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PROPOSAL ABSTRACT:

Agape, Eros, Caritas and the Law

The desire to unite “*agape*” and “law” is intimately tied to contemporary writings on Christian love and legal theory. Anders Nygren’s *Agape and Eros* was one of the most influential works on the nature of Christian love in the twentieth century. In it, he argued that *agape* is the valid form of love that is revealed in the Gospels. The medieval conception of “*caritas*” is result of contaminated syntheses of Christian understanding and Hellenistic philosophy. Nygren argued that Martin Luther sought to restore scriptural understanding of *agape* purified of the pagan *eros* that had infected it. Catholic writers, including Pope Benedict XVI and Charles Taylor, have nonetheless advocated that Christians should reformulate the synthesis of *eros* and *agape*. They argue that the division that Nygren describes contributes to the tensions in what Taylor calls the “modern (liberal) social imaginary,” which is radically non-teleological. The reinterpretation of the relationship between *eros* and *agape*, Taylor and Benedict believe, holds out the possibility for new evolutions in thinking about fulfilled human lives.

Taylor’s work suggests that Nygren’s separation of *agape* and *eros* contributes to the modern social imaginary that rejects robust discourse on fulfilled human lives. Nygren’s suggestion that only love of the transcendent has value implicitly devalues the mundane. But, since persons are compositions of earthly bodies that bear the image of God (*imago dei*), the value of the body is lost. Modern social thought needs to bring the physicality of persons back into the center of theoretical concern.. It is, I think, highly significant that contemporary legal theory tends to focus on the communications between persons rather than the persons themselves. (*pace* HLA Hart’s *Concept of Law* and Niklas Luhmann’s *Law as a Social Theory*). There is, however, real doubt that such a reform is possible. Law today is so vastly complex and integrated into many social systems and computer networks that it is nearly impossible to predict what outcomes would be produced by attempts to change it. The best that Christians might do is to seek indirect changes by focusing on developing Christian literature, art, and music that are indirect influencers of the legal system.

I am a tenured professor at Campbell University School of Law. I am ABD at the University of Chicago Divinity School in the area of Social and Political Ethics. I hold masters degrees in religious studies from Chicago and Colgate University. I teach Jurisprudence, Religion and Law, Theology and Law, and commercial law classes. See my LinkedIn Profile:
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