

Love and Justice

Edited by
INGOLF U. DALFERTH
and TREVOR W. KIMBALL

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Love and Justice

Consonance or Dissonance?

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edited by
Ingolf U. Dalferth
and
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Preface

The theme of the 37th Annual Philosophy of Religion Conference in Claremont was *Love and Justice: Consonance or Dissonance?* It attracted considerable interest far beyond Claremont and brought together participants from different religions, traditions, and academic disciplines for three days of fruitful conversations. The present volume documents our discussions and reflections. It includes the reworked versions of the papers presented at the conference as well as additional material from the 2016 Forum Humanum competition and some papers which we have invited for this volume. Together the volume provides an excellent introduction into the complex issues of love and justice in contemporary philosophy of religion.

We are grateful to the *Udo Keller Stiftung Forum Humanum* (Hamburg) who has again generously provided ten conference grants to enable doctoral students and post-docs to take part in the conference and present their work on the theme of the conference. Five of those papers are published here along with the other contributions to the conference. We gratefully acknowledge the generous financial support of Claremont Graduate University, Pomona College, and Claremont McKenna College and the assistance of the Collegium Helveticum in Zurich in handling the *Forum Humanum* competition. We are indebted to the contributors to this volume, to Mohr Siebeck who has accepted the manuscript for publication, and to Marlene A. Block (Claremont) who helped to get the manuscript ready for publication.

Trevor W. Kimball
Ingolf U. Dalferth

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Introduction: Love and Justice

INGOLF U. DALFERTH

People care a great deal about love and justice. They protest when their sense of justice is disturbed, and they suffer when their lives lack love. But what do they understand by ‘love’ and ‘justice’? And what, exactly, is (or could and should be) the relationship between them?

Both ideas or ideals have received a lot of attention within theology, philosophy, psychology, sociology, and neuroscience in recent years. In theology, the theological virtues of faith, hope, and love have become widely discussed issues again.¹ In philosophy, psychology and neuroscience research into the emotions has led to a renewed interest in the many kinds and forms of love.² And in moral philosophy, sociology, and political science questions of justice have been a central issue of debate for decades.³ But many views are controversial, and important questions remain unanswered.

First, there are conceptual issues: What do we mean by ‘love’ and ‘justice’ in everyday life, and how is this conceptualized in different disciplines? How

¹ Cf. J. PIPER, *Faith, Hope and Charity* (San Francisco: Ignatius, 1997); G. OUTKA, *Agape: An Ethical Analysis* (New Haven: Yale University Press, 1972); L. J. ELDERS, *La vie morale second saint Thomas d'Aquin: ine éthique des vertus* (Paris: Éditions Parole et Silence, 2011); TH. P. RAUSCH, *Faith, Hope, and Charity: Benedikt XVI on the Theological Virtues* (Maweh: Paulist, 2015); J. PORTER, *Justice as a Virtues: A Thomistic Perspective* (Grand Rapids: William B. Eerdmans Publishing, 2016); A. K. MIN (ed.), *Faith, Hope, Love, and Justice: The Theological Virtues Today* (Lanham: Lexington, 2018).

² H. E. FISHER, A. ARON, and L. L. BROWN, “Romantic Love: A Mammalian Brain System for Romantic Choice,” *Philosophical Transactions of the Royal Society London B Biological Sciences* (2006): 21732186, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1764845/>; S. CACIOPPO, F. BIANCHI-DEMICHELI, E. HATFIELD, and R. L. RAPSON, “Social Neuroscience of Love,” *Clinical NeuroPsychiatry* 9 (2012), 313; S. CACIOPPO and E. HATFIELD, “From Desire to Love: New Advances from Social Neuroscience,” in *The World Book of Love*, ed. L. Bormans (Tiel: Lannoo Publishers, 2013), 116119; M. BOLMONT, J. T. CACIOPPO, and S. CACIOPPO, “Love is in the Gaze: An Eye-Tracking Study of Love and Sexual Desire,” *Psychological Science* 25 (2014), 174856; UMSL “The Science Behind Love,” *NeuroscienceNews*, 20 January 2017 (<http://neurosciencenews.com/love-psychology-neuroscience-5982/>).

³ J. RAWLS, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1999); J. RAWLS, *Justice as Fairness: A Restatement* (Cambridge, MA: Harvard University Press, 2001); O. O'NEILL, *Towards Justice and Virtue* (Cambridge: Cambridge University Press, 1996); A. SEN, *The Idea of Justice* (Cambridge, MA: Harvard University Press, 2009); N. WOLTERSTORFF, *Justice in Love* (Grand Rapids: William B. Eerdmans Publishing, 2011).

does love relate to sympathy, sexual desire, charity, compassion, pity, or mercy? And how is justice distinguished from fairness, equality, or egalitarianism? What are the problems that make people turn to speaking of love? And what are the questions answered by referring to justice? Views differ widely, both within traditions and across cultures. Are familiar distinctions between *eros*, *philia*, and *agape* helpful or a hindrance for understanding love? And is everything important said about justice by distinguishing between distributive and retributive, interactional and redistributive, restorative and commutative, procedural and transformative justice?

Second, there are issues of personal and social life: Is it true that love and compassion enable more fulfilling and meaningful kinds of human relations than do liberal notions of justice and rights? Do love and justice necessarily conflict or can they be harmonious? What kinds of love and justice do we need to distinguish in order to avoid confusions? Is it true that love has a role to play in personal relationships but must be replaced by justice when it comes to social and political issues? Is justice the public form of love and love the private form of justice?

Third, there are theological issues: What is the relationship between self-love, love of neighbor, and love of God? Is justice a mode of love, and is injustice a failure to love one's neighbors and God? Was Nietzsche right when he wrote: "If God wanted to become an object of love, he should first of all have given up judging and justice: a judge, even a merciful one, is no object of love."⁴ If God is love, can God be just? And if God is just, how can God be love? Can there be love without justice, or justice without love?

Finally, there are moral and political issues: Can there be true love without a passion to do what is right, to fight evil, to punish wrongdoing, and to enforce justice? And can there be true justice that is not mediated and appropriated through love? Would there be injustice if love were properly shared? And can there be justice if it is divorced from love? What are the means of realizing love and justice in human life? Can there be universal love without a concern for the ultimate welfare of all humanity, including a just and good life for everybody? Can a life that lacks in love be a just life? Does fighting for justice involve striving for love? And does striving for love include fighting for justice? Can love be enforced as justice can? Or is spreading love, respect, and compassion enough for realizing justice? Is the struggle for justice a way of working for a life of love? Or does our need for love show that struggling for justice is not enough to enable us to live a good human life?

This is no more than a rough grouping of questions. But one cannot tackle issues of love and justice without getting entangled at least in some of them. This is obvious in each of the following contributions to the debate about

⁴ F. NIETZSCHE, *Gay Science III* (Cambridge: Cambridge University Press, 2001), 140.

love and justice. We have tried not to discuss the two topics in isolation but to focus on issues that take the relations between them into account. And we have grouped the contribution to the volume under three headings: *Love and Justice* (I.), *Forgiveness and Generosity* (II.), and *Justice, Benevolence, and Hospitality* (III.), moving from basic questions about the relationships between love and justice through specific, but central problems of a just practice of love to social and political issues of the practice of justice in today's society.

The first part starts with a debate on three narratives outlined by Pope on the rise of love and justice in human society: the Christian story, the Evolutionary story, and the story of Evolutionary Theism. The three stories are clearly interconnected, the second being a counter-story to the first, and the third being a restatement of the first in the light of the criticism of the second. Together they outline an approach that is fairly widespread in contemporary American philosophy of religion. Its basic ideas are closely related to the classical Aristotelian-Thomist tradition discussed by Everett Farmer in his paper on love, justice and divine simplicity. But this complex tradition covers only part of the picture. We therefore add contributions that illumine the very different approaches to the issues of love and justice in the Continental tradition, in particular those of Leibniz, Kant, Kierkegaard, Levinas, and Ricoeur. Together the contributions of the first part provide a good overview and introduction to the problems commonly discussed under the heading of love and justice.

The second part presents theological, philosophical, literary critical, Kierkegaardian, and feminist contributions to the debate about mercy, forgiveness, and generosity. Körtner outlines the theological background of a culture of mercy and forgiveness. In the theological tradition only God is the truly righteous, just and loving one. But what is true of God is not also true of human love and justice. God is righteous because he makes sinners just, and he is loving because he makes people lovable and love their neighbors. God's love is creative, and so is God's justice and forgiveness. Focusing on the human situation, Deidre Green puts it the other way round: "In love, justice and forgiveness come together." Yet this hardly works under human conditions without qualifications, as Regina Schwartz and Nicholas Wolterstorff point out in their different ways. Actual life is more complex, less coherent, and full of breakdowns of love and justice. Gratuitous generosity can sometimes be unjust, as Wolterstorff argues. And *Hamlet*, *Romeo and Juliet* or *King Lear* cannot think justice without getting entangled into issues of law, revenge, self-defense, and punishment, as Schwartz shows. This raises a host of difficult moral issues. Is there a duty to forgive for the just? Not everybody is in a position to forgive but only the one who has been harmed. Not everybody who has been harmed must or should be expected to forgive. Forgiveness is not a matter of necessity or a moral requirement but the free exercise of the freedom to forgive. The crimes of humanity cannot be made undone by whatever we say, and the dif-

ference between victim and perpetrator cannot be ignored in discussing issues of justice, punishment, and forgiveness. There is something like the unforgivable, as Farmer argues, and confronting the unforgivable in a way that does not add evil to evil is something we can and must learn.

The third part turns to issues of benevolence, dignity, hospitality, and economic justice in the social, economic, and political spheres of human life. Here it is not so much the individual but society as a whole that is at stake. What does it mean to live in a good, free, just, and hospitable society that does not ignore our human ills but tries to fight and to cure what can be fought and cured, and find ways of living humanely in the light of the ills that cannot be overcome but have to be suffered and endured? Just as universal benevolence goes beyond anything that can be supported empirically, so human dignity goes beyond anything that can be substantiated in experiential terms. Such concepts do not describe but orient our behaviors towards others and ourselves in a normative and not merely a natural or factual way. This is how we want to live our human life, not because it is impossible to do otherwise, but rather because it is only too possible. Within the realm of the naturally possible we cultivate our humanity by living in a way that is far from natural. It is highly unlikely that we succeed, but precisely this is the reason why we go for it. *Soyez réalistes, demandez l'impossible* – this is the battle cry of humanity in the light of the growing insight into the dark depth of our human nature and predicament. Humanity is intrinsically trans-natural, a permanent attempt to move beyond the restraints of our biological nature and to make us into something we are not by nature but can become only by cultivating an art of living that is fragile and permanently in danger of being ruined by ourselves. Love and justice are intrinsic to human culture but not a feature of human nature. It is easy to ruin their power of human formation by trying to naturalize them too radically. We cannot develop a culture of love and justice that is not based on a sound knowledge of human nature. But a narrow-minded biological naturalism is not a means of supporting our humanity but a way of undermining it.

In each part some papers are printed with a response (Pope, Körtner, Schwartz, Wolterstorff, Green, Min, Hall, Amesbury, Metz). They were the papers delivered at the Claremont *Annual Philosophy of Religion Conference* 2016. The other contributions were added from the *Forum Humanum* competition 2016 on the same topic (Fullmer, Pöykkö, Kimball, Rosenhagen, Torrance) or are independent contributions, which we invited to round up the volume. We hope that the three parts of the volume will now speak for themselves and provide readers with enough material to probe more deeply into the topics discussed in future research and debate.

I. Love and Justice

Conceptions of Justice and Love: Theological and Evolutionary Considerations

STEPHEN J. POPE

Human beings are often described as “storytelling animals.”¹ This chapter will begin by sketching two master narratives that exert a significant influence on contemporary culture – one representing traditional Christianity and the second coming from contemporary evolutionary naturalism, each of which provides a framework for interpreting the meaning of love, the meaning of justice, and an account of how they might be properly related. After describing these positions, it will then sketch an outline of an alternative master narrative, that of evolutionary theism, and offer a way of thinking about its implications for how we think about love and justice.

I. A Version of the Christian Story

The traditional Christian story begins with faith in a triune God who freely creates the cosmos simply to share divine goodness with what is not God. Among all creatures, human beings are given the unique status as made in the image and likeness of God. As *imago Dei*, human beings hold a special dignity as free and intelligent beings and so bear a special responsibility for one another and other creatures. The Creator chose to establish a series of covenants with the Israelites that culminated in the loyalty pact at Sinai that committed the chosen people to worship rightly and live righteously. When God allowed the people to establish a monarchy, he rose up prophets to criticize the injustice of kings and their powerful allies. A key litmus test of Israel’s covenant fidelity was its treatment of the widow, the orphan, the poor, and the alien worker.²

The Christian story culminates in the fulfillment of the messianic promises of the Old Testament in Jesus of Nazareth, whom Christians acknowledge to be the Son of God and Savior of the world. Jesus understood himself as sent by the Father to inaugurate the in-breaking of the reign of God. He embodied this reign in compassionate acts like giving sight to the blind, healing the lame,

¹ See A. MACINTRYE, *After Virtue* (Notre Dame: University of Notre Dame, 1981).

² For example, see Deuteronomy 24:21, Jeremiah 7:6, Exodus 22:21, and Leviticus 19:33.

raising the dead, forgiving sins, and inviting outcasts to join him in table fellowship. The reign of God is the concrete realization of God's love for humanity and issues in a way of life marked by *agape*, radically self-giving love. *Agape* typically goes beyond but never falls below what is due to others in justice.

St. Paul understood the Christian life as patterned on the central Christian motif of death and resurrection.³ Conversion is an ongoing process of dying to the old self and rising with the new.⁴ Christian life is a participation in Christ through the Spirit. Paul urges his communities to support one another, pay special to their weaker members, and offer hospitality to strangers. *Agape* is both inward facing in community fellowship and outward facing in care for the outcast.

One of the major turning points in the Christian story (at least as told from a Catholic perspective) takes place in the scholastic theological construal of Biblical *agape* as the virtue of *caritas* or charity, the grace-inspired love of God. Charity is a *habitus*, a settled disposition that leads the human person to love God as a friend and to love all creatures "in God."⁵ "Creatures" include the self, particular neighbors (including malefactors and enemies), the wider common good, and non-human creatures.

Thomas Aquinas distinguished love (*amor*) as a natural emotion ("passion") shared by all human beings (and indeed all creatures) from the virtue of *caritas*.⁶ Thomas understood love (*amor*) in a very broad sense as an inclination to, or aptitude for, what an individual perceives to be good for him or her. At the most basic level, love is what moves any organism to its sensitive good (the Greek notion of *eros*).

We human beings are moved by *amor*, but respond to the goods presented to us by the use of our power of free choice. Thomas used the term *dilectio* to refer to distinctively human love of intelligent creatures acting in light of their free choices.⁷ The "free" character of our choices points to the fundamental challenge of being human. As complex animals, we encounter a vast variety of goods that run from lower goods that elicit sense pleasures to higher goods that constitute our most lofty ideals. All goods are worthy of love, but some are more important than others, e. g., the good of friendship is a higher level of excellence than the good of fine dining. Unfortunately, we are typically prone to love these goods wrongly, either too much or not enough, and we are tempted to seek lower goods at the expense of the higher, e. g., to prefer money to friendship.

³ I Corinthians 15

⁴ Romans 6:6; Colossians 3:9–10)

⁵ T. AQUINAS, *Summa Theologiae*, II–II,23.

⁶ *Ibid.*, I–II,26.

⁷ *Ibid.*, I–II,26,3.

Thomas' most well-known theological axiom holds that grace "perfects" rather than destroys human nature.⁸ The virtue of charity constitutes an ordering of our love that puts first things first. It generates internal acts of joy, peace, and mercy and external acts of beneficence, almsgiving, and fraternal correction.⁹ It is displayed not only in religious piety but also in a properly ordered love for family members, close associates, peers, colleagues, and everyone whom one interacts. When it encounters human beings in need, it engages in the appropriate corporal or spiritual works of mercy. Charity thus offers hospitality to strangers, forgiveness to sinners, and reconciliation to enemies.

Charity is not only the central virtue of the Christian moral life, but also the "form" and the "mother" of all the virtues.¹⁰ It thus provides the inner animating principle of the cardinal virtues, including justice – the virtue that gives to each what is his or her due.¹¹ Charity inspires a will dedicated to observing the norms of commutative and distributive justice. It finds injustice abhorrent and refuses to lie, cheat, steal, or otherwise unjustly injure anyone.

This way of telling the Christian story credits scholastic theologians with identifying the synthetic vision of Christian life as one rooted in charity and overflowing into all facets of life. Good theology, of course, does not guarantee sound practice. The prevalence of disordered love reflects not only our finitude but even more our sinfulness, the core deformity of the human person that gives rise to sinful deeds. Disordered love lies at the root of injustice and of envy, greed, and the other seven "deadly sins."

The Christian story is a "mixed bag" when it comes to love and justice in concrete circumstances. Throughout its history, church has obviously been guilty of corruption, hypocrisy, bias, and spiritual blindness. It called for crusades, established inquisitions, and sanctified colonial ventures. The church, however, has also produced great poets, artists, mystics, visionaries, saints, reformers, and prophets who criticized the church's violations of its own core principles. Its members have devoted themselves to works of mercy in schools and orphanages, hospitals and hospices, soup kitchens and homeless shelters. In the modern period, *caritas* has led churches and Christian NGOs to engage in advocacy on behalf of the least of our brothers and sisters, e.g., through institutions like L'Arche, Caritas Internationalis, and the Jesuit Refugee Services. Finally, in the second half of the 20th century the church moved beyond an ethic of almsgiving to an ethic of advocacy that flows from charity but insists

⁸ Ibid., I,1,8.

⁹ Ibid., II-II, 28-33.

¹⁰ Ibid., II-II,23,8.

¹¹ Ibid., II-II,58.

on justice: “If you want peace, work for justice.”¹² In doing so, the church has become what is arguably the most prominent moral authority in the world, particularly when it comes to human rights, nonviolence, and social justice.

Told this way, the Christian story understands charity and justice as virtues that promote human flourishing, both individual and collective. The virtue of charity brings out the best in and enhances our natural social and affective capacities. The virtue of justice properly orders our natural volitional capacities and plays an essential role in promoting the common good. These and other virtues are cultivated in concrete ways by the community life, religious practices, and educational works of parishes, schools, universities, and other religious institutions. The Christian story depicts a God who has worked in and through the history of Israel and the history of the church to enable believers to understand where they come from, the purpose of their lives, and where they are ultimately going.¹³

II. A Version of the Evolutionary Story

Our second meta-narrative, evolutionary naturalism, dismisses every bit of the theological narrative just sketched. Its tellers regard the entire theological story as based on belief in ancient myths that have now been discredited and replaced by modern science.¹⁴

The evolutionary story begins with the Big Bang 13.7 billion years ago and the subsequent formation of stars and then planets. The earth was formed some 4.6 billion years ago and the earliest cellular organisms appear around 3.9 billion years ago. Natural selection immediately began to take place: over time, organisms with adaptive traits survived and reproduced and organisms lacking adaptive traits did not. Pressure from changing environmental conditions generated the evolutionary process rooted in what Darwin called “descent with modification.”¹⁵ This process is random in the sense that new variations are unplanned and the process as a whole unguided – the effect of Richard Dawkins’ “blind watchmaker,” not a provident God.¹⁶

¹² POPE PAUL VI, “If You Want Peace, Work for Justice,” World Day of Peace, 1972, http://w2.vatican.va/content/paul-vi/en/messages/peace/documents/hf_p-vi_mes_19711208_v-world-day-for-peace.html, accessed January 17, 2017.

¹³ See T. RADCLIFFE, *What Is the Point of Being a Christian?* (New York: Continuum, 2005).

¹⁴ For example, S. HARRIS, *The End of Faith: Religion, Terror, and the Future of Reason* (New York: Norton, 2005); and O. FLANAGAN, *The Really Hard Problem: Meaning in a Material World* (Cambridge: MIT Press, 2009).

¹⁵ Charles Darwin uses this phrase 21 times in 1859 edition of *The Origin of Species*.

¹⁶ R. DAWKINS, *The Blind Watchmaker* (New York: W. W. Norton, 1986).

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