

## THE LOVING CREATIVITY OF LAW An Essay on Paul Ricœur's Hermeneutical Ethics

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I intend to show how, in Ricœur's work, the idea of Justice plays a central role in the semantical displacements concerning theological, political, anthropological, ethical and metaphysical discourses. In order to fulfill this task, I will examine closely the bond between Justice and Law, Justice being an operational concept that is effective only in the writing of the Law. At the same time, Law intends to reach the margins of the political by the exigence of Justice. However, only the dialectic between Love and Justice will open Law definitely to the Other, in order to aim eschatologically towards a state of peace.

**Key-words:** Justice – Love – Ethics – Politics – Theology – Ricœur

### I. The economy of Justice: between immemorial exigence and political procedure

Paul Ricœur (1991: 177) underlines that the term *justice* can be viewed from two different perspectives: the ethical and the legal one. For justice appears in the core of social relations, the principles of justice are present both in moral and political grounds, and express the reflexive work over practical application of justice in historical contexts. However, justice has also a mythical, immemorial dimension that makes of justice an infinite exigence. Ricœur, thus, speaks of a *sense of justice* more than of an *idea* of justice: we don't have a concept of justice that could be applied in every human situation; it is an unjust situation that awakens a search for justice and its meaning. The idea of justice, then, is reflexive in two senses: in its social *regency* and in its immemorial origin. Both dimensions of justice are, however, absolutely interdependent, and "the dialectic of the 'good' and the 'legal' are inherent to the role of regulative idea that could be assigned to the idea of justice in relation to the social practice that is reflected in it" (1991: 178).

The difficulty concerning justice is that we lack a definition of it, and it seems we are more capable of denouncing an unjust situation than knowing how to make it right. As Ricœur affirms, "the sense of injustice is not only more tearing [*poignant*], but also brighter (*perspicace*) than the sense of justice, for justice is what is lacking most of the times, whereas injustice is what rules [*règne*], and men have a clearer vision of that which is missing in human relationships than of the right way to *organize them (les organizer)*" (1991: 177, my italics). Injustice is detected *at sight* because men can see more clearly

what is *lacking* in human relations than the way to *organize* them effectively. From this claim, one could assume that Ricœur decides to think on Justice from a political standpoint, and not as an ethical individual virtue. In this search for justice as the search for a correct way of organizing social relationships, Ricœur stresses a teleological meaning of justice (goodness), and not just a deontological one (legality), for lacking something refers to what is desired, to something deemed as *good*. However, in the case of justice, one *lacks* what is necessary, not just what is desirable: the immemorial exigence of justice, thus, entails a sense of duty that takes it closer to deontology. The ambivalence in the idea of justice is what makes of it a pivotal idea that brings together teleology and deontology, *desire* and *obligation*.

This dialectic between the legal and the good in the idea of justice could be better understood if we decline to define justice as a concept with a “material content”. I claim that justice is an operational concept that has only an *economic* sense: its capacity to *organize*, to dispose multiplicity harmonically. Hence, if this is so, the question for the procedures of justice is redundant, for *justice is procedure*. Whereas Aristotle and Greek conception is only an imperfect formalization of this procedure, whereas modern contractual philosophy carries this procedure to a definitive formalization (Ricœur, 2008), justice is, essentially, *formalization*. If justice moves between the *legal* and the *good*, and this dialectic is at the core of its definition as a *regulative idea*, then this difference between obligation and desire is not that clear. In the very teleological idea of goodness one already finds the idea of a *regula*, the sense of measurement and order. Justice *rules* on social relations, for justice is already expressing itself in a *regula*, in Law. I intend to show how our search for justice is materialized in Law, and how Law itself sets a field of semantical displacements from Ethics to Politics and to Theology.

## II. Law: the writing of Justice

If Justice is but an operation, a way of organizing, of giving unity to a multiplicity, then Justice is an operational concept, without any definition or *normative content*. It is the *writing of the Law* that makes Justice something meaningful, something *intelligible*. And, in expressing what is Just, Law also gives content to the idea of Good, also an idea whose content depends on tradition and culture. What is good is determined by Law, since Law determines the goals that a community must pursue, and which are the necessary means to achieve them. The dialectics at the heart of the idea of justice between the legal and the good is only possible if we take Law as its very ground: the question remains if Law is only an outcome of a technical procedure of social organization, or has also an ethical demand that aims at what is Good.

If Law is the only way to express what Justice means, then there cannot be a pure individualistic Ethics, since Law always refers to a community, and what is Good has always a political dimension. Ricœur’s ethical philosophy is quite attentive to this paradoxical articulation between the individual and the political community. Both contractualism and communitarism fail to maintain, at the same time, the originality of the community and the independence of individuality. In this tension between individual and com-

munity, between singular and collective, we find a central phenomenological concept: the idea of *institution*. When Ricœur summarizes his ethical philosophy as “a good life, for and with others, in just institutions”, there are three terms that are being considered: one-self, the other and institutions.<sup>1</sup> Institution is what makes real and possible a connection between one-self and an-other, is the “structure of the living together” (Ricœur, 1990: 227). *An-other* is never *an Other*, absolutely speaking, the other is always an-other within a common world, within a *Life World (Lebenswelt)* that is crossed by the dimension of language and history. An *im-mediate* encounter between singular and singular, a *face to face* relation, is but an abstraction. Dialogical personalism, such as the one in Martin Buber or Gabriel Marcel, fails to reflect on human relationships due to its methodological exploration of personal existence as being irreducible to objective, cultural and historical dimensions. On the contrary, Hermeneutical philosophy cannot oppose interiority to exteriority, and cannot understand human existence without its historical rooting. An Other is always an-other by means of a shared world: alterity reveals itself within cultural and linguistic mediations. Personal relations cannot be *short*, but are always *long*, for there is no possible *immediation* in the face to face.<sup>2</sup>

The idea of *institution* enables the efficacy of mediation, since mediation is only meaningful as far as it institutes a certain meaning or behavior in the world; at the same time, to be such, a mediation must be *instituted*. Ricœur is, then, already in the paradox, for there is no human person outside institutions, but at the same time there cannot be any institution if there is no community, and community cannot be something that prevails over singularity. On the one hand, Ricœur understands politics as a common desire to live together (in the spirit of Hannah Arendt), therefore the notion of community is at the core of politics; on the other hand, however, Ricœur underlines that individuality must be sheltered from collectivity (Ricœur, 1986: 288-302), therefore politics stands on individual intercourses. This paradoxical claim entails that an institution is neither an individual outcome nor an anonymous structure, but the living tissue of a community of individuals.

If there is no human relationship outside mediation, and mediation is effective as far as it institutes itself, then there is no social or interpersonal bond outside institutions. And if justice is the “first virtue of social institutions” (Rawls, 1999: 3), that is, what gives institution its effectiveness, then, justice is what makes human intercourse possible. Now, if Law expresses what justice *means* (and what justice institutes as *means* to its end), Law defines not just Politics, but also Morality and Ethics. The very idea of *ob-ligation* that is

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<sup>1</sup> Ricœur’s ethical thought can be traced mainly in: *Soi-même comme un autre*, VII-IX études (1990, 199-342).

<sup>2</sup> David Pellauer (2012) stresses the importance of justice as far as it goes beyond the idea of solitude and of friendship to understand human relationships. However, he does not take it that far, since he still considers immediacy as one kind of interpersonal relation. Charles Reagan (2015) claims that there is a bond between justice and recognition in Ricœur, and that recognition is a necessary condition for justice and that justice is the *telos* of recognition. Although I agree with his argument, I think it still does not reach the radicality of this bond, since, I argue, justice is also the necessary condition for recognition.

key to the notion of Law (which Ricœur reserves for Morality, and not for Ethics),<sup>3</sup> is already an idea of *being-in-front-of-an-other*: if intersubjective experiences are not possible without any mediation, then there could be no human intercourse in a pure ethical domain where Law is not already *operating* communion.

This hermeneutical need of mediations and institutions to understand communion, leads us to the necessity of *writing*, of *scripture*. Strictly speaking, all institutions (and therefore, all mediations) are but a way of writing or *marking*, in the sense of Jacques Derrida. If there is something meaningful, then a *scripture* has taken place. However, while every writing are *ruled*, the *writing of the law* is, at the same time, obeying a rule of writing, and making it effective. In the case of the writing of the Law we are in front of an *aporia*, for this writing implies already a rule and at the same time makes the rule real or effective. A way to face this *aporia* is by proposing an architectural structure of Law, in which certain laws are submitted to other laws. But the real *aporia* concern those laws that are not tied to any other law, that is, the *Ground-laws* (or *Grundnorme*, if we take Hans Kelsen's terms, for instance), those which produce laws without themselves being produced. There are many ways of grounding laws by postulating a Ground-law: from Divine Law, from Cosmological Law, from Positive Law, etc., one could legitimate the whole juridical building. However, the real problem lies in this effectiveness, the *mystery* of the grounding of Law's *performativity*, that is, the problem of the *writing of the grounds* (is this not what we call *metaphysics*?). In this writing of the Ground-Law, we shall ask for the role of justice: is there a real difference between justice as operation and the Ground-Law as the expression of it?

The writing of Law is, essentially, an historical decision. Ricœur (2009: 75-77) denounces the temptation of eternalizing moral values in an *axiological* perspective. There is something interesting in *Axiology* that connects with the problem of grounding law, and that we find in its very etymology: *axios* is the principle from which something can be derived, on which something can be grounded. Axiology, thus, implies an *architecture*, a technique of *organizing principles*. This writing before any writing, this *arche-typical* (*arche-típos*, or first/principal marking) gives to the idea of value a certain dimension of eternity. Ricœur understands that this delusion of eternity is the "cross" of every philosophy of essences and of values, for a value must be thought of as something that transcends time, but also as being something that appears historically. For Ricœur, values refer to what a community considers to be good and necessary to its living together. Value, then, is a certain *medium* between *matter* and *form* concerning *practical* reason: on the one hand, a value has a semantic content that expresses something that a community considers as being *good*, as something desirable; on the other hand, a value has an aspect of obligation and of commination, for what is esteemed valuable is something that we *must* pursue. Ultimately, thus, the ideas of justice and law are present in the concept of value, for they depend on what a community considers as a *correct way* of organizing social relations

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<sup>3</sup> For the distinction between Ethics and Moral, one can see, for instance: "Éthique et morale", en: *Lectures 1: autour du politique* (Ricœur, 1999, 258-270).

efficiently. An axiology, hence, should be considered both from a deontological and a teleological perspective, and should be undertaken from the idea of Law. The theory of values cannot itself ground the legitimacy of Law, for Law is already present in what is valuable.



*Paul Ricœur*

stand better the co-implication of morality and ethics: in the first place, the idea of the “third” arouses again the idea of justice, for justice is always a reference to a third element; in the second place, the idea of a “he” cannot be separated from the idea of *humanity* in every human being (something alike Levinas’ *illicité*, and Kantian human dignity); in the third place, we should wonder if someone can be a *prochain* without being also a *socius*, while we can think otherwise, that is, that a certain *socius* is not a *prochain*. Hence, loving and caring relationships would be subsumed to legality, and Law would be already operating communion even in intimacy. One could find a similar strategy in Ricœur’s latest work, *Parcours de la reconnaissance*, when he opposes *reciprocity* to *mutuality*.

Every human relationship, therefore, is a political one, and that is already present in Ricœur’s definition of Ethics, for the very idea of institution is a political one. Although the idea of Law could seem to be *prior* to the one of community, there cannot be any community before Law, for in a wide sense, Law structures the whole *common-world* (language, symbols, territory, social functions, etc. are expressed by Law). In this sense, Morality (as the substance of the political) would ground Ethics. Now, since Law is something historical that is defined politically, what is at the core of its dynamics is the tension between *center* and *margins*. The question of the Other arouses the exigence for Justice,

### **III. An altered Law: the loving creativity of Law**

In an early essay, concerning human relationships, Ricœur claims that the other is either someone close to me and for whom I care (*prochain*), or someone with whom I am just committed politically (*socius*): in sum, there are either “short” or “long” relationships (1995a: 99-111). In criticizing the dialogical philosophies, Ricœur wants to stress the personal dignity of the “third”, of the “He”, of that man with whom I have no personal relation, but that must be treated as a *persona*. The idea of *respect*, thus, displaces the centrality of sympathy in human relationships (see also: Ricœur, 1954). The distinction between the *prochain* and the *socius*, helps us to under-

for there could not be an-Other in Politics: every man should be *subjected to rights*, but that means that every man must be *subjected to Law*. This means that in every human relationship, there could not be an Absolute Other, or, in other words, that Alterity cannot be taken as being Absolute.<sup>4</sup> In several texts, Ricœur discusses Levinas' philosophy of alterity, for mutuality implies a certain *pairing* of the persons involved: oneself is already an-other, and an-other is already oneself, that is the paradox! Every man is *relative* to others, that is the main idea of the "*socius*" – and Justice is the exigence of turning each and every man recognizable by everyone else.<sup>5</sup> Justice, thus, must face the *margins*...

Now, there is a paradox in the essence of Law and Justice: if there is no Other outside Law, how can an-Other provoke new writings of Law? Put this way, there could not be any answer, for we are in front of an *aporia*.<sup>6</sup> The idea of Justice, as an economical operation of disposal, sheds light on this topic: if something can be disposed it is because it is not absolute (un-tied), and if something is at the margins it is because it is bound to the center. "Margin" and "justice" are, already, political terms. But the paradox is still there, for Law is something that must be written from the center, and if margins are justified by Law, then margins are brought to the center, leaving new margins aside. One could think that peace is the goal of politics, as the state where margins are no longer; however, peace itself is paradoxical, for Justice is always operating unity without accomplishing it completely (that would entail an absolute Totalitarianism): a State of peace should be searched only as far as difference and conflict is assured.<sup>7</sup> At least politically speaking, the idea of peace could be quite dangerous.

The writing of Law, then, is a two-handed writing: the center and the margins are both in the heart of juridical texts. If we take both Aristotle and John Rawls, we could detect this ambivalence of justice: *mesotés* (equity) is a *ratio proportionis* that must be achieved to maintain the equilibrium between the parts involved, and that means that there is an original *des-equilibrium* that must be healed, a *des-equilibrium* that implies the strength of one part over the weakness of the other. In Rawls' political philosophy, the third principle of Justice considers the weakest part in community as the most important part to be accounted for in the search for social organization (or distribution of roles). Hence, his Contractualism is subordinated to his Kantianism, for the idea of *respect* is

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<sup>4</sup> Vosloo (2015), for instance, claims that there is an ambiguity in the concept of "Other", since there are "harmful strategies of othering" that does not stand on the respect of alterity, but on marginalizing differences.

<sup>5</sup> Charles Reagan (2013) underlines the need of functioning systems of justice to warrant this mutuality and self-recognition in a polis to have a *good life*.

<sup>6</sup> Jacques Derrida (1994) has analyzed in depth the *aporia* concerning justice and law.

<sup>7</sup> In his paper, Dierckxsens (2015) argues that there is an "ambiguity of justice" since it aims at the establishment of social peace but implies, as well, power and violence over the others (in its relation to vengeance, authority and struggle for values). I would argue that, as an economic principle, justice lead necessarily to violence, but as an immemorial exigence, also carries the demand for peace and recognition of the other.

stronger than the calculus of consequences.<sup>8</sup> If justice does not consider marginality, then it is unable to achieve unity, and multiplicity could carry out *an-archy*, and then no human relationship would be possible. Justice, thus, pursues unity, but also claims for difference.

Ricœur's Hermeneutical Ethics can address this paradox of the two-handed writing of the Law, for, on the one hand, human relationships need mediations, ultimately political and juridical mediations (Politics are also a matter of writing and reading, a matter of interpretation). On the other hand, the search for Justice is possible only within the writing of the Law, and the writing of the Law entails a political conflict, where there is no place for exactness nor demonstration, but only for probability and persuasion (1995b: 163-185). However, although Hermeneutics could have a central key to disclose this political-juridical paradox, Ricœur has not addressed the question of the *Text of Law*, that is to say, the way in which Law is written and how one should read and interpret it:<sup>9</sup> the very idea of the author of Law would bring into light the tension between Authority and Law, but mainly the idea of a "World of the Text" applied to the Legal Body would entail a profound understanding of Politics itself.<sup>10</sup> Ricœur referred to the question of Justice mainly from two different interests: the interest for the idea of capable man that is "behind" the subject of responsibility (in the idea of *imputation*), his interest in an Ethics that can face the *tragic* in the concrete situations,<sup>11</sup> and the centrality of *phrónesis* in the juridical judgment in the application of Law to particular cases (Ricœur, 1995b: 143-162 and 163-183). These interests are expressions of Ricœur's main objective of grounding Morality on Ethics, for Law and Justice are brought from the Political to the Personal, and the *sagesse pratique* is at the center of his philosophy of the "capable man", avoiding any kind of Structuralism (that would consider *persona* as the outcome of anonymous mechanisms). But the idea of Justice and Law brings together the notions of *Persona* and of Structure, and one could consider Ricœur's work as a starting point – not even a complete bringing into question – of the articulation between Morality and Ethics, between Politics and Juridical dimensions, by the Hermeneutical need of understanding Law as a Text.

The *Text of Law* reveals this political paradox, for it brings together both dimensions of Justice, in its economic meaning and as an immemorial exigence. The economic sense of Justice, as the political operation of disposing multiplicity into unity, entails an argumentative writing that could guarantee reasonability by connecting logically some prem-

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<sup>8</sup> There are many articles written by Ricœur on Rawls' political philosophy: (Ricœur, 1995b, 71-98; 99-120; Ricœur, 1991, 196-215; 216-231).

<sup>9</sup> For instance, Ricœur refers to Hans Kelsen only once (1995b, 50), and this reference is important as far as the question for the Juridical as System carries out this main political paradox.

<sup>10</sup> Cf. "La paradoxe de l'autorité" (Ricœur, 2001, 107-124); see also "Justice et vengeance" (Ricœur, 2001, 257-266).

<sup>11</sup> The preeminence of the point of view of man as a capable and free agent over the point of view of law as a structure of commination and order, can be traced in an article of Ricœur concerning the idea of "responsibility" (1995b, 41-70). In other article, Ricœur propose that the question on the juridical subject (*le sujet de droit*) must be redirected to the question on the moral subject, and this to the one on subject itself (1995b, 29-40).

ises to some conclusions. The text of Law, in expressing the economic dimension of Justice, must have a systematical *architecture*, and the idea of cohesion and coherence are central in the writing of Law. To give reasons entails the possibility for a calculus, for anticipation, but also the possibility of a public discussion, for reason has a universal dimension that allows a universal participation. In this sense, Justice is “the virtue of institutions”, and that means that the very principles of Justice – expressed in Law – can and must be arguable if one aims at finding a *consensus*. However, the immemorial exigence of Justice breaks the *economic* sense of Justice, for the Other exceeds its functional and dispositional political character. This “Other *leitmotiv*”, thus, leads us to the main tension of this essay: the dialectics between Justice and Love, which will display other *semantic*, mainly from the Political and the Ethical to the Theological.

Ricœur (2008) proposes this dialectic between Justice and Love from a linguistic perspective: in the first place, there is a “prose of Justice” and a “poetics of Love”. Justice is essentially something communicable, something we can argue about, and therefore, argumentation and interpretation are in the basis of juridical practices (Ricœur, 1995b: 163-184). Love, on the contrary, exceeds communication and rationality, and there are three characteristics that define the “oddities of the discourse of love”: its connection with praise, the puzzling use of the imperative, and the reference to sentimental dimension within the expressions of love (which operates its metaphorical power). We could analyze this characterization of the language of Love and that of Justice: in the first place, we could say that the *writing* of Justice (which is what we call Law) precedes always its operational power, so that we can act according to the rule, while the writing of Love is always something that happens later, for it is a response to what is given, to the event of a donation – therefore the language of Love is that of praise, which expresses itself not in Law but in Hymns. We can find here again the tension between the formal and the material, for formalization gives Justice its *a priori* operational effectiveness; Love, on the contrary, cannot have an *a priori* dimension, but only an *a posteriori* one, since time as the irruption of alterity cannot be suspended in the experience of Love. This tension is found again in the last characterization of the language of Love, since its closeness to affectivity, to emotions and sentiments, brings love to the materiality of sensibility, while Justice gets close to the formality of reason. However, this tension is put into question in the second characterization, that of the *puzzling* use that Love makes of the imperative: Ricœur states that there is “a poetical use of the imperative”, and that we should not understand it as if it were an ethical imperative, for in this case the command that the lover makes to the loved one (“love me!”) precedes any Law; moreover, this distinction between command and Law can only take place if we understand that the command of Love is love itself, as if the genitive in “command *of* love” were, at the same time, a subjective and an objective one (Ricœur, 1995a: 20-21).

Although Ricœur does not go in depth concerning what he calls “poetical use of the imperative”, it is important for us to think of it, for *poetics* implies creativity (its Greek origin, *poiesis*, underlines this productivity), illustrated by the fact that the command of Love precedes every Law. This *poetics of Love*, contrasted to the *prose of Justice*, leads



us to think about the writing of Law and the irruption of alterity that we spoke about before, since both justice and love address action, each of them in their own way (without confusion or dichotomy). As Ricœur claims, “the maintained tension between the two different and sometimes opposite revindications could be the occasion for the invention of responsible behaviors (*l’invention de comportements responsables*)” (Ricœur, 2008: 32, my italics). The prose of Justice meets the poetics of Love, and this tension arouses *new* ways in which we can take care of the Other, in which we can *respond* to the calling of the Other. Responsible behaviors imply not only a consideration of the Other, but also the considerations of the Moral dimension that guarantees mutual recognition, and that is why the inventing force of Love cannot be taken apart from the institutional grounds of Justice and Law.

This tension between *institution* and *invention* at the core of Ethics and Law entails a dialectic understanding of both formality and materiality. Ricœur’s strategy to address this tension is his reference to the *Golden Rule* (*Règle d’Or*): “one should treat others as one would like others to treat oneself”. This rule puts Love and Justice in a dialectical Moral reference, for if both address Human Action, and human action refers always to an-Other, then both Love and Justice have moral meaning. The *Golden Rule* is pivotal and displays a semantical tension between Theology and Philosophy (Ricœur, 1994: 273-280): Love does not abolish it, although Love can re-interpret this rule in the sense of generosity, arousing paradoxical and extremes behaviors. However, these new behaviors cannot be judged as being im-moral: Love has a *supra-ethical* significance. This prefix *supra-* implies that Love cannot ignore Justice; on the contrary, Love supposes (*sub-poser*) Justice and Ethics (that is to say, Law), interpreting them in the light of generosity (Ricœur, 2008: 38). We could say that Love only *makes sense* in the Text of Law. The tension is again striking, for what produces Law is, at the same time, bound to it. Therefore, Justice is also bound to Love, although the prefix *supra-* would not be the appropriate one, but neither the prefix *infra-*, for it is not a question of a deductive relationship. Love has no content (only Law can be read, for it is written), and, therefore, an epistemological relation between Love and Justice cannot be claimed (such an epistemological approach would imply homogeneity in the linguistic structure). Ricœur claims that Love’s *logic of the excess* prevents perverse interpretations of the *Golden Rule* to take place, such as utilitarian and egoistical interpretations of it, carried out by a reductive application of the *logic of equivalence* (Ricœur, 2008: 39). Therefore, a dialectical tension between *margins* and *center* is also surpassed, for there are no margins for Love: could there be any margins where there is no rule or limit, where excess overcomes?

“The tension that we have discerned (...) does not suppress the contrast between the two logics. The tension, however, makes of justice the necessary medium of love; precisely because love is supra-moral, it only enters the practical and ethical sphere under the protection (*égide*) of justice. As parables, that re-orient by dis-orienting (*réorienter en désorienter*), this effect is obtained in the ethical dimension by the conjugation of the new commandment and the Golden Rule and, in a more general way, by the synergic action of love and justice. To dis-orient without re-orienting means, in Kierkegaardian terms, to

suspend Ethics. In a sense, the commandment of love, due to its supra-moral condition, is a way of suspending Ethics. Ethics is only re-oriented by the reprisal and the rectifying of the utilitarian inclination of the rule of justice” (Ricœur, 2008: 41).

#### IV. Conclusion

I would argue that Love is the theological (Christian) name of the *immemorial sense* of Justice, its ultimate reference to Alterity. In this hearing of the Other calling, Love has a creative power that puts into question Law and its writing. There will always be something that cannot be read nor written in Law: the Other *qua* other. Our juridical and legal systems are but ways to face our duty towards the Other. But the goodness behind our legal systems is even deeper than its organizing function. And, as Levinas has stressed, what is beyond Being is Good, and Good is the door to Infinity. Love breaks the limits of Law from within – in that paradoxical belonging of Love to Law, and vice versa. One could hear the word of Jesus Christ: he came not to abolish Law, but to accomplish it. And the “Spirit of Charity” (1995a: 110-111) reaches all our searches for justice. However, Love must be thought of from a Theological standpoint, keeping it safe from a sympathetic and emotional interpretation, which could suspend its moral meaning. Love is creative of Law as far as Love is not in the field of immediacy: Love does not face a *Thou* (*prochain*), but mainly a *He* (*socius*). In this “different loving” or “love to difference” is where one could find the political power of Love, and the Theological grounding of human *fraternity*.<sup>12</sup>

As we can see, Justice is at the center of all Ethical and Moral Philosophy, as far as Justice operates two contrasting movements: on the one hand, justice disposes every man as being part of a social structure; on the other hand, Justice fixes our eyes on alterity, on the irreducible dignity of every man. In other words, justice operates the tension between *citizen* and *persona*, between man as *subjected to law*, and man as being essentially *an-archic*. The first movement brings Justice closer to Technical Procedures and to Political and Juridical dimensions, while the second movement is possible because of the irruption of Alterity meant by Love, that makes Justice also a Theological and Metaphysical concept. But, ultimately, the second movement is prior to the first, for Law and Rights, the consideration of the other as *socius*, depends on *charity*, that reaches everybody in their singularity, in their personal essence... that essence that has no sign or legibility, that runs away from any description... that as *being-given* can only be *attested*, welcomed, praised... That, as being-given, will continue to *forth-come* (*ad-venire*).<sup>13</sup>

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<sup>12</sup> This appeal to Love concerning social and political conflicts could be troublesome and ineffective, as Roman (2015) shows, due to its meta-institutional character. I would argue that this appeal is only meaningful if it is taken in all its theological and eschatological sense, as the infinite *demand* to answer the Other’s call, but also as the infinite *power* that we receive as *grace* to respond effectively. Institutions are *vitalized* by this grace, but this new life cannot grow from institutional mechanisms themselves.

<sup>13</sup> There is in the core of Ricœur’s political and ethical project an “*Eschatology of Non-violence*” (Savage, 2015).

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