

## ESSAY

# AUGUSTINE'S *CONFESSIONS* AS READ BY A MODERN LAW TEACHER

JAMES BOYD WHITE

Hart Wright Professor of Law, Emeritus, Professor of English, Emeritus, The University of Michigan

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Today I want to talk about Augustine's *Confessions*, a book that may seem a far cry indeed from the life of the modern lawyer—especially the lawyer for whom what we call “religion” seems a very distant matter. But I think Augustine has much to say to us about the nature of a good education, including a good legal education, and I hope this is so whether or not one shares his religious commitments.

### I

Let me begin by explaining how it was that I became engaged with the *Confessions* in the first place. It is a simple story. I had heard over and over again that this was one of the most important and valuable books in the Western tradition: the first full expression of human inwardness, the deepest actualization of the human self as we have come to know it since, full of depth and mystery. It was fascinating, enlightening, and a true shaper of our culture.

So I started to read the *Confessions*, many times, in many translations, but I found it impossible. I felt I was drowning in an ill-shapen mass of pious platitudes taken from second-rate nineteenth-century theologians, who seemed to speak as if their language were not problematic in any way, but simply said what needed to be said, clearly and with the authority of the ages. I could not confidently grasp either the outline or the details of the story.

In these English versions, Augustine seemed to use theological terms in what we lawyers call a “conclusory” way, that is, as though they did not need further elaboration or definition. His psychology likewise seemed elementary and unsophisticated, again as though the subject were one on which his words explained themselves. As for the narrative, that seemed pointlessly complex and substantively trivial. What, for example, is the big deal about stealing pears? It was an adolescent prank, not a serious sin. And so on. Maybe you had such a response yourself.

None of this helped me discover what the Christian language about God might have meant to him or to see what connections this language might have with events of ordinary life, in his era or our own. So the whole experience was deeply unsatisfactory. I know other people have had very different responses to the translated Augustine, but this was mine and I saw no way to change it.

Then, about twenty years ago, I revived enough of my high-school Latin to read the first page, and I was, in the modern idiom, blown away. All the impressions I had had of this text were exploded. It was now full of life and immediacy and urgency. Augustine used his terms of theology and psychology, indeed all of his languages, with a constant sense of what they could and could not do, of what they left out or distorted, all in order to say something new and vital. His religious sense was not reducible to theological cliché but was deep, vital, and original.

In recent years, my retirement has made it possible for me to read the whole thing through, with the help of a Latin teacher, and for me, it has become one of the most important books of all.

## II

As the larger design of the book came gradually into view it seemed to have a powerful bearing on my own life. I hope that my effort to say why this is so may be of some value to you, both as teachers and as students of the law.

To start with the narrative: the story is that of a very bright provincial boy making his way upward in the world through the power of his mind and tongue. (*Sound familiar?*) He starts in an obscure town in North Africa, on the south side of the Atlas Mountains. This is where his education begins, but it quickly takes him to Carthage, the second city of the Western empire, where he studies rhetoric, the queen of disciplines at the time, uniting intellectual skill and practical power. (*Sound familiar?*) He is an academic superstar and becomes a teacher of rhetoric, first in Carthage, then in Rome. In Milan, the seat of the Empire, he becomes a practitioner of the art, on the staff of the Emperor to whom he personally presents a panegyric. He makes it to a position of power and almost-certain wealth. The next step seems to be marriage into a wealthy and powerful family, and perhaps the governorship of a province, with all the wealth and power that implies.

But in Milan, just when an appropriate marriage has been arranged, he experiences a conversion to Christianity, the religion of his mother. He decides to resign his position and to withdraw with some friends to lead a life of philosophical and theological reflection, first in a borrowed villa near Milan, then back in North Africa, where they had all originally come from. On their way home Augustine's mother dies, in Ostia.

At this point the narrative portion of the *Confessions* comes to an end. As I tell it, it may sound like the story of a man who "discovers God" and simply turns his back on the world.

But hold on.

## III

By the time he wrote the *Confessions*, ten years after his return to Africa, it was apparent that Augustine's life had not proceeded according to his plan of religious and philosophical retreat. After three years in Thagaste, his home town, he visited Hippo, a city on the coast, where he was physically forced by a congregation to become a priest against his wishes—they simply would not let him leave the building until he agreed. About five years later, he was made a bishop.

From this point on he was to continue in the active role of priest and bishop—running religious services, giving hundreds of sermons, adjudicating disputes among his flock, carrying on theological wars with those he regarded as heretical—and doing so in a context in which religious difference often led to violence. After the fall of Rome in 476 he spent many years writing his magnum opus, *The City of God*, which was simultaneously a comprehensive critique of Roman culture and an

equally comprehensive defense of Christianity, made in response to the astonishing and frightening destruction of Roman power. When he died in 430, the Vandals were besieging Hippo, the town where he had lived and worked for decades.

By the time he began to write the *Confessions*, in about 397, he could see that his was not really a life of philosophic and religious retreat at all, but a deep and active engagement in the world with all its difficulties, disappointments, and dangers. It is true that he was involved in the church, not the state, but his life was deeply of the world and, in its own way, immensely successful.

#### IV

But this life was deeply different in quality from that other life on which he had first embarked, his life as teacher of rhetoric. What had changed? This is perhaps the true subject of the *Confessions*, written ten years after the end of the story it tells.

In our experience, autobiographies are usually stories of success, but the *Confessions* seems to involve failure after failure, collapse after collapse, not only in Augustine's life but in the very structure of the text.

Thus the narrative is in one sense positive, leading to Augustine's conversion, but in another it is a story of loss of confidence and competence, a kind of dismantling of the self. He starts out with immense confidence in his intelligence, in his ability to understand the world and himself, and in his powers of persuasion, but near the end of the work says, in effect, that the only thing he knows in the world is that God exists, and exists within him.<sup>1</sup> The life that brings him to this point, the life of which he has been telling the story, is in a sense now an unreality, without meaning except for the fact that it brought him to a new kind of life.

Let me explain. Before he converted to Christianity, Augustine was a rhetorician with the interests and hopes of a philosopher. First, under the influence of Cicero, he discovered philosophy. Then he joined the Manichean religious sect, really on philosophic grounds—he thought they succeeded in explaining the presence of evil in the world by positing not one good and omnipotent God, but two opposed forces: one good, one bad, one light, one dark. But what he was assenting to was for him more a theory than a way of life. His next conversion was to Neoplatonism, which again he embraced primarily as a philosophic system, not as a life of religious experience and practice.

In Milan, as he tells it, he had experiences of a different kind, experiences deep in his soul that led him to convert to Christianity and in so doing to abandon the whole philosophic way of understanding the world. In his experience the whole structure of life based on philosophy breaks down.

Theology breaks down too, at least if theology is thought to be a way of "talking about God." In fact, in the *Confessions*, theology never gets going at all, for in it Augustine never talks *about* God; instead, from the first lines to the last, he talks *to* God, the audience addressed in every sentence. The *Confessions* is not a work of theology in the usual sense, then, but a sort of invented genre, a book-length prayer or psalm, which undercuts every other form of thought and imagination in which Augustine or his reader are tempted to engage. In the end, for him there is only Augustine, God, the Scriptures, and the reader.

<sup>1</sup> "Et ecce intus eras et ego foris, et ibi te quaerabam" (Behold, you were within and I outside, where I was searching for you). "Mecum eras, et tecum non eram" (You were with me but I was not with you). Book X, chap. 27.

## V

The first nine books of the *Confessions*, briefly summarized above, are offered as the narrative of Augustine's life; the tenth is a reflection on memory, the eleventh a study of time, and the last two are extensive and imaginative readings of the first few verses of Genesis.

Why does Augustine not simply stop at the end of book nine, when the narrative comes to an end? Does the other material have an important function, and if so, what is it?

I think this material is crucial. One way to put it is to say that in books 1–9 Augustine tells the story of his early life; in books 10–13 he shows how life can be lived, now—by him as he now is and by the reader as he or she now is. He is in fact not only explaining how life can be lived on these terms, he is showing us how this can be done; and he is not only showing us, he is inviting us to participate in that way of living.

Let me elaborate.

In book ten Augustine focuses on memory, the central human capacity he has himself been exercising in the first nine books. So far he has been telling us what he remembers about his life; in book ten he makes memory itself a problem.

As he presents it, we start out with the inexplicable and incomprehensible gift of life. Thereafter we use memory constantly, not only when we write the story of our lives as he has been doing, but in leading our lives from day to day. Memory is the embedded experience upon which we rely for everything, from the use of language to the formation of desires to the management of social relations. But, as he makes us see, memory is profoundly unreliable. In a sense this book is the beginning of his real confession, the confession not of bad things he did as a boy, but of what he has come to know that he does *not* know, even about himself.

What we remember, after all, is not sense data but sense data processed by thought and imagination. Memory is a way of locating ourselves in a process of which we know neither the beginning nor the end, a process that is, in its essential nature, interior and, in a deep way, unverifiable. The “narrative” Augustine has just given us is really just the memory of memories, not a story of facts.

As Augustine comes to realize that all he knows of the world depends upon his memory, which is mysterious, misleading, and incomplete, he also comes to see what is for him the ultimate fact about his knowledge: that all he can be certain of is that God exists and is within him. He is a long way from the bright young man proud of what he knows and of what he can do with his knowledge. Everything except this new knowledge—everything from narrative to autobiography to philosophy to theology—is now buried in the mystery of memory.

In book eleven, Augustine continues this line of thought by reflecting on the mystery of time. His main idea is this: all that is past is no longer real, all that is future is not yet real; so all we have is the present, which is itself not stable but a tiny, infinitesimal razor edge of awareness that disappears as fast as it emerges. By the time we get to the end of a single word, its beginning is in the past.

The razor edge can be extended slightly through memory and imagination, but it is where we live, in a constantly disappearing present.

To the God to whom he is speaking he says in essence: By an act of inexplicable grace you call upon me, in this edge of time in which I live. That is my only true reality: my presence, your presence, my voice, your voice. On these conditions, nothing else can truly be known. This is the position out of which the *Confessions* is written.

Augustine is here bringing his consciousness to face both the essential mystery of his own existence and the essential quality of that existence, which is that except for the presence of God within

him everything passes away. Nothing else can be held on to and apprehended. Thus it is that in these closing books we find Augustine, who once knew so much, saying again and again, I do not know, I cannot know, this is beyond me.

The last two chapters offer a deep and highly imaginative reading of the opening of Genesis. Here the world that Augustine has been creating expands. It now includes not only himself and his God, in the razor edge of the present, but also God's scriptures, his holy word, the reading of which is not simply a matter of seeing the obvious, but requires an art of interpretation—an art all the more complex when Augustine recognizes that other readings than his own can be equally true, a fact at which he, perhaps surprisingly, says we should rejoice. He formalizes this position by saying that interpretation should always proceed on the principle of charity, that is, love of God and love of neighbor.

His reading is driven in part by truth, in part by an ethic of generosity and charity. This in turn means that his world has expanded to include other people, especially his readers. Here there is another transformation, for the community of people engaged in this life of the present is for him the church, the presence of the Spirit in the world.

As one who has been, by profession, a teacher of law, I cannot help thinking here of the bright young lawyer, familiar to us all, who structures his or her life by certain objects of ambition: high grades, law review, Supreme Court clerkship, job with a famous and rich firm, early partnership, argument before the Supreme Court, and so forth. This is what Augustine was like, fulfilling his, and his mother's, dream of success. But it all collapsed: philosophy, theology, prestige, power, wealth, even his memory, even his capacity to tell a story.

But Augustine's sense of loss has a paradoxical effect, namely, that it gives what he says and thinks an extraordinary immediacy and life, an authenticity and truth, both for himself and for us, 1500 years later. He is wholly in the present, in the present created by this text, and we are too.

So Augustine's story is one of benign humiliation, the destruction of his own pretenses and claims, often against his will and without his knowledge, until he is at the end stripped naked and vulnerable and ignorant; but in that condition, he is able to live in a new and deeper way.

Such are the conditions of life, for him then and for us now. The moment passes: Are we alive in it, to it? Can we speak out of the center of ourselves, aware of what we do not know, what we cannot be? The *Confessions* are written to bring us to the point where such questions are real.

## VI

How does all this connect with the life of the modern lawyer?

For me the crucial fact of legal practice is that in this life the language of the law is brought to bear on a series of immediate, unique, and incompletely comprehensible problems in the lives of other people, to which it is the task of the lawyer to do justice—with all the difficulties that term suggests. The lawyer's life is a place where language meets the world. This means that all of his or her learning is suddenly provisional; it is not the source of answers so much as of questions, which have to be articulated in terms of the new context that is suddenly at hand. In using the language of the law the lawyer must constantly reformulate it, make it new. The responsibility that such a moment defines is a challenge to mind, character, and imagination. The question is: How are we to meet that challenge in making the meanings we claim for experience—while working, as we do, in a larger community of diverse views?

Augustine found a way to work out of his awareness that all learning, all expectations, were provisional only. He not only worked, but worked brilliantly, far better than he would have done had he remained the expert rhetorician he started out to be. The very ephemeral quality of things made it possible for him to be present as mind and imagination in a new and much more complete way to what he was doing. The freshness and newness of life this transformation entailed gave him immense power, in part because it seems to have erased his earlier susceptibility to embarrassment and his need to impress others.

What I describe may seem paradoxical, but I think it is true of Augustine and can be true of us. As a lawyer friend once said to me, it is only when we recognize that most of the apparently important things are ephemeral that we can begin to judge with some accuracy their beauty, their truth, and their value, for only then can we separate them from ourselves and start to see them for what they actually are.

Finally, I think that there may be an even deeper commonality between Augustine and legal education, harder to talk about, resting, in Augustine's case, on his religious conversion. Obviously not everyone wants to go his way, but I think it is possible to hope to have, as a lawyer, an educative transformation of another sort, leading to something like what Augustine comes to attain for himself: that is, an awareness of the evanescence of all things; of the unreliability of memory and intellect; of the essential emptiness of most goals of ambition or competition; of the springs of life and strength within oneself, upon which one may rely; of the hope of speaking always to another as that person is, in that situation at that moment, out of the center of oneself and of one's mind; of the openness of our texts and practices of authority to multiple readings and uses; and ultimately of the power each of us might hope to have of speaking in ways that are true and alive—for only through such speech is justice possible.