THE JUST LIMITS OF LOVE

or

WHY AN ETHIC OF PURE BENEVOLENCE IS NOT SUFFICIENT FOR MORALITY

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A common assumption in the Christian tradition, among laypeople and theologians alike, is that the Christian ethic is an ethic of love. Those who work in the natural law tradition might want to qualify that flat statement in one way or another, or even to dissent from it; but apart from those there is, I think, near-universal agreement that the Christian ethic is an ethic of love. I would say that the two writers who have most powerfully articulated this understanding are Sören Kierkegaard in Works of Love and Anders Nygren in Agape and Eros.

There is, of course, a reason for this near-universal agreement; it’s not accidental. All three synoptic gospels report the episode in which Jesus, in response to the question from a hostile interrogator as to the greatest commandment in the Torah, says,

‘You shall love the Lord your God with all your heart, and with all your soul, and with all your mind.’ This is the greatest and first commandment. And a second is like it: ‘You shall love your neighbor as yourself.’ (Matthew 22:37-39)

Whereas Jesus spoke Aramaic, the gospels are written in Greek. The Greek word translated into English as “love” that the synoptic gospels use to report what Jesus said is agapê. Hence in the literature on these matters the love that Jesus enjoined for God and neighbor is often called agapic love. The love that Jesus enjoined in the second commandment is often called, for obvious reasons, neighbor love.

There are a number of distinctly different phenomena called “love” in English. There is love as attraction, the sort of love that one expresses when one says, “I love Beethoven’s late string quartets.” (This is the eros of the ancient Greeks.) There is love as attachment, the sort of
love one has for one’s children, for the family cat, for the house in which one has lived for thirty years, etc. There is love as friendship. And there is love as benevolence.

What sort of love was it that Jesus enjoined when he commanded us to love our neighbors are ourselves? Almost all Christian ethicists have understood the neighbor love that Jesus enjoined as benevolence.

And how have they understood benevolence? Benevolence, as they understand it, has both a characteristic aim and a characteristic motivation. As to aim, benevolence aims to enhance the goods in someone’s life, the life-goods, and to diminish the non-goods. It aims to enhance his or her well-being. As to motivation, benevolence is spontaneous or gratuitous. In benevolence one aims to enhance someone’s life-goods not because one expects some sort of return, not because one finds the other person attractive, not because it is in some way required of one – required by justice, for example – but out of sheer generosity.

Let me quote a few passages from Christian ethicists in which the benevolence interpretation of what Jesus meant is stated explicitly. In love, says Karl Barth, a person “gives himself to another with no expectation of a return, in a pure venture.” He identifies “with [the other’s] interests in utter independence of [the other’s] attractiveness, of what [the other] has to offer.”1 In his book on Reinhold Niebuhr, Robin Lovin declares that love “is the disposition to seek the well-being of persons generally that theologians and moral philosophers have called ‘benevolence’.”2 And Gene Outka says that “agape is, in both its genesis and continuation, an active concern for the neighbor’s well-being which is somehow independent of particular actions

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of the other.”\(^3\) The person who treats others with agape considers “the interests of others and not simply his own. Others are to be regarded for their own sakes, for what *they* may want or need, and not finally because they bring benefits to the agent.”\(^4\)

In the course of developing his understanding of Christian love Paul Ramsey mentions what he says is the other main interpretation “of the meaning of Christian love contending for acceptance in present-day theological discussion.”\(^5\) The main alternative, he says, is *mutual love* – that is, love that both loves and seeks to be loved. In mutual love, “self-referential motives. . . are co-present with other-regarding motives.”\(^6\) Ramsey brusquely dismisses this alternative. “Surely,” he says, the benevolence interpretation is the more correct reading of Biblical and New Testament texts.”\(^7\)

An obvious question to raise at this point is: what about justice? If the Christian ethic is an ethic of love, if the love in question is benevolence, and if benevolence is purely gratuitous – not seeking the good of the other because it is required by justice or anything else but out of sheer generosity -- what happens to justice?

Could it be that justice comes tag-along with love? Notice that love as benevolence is motivationally incompatible with justice: in acting out of benevolence, one is not doing what one does because justice requires it; and conversely, in doing what one does because justice requires it, one is not acting out of benevolence. But might it be that the demands of justice are automatically satisfied when one loves the neighbor with the love of benevolence? It is my

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\(^4\) *Ibid.*, 8


\(^7\) *Loc. cit.*
impression that most writers on these matters assume that that is the case. It is commonly said that love often does more than justice but never less.

**Love as benevolence perpetrates injustice**

I want now to argue that that assumption, common though it is, is mistaken. Love as benevolence often perpetrates injustice. Let me begin with the episode in my own life in which that first became starkly clear to me. I have described the episode in print; perhaps some of you have read what I wrote. But I’m sure not all of you have.

In September 1975 I was sent by Calvin College, where I was a philosophy professor, to an international conference on Christian higher education at the University of Potchefstroom in South Africa. Potchefstroom is a small city located roughly an hour’s drive from Johannesburg. At the time, only whites were admitted as students.

Most of the South Africans present at the conference were white Afrikaners; but there were a few so-called blacks and coloreds from South Africa as well. In addition there were scholars from other parts of Africa, a sizable contingent from The Netherlands, a number of us from the US and Canada, and a few from Asia.

Though the conference was not about the South African system of apartheid -- recall that 1975 was well before the revolution -- apartheid was the dominant topic of conversation during coffee breaks and meals, and it constantly threatened to intrude into the conference itself. Eventually the organizers of the conference consented to hold a special evening session on apartheid.

The discussion in that late night session was more intense than anything I had ever before experienced. The Dutch delegates were very well informed about South Africa and very angry about apartheid; they vented their anger at the Afrikaners. The Afrikaner defenders of apartheid
in turn vented their anger at the Dutch. Later I would learn that Afrikaners fended off most critics of apartheid by telling them that they were misinformed. They could not plausibly charge the Dutch with being misinformed. Instead they charged them with being self-righteously judgmental.

Eventually the so-called black and colored scholars from South Africa began to speak up, more in tones of hurt than of anger -- or so it seemed to me at the time. They described the daily indignities heaped upon them and the many ways in which they were demeaned; they spoke of being expelled from their homes and herded off into Bantustans; with great passion they cried out for justice. I was profoundly moved by this cry for justice coming from these victims of injustice.

The response by the Afrikaners at the conference who spoke up in defense of apartheid to this cry for justice took me completely aback. They did not contest the charge of injustice. Instead they insisted that justice was not a relevant category. Apartheid, they insisted, was an act of goodwill on the part of the ruling Afrikaners, an act of benevolence. In South Africa, they explained, there were some ten or eleven different nationalities. The system of apartheid was inspired by the ideal of each of these nationalities finding its own cultural identity. If that was to happen, they could not live mingled through each other; they would have to live separately, apart; hence, apartheid. To this visionary nationalism some added stories about their own individual acts of charity: clothes they gave to the "black" family living in the backyard that their own children had outgrown, trinkets that they gave to the children at Christmas, and so forth.

In short, the Afrikaners presented themselves as a benevolent people. And they complained that almost always their benevolence went unacknowledged; no gratitude was forthcoming. "Why can't we just love each other," one of them asked plaintively of the so-called
blacks and coloreds, "Why do you only criticize us?" They complained that critics of apartheid ignored the visionary beneficent ideal that motivated the project and only took note of the difficulties encountered in achieving the ideal.

What I saw, as never before, was benevolence being used as an instrument of oppression—self-perceived benevolence, of course. More specifically, what I saw was unjust paternalism. The scales had fallen from my eyes. I returned home a changed person. I began to see unjust benevolence in the form of paternalism all around me. All too often charity demeans the recipient by treating her as an object of pity. The agent feels good about himself; he’s a good and generous person. But the recipient has been humiliated. If she had the courage to say what she would like to say she would say, perhaps adding an expletive, “Keep your charity.”

Let me now identify, more briefly, a few of the other ways in which love as benevolence may perpetrate injustice. Sometimes it’s the consequences of our benevolence or charity that makes it unjust. Not infrequently benevolence and charity, rather than enabling and encouraging the recipients to stand on their own feet, encourage in them a culture of dependency; all too often relief and developments projects aimed at relieving impoverishment perpetuate injustice by relieving the pressure on those who are causing the impoverishment rather than forcing them to stop what they are doing. Some of the speakers at this conference have developed these points powerfully in their writings. Let me present an example of a somewhat different sort that a friend described to me a few days before I composed this talk.

My friend is a member of an inner-city church in Grand Rapids, Michigan. A few years back the congregation decided to distribute food baskets at Thanksgiving to households in the neighborhood. After they had done this for two years in a row, the manager of a 7-11 store in the neighborhood came to them and respectfully asked them to stop the practice. He explained that
he was just barely able to stay in business. The busiest days of the year for him were the days before Thanksgiving and before Christmas. This year and the year previous he had had almost no business before Thanksgiving; the charity of the church members was threatening to put him out of business. The church promised that in subsequent years they would purchase as much as possible of the food they distributed from his store.

Sometimes it’s the selective way in which some good is distributed that makes benevolence or charity unjust. Suppose that one distributes a good of some sort out of pure generosity; justice does not require that one distribute the good. For no good reason one distributes the good in question to these people and not to those, this in spite of the fact that they are all in the same room, that they can all make good use of the good in question, and that one possesses more than enough of the good in question to distribute it to those others as well. I would say that those who received nothing have been wronged; they have been treated unjustly.

Let me offer an example of generosity that is unjust in how the goods are distributed; the example is rather quirky, and it’s made up rather than real. Suppose that I have bequeathed the art prints that I own to my children; and suppose further that, after considerable discussion in the family, we have agreed on a distribution that makes all the children happy. Then in the course of a party that I throw for my neighbors one evening, one of the neighbors admires one of my prints and I, pleased by his admiration and conscious of the fact that I am of an age where I have to start de-acquisitioning things, impulsively say, “Here, it’s yours.” Flush with good feelings and a bit too much wine, I then grandly announce that everybody is free to select a print and take it home with them. When everybody is gone, I have none left. Only next morning do I remember, to my horror, that I had promised them to my children. I have wronged them, treated them unjustly.
Last, let me mention the sort of case of benevolence perpetrating injustice that was prominent in the mind of Reinhold Niebuhr. It was characteristic of liberal Protestants in the early decades of the twentieth century to argue that love of the neighbor evokes love from the neighbor. If only Christians were more loving, the kingdom of God would appear on earth. Liberal Protestants, wrote Niebuhr, “approached the injustices and conflicts of this world with a gay and easy confidence. Men had been ignorantly selfish. They would now be taught the law of love. . . .Once. . . .obscurantist theology had been brushed aside, the Church would be free to preach salvation to the world. Its word of salvation would be that all men ought to love one another. It was as simple as that.”

Niebuhr’s response was emphatic dismissal. The second love command is not a prudential strategy for creating a community of loving people. Self-interest is much too deeply embedded in human beings for that. Only God’s eschatological triumph will loosen the grip of sin on human beings; it is naïve and dangerous to think that Christians loving their neighbors will remake those neighbors into loving human beings. In situations of conflict – and life is full of conflict – benevolent neighbor love is more likely to perpetrate and perpetuate injustice and get run over than change people’s hearts. This is the core of Niebuhr’s so-called “realism.” He writes:

The divine love can have a counterpart in history only in a life which ends tragically, because it refuses to participate in the claims and counterclaims of historical existence. It portrays a love “which seeketh not its own.” But a love which seeketh not its own is not able to maintain itself in historical society. Not only may it fall victim to excessive forms of the self-assertion of others; but even the most perfectly balanced system of justice in history is a balance of competing wills and interests, and must therefore worst anyone who does not participate in the balance.

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9 *Loc. cit.*
Nygren on the conflict between love and justice

I have identified four types of examples of benevolence-love perpetrating injustice; no doubt with a bit of thought and imagination we could identify other types of examples. There was nothing esoteric about the sorts of examples I identified; they are common and familiar to all of us. So why has it so often been assumed that love as benevolence carries justice in its wake – that such love will never do less than what justice requires but will often do more? I don’t know. I have no explanation.

Anders Nygren, in Agape and Eros, saw clearly that benevolence-love may perpetrate injustice. He might have developed the point as I have, by pointing to ordinary examples. Instead he developed it by citing two parables of Jesus, the Parable of the Laborers in the Vineyard (Matthew 20: 1-16), and the Parable of the Prodigal Son (Luke 15:11-32). Let me not rehearse these parables but confine myself to quoting what Nygren says about the Parable of the Laborers in the Vineyard.

If it were really a question of merit and worthiness, then the labourers who complained were undoubtedly in the right. It is impossible to make a simple addition of the exercise of kindness and the non-infringement of justice. If the principle of merit and reward is laid down as finally decisive, then there is an ‘infringement of justice’ when . . . the more deserving and the less deserving are treated in the same way. The principle of justice requires a due proportion between work and wages.10

So what are we to do when love and justice conflict in this way? Say farewell to justice and hold fast to love, said Nygren. “’Motivated’ justice must give place. . . to ‘unmotivated’ love.”11 Nygren argued that the Old Testament is all about justice. In the New Testament, he

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says, justice is superseded by love. “Where spontaneous love and generosity are found, the order of justice is obsolete and invalidated.”

This position seems to me biblical indefensible. In Luke’s report of the brief inaugural sermon that Jesus preached in the synagogue in Nazareth (Luke 4:16-30), Jesus declares that he has been anointed to inaugurate the reign of God’s justice. This same Jesus would later issue the command to love one’s neighbor. I dare say that most of you are familiar with the passage. But I think it’s worth having it in front of us.

Jesus stood up to read, and the scroll of the prophet Isaiah was given to him. He unrolled the scroll and found the place where it was written,

“The Spirit of the Lord is upon me, because he had anointed me to bring good tidings to the poor. He has sent me to proclaim release to the captives and recovery of sight to the blind, to let the oppressed go free, to proclaim the year of the Lord’s favor. And he rolled up the scroll, gave it back to the attendant, and sat down. The eyes of all in the synagogue were fixed on him. Then he began to say to them, “Today this scripture has been fulfilled in your hearing.

Though the word “justice” does not occur in what Luke quotes Jesus as reading, when one looks up the passage in Isaiah from which Jesus read, it’s all about justice. Jesus’ declaration that he has been anointed to inaugurate God’s reign of justice is just one marker of the fact that justice has not been superseded by love in the New Testament.

Nygren’s position also seems to me conceptually incoherent. Start with the fact that rights and duties are correlative: If Matilda has a right to be treated a certain way by Malchus, then Malchus has a duty to treat her that way, and conversely. Now if in my benevolent love for someone I treat that person or some other person unjustly, then I violate that person’s right not to be so treated. I wrong them. And if that person has a right not to be so treated by me, then, by the

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Principle of Correlatives that I just enunciated, I ought not to treat him that way; I have a duty not to treat him that way. But Nygren says that I should always act out of benevolent love. So his position has the implication that I may find myself in a situation where I should treat a person lovingly even though in so doing I violate someone’s rights and thereby do what I ought not to do. But it is incoherent to claim that I should do what I ought not to do.

Nygren was implicitly claiming that an ethic of pure benevolence is sufficient for morality. I think the examples I have given force us to the conclusion that an ethic of pure benevolence is not sufficient for morality. Morality cannot do without justice. Benevolence needs, as it were, the eyes and ears of justice to steer and guide it.

What does justice contribute?

Before I consider what we are to make of the conclusion to which we have been led, namely, that an ethic of pure benevolence is not sufficient for morality, let me ask what it is that justice brings to the table of morality that benevolence and charity do not. Why is it that an ethic of pure benevolence is not sufficient for morality?

To answer this question, I have to explain how I think of justice. In the Western tradition there are basically two ways of thinking about justice, one that comes from Aristotle and one can comes from the ancient Roman jurist, Ulpian. I prefer the way of thinking of justice that comes from Ulpian. Ulpian’s well-known formula was this: justice consists of rendering to each person his or her right, what he or she has a right to – the Latin word is **jus**. It could also be translated as, rendering to each person his or her **due**.

The question this formula raises is obviously: what is it to have a right to being treated a certain way? A right to being treated a certain way is always a right to be treated in a way that would be a good in one’s life – a life-good. I do not have a right to having my leg broken, unless,
of course, breaking my leg is necessary for achieving some greater good. But though a right is always a right to being treated in away that would be a good in one’s life, the converse is not true; not all the ways of being treated that would be a good in one’s life are ways of being treated that one has a right to. I think it would be a great good in my life if the Rijksmuseum in Amsterdam gave me one of their Rembrandt paintings to hang on my living room wall – along with a security force to stand guard. But I don’t have a right to their doing that; I have not been wronged by the fact that they have not done that.

I hold that rights are connected with two basic facts about human beings. One is the fact that every human being has worth, worth of various sorts: the worth they have intrinsically as human beings, the worth they have on account of their possession of certain capacities, the worth they have on account of accomplishments on their part, and so forth.

The second fact is that each of us can be treated in ways that befit our worth and in ways that do not befit out worth. If you have written a top-notch paper in a philosophy class that I am teaching but I refuse to give you an A because I don’t like your attitude, your skin color, or whatever, I have not treated you as befits the worth you have acquired of writing a top-notch philosophy paper.

So here is how I think of rights. You have a right to the good of my treating you a certain way when my treating you that way is required for treating you as befits your worth – or to put it negatively, when not treating you that way would not befit your worth. Why don’t I have a right to the Rijksmuseum giving me one of their Rembrandt paintings? Because their not giving it to me does not mean that they are not treating me as befits my worth. Why does that student in my course have a right to an A on his record? Because if I don’t give him an A, I am not treating him as befits the worth he has acquired of writing a top-notch philosophy paper.
Think of the moral order as having two fundamental dimensions: the agent-dimension and the patient-dimension, the actor-dimension and the recipient-dimension. On the one hand, there is the moral significance of what we do; on the other hand, there is the moral significance of how we are done unto.

The language of love, charity, benevolence, duty, etc., is all about what we do; such language brings the agent-dimension of the moral order to speech. The language of rights, and the companion language of being wronged, are for bringing the recipient-dimension of the moral order to speech, the dimension of how we are done unto. Consider an abused spouse, and suppose that the only language available to her is the agent-language of love, duty, and the like. With such language she can call attention to the moral condition of her abusive husband: he is acting unlovingly, he is guilty of not acting as he ought to act, etc. What she cannot do is call attention to her own moral condition. Rights-talk enables her to do that. Her moral condition is that she has been wronged.

To think in terms of what justice requires of me, in terms of the right of the other person to being treated a certain way by me, is to be decentered. Rather than thinking in terms of my obligations, my goodness, etc., I think in terms of the demands placed on me by the worth of the other.

The Afrikaners at the conference were happy to talk about their moral status: they were acting benevolently. They did not want to talk about the moral condition of the so-called blacks and coloreds: they were being wronged.

So what does justice bring to the table of morality that love as benevolence does not? Recall the explanation I gave of the aim of benevolence. Benevolence, I said, aims to enhance the goods in someone’s life, the life-goods, and to diminish the non-goods. It aims to enhance his
or her well-being. Quite obviously one’s life-goods, the states and events in one’s life that contribute positively to one’s well-being, are not to be identified with the worth that one has as a human being. These are two fundamentally different modes of goodness: the quality of one’s life versus one’s worth. Whereas benevolence aims to enhance the quality of a person’s life, justice pays due respect to a person’s worth. That’s what justice brings to the table of morality.

The problem with the Afrikaners who spoke up in defense of apartheid at that conference was that they were so full of their self-perceived benevolence that they never opened themselves up to recognizing the worth and dignity of the so-called blacks and coloreds. That’s why their benevolence took the form of oppressive paternalism.

Located in Grand Rapids is a large psychiatric hospital called Pine Rest – formerly known as Pine Rest Christian Psychiatric Hospital. It is now about a hundred years ago. A few months ago I had lunch with its director, Mark Eastburg. He told me that recently they had begun thinking in terms of honoring the worth and dignity of their patients; previously they had thought only in terms of charity and benevolence. That was beginning to make a profound difference in how they treated their patients, he said; it was even beginning to make a difference in the architecture. I think it must be very easy to think of mental patients as objects of charity rather than as bearers of worth and dignity.

**What to make of our conclusion**

Back to the question I posed: what are we to make of the conclusion to which we were led, namely, that an ethic of pure benevolence may lead its adherents to perpetrate injustice and is, for that reason, not sufficient for morality? Reinhold Niebuhr was also of this view. As I noted earlier, he thought that it was especially in situations of conflict that benevolence-love was likely to perpetrate injustice. But rather than following Nygren and saying that in such situations one
should say farewell to justice and hold fast to love, he argued that in such situations it is not love that is called for but justice. As he saw it, morality for life in this present world requires two ethics, an ethic of pure benevolence and an ethic of justice, the former for situations of harmony, the latter for situations of conflict. “It is impossible to construct a social ethic out of the ideal of love in its pure form, because the ideal presupposes the resolution of the conflict of life with life, which is the concern of law [and justice] to mitigate and restrain. For this reason Christianity really had no social ethic until it appropriated the Stoic ethic.”¹³ In the eschaton there will be no conflict, only harmony. The ethic of love will then prevail; justice will then no longer be relevant.

I find this resolution of the issue we are considering unsatisfactory for several reasons. I find it biblically untenable. When Jesus declares, in the inaugural sermon that I mentioned earlier, that he is inaugurating God’s reign of justice, surely he is not saying that he is inaugurating God’s reign of justice for this present world, but that justice will disappear in the eschaton. And note that he did not say, “Love your friends and do justice to your enemies.” He said, “Love your enemy.” Love the neighbor even when the neighbor is hostile to you.

I also find Niebuhr’s proposal also conceptually confused. If the understanding of justice that I sketched out above is correct, justice is not relevant only to situations of conflict. Justice pertains to how we treat each other whether or not we are in conflict. Both in conflict and not in conflict, we are to treat the other in a way that befits her worth.

So what then are we to make of the conclusion to which we were led, that an ethic of pure benevolence is not sufficient for morality? I suggest that what we have to do is re-visit the assumption that it was pure benevolence that Jesus had in mind when he said that we are to love the neighbor. Agape, in the context of Jesus’ command, does not mean pure benevolence.

When Jesus replied to his hostile questioner by saying that we are to love God with all our being and our neighbor as ourselves, he was not just summarizing the Old Testament Torah; he was quoting. The second love command was a quotation of Leviticus 19:18: “you shall love your neighbor as yourself.” In Leviticus, the command comes as the culmination of a large number of more specific “you shall’s,” for example, “you shall not hate in your heart any of your kin.” The love command occurs in Leviticus as a summary of what has preceded. It’s to be read like this: “In short, love your neighbor as yourself.”

What’s relevant for our purposes is the fact that, among the more specific commands of which the love command is a summary, there are commands to do justice: “you shall not render an unjust judgment”; ”you shall not defraud your neighbor”; “with justice you shall judge your neighbor.” I think the conclusion is irresistible. Treating one’s neighbor justly is to be numbered among the ways in which one loves one’s neighbor. Recall our discussion of benevolence: one is not acting out of benevolence if one acts as one does because justice requires. That cannot be the right interpretation of the love that Jesus had in mind. Treating one’s neighbor as justice requires is an example of the love that Jesus enjoins.

Recall a point I made earlier, that a right to being treated a certain way is always a right to being treated in a way that would be a good in one’s life. What we learn from Leviticus is that we are to aim to enhance some life-good of the neighbor both when justice requires of us that we do so and when justice does not require it.

So how then should we understand the love that Jesus had in mind when he said, “Love your neighbor as yourself”? I suggest that we have to understand it as having a dual focus. Recall the distinction made earlier, between the quality of a person’s life and the worth the person has, her praiseworthiness, on account of intrinsic features such as bearing the image of God, on
account of accomplishments, on account of abilities, etc. The love Jesus had in mind takes account of both of these. It aims at enhancing the neighbor’s life-goods; and it aims at doing so in such a way that the neighbor is treated with due respect for his or her worth.

Do we have a term in English for this dual focus kind of love? I think we do. It’s the term “care about.” When I care about someone, I both aim to enhance her well-being and I see to it that she is treated with due respect by myself and others. I suggest that the love Jesus had in mind was love as care.

Let me draw out an implication of my proposal. At any given time my attention will, of course, be focused on only some of my neighbors; but I have to keep all of them in mind. What this implies is that, when I am focused on caring about, say, Maria, I must not only see to it that I am doing so in such a way that I am not wronging her, not treating her in a way that does not befit her worth; I must see to it that I am doing so in such a way that I am not wronging anyone.

In the first part of my talk I argued that an ethic of pure benevolence is not sufficient for morality. What I now contend is that an ethic of care-love, as I have explained that, is sufficient for morality.