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*Bryan Schwartz wonders about the nature of law in a harsh, complex world*

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JOB is back in the news. William Safire, the New York Times political columnist, has added a new book to two millenniums' worth of commentary about the Biblical sage. Let me add a few words more.

The scenario: Job has led a life of virtue. He is happy, too. Suddenly his wealth is destroyed, his children are killed, his health is shattered.

His friends insist that God rewards virtue and punishes evil. If Job is innocent, God will eventually redeem him; if he has sinned, he should repent.

Job rejects all the glib theorizing. He refuses to blame himself without cause. He declines to curse God either. Instead, he confronts and bitterly demands an explanation. God responds - but only with questions of His own. The upshot is that the divine way surpasses human understanding.

Since then, countless human beings have been afflicted beyond any just cause. That inescapable fact continues to make skeptics out of believers. Other factors, such as the advance of science, have helped to make ours an age of doubt. If the true test of faith is its influence on everyday conduct, most of us are atheists.

The ancient Stoics taught that justice could exist without God. They believed in "the law of nature" – a moral order inherent in the universe, and knowable by all through the exercise of reason. The practical conditions of ancient Rome helped inspire the Stoic belief in a legal order that transcended cultural differences. Judges often had to decide cases between people of differing ethnic and legal traditions. The judges tried to find and apply underlying principles that were held in common.

The Stoic natural lawyers were prone to wishful thinking. The natural order, they said, rewards virtue and punishes sin. Evil conduct might, in the short run, reap material gains; but it would also produce a bad reputation, a tormented conscience and a constant fear of vengeance from those who have been wronged.

Well, it ain't necessarily so. Being bad can be a good career move.

Discarded scruples can hasten a climber's ascent. The most popular people may be skilled deceivers or flatterers. A ruthless competitor may be safer from retribution than one encumbered by principles or pity.

The orator Cicero was a natural lawyer. There is a wonderfully obtuse passage in his famed book *On Duties*. Cicero recalls that a great Stoic teacher, Panaetius, set out to write about three questions. First, what is morally right? Panaetius produced an outstanding analysis. Second, what is personally

advantageous? A similar triumph. Third, what if justice and self-interest conflict? In the three decades before his death, Panaetius never managed a response.

Cicero explains that there was no need for one; the conflict can never really exist. He is oblivious to another possibility: Panaetius could never find a way around the fact that nice guys often finish last.

WHEN the 17th-century Dutch jurist Grotius invented international law, he based his system on natural law. His book insisted that there could be justice even without God. He invoked the usual Stoic arguments purporting to show that being good is good for you. By the end of his argument, though, Grotius had not even convinced himself. He suddenly inserted an additional and ultimate reason to act justly: If you don't, God will punish you in the afterlife.

Natural law thinking has heavily influenced Western constitutional traditions. It helped inspire the American idea, now reflected in the Canadian Charter of Rights, that fundamental human rights should be placed in a nation's constitution. Nowadays, though, who still believes in the metaphysics of the Stoics, with its natural and eternal moral order? Most people think of justice as an institution created and enforced by human beings. But if neither God nor nature can guarantee that the justice will be done, what can we expect from ourselves?

The world is so complex and harsh that many situations do not have just outcomes, but only varying degrees of unfairness. Human malice makes things even worse. People frequently rise to high authority precisely because they are opportunists, hypocrites or bullies.

Conversely, social reality often validates the French proverb that "no act of kindness goes unpunished." The Bible had a similar sense of irony; Job was chosen for affliction precisely because he was the most virtuous person on Earth.

Job stayed true to himself and decent to others even when he realized the moral order was out of his control, incomprehensible and perverse. A hero for his time - and ours.

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