

1-1-1977

Comments

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Recommended Citation

Childress, James F. (1977) "Comments," *Quaker Religious Thought*: Vol. 44 , Article 4.
Available at: <https://digitalcommons.georgefox.edu/qrt/vol44/iss1/4>

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Comments

JAMES F. CHILDRESS

We can be grateful to Eugene Roop for focusing our attention on the meaning of justice in the biblical tradition in such a helpful way. I shall raise a few questions about this conception of justice and especially its significance for contemporary social ethics. I shall draw some distinctions that may illuminate discussions of justice, indicate some different ways of conceiving the relations between love and justice, and suggest some difficulties for a conception of justice as solidarity and integrity.

Roop's interpretation of justice in the biblical tradition highlights continuities while admitting some shifts, developments, and adaptations. It is important to note that he does not pretend to cover the whole biblical tradition (for instance, in the New Testament, only Jesus is discussed). Nevertheless, given the diversity within Scripture, one could easily speak of biblical traditions or at least different streams within the tradition. Furthermore, it is necessary to distinguish (although not to separate) a descriptive, analytic, historical interpretation of various streams within the Bible from a normative adaptation of one or more of those streams for contemporary theological-ethical reflection and action. Roop is primarily concerned with the former, which can, of course, serve as a helpful background and guide to the latter. His study reminds us that we cannot simply take biblical notions such as justice and move directly to contemporary issues in social ethics.

Several distinctions may help us clarify justice. Aristotle rightly distinguished between justice as equivalent to the whole of morality and justice as only one of the virtues.¹ In its broader sense (which has some biblical warrant), justice could be construed as righteousness, which would encompass all right,

fitting, and good actions in relation to other persons. In its narrower sense, justice is concerned with several matters of social and political life, such as the distribution of benefits and burdens, the rectification of transactions, and retribution.

Although justice is not the only virtue or norm of social institutions, laws, and policies, it is probably the most important one. While society may fall short of our vision of the good or perfect community in many different ways, injustice is a particularly troubling defect. Any adequate social ethic, whether Christian or humanist, will need to delineate various qualities of a good society rather than to succumb to the temptation to stress one single norm to the exclusion of other considerations. Whether the norm that is emphasized is order or liberation, justice or love, a social ethic that reduces a moral assessment of institutions, laws, and policies to a single consideration cannot adequately take account of, account for, and direct our moral judgments. Despite their prophetic eloquence, liberation and political theologies cannot provide a satisfactory social ethic by recognizing only one norm or goal of society. Of course, to recognize several norms is to concede that they may come into conflict, that we may not be able to realize all of them simultaneously without some sacrifices and compromises, and that we may face moral tragedies in our social and political activities.

What is justice? There may be a general consensus about the *concept* of justice while there is great disagreement about the most acceptable or defensible *conceptions* of justice. The concept of justice seems to involve treating similar cases in a similar way, making no arbitrary distinctions between persons, for instance, in distributing benefits and burdens.² If I respond to my twin sons in different ways, but can give no reasons (such as their different needs or abilities), my action appears to be arbitrary and unjust. But a formal principle of treating similar cases similarly is compatible with material injustices. It was said that one great football coach treated all his players equally — like dirt! Our different *conceptions* of justice identify the relevant similarities and differences between persons and how we should respond to them. Different conceptions of

justice will offer such principles as "to each according to his need, from each according to his ability," "to each according to his labor," "to each according to his status," etc. According to Roop, at least one stream of the biblical tradition focuses on human need as the criterion of justice.

How do conceptions of justice function in the Bible, and how should the biblical conception(s) function in our moral discourse and judgments? A conception of justice could function as an ideal, a goal, a law, a norm, a pattern. The language chosen is not a matter of indifference, for it relates to the content of justice, the possibility of fully expressing that content, and other considerations. If justice is a goal, it might be possible or necessary to commit some injustices in order to realize the goal. If justice is one norm alongside others, we take it into account but do not necessarily make it decisive in our judgments. If justice is conceived as a law, perhaps written into nature, it must be obeyed. These are only a few of the different functions of a conception of justice.

While he uses several different terms, Roop most often emphasizes that justice is a goal and that our acts, policies, laws, and institutions are to reflect justice. First, he stresses that the Old Testament conceived justice as "the fundamental goal" of Israel's social order. But this teleological language may be in some tension with the language of reflection which Roop also emphasizes: "Yahweh expects nothing more from Israel than that her society reflect the solidarity and social integrity with which Yahweh identifies himself." The language of goals and the language of reflection suggest different ways of relating to a conception of justice, and it would be helpful to have a fuller explication of them.

In his discussion of contemporary life, in contrast to his historical interpretation, Roop insists that the biblical conception of justice does not provide a "single blueprint for society" or "any one strategy for action." Nevertheless, it identifies "some fundamental concerns" that must be included in blueprints and plans. While dealing with the contemporary context, Roop stresses the language of reflection and expression. Thus, he insists that "[w]hether taking the life of another can

be justified as an *expression* of solidarity and social integrity with that person is highly problematic" (my italics). While the phrase "with that person" narrows the interpretation of solidarity, I only want to indicate that the arguments for justifying killing in some circumstances will differ when one asks whether it is an *expression* of solidarity and when one asks whether it is an effective *means* to the *goal* of solidarity.

What is the content of justice and how is it related to love? Roop comes close to identifying the interpretation of justice as "solidarity and social integrity" in the Old Testament with Jesus' interpretation of love. He writes, "The New Testament does not report the words and actions of Jesus using the word pair *mishpat* and *şedeqah*. Rather, when the Synoptic Gospels address those sociological relationships which conform to the will of God, stories are told. It is clear that these parables involve the same understanding of solidarity and social integrity that is found in the Old Testament tradition of *mishpat* and *şedeqah*." Here and elsewhere Roop implies that justice and love are virtually identical; at least he does not indicate their differences in the biblical tradition. In the light of a long tradition that recognizes a distinction although not a separation between love and justice within Scripture, Roop needs to offer a stronger defense of his claim that the love identified in the parables involves "the same understanding of solidarity and social integrity" that is expressed in *mishpat* and *şedeqah* in the Old Testament. It is possible, of course, that Roop does not intend to identify love and justice in the biblical tradition, for they could share the same understanding of solidarity and social integrity without being identical notions. In addition to their shared area of solidarity and social integrity, both love and justice could be considerably richer and quite distinct.

Furthermore, Roop holds that while Jesus kept the same understanding of solidarity and social integrity, he "adapted" these notions by universalizing them, extending them to all people, not merely to those within the religious community. In effect, by universalizing these norms Jesus also individualized them; no longer applying only to relations within a par-

ticular community, they guide relations with all individuals everywhere. It is difficult to show that solidarity and social integrity mean the same when they are applied to a community with boundaries and limits and when they are applied to individuals interacting with other individuals. An appeal to solidarity and social integrity has a different ring in the context of a community, on the one hand, and in the context of meeting the needs of the neighbor, on the other. The setting appears to affect the content despite the overlap between justice and love. Certainly Roop's thesis is a useful corrective to attempts to separate the Old Testament understanding of justice and the New Testament understanding of love. However, his thesis appears to err on the side of claiming identity when there is only continuity. It is not enough to admit that Jesus universalized the norm, for that process may also alter some of its content.

The issue does not concern merely an interpretation of the biblical tradition. It has profound theological and ethical significance. How are love and justice related? Within the Christian tradition (not merely the biblical tradition) theologians have developed different ways of relating these standards of Christian life and activity. Adapting some categories from H. Richard Niebuhr's *Christ and Culture*, I can identify at least the following themes in major Christian writings on love and justice: (1) love and justice as identical (Joseph Fletcher), (2) love and justice as united (Paul Tillich), (3) love and justice in sharp distinction — opposition (Kierkegaard) and dualism (Emil Brunner), (4) love and justice in dialectical relation (Reinhold Niebuhr), (5) love over justice (some Roman Catholic social thought), (6) love transforming justice (Paul Ramsey). Although these categories need amplification and modification (which I intend to provide in the next few years), they do suggest the variety and richness of Christian interpretations of the relations between love and justice.

There are special risks in equating love and justice when their content is "solidarity and social integrity." Closely related terms such as unity (which Roop rejects because it implies homogeneity) and harmony indicate the direction of a social

order that takes solidarity and social integrity as its goal. Perhaps there are other, competing social goals or perhaps there are side-constraints and limits on what a society can do in its pursuit of solidarity and social integrity.

Let me use Paul Tillich's thought briefly to indicate some of the possibilities and difficulties in the content and relations between love and justice that Roop presents. According to Tillich, love is the "drive toward the unity of the separated," the "reunion of the estranged," "especially the most radically separated beings, namely individual persons." Love strives for unity and for increase in power and being, in united elements. Two poles must be acknowledged and protected: unity and individuality. If we go too far toward individuality, the individual retains too much and weakens the union. If we go too far in the direction of unity, we cut off the elements that should strengthen the union. Justice takes account of these two poles; it prevents the crushing of individual claims for the sake of greater unity, but it cuts off what is contrary to love and community.³

To use Roop's historical thesis about the relation of justice and love as a systematic theological or ethical thesis would require considerable argument, for it is not clear that "solidarity and social integrity" can adequately handle both unity and individuality. The temptation in many if not most societies is to achieve unity, harmony, or solidarity at any cost, even the sacrifice of individuals. Furthermore, many liberation movements seek solidarity in their movements and in the revolution they pursue by eliminating those who oppose them. Thus, both defenders of an established society and revolutionaries who seek to overthrow it agree that it may be necessary and just/justified to sacrifice some individuals for the sake of solidarity and social integrity. Whether we take the standpoint of the established order or of the opposition, we face the question whether individuality and individuals may be sacrificed for a greater good that is often defined in terms of unity, harmony, and solidarity. The issues of violence, punishment, and war revolve around this question.

While concentrating on an interpretation of the biblical tradition, Roop considers three implications of his study for revolutionary movements. Having already commented on the second implication, I wish to examine the first and the third together, since they are closely related and perhaps in some tension with each other. The third implication is "that no society created by people will reflect *mishpat* and *şedeqah* perfectly," but the Christian will work for and embrace them because they indicate what Yahweh is doing in the world. While this implication is not problematic, it poses some difficulties when it is juxtaposed to the first implication: "the Christian cannot completely endorse any social structure, present or future, which does not reflect *mishpat* and *şedeqah*, solidarity and social integrity." Given the third implication, the Christian cannot "completely" endorse *any* social structure made by man (and there appear to be no others on earth!) since all of them imperfectly reflect *mishpat* and *şedeqah*. The perplexing ethical and existential question is how much support the Christian may or should give to imperfect societies and states. Do we try to determine degrees of injustice (departures from solidarity and integrity) and make fitting responses? Presumably we should not support any social structure that does not reflect some *mishpat* and *şedeqah*. But what is the threshold of justice that permits our support? What degree of injustice warrants withdrawal of support, dissent, disobedience, and rebellion? Must the rebellion be nonviolent? Etc. Hardly new questions, they require renewed attention. Eugene Roop has given impetus to our quest for answers to them.

1. Aristotle, *Nicomachean Ethics*, 1130a (Book V).
2. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), p. 5. See also Chaim Perelman, *The Idea of Justice and the Problem of Argument*, trans. John Petrie (London: Routledge & Kegan Paul, 1963), Chap. I.
3. Paul Tillich, *Love, Power, and Justice* (New York: Oxford University Press, 1954).