackett Publishing Company, 1996), 482.

<sup>21</sup> Morgan, *Classics of Moral*, 484.

<sup>22</sup> Morgan, *Classics of Moral*, 485.



concerning right, to be managed by a Republic without Justice.<sup>23</sup> Justice was lacking in the Roman Empire down to its Provinces, so, Augustine in clear language states, “Where there is no true justice, there can be no right.” Indeed he concludes, “Where there is no justice, there is no republic.”<sup>24</sup> He regards justice as that virtue which distributes to everyone his or her due. So then he asks “what sort of justice is it that takes people away from the true God and subject them to unclean spirit.”<sup>25</sup>

Augustine’s theory of justice is drawn upon his idea of the Heavenly City as distinct from the Earthly City, so he cites from the *Republic*, a form of reasoning that is borrowed from nature, which justifies the existence of injustice in the society. It is purported that the society cannot stand firm or be managed except through injustice.<sup>26</sup> To support this notion, an example is given from nature thus, “Why, then, does God rule man, the Soul rule the body, the reason rule lust, and the rest of the corrupt parts of the Soul?”<sup>27</sup> Using this example, he says service to God is advantageous to all people as such justice is a form of service. He asks, “Thus, when a man does not serve God, what in him can be reckoned to belong to justice. Indeed, when not serving God, the soul can in no way justly rule the body, or human reason the vices.”<sup>28</sup> This means that justice is a service to human beings and to God. The end point of his theory is that there cannot be a true society if justice is lacking. It is in this context that his well-known comment cited in the introduction of the essay is well placed. Justice he concludes exists where God rules an obedient society according to his Grace.<sup>29</sup> People will live consequently by faith, which works through love, and justice becomes the love of God, neighbour and oneself.<sup>30</sup> This understanding of justice, whereby justice becomes loving God and one’s neighbour as one self, is one that is rooted in a true definition of people and republic.

Augustine also explained the concept of justice in his *Letter 155* addressed to Macedonius. Macedonius was a Catholic and a very high ranking official, charged with the administration of justice in Africa.<sup>31</sup> Augustine wrote to plead on behalf of the criminals who were tortured and sentenced to death. He says, “Since, therefore God shows much great patience and mercy toward sinners that are not damned forever if they amend their conduct in this life, and since he looks to no one to show him mercy, because no one is happier than he, no one more powerful, no one more just, it follows that we men ought to be such toward other men.”<sup>32</sup> The Roman Empire was characterised by injustice during this period.<sup>33</sup> So, Augustine pleaded for mercy, for an abolition of unjust practices such as torture, and the death penalty. His aim was to commend mildness so as to win

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<sup>23</sup> Morgan, *Classics of Moral*, 494.

<sup>24</sup> Morgan, *Classics of Moral*.

<sup>25</sup> Morgan, *Classics of Moral*.

<sup>26</sup> Morgan, *Classics of Moral*.

<sup>27</sup> Morgan, *Classics of Moral* 495.

<sup>28</sup> Morgan, *Classics of Moral*.

<sup>29</sup> Morgan, *Classics of Moral*.

<sup>30</sup> Morgan, *Classics of Moral*, 495.

<sup>31</sup> Augustine, *Letters 100-155*, Part 2, Vol. 2. New City Press, 2002.

<sup>32</sup> Augustine’s letter is reprinted by O’Donovan and O’Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought*, 122.

<sup>33</sup> Elshtain, “Augustine,” 45.





men's love for the word of truth and to ensure that those who are freed from temporal death may live as not to fall into eternal death that they can never be freed from.<sup>34</sup>

### **JUSTICE AND THE NIGERIAN SOCIETY**

The Prophet Micah makes it clear that God does not want sacrifices from the Jews but requires of them to "do what is just" (Micah 6:8). Likewise Prophet Amos, well recognised as a Prophet of social justice did not spare the Jews of their unjust ways of life. He rebuked while delivering the message of God saying:

The Lord says, 'I hate your religious festivals; I cannot stand them! When you bring me burnt-offerings and grain-offerings. I will not accept them; I will not accept the animals you have fattened to bring me as offerings. Stop your noisy songs; I do not want to listen to your harps, instead, let justice flow like a stream, and righteousness like a river that never goes dry. (Amos 5:21-24).

The messages of the prophets Micah and Amos are much needed in Nigeria today.

Growing up as a child, there was massive torture in schools especially if a pupil or student arrived to school late. Some pupils and students had to walk miles before arriving in the school, some were hawkers and had to sell before coming to school and some had to do house chores before going to school. Some responsibilities were a sine qua non in homes and punctuality to school was second on the list of priorities. The consequence of lateness was corporeal punishment. Many Nigerian children will testify that insane torture was the order of the day. Teachers flogged pupils and students mercilessly for being late to school and some children would have been tortured even before going to school for not doing their chores. Besides the issues of punctuality, inability to answer questions correctly attracted strokes of canes, knocks on the head, kneeling, frog jumps, and so many forms of painful torture. The Nigerian child even today is not free from torture. It is a habit that has closed the sense of justice. This is why in many Nigerian communities, torture is seen as a corrective measure. The local vigilant groups, police and different law enforcement groups in the Nigerian society use torture as means of correction to the detriment of justice. In the religious circle, torture is used as means of exorcism. Insane and demon possessed persons have been beaten mercilessly as means to make them sensible. People believed to be witches are tortured including children. Where is the justice in all that the Nigerian undergo in their own land? The apex of torture, is the death sentence by many groups in the Nigerian society. Mere shouting and chanting by a crowd "thief, thief, thief" on a person believed to have stolen attracts death. There have been situations that even children were tortured to death in Nigeria. People's right to life are violated in many ways by those who think they are above the law and such persons resist arrest and operate as village heads.

A lot of Nigerians are undergoing physical and mental torture today. Jungle justice has become the order of the day in many Nigerian communities and many killed because of mere issues. People are not being listened to before they are lynched. Many are agonised mentally at home and at work. Nigeria of today lacks justice from grassroots to courtrooms. Death penalty or sentence is a daily occurrence from many groups and individuals. At the slightest provocations be it religious, political,

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<sup>34</sup>Augustine, O'Donovan and O'Donovan, *From Ireneaus to Grotius: A Sourcebook in Christian Political Thought*, 127.



ethnic or otherwise, Nigerians condemn and sentence supposed victims to death. Jungle justice as it is known or called is what people experience because the state has failed in dispensing justice. A prominent issue of insane killing is the case of Debora Emmanuel, a 200 level student of Shahu Shagari College of Education in Sokoto State, for alleged blasphemy in May 2022. The Nigerian government and security agents remain helpless in administering justice and save lives from hoodlums. Justice as a moral virtue to do what is right in the right way and at the right time cannot be absent in Nigeria, There is a popular dictum that “justice delayed is justice denied.” Nigerians need justice now. The concept of justice explained thus far from the perspective of Augustine is of much relevance to Nigerians today.

### **EVALUATION AND CONCLUSION.**

There is a general agreement on what justice is all about from different scholars which St. Augustine also shares, and that is the virtue that enables us to give to the other their due so as to avoid a reasonable wrong. The relevance of justice to the Nigerian society today, compared to the society in which St. Augustine lived, one would conclude is of a higher degree. This is because justice as a virtue composed of the three elements of, other-directed, duty and equality is much more diversified in the present age than the period of Augustine.

Injustice, especially against supposed offenders in Nigeria is on the increase. It is true that as a deterrent, punishment should be given to offenders but then what sort of punishment should criminals face? How should the punishment be carried out? The rate of the growth of injustice in Nigeria today is worrisome to International bodies like Amnesty International and the International Human Rights Organisation. In order that true justice is attained it has to be founded on truth and genuine love of God and neighbour. Harrison writing on Augustine states:

In 19.24 he continues his theological reinterpretation and reapplication of Cicero by means of a revised definition which subsumes justice to love. . . Augustine is not, as commentators have suggested, rejecting the concept of justice and replacing it with love; rather he is reinforcing the point already made in 19.21 that justice, rendering to someone his/their due, consist-in rendering his neighbour and God their due, which in Christian terms, means loving God, and one’s neighbour as oneself.<sup>35</sup>

Not until true love, that is a love without condition is exercised, justice will be far from being achieved.

The *Catechism of the Catholic Church* in this line of thought states: “Justice toward God is called the ‘virtue of religion’. Justice toward men disposes one to respect the rights of each and to establish in human relationships the harmony that promotes equity with regard to persons and to the common good.”<sup>36</sup> Human beings, therefore, have a duty toward each other in relation to God within the society, which is inevitable. So then, does justice means punishment for an offence done, as is the case with criminals? Definitely it is not, although Augustine approves of punishment he does so

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<sup>35</sup> Harrison, *Augustine: Christian Truth and Fractured Humanity*, 210.

<sup>36</sup> *Catechism of the Catholic Church*, {here after CCC} no. 1807.



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for the purpose of correction, and the *Catechism* declares that it has a medicinal value.<sup>37</sup> Punishment may be seen as a means to justice but not an end. There are various means but they are subject to commutative justice, the *Catechism* affirms, "Without commutative justice, no other form of justice is possible."<sup>38</sup> The Church calls for all forms of justice to be respected.

Augustine acknowledges that human society is structured in such a manner, that a Judge is inevitable and as Aristotle pointed out, "the judge is justice personified", but this is far from what the world is experiencing. Many Lawyers or Judges in the world today, are less than a personification of justice due to their unjust activities. One of such activities is what Augustine pointed out, torture and death penalties. Isidore of Seville writes "Good judges administer justice with no aim other than eternal salvation, and they do not grant it in return for payments. [...] One who judges rightly holds the scale in his hand with justice and mercy in his pans. Justice is for verdict on the crime; Mercy for the sentence on the criminal."<sup>39</sup> Caretakers of the law and administrators of justice must serve this duty with love.

Leadership is one medium by which justice is administered. However, political leaders have been the greatest culprit of injustice in Nigeria. The State authority has care of the citizens, which largely involves the rights of the people. Once the rights are not protected then justice is questioned. Justice therefore is relevant in the pursuit of human rights within the society. It is the duty of leaders to administer justice through the protection of people's rights.

Leadership and truth are inseparable elements for a just society. Justice thrives where there is truth. So then when leadership fails to uphold truth, the leaders lose credibility and integrity among their subjects. Truthfulness heals the wounds of injustice. Stephen J. Pope states, "Truth is an important expression of justice."<sup>40</sup> He stated further "Confessing truth serves justice."<sup>41</sup> Leadership must embrace truth so as to foster justice in the society. The *Catechism* invites people to truth, it remarks "Men and women have the specific duty to move towards the truth, to respect and bear responsible witness to it."<sup>42</sup> Truth and justice are inseparable for peace and tranquillity to prevail in the society.

Justice is vital for the propagation of the Church's Social teachings. Effective practice of justice results in the application of the principles of the Catholic Social doctrines, which include dignity of the human person, the common good, subsidiarity and solidarity. Since the State has the care of people, leadership must take into account these fundamental principles so as to allow effective service and justice to the people. The Church through her social documents has continuously reminded the State and leaders of the need for these principles to be applied in the enactment of laws for its Society.

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<sup>37</sup> CCC, no, 2266.

<sup>38</sup> CCC, no, 2411.

<sup>39</sup> Augustine, O'Donovan and O'Donovan, *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought*, 208.

<sup>40</sup> Stephen J. Pope, "The Convergence of Forgiveness and Justice: Lessons from El Salvador," *Theological studies* 64, no. 4 (2003): 830.

<sup>41</sup> Pope, "The Convergence of Forgiveness" 831.

<sup>42</sup> CCC, no, 2467.





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Conclusively, Augustine was much interested in seeking eternal peace and happiness in his philosophy and theology, a true justice must take into account these two elements. Love is the binding force for true peace and happiness; however, Genovesi remarks “Without justice, ‘love’ is just a word”.<sup>43</sup> There can be no real peace without justice likewise there cannot be any true happiness without justice. Justice is demanded of the earthly city because God has created the universe with a beauty that is full of justice; we must conform to this order of creation through the constant practise of Justice.

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<sup>43</sup> Vincent J. Genovesi, *In Pursuit of Love: Catholic Morality and Human Sexuality* (Minnesota: The Liturgical Press 1996), 31.



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