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Disciplinary Brief

RECONCILING LOVE AND JUSTICE WITH OUR HISTORICAL NEIGHBOURS

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Bringing the Love Command to the Roman Empire

As O'Donovan states, both love and justice have been deemed the supreme virtue at various points in the philosophical tradition. How can these virtues be integrated with each other when the role of governing the other virtues is attributed to both? An answer is suggested in the writings of the Church Fathers, who grappled with integrating the classical philosophical tradition with the revolutionary teachings of Jesus.

One classic definition of justice, formulated by the Roman jurist Ulpian, is 'to give to each what is due to them'. [1] To me, this seems to be the fundamental concept of justice, which underlies other ways of defining it, such as justice as fairness; following the true or natural law; the pursuit of the common good; refraining from harming others. We also see it lying behind Plato's idea that justice orders the other virtues, assigning each to its appropriate place; and Aristotle's distinction between distributive and corrective justice.

However, Ulpian's definition prompts the question, 'how do we determine what each is due?' The answer to this question is not obvious, and yet much depends upon it. Many global atrocities have been defended by describing violence against a vulnerable group as appropriate given their nature or behaviour. Such violence may be justified through dehumanisation (the victims are declared to be outside the group that deserves full human rights), or spun as a proportionate response to that group's wrongdoing, real or imagined. Determining how we are to view each other is an essential part of determining what justice requires. We need to define our relationships to each other appropriately if we are to act lovingly or justly.

How Father-Love and Sibling-Love Can Fulfil Roman Ethics

A fourth-century Christian named Lactantius advanced an answer to how we determine what each is due. [2] Lactantius was a professor of rhetoric, steeped in Latin literature, and invited by the emperor Diocletian to teach his civil servants in the imperial capital. However, when Diocletian began persecuting Christians, Lactantius left or lost his job and began writing a defence of his faith. This work, the *Divine*

Institutes, was Lactantius' attempt to persuade his peers that Christianity fulfilled the hopes of Roman ethics and culture. He writes that the two constituent parts of justice are piety - giving God what God deserves - and virtue towards other humans, which he variously describes as treating all humans as equals, humaneness, showing mercy, giving charitably, and refraining from violence. Lactantius arrives at this definition by depicting God as a *paterfamilias*, the head of the Roman household. Consequently, God is owed the love and respect that is due to a father, and other humans, as fellow children of God, are owed the fraternal love and care due to brothers and sisters. Through this image, the obligations of justice are explained as outworkings of the Great Commandment: love of God and love of neighbour. This commandment summarises God's law, and justice is the virtue of following perfect law perfectly. Lactantius explains his ethics in this way to lead his audience towards accepting Christianity as true by appealing to the language and imagery of Roman philosophy and culture.

If we follow Lactantius, then the answer to the question of what each person is due is love. This love is further defined by the fraternal relationship he sees between each person and the filial relationship we have with God. Thus, we treat God as God and owe him worship; we treat other humans as siblings, and we owe them fraternal care. We can arrive at a similar place if we use other Christian language for our relationship to each other, such as 'neighbour' or 'fellow image-bearer' (since the Bible does not explicitly describe all people as siblings).

Lactantius' conception of justice aligns with Nicholas Wolterstorff's idea of first order justice, the way the world ought to be. It is the state where love reigns. Wolterstorff's second order justice, which Oliver O'Donovan regards as the core of justice, is the process of rectification when this order is disturbed and when the obligations of love are not met. As O'Donovan says, justice is a witness to the truth of our interrelatedness and the obligations of love we bear to each other. Lactantius' explanation of the relationship between love and justice avoids pitting these virtues against each other, instead describing them as working harmoniously to achieve God's ends in the world, though with love retaining its supremacy as the crowning virtue of Christian ethics.

Neighbour-Love Underwrites Equality

Bringing the language of justice into our conception of love reminds us that neighbour-love is something that is owed: we have obligations to each other. One of Lactantius' contributions to the history of ideas is that this just love requires a conception of human equality. All are equals in the most fundamental quality of human worth or dignity, and all should be treated as such; a society that acts otherwise cannot possess justice. This is in stark contrast with Aristotle's conception of justice, which only applied to the interactions between political equals, meaning adult male citizens. Aristotle thought the category of justice irrelevant to interactions between men and women, or slaves and citizens. By contrast, Lactantius follows the biblical authors (e.g. 1 Cor 1:26-29) in undermining all human hierarchies of class or caste: 'God who created human beings and gave them the breath of life wanted all to be on a level, that is, to be equal … No one is a slave with him, and no one is a master, for if "he is the same father to everyone", so are we all his

children with equal rights.' [3]

Lactantius regards the vast differences between classes in Roman society as deeply perverted, and evidence that Rome could never be just. This is an astonishing thing for an elite Roman to say. It shows Lactantius had a theological imagination capable of conceiving of a world very different from his own. Earlier critics of Christianity derided the movement for being full of 'slaves, women, and children', [4] but to the Christians this was a sign that they were living in alignment with the God-given nature of reality.

Today, equality is a popular value in western culture. However, it is important for Christians to locate the value theologically, and to have our conception of equality based on a thoroughly Christian account of the nature of persons. Following the early Christians, it is a mark of true faith to proclaim the dignity of those our society would prefer to denigrate or overlook. Many kinds of academics do this work: identifying people who are overlooked or excluded by the status quo, and telling a new story which asserts their dignity. Such work is common in the social sciences and humanities, and is also done by medical researchers and engineers who work with underserved populations. Like Lactantius, the Christian academic needs a theological imagination which is capable of conceiving of a world very different from our own. They may also use their education and position to help bring such a world about.

The academic establishment is characterised by a number of hierarchies. Academics are ranked by their seniority, level of tenure, and by the grants or accolades their research receives. There is also a perceived hierarchy of academics over administrative and other support staff. The Christian vision of equality does not mandate that all hierarchies be abolished – it is valuable to have people with more expertise or experience managing the work of those with less, and clarity about who is responsible for an institution aids accountability. However, the hierarchy says nothing about the value of each person as a person. Thus, embodying equality might impact how we treat students or those with a more junior academic rank than ourselves. Similarly, universities would cease to operate without the essential work of administrative, maintenance, cleaning, and catering staff. The academic hierarchy is important within the university structure, but it does not describe people at the most fundamental level. To take a theological view, the salient question at the final judgment will not be whether we made full professor, but whether we used our gifts faithfully (Matt 25:14-30). Achieving a certain academic rank is thus a tool for understanding God's world or blessing others through our research, rather than an end in itself.

Love of the Historical Neighbour

The doctrine of neighbour-love informs all our relationships and thus creates obligations on all scholars who deal with human subjects. For the historian, these neighbours will often be deceased, with a great cultural distance between their lives and ours. As O'Donovan says, 'historical distance is by far the most radical of all obstacles in the way of communicating human experience.' This challenge is common among the humanities, shared by those who study authors, composers, artists, philosophers who are no longer living. And more broadly, we all inhabit cultures with histories filled with both virtue and vice, and we must

navigate complex relationships with those who came before us. However, I think that we still have an obligation to love these historical neighbours. This love should be expressed by extending to them the respect of trying to understand them on their own terms; representing their thoughts, motivations, and actions fairly; and decentring our own era and perspective as far as we can when we engage with theirs. We in the present have at least one form of power over our forebears: the power of redefinition, of summarising and evaluating their lives. We should use this power carefully. In time, others will exert it over us and the culture we assume to be normative. Some historical neighbours are easier to love than others, of course, and love does not remove the task of moral evaluation from the historian. However, we encounter our historical subject knowing both their lives and ours will be judged by the same God. This perspective helps us remember that though we may be our historical subjects' successors, we are not in any ontological sense their superiors.

Furthermore, the Christian doctrine of the communion of saints gives the Christian historian the knowledge that some historical neighbours will not always remain remote. We can imagine an eschatological meeting between ourselves and the subjects of our research, and perhaps they will evaluate our reading of their life as we are now evaluating them. This perspective helps us to encounter historical figures not as judge and defendant, or scientist and specimen, but as fellow humans, as siblings.

Equality and Neighbour-Love in Research Settings

This perspective can be expanded beyond the discipline of history. All academics have the obligation of neighbour-love towards the humans they study. In fact, considering the historian's relationship to their research subject may offer some instructive thoughts to other disciplines, precisely because the gap is so large. How can we 'treat our research subjects as we would wish to be treated'? As academics, we often hold the power of telling someone else's story, of evaluating or defining their life. Love requires we do so fairly, listening to their perspective, respecting their agency. Are a patient's symptoms exaggerated, or a sign that medical science does not yet understand their condition? Will we regard the deprived community with judgment and condescension, or with respect? Our work depends upon evaluating people, but it is incumbent upon us to do so with humility, acknowledging that despite our expertise there is much we do not know. And the history of research shows us that it is precisely by attending to the cases which do not fit our current paradigm that breakthroughs happen.

Conducting research puts us in a position of relative power to our research subjects. This may be due to our higher level of education or knowledge of the topic at hand, or perhaps because we are from a more privileged country or social class. Even more fundamentally, being an academic usually confers social prestige which will affect our relationships with our subjects. An important aspect of love is to see ourselves as being in a horizontal relationship with our research subjects: they are equally valuable to ourselves. The circumstances which have given the medical researcher or the anthropologist power over their subject are less fundamental than the qualities which make them equals. Given this, we should approach our research subjects aware of the contingent nature of our status. If we attend to our

eschatology, we realise that this power differential is temporary. This should motivate us to use the power our education and career give us for the good of others, and specifically for the good of our research subjects if possible. Thus, the medical trial exists to alleviate suffering, and the sociological survey to give voice to those who might otherwise be overlooked. O'Donovan defines love as 'directing our attention to the good of persons', and there is much scope for the academic to shape her research towards this goal. This may mean a Christian academic pursues research topics which are less trendy within the guild but have more scope for benefitting the research population. It may, ideally, affect how grants are evaluated and distributed. Perhaps, despite the demand to publish or perish, the benefit to our own research profile or career progression is of secondary importance. This would certainly be an expression of love within the academy.

End Notes

[1] Recorded in Justinian, *Digest* 1.1.1.10.

[2] See Kirsten H. Mackerras, *The Anatomy of Justice*, OUP (forthcoming).

[3] Lactantius, *Divine Institutes* 5.14.16-17, translated by Bowen and Garnsey.

[4] Origen, *Against Celsus* 3.49.

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