

# Love and Justice

Consonance or Dissonance?

Claremont Studies  
in the Philosophy of Religion,  
Conference 2016

edited by  
Ingolf U. Dalferth  
and  
Trevor W. Kimball

Mohr Siebeck

INGOLF U. DALFERTH, born 1948; 1977 Promotion; 1982 Habilitation; Professor Emeritus of Systematic Theology, Symbolism and Philosophy of Religion at the University of Zurich; since 2008 Danforth Professor of Philosophy of Religion at Claremont Graduate University in California.

TREVOR W. KIMBALL, 2010 Bachelor of Arts (Philosophy and Theology), Oxford University; 2012 Master of Studies (Theology – Modern Doctrine), Oxford University; PhD student in Philosophy of Religion and Theology at Claremont Graduate University.

ISBN 978-3-16-156666-0 / eISBN 978-3-16-156667-7

DOI 10.1628/978-3-16-156667-7

ISSN 1616-346X / eISSN 2568-7425 (Religion in Philosophy and Theology)

Die Deutsche Nationalbibliothek lists this publication in the Deutsche Nationalbibliographie; detailed bibliographic data are available on the Internet at <http://dnb.dnb.de>.

© 2019 by Mohr Siebeck, Tübingen, Germany. [www.mohrsiebeck.com](http://www.mohrsiebeck.com)

This book may not be reproduced, in whole or in part, in any form (beyond that permitted by copyright law) without the publisher's written permission. This applies particularly to reproductions, translations and storage and processing in electronic systems.

The book was typeset and printed by Laupp & Göbel in Gomaringen on non-aging paper and bound by Buchbinderei Nädele in Nehren.

Printed in Germany.

e-offprint for the author with publisher's permission.

## Contents

Preface . . . . .	V
-------------------	---

INGOLF U. DALFERTH

Introduction: Love and Justice . . . . .	1
------------------------------------------	---

### I. Love and Justice

STEPHEN J. POPE

Conceptions of Justice and Love. Theological and Evolutionary Considerations . . . . .	7
-------------------------------------------------------------------------------------------	---

DUNCAN GALE

Alternative Narratives of Christian and Evolutionary Ethics: A Response to Stephen J. Pope . . . . .	19
---------------------------------------------------------------------------------------------------------	----

EVERETT FULLMER

Love, Justice, and Divine Simplicity . . . . .	23
------------------------------------------------	----

RAYMOND E. PERRIER

Leibniz's Struggle for Synthesis: The Link between Justice and Love . .	37
-------------------------------------------------------------------------	----

INGOLF U. DALFERTH

Kierkegaard on True Love . . . . .	55
------------------------------------	----

PANU-MATTI PÖYKKÖ

Love and Justice in Emmanuel Levinas's Thought . . . . .	73
----------------------------------------------------------	----

TREVOR W. KIMBALL

Love and Justice as Promise in Paul Ricoeur . . . . .	95
-------------------------------------------------------	----

### II. Forgiveness and Generosity

ULRICH H. J. KÖRTNER

Forgiveness and Reconciliation. The Relationship of Love and Justice in the Perspective of Justification by Faith . . . . .	107
--------------------------------------------------------------------------------------------------------------------------------	-----

ERIC E. HALL	
Justification Beyond Imputation. A Response to Ulrich H. J. Körtner	127
REGINA M. SCHWARTZ	
Justice and Forgiving	137
KIRSTEN GERDES	
Rebuke, Forgiveness, and Afro-Pessimism, Or, Can Beyoncé Tell Us Anything About Justice? A Response to Regina M. Schwartz	151
NICHOLAS WOLTERSTORFF	
What Makes Gratuitous Generosity Sometimes Unjust?	161
RICHARD LIVINGSTON	
What Makes Generosity Just? A Response to Nicholas Wolterstorff	175
DEIDRE NICOLE GREEN	
Radical Forgiveness	183
THOMAS JARED FARMER	
Confronting the Unforgivable. A Response to Deidre Green	207
III. Justice and Hospitality	
T. RAJA ROSENHAGEN	
Toward Virtue: Moral Progress through Love, Just Attention, and Friendship	217
JUSTINA M. TORRANCE	
The Wisest Love or the Most Harmful Harm? Judith Shklar, G. W. Leibniz, and Simone Weil on Justice as Universal <i>Benevolentia</i>	241
ANSELM K. MIN	
Justice and Transcendence: Kant on Human Dignity	259
JONATHAN RUSSELL	
Contentful Practical Reason within the Bounds of Transcendence Alone? A Response to Anselm K. Min	283

W. DAVID HALL Beyond the Friend–Enemy Distinction: Hospitality as a Political Paradigm . . . . .	289
TRISHA M. FAMISARAN Hospitality at the Intersection of Deconstruction and Democracy to Come. A Response to W. David Hall . . . . .	309
RICHARD AMESBURY “Your Unknown Sovereignty”: Shakespeare and Benjamin on Love and the Limits of Law . . . . .	315
ROBERTO SIRVENT Freedom, Violence, and the Limits of Law. A Response to Richard Amesbury . . . . .	335
THADDEUS METZ Distributive Justice as a Matter of Love. A Relational Approach to Liberty and Property . . . . .	339
ROB OVERY–BROWN Love in the Political Sphere. A Response to Thaddeus Metz . . . . .	353
Information about Authors . . . . .	361
Index of Names . . . . .	363
Index of Subjects . . . . .	365

# Distributive Justice as a Matter of Love

## A Relational Approach to Liberty and Property

THADDEUS METZ

### I. Justice and Love: From Competitors to Constituents

A normative political perspective based on love is naturally understood to be a kind of relational philosophy, one that grounds institutional prescriptions on the value of relationships or relational properties. Besides love, other relational values could include care, solidarity, a sense of identity, and a common way of life. A relational politics naturally contrasts with an individualist one, according to which properties internal to an individual, ones that make no essential reference to others, are what should ultimately determine political choice. Salient here are pleasure, desire, rationality, autonomy, ownership, and life.<sup>1</sup>

In the history of Western philosophy, distributive or social justice has usually been a function of individualism.<sup>2</sup> Egoists, utilitarians, natural rights theorists, social contract theorists, desert theorists, and Kantians are the ones most known for having advocated justice, where justice is a matter of giving people what they are owed, observing their rights, or treating them impartially.

In addition, relational theorists are well known for being the ones to doubt whether justice is an appropriate ideal for politics. Karl Marx, for instance, who is famously scathing of “equal right” and “fair distribution,” at bottom prizes the realization of the human essence, where that centrally consists of the capacity to relate communally.<sup>3</sup> More recently there has been the ethic of care,<sup>4</sup> which has often been advanced as a rival to justice. And then there have been forms of communitarianism proffered as alternatives to justice, too.<sup>5</sup>

---

<sup>1</sup> For more on the distinction between individualism and relationalism (and also corporatism), see T. METZ and S. C. MILLER, “Relational Ethics,” in *The International Encyclopedia of Ethics*, ed. H. LAFOLLETTE (Malden: Blackwell Publishing Ltd., 2016), 1–10.

<sup>2</sup> Note that I do not discuss criminal or compensatory justice in this essay.

<sup>3</sup> See, e.g., K. MARX, “On James Mill,” in *Karl Marx Selected Writings*, ed. D. McLELLAN (Oxford: Oxford University Press, 1977), 114–123.

<sup>4</sup> C. GILLIGAN, *In a Different Voice: Psychological Theory and Women's Development*. (Cambridge, MA: Harvard University Press, 1982); and N. NODDINGS, *Caring: A Feminine Approach to Moral Education*. (Berkeley: University of California Press, 1984).

<sup>5</sup> Sometimes the work of Michael Sandel is read this way. See his *Liberalism and the Limits of Justice*. (Cambridge: Cambridge University Press, 1982).

Of course, sometimes a relational ethic such as care is not viewed as a mutually exclusive competitor with justice, but instead as a complementary approach that is also required for a complete political appraisal. Even here, though, the relational value and justice are conceived as distinct normative frameworks.

In contrast, in this chapter I argue that distributive justice is well conceived as itself a function of a certain kind of love. Specifically, I spell out and motivate the view that for a state to be just is for it to respect people in virtue of their capacity to be part of a loving relationship. To be sure, it is not the sort of love in which one gazes starry-eyed at a romantic interest and is inclined toward emotional vulnerability. But it is a familiar conception of love all the same, and, I argue, it grounds an interesting and promising alternative to individualist conceptions of justice.

In constructing and defending a normative politics of love or a relational theory of justice, I draw on two major philosophical sources. For one, I appeal to Anglo-American ethics for a conception of love, while, for another, I appeal to post-independence sub-Saharan political thought, where talk of a “political love” or “familial politics” has been more salient. Most often the suggestion in the African tradition has been that society ought to be akin to a family, where implicit is the idea that a desirable sort of family is a loving one. In this chapter I run with the idea, advancing novel ways of conceiving of certain distributions of civil liberties and economic wealth as loving.

I begin by spelling out a conception of love (section 2), after which I articulate a basic principle of justice in light of it, according to which people must be treated with respect in virtue of their capacity for love, so construed (section 3). Then, I explain how such a norm provides a plausible basis for human rights, one that rivals influential individualist foundations such as Kantian respect for autonomy and Catholic honor of human life (section 4). I next articulate an egalitarian conception of how to allocate wealth that I argue is also a function of relating in a loving way and that can compete against views salient in Anglo-American political philosophy such as cost-benefit analysis and John Rawls’ difference principle (section 5). I briefly conclude by noting what further research is needed, supposing this relational account of justice is indeed promising (section 6).

## II. A Conception of Love

In this section, my aim is to spell out a familiar view of what love is, one that I will invoke in order to advance a basic norm by which to govern the state’s distribution of civil liberties and economic wealth. Note that I am not striving to capture the essential nature of love (supposing there is one), or even a puta-

tively best form of love. Instead, my goal is to draw on a certain conception of love that is widely held and that plausibly informs thought about the nature of distributive justice.

It turns out, though, that my favored conception of love is probably the dominant one in the analytical philosophical literature. After quoting several Anglo-American philosophers on the nature of love, David Velleman points out that their “common theme” is to “‘care and share,’ or to ‘benefit and be with.’”<sup>6</sup> In spelling out what it is to care for others’ quality of life and to share a way of life, I do not take myself to have anything particularly fresh to say about the nature of love. What I take to be novel about my contribution is the use to which I put the arguably standard conception of it: showing that it does a promising job of entailing and explaining certain political rights of citizens and duties of the state in respect of them.

Sharing a way of life, or “being with,” consists of the combination of exhibiting certain psychological attitudes of togetherness and of interacting cooperatively. The attitudes centrally include: a tendency to think of oneself as a member of a group with the other, conceiving of oneself as a “we” opposed to an “I,” as well as a disposition to feel pride or shame in what the other has done or been. At a higher level of intensity, there might be an emotional appreciation of the other’s value, or a motivation to act out of the sense that “this is who we are,” but these are not necessary. The cooperative behaviors of sharing a way of life characteristically include: being transparent about the terms of interaction, and not merely avoiding deception; allowing the other to make voluntary choices; and interacting on the basis of trust. One participates evenhandedly with others on projects, which need not be a matter of face-to-face presence, but could be a matter of coordinating by long-distance.

The other major facet of love, fully conceived, is caring for others’ quality of life, or benefiting. This relationship, too, has both psychological and behavioral dimensions. With regard to the former, to care means that one’s attitudes are positively oriented toward the other’s good (and perhaps negatively directed toward what threatens it). Such states of mind include: a belief that the other merits aid for her own sake; an empathetic awareness of the other’s condition; and a sympathetic emotional reaction to the empathetic awareness, where one feels bad if she is not doing well, for instance. And caring when it comes to action means being helpful, i. e., doing what is reasonably expected to improve the other’s condition. At the more extreme end, one might be moved to act for the sake of the loving relationship, but that is not essential.

Note that helping others or improving their condition is not well conceived as a merely welfarist endeavor. That is, to care for others’ good is not

---

<sup>6</sup> D. VELLEMAN, “Love as a Moral Emotion,” *Ethics* 109 (1999), 338–374 at 352, 353.



exhausted by trying to make them better off, as it also plausibly includes the idea of trying to make them better people. Both others' self-interest and their self-realization matter, both what would make them well off and what they can do well. After all, a person who truly loves one is, in part, someone who helps one to love truly.

Love, in its fullest state, is the combination of sharing and caring, as per Figure 1 below, and it is not, as construed here, reducible to care alone. Part of the intuitive value of a loving relationship, or at least the sort that interests me, includes facts such as that people have come together, and stayed together, of their own accord, and that they think of themselves in relational terms, none of which is essential to a typical understanding of the nature of care.<sup>7</sup>

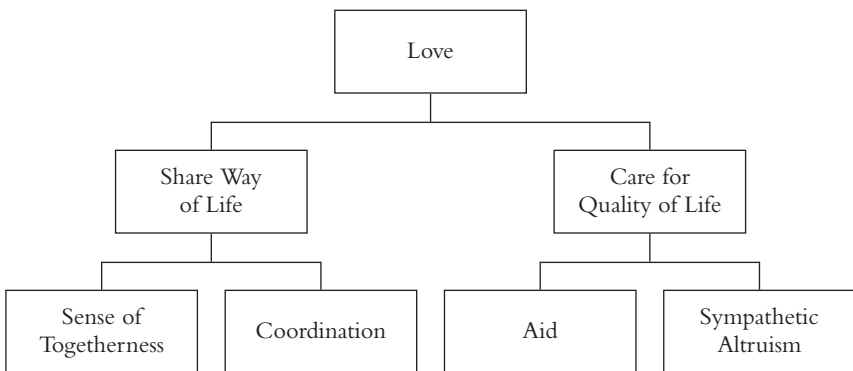


Figure 1

To capture the nature of justice and injustice, it will not be enough to invoke only the positive good of love; the bad of enmity will also be essential. By “enmity” I mean a way of relating constituted by the opposites of those elements constitutive of love, which I call “division” and “ill-will.” So, as per Figure 2, instead of a sense of togetherness, in which people consider each other a “we,” individuals think in terms of “us versus them.” Instead of coordinating behavior so as to satisfy (perhaps commonly held) ends, there is subordination. Instead of mutual aid between the parties, there is mutual harm, behavior that is intended, or at least is likely, to reduce others' quality of life. And instead of feeling good when others flourish and bad when others founder, and acting consequent to such emotional attunement, one is cruel, perhaps exhibiting delight in others' woe (*Schadenfreude*).

<sup>7</sup> For more on the difference between love, as construed here, and care, see T. METZ, “The Western Ethic of Care or an Afro-Communitarian Ethic?: Finding the Right Relational Morality,” *Journal of Global Ethics* 9 (2013), 77–92.

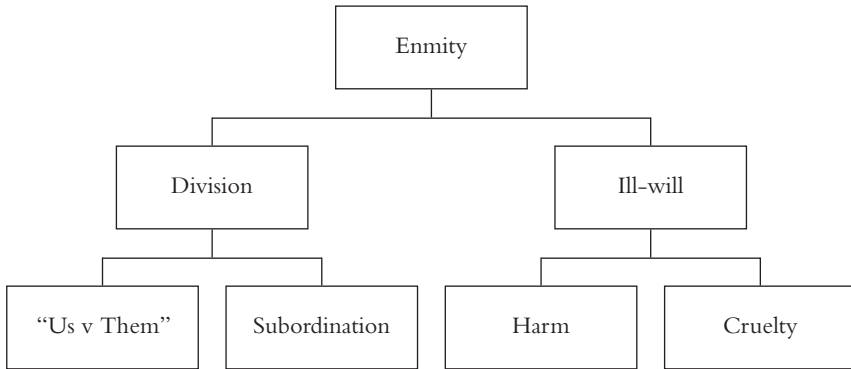


Figure 2

Of course, it is possible, even common, for two individuals to exhibit neither love nor enmity toward one another. Call this state one of “indifference,” in which: one neither identifies with, nor identifies in opposition to, another; one neither coordinates with, nor subordinates, the other; one engages in behavior that is neither helpful nor harmful with regard to the other; and one’s actions are consequent to neither sympathetic nor cruel attitudes toward another’s good. As I use the terms, indifference counts as an absence of love, and, as I now bring out, it is *prima facie* unjust for the state to be indifferent toward its innocent citizens.

### III. Justice as a Matter of Love

In the African tradition one occasionally encounters the suggestion from political theorists that society ought to be akin to a family. For instance, Julius Nyerere, the first post-independence political leader of Tanzania, says, “Modern African Socialism can draw from its traditional heritage the recognition of ‘society’ as an extension of the basic family unit.”<sup>8</sup> He and those with similar views surely do not mean a dysfunctional family. And note that they also do not mean a Western, nuclear family, but instead what readers would likely call “extended” family, one that includes uncles, cousins, grandparents, and the like, which is the typical structure of “indigenous” or “traditional” black African societies. As Augustine Shutte has noted in one of the first philosophical books devoted to the southern African ethic of *ubuntu* (the Zulu, Xhosa, and Ndebele word for humanness or virtue),

<sup>8</sup> J. NYERERE, *Ujamaa: Essays on Socialism* (Dar es Salaam: Oxford University Press, 1968), 12. See also H. O. ORUKA, *Practical Philosophy* (Nairobi: East African Educational Publishers, 1997), 148–150.

The extended family is probably the most common, and also the most fundamental, expression of the African idea of community. The extended family in the African conception goes far beyond the nucleus of genetic parents and children. The idea is capable of extension even beyond those related by blood, kinship or marriage to include strangers . . . . The importance of this idea for ethics is that the family is something that is valued for its own sake.<sup>9</sup>

Now, what is the sort of relationship that is plausibly healthy and valued for its own sake and that readily obtains among a very large group of family members? I submit: love of the sort analyzed in the previous section. It would be a relationship in which people enjoy a sense of togetherness, participate on a substantially cooperative basis, aim to help one another, and do so out of sympathy and for the sake of each other.

There are two *prima facie* large hurdles that must be overcome in order to develop a plausible account of social justice in terms of loving relationship, as construed above. First, there is the concern about an overly narrow partialism. Should politicians be loving only toward those whom they already love, viz., their (extended) families? Presumably not.

Addressing this concern means that, when invoking love to ground distributive justice, there must be a weighty impartial dimension to it. My proposal is that people have a moral status in virtue of their natural capacity for loving relationship, both as a subject, ones who can love, and as an object, ones who can be loved. Everyone who can be party to a loving relationship matters morally, and so all residents have claim to just treatment, viz., roughly, to loving relationship (unless they are guilty of themselves having acted with enmity). And in order for a state to foster loving relationships with those in its territory it must forbid its officials in their public roles from treating some citizens as more important than others because of personal familial ties.

The second glaring impediment to grounding distributive justice on love, on the face of it, concerns consequentialism. Some might suggest that the state ought to promote loving relationships as much as it can. However, there can be situations in which love can be maximally produced in the long run via enmity and in which the latter would be intuitively immoral. For instance, one can imagine ties among an ethnic majority being strengthened because of its oppression of an innocent minority.

In addition to impartiality, therefore, there must be deontology. My suggestion is a political ethic according to which the state must treat people with respect in virtue of their capacity for loving relationship. People have not merely a moral status, but also a dignity, i. e., a superlative and equal final value, where the basic norm of justice is to *treat people as dignified in virtue of*

---

<sup>9</sup> A. SHUTTE, *Ubuntu: An Ethic for the New South Africa*. (Cape Town: Cluster Publications, 2001), 29.

*their capacity to love and be loved.* Since sacrificing members of an innocent ethnic minority would fail to treat their capacity for love with respect, it is impermissible. Or so one begins to see how human rights might be grounded on considerations of love.

#### IV. Human Rights Violations as (Extremely) Unloving<sup>10</sup>

Suppose, then, that what is special about human beings is their capacity to be in a loving relationship with others, both as those who can love and those who can be loved, where love, recall, is the combination of sharing a way of life and caring for others' quality of life. In that case, one should neither stunt that capacity for the sake of something worth less than it, nor treat (innocent) others with indifference, let alone enmity. Respecting another's dignified capacity both to be loving and to be loved means treating it as the most important value, which entails (in the case of innocents) neither impairing their ability to be loving, nor failing to be loving with them.

Now, consider characteristic (negative) human rights violations, actions such as murder, ethnic cleansing, torture, rape, slavery, kidnapping, and human trafficking. These are behaviors that *do* impair others' ability to love as well as constitute grave forms of enmity. What they have in common, in terms of their injustice, is arguably that those who engage in these practices treat people, who are special by virtue of their capacity for loving relationship, in an extraordinarily unloving way. Raping someone to feel a sense of power and torturing a person for fun are actions that stunt another's capacity to share and care for a trivial end and that evince enormous division and ill-will, the opposites of loving relationship. Instead of expressing togetherness, one creates distance; instead of engaging in coordinated projects, one subordinates; instead of helping another, one harms; and instead of being altruistic and sympathetic, one acts on emotions such as *Schadenfreude* as well as motives such as self-interest.

Notice that my claim is not that all uses of force are wrong. It is not enmity as such that is unjust, but rather enmity that fails to be respectful of people's capacity for love. How could it ever be respectful? Roughly, enmity can be respectful of love insofar as it is directed toward those who have first exhibited enmity and is designed to protect those who have instead been loving.

---

<sup>10</sup> The core of these arguments can be found in some of my previous work, but there I did not spell them out in terms of love as understood in the Anglo-American tradition (so much as communion or harmony as construed in the African). See especially T. METZ, "African Values and Human Rights as Two Sides of the Same Coin," *African Human Rights Law Journal* 14 (2014): 306–321; and "African Values, Human Rights and Group Rights," in *African Legal Theory and Contemporary Problems*, ed. O. ONAZI (Dordrecht: Springer, 2014), 131–151.

Consider this principle: It is (normally) severely degrading of a person's capacity for loving relationship, and hence a violation of her human rights, to treat her in a substantially unloving way if one is not seeking to counteract a proportionate enmity on her part. It need not be degrading of a person's capacity for love to treat her in a substantially unloving way, when one's doing so is necessary and likely to prevent or correct for a comparable enmity on her part. This explains the morally significant difference between kidnapping, on the one hand, and putting someone in jail for kidnapping, on the other. The difference is mainly one of guilt, understood here as (usually) an initial instance of enmity. A kidnapper treats an innocent party unlovingly, and a court that imprisons a kidnapper also treats a guilty party unlovingly; however, there is no disrespect of the kidnapper's capacity for love in this case, since he was the one to misuse it, and since enmity is presumably likely to reform himself or to make up for his wrongdoing.

Compare this account of what it is to violate human rights with the most influential foundation these days, a Kantian one.<sup>11</sup> The Kantian standardly thinks of negative rights violations as restrictions on the ability to make an autonomous choice, but that account does not fully capture why, say, rape and torture count. Rape and torture can be human rights violations not merely because there is a lack of consent involved, for otherwise stealing someone's television would be equally wrong, but it is not; the former are much worse.

The Kantian will naturally try to say that rape and torture are worse than stealing a TV because the degree of infringement of the other's ability to choose is more severe. Perhaps that is part of the explanation. However, additional, and promising, explanations include the following ideas.

First, rape and torture are forms of ill-will beyond any restriction of autonomy (or, in my terms, division). It inflicts pain out of, at best, indifference to the other's good. It foreseeably, if not intentionally, hurts, both physically and psychologically, where it is implausible to think that pain is immoral to inflict merely because it prevents another from choosing a wide variety of ends.<sup>12</sup>

Second, rape and torture foreseeably damage the other's ability to trust and to be romantically intimate, one of the most intense forms of how to love. That is, the relational, and particularly sexual, dimension of rape and torture is relevant to their dreadfulness, but that is difficult for a Kantian to acknowledge since the only basic value for him is our capacity for voluntary decision-making.

---

<sup>11</sup> For just a few examples, see J. RAWLS, *Justice as Fairness: A Restatement*. (Cambridge, MA: Harvard University Press, 2001); *Kantian Theory and Human Rights*, ed. A. FOLLESDAL and R. MALIKS (New York: Routledge, 2014); and A. FAGAN, "Human Rights," in *Internet Encyclopedia of Philosophy*, ed. J. FIESER and B. DOWDEN, <http://www.iep.utm.edu/hum-rts/>. Accessed October 12, 2017.

<sup>12</sup> As per J. RAWLS, "The Priority of Right and Ideas of the Good," *Philosophy and Public Affairs* 17 (1988), 251–276.

In short, because the Kantian maintains that our dignity inheres merely in our capacity for autonomy, he cannot easily account for the moral relevance of knowingly reducing another's quality of life, particularly when it comes to her loving relationships that include trust and sexual intimacy. The same point goes for those who place our dignity in the fact of being living human beings. For instance, contemporary Catholic thought is well known for maintaining that euthanasia and abortion are unjust because they involve the intentional killing of a human being.<sup>13</sup> Those who maintain that justice is a matter of honoring the sacredness of human life tend to disregard the moral relevance of well-being, e.g., to the effect that the one euthanized would be literally better off dead, or that the fetus is not yet capable of living either well or poorly and so is not harmed by abortion. However, to account fully for why rape and torture, and presumably the likes of slavery and human trafficking, can count as human rights violations, ill-will appears essential.

My claim is not that Kantians and Catholics conclusively cannot account for the injustice of reducing another's quality of life, especially in terms of relationships that include trust and sexual intimacy. And I acknowledge that a number of them in fact do proclaim their moral relevance. My point is that it is not clear that they can *coherently* do so if what ultimately alone matters is either our capacity for autonomy or our existence as human beings (creatures of God). Or at least a *more natural and philosophically tight* way of doing so, I submit, would be to deem our dignity to inhere in our capacity to love and to be loved, respect for which would forbid indifference of, and enmity directed toward, innocents. The more that the ground of dignity itself explains the nature of human rights, as they include relational elements, the more powerful the dignity-based theory of human rights.

## V. Economic Justice as What Fosters Love<sup>14</sup>

I have advanced a principle of justice according to which the state must treat people as special in virtue of their natural capacity to love and to be loved, where love consists of sharing a way of life and caring for others' quality of life.

---

<sup>13</sup> JOHN PAUL II, *The Gospel of Life (Evangelium Vitae): On the Value and Inviolability of Human Life* (Washington, D.C.: USCCB Publishing, 1995); and United States Catholic Church, *Catechism of the Catholic Church*, 2<sup>nd</sup> ed. (New York: Doubleday, 2003).

<sup>14</sup> Again, the core of these arguments can be found in some of my previous work, but there I did not spell them out in terms of love as understood in the Anglo-American tradition (so much as communion or harmony as construed in the African). See especially T. METZ, "An African Theory of Social Justice," in *Distributive Justice Debates in Political and Social Thought*, ed. C. BOISEN and M. MURRAY (Abingdon: Routledge, 2015), 171–190; and "An African Egalitarianism: Bringing Community to Bear on Equality," in *The Equal Society*, ed. G. HULL (Lanham: Rowman & Littlefield, 2015), 185–208.

Although this means that the state must respect people in virtue of their ability to be party to loving relationships, and so is not to maximize the amount of love in society, part of showing respect for a value is realizing it to some degree. That will mean that the state acts in a loving way (at least toward those who have not been initially unloving) as well as enables people to be loving themselves.

When it comes to distributing wealth, African political philosophers have tended to focus on its likely effects for people's relationships, ones that are plausibly understood as loving in the sense I have expounded. In particular, they have been concerned that grossly unequal allocations of land, property, and money would "ensure serious disharmony, envy and distrust in the society. Yet a just society, in communitarian terms, must be free of such problems."<sup>15</sup> Again, a characteristically African ideal "assures the least economic inequality" because "disharmony must be constantly guarded against, whether it comes from social or economic inequalities."<sup>16</sup> What is disharmony consequent to great inequality? It is naturally understood as a lack of love or even as enmity, as I now spell out.

First off, it is difficult for people to experience a sense of togetherness, one part of sharing a way of life with them, when there is substantial economic stratification. Sociologists have known for a long while that people are most inclined to develop romantic and friendly relationships among those from the same socio-economic bracket, and, furthermore, that socio-economic inequality, and not poverty as such, is what best explains social unrest such as violent strikes, that is, actions consequent to divisive "us versus them" attitudes. The fact that great economic inequality makes it hard for people to enjoy a common sense of self, and to avoid feelings of envy and distrust,<sup>17</sup> is a strike against it, given a need to foster loving relationships.

Second, recall the other major dimension of sharing a way of life, namely, participating with others on a cooperative basis. This, too, is threatened by great economic inequality, for, as is widely accepted by egalitarians in both the Western and African traditions, with great wealth usually comes great power and the ability to subordinate others. Sometimes this is in the form of having a disproportionately large share of influence over the political process, which undermines democratic decision-making.<sup>18</sup> Other times, it is in the form of being able to harness people's labour-power so that have little choice but to

<sup>15</sup> ORUKA, *Practical Philosophy*, 120.

<sup>16</sup> L. MAGESA, *African Religion: The Moral Traditions of Abundant Life* (Maryknoll, NY: Orbis Books, 1997), 278.

<sup>17</sup> See R. WILKINSON and K. PICKETT, *The Spirit Level: Why More Equal Societies Almost Always Do Better* (Harmondsworth: Penguin, 2009).

<sup>18</sup> For just one example, from the African tradition, see M. RAMOSE, "The Death of Democracy and the Resurrection of Timocracy," *Journal of Moral Education* 39 (2010), 291–303.

work on one's farm or in one's mine in exchange for funds necessary to meet needs, thereby permitting the rich not to work at all.<sup>19</sup> Exploitive subordination is hardly loving.

Third, consider now the loving element of caring for others' quality of life, which includes actions that are likely to make other people's lives go better. Recent research has been widely taken to support what egalitarians have often deemed to be obvious, viz., that great inequality often prevents those who are worst-off from living better lives.<sup>20</sup> Were the rich to give more, or were the state to tax the rich at a higher rate and redistribute accordingly, these agents would do more to help those who could most benefit from additional support. If the state must treat people as equal in virtue of their capacity for loving relationships, ones that include caring for others' quality of life, then a duty on the part of the state to aid (and those with the requisite resources who could easily support it) follows easily. The state must enter into a loving relationship with citizens, which will mean caring for their quality of life and so redistributing from rich to poor (as well as enabling people to partake of loving relationships with each other, on which see below).

For another way to see how considerations of care could give one reason to question great inequalities, consider that they are thought by sociologists to foster property crimes and those attended by violence such as armed robbery. Even if the worst-off class somehow benefited in monetary terms from great inequalities, they could be such as to foster harm in the form of other-regarding criminal acts.

Finally, recall the element of caring for others' quality of life that goes beyond acts that benefit others, namely, certain psychological dispositions prompting such behavior. In particular, to be caring includes seeing others as meriting help for their own sake, and not merely for the sake of oneself or some impersonal state of affairs, as well as tending to be moved by sympathy. Now, much recent work by psychologists indicates that those who acquire wealth are, upon having done so, on average less moved by the plight of others who are in pain or otherwise worse off than they are.<sup>21</sup> Supposing that is true, then, again, there is *pro tanto* reason for someone who values positive attitudes about others for their own sake to balk at huge gaps between the rich and the poor.

---

<sup>19</sup> K. NKUMAH, *African Socialism Revisited*, <http://www.marxists.org/subject/africa/nkrumah/1967/african-socialism-revisited.htm>; and NYERERE, *Ujamaa*, 1–12.

<sup>20</sup> J. STIGLITZ, *The Price of Inequality*. (New York: W.W. Norton & Company, 2013); and T. PIKETTY, *Capital in the Twenty-First Century*. (Cambridge, MA: Harvard University Press, 2014).

<sup>21</sup> For just one discussion, see P. SOLMAN, "Exploring the Psychology of Wealth; 'Pernicious' Effects of Economic Inequality," *PBS NewsHour* June 21, 2013, [http://www.pbs.org/newshour/bb/business-jan-june13-makingsense\\_06-21/](http://www.pbs.org/newshour/bb/business-jan-june13-makingsense_06-21/).



Instead of great inequalities, I propose that all in a society should receive a comparable (not strictly equal) share of wealth, contingent on the willingness to create and maintain it for those adults able to do so. In addition, those who are the worst off in terms of quality of life are entitled to a somewhat greater share, as are those who have the ability to flourish in truly exceptional ways, supposing they need it in order to develop their talents.

Such an approach to allocating wealth would accord with the norms of an intuitively appropriate distribution in a loving family. Consider that if only one child were gifted, say, at piano, the bulk of resources should not go to her, although she probably should get more than an average child. A head of household would be wrong to parcel out resources in a strictly equal manner, not merely because the piano player should get more than that, but also because the particularly untalented child should get more. And yet a head of household would be wrong to devote the bulk of resources to the worst off child, particularly if he were handicapped, so that there would be nothing left for those able to flourish at a higher level. These reflections suggest a kind of *balancing*, in which there is no great inequality between family members and all receive some substantial consideration, but those who need more resources either to reach a decent minimum of good or to approximate a maximum should receive a larger share.

This love-based, balanced approach to distributing wealth is a plausible alternative to the dominant views in the English-speaking literature on economic justice, namely: cost-benefit analysis or consequentialism, distribution so as to maximally produce good states of affairs and reduce bad ones; prioritarianism or the Rawlsian difference principle, distribution so as to make the lot of the worst-off the best it can be; sufficientarianism or a basic needs approach, distribution so as to ensure that everyone has a decent minimum; and egalitarianism, distribution so as to provide equal opportunities and goods.

So far I have discussed how to distribute wealth, i. e., the pattern that an allocation should take, and argued that an interest in fostering loving relationships counsels against permitting great inequalities and instead prescribes ensuring that all have a comparable share, but with those faring worst and those who could truly fare well getting somewhat more. In the rest of this section, I discuss the particular form that wealth ought to take so as to make love more likely in a society.

As indicated above, caring for others' quality of life means not merely attending to what makes them happy or satisfies their biological needs, but also what enables them to participate in loving relationships. So, a central way for the state to care for its residents would be to ensure they have access to things and services particularly useful for caring for, and sharing a way of life with, others. In addition to food, water, shelter, clothing, healthcare, and other goods essential for living well, the state should distribute those resources

particularly enabling people to create, sustain, and enrich loving relationships, or at least to end ones of enmity. For example, a state should enable people to partake of: couples counselling, parenting classes, quality daycare (ideally with input from the elderly), women's shelters, resources that would enable them to look after elderly parents or handicapped children, rehabilitation programs, neighborhood parks, densification in spacious neighborhoods, non-exploitive labor relations, and grassroots organizations.<sup>22</sup>

This relational approach to the kinds of resources that a state should ensure people can access marks a fairly novel contribution to thinking about what to distribute when it comes to economic justice. Kantian and utilitarian economic theories are both individualist, as their focus is on goods/services that will enable a given person to obtain her goals or satisfy her preferences, respectively. And note that the influential Capabilities Approach is also characteristically individualist, or at least not essentially relational. Amartya Sen leaves the content of capabilities open, to be determined by democratic deliberation,<sup>23</sup> which means that they might not include any relational content at all, when the vote is concluded. Closest is Martha Nussbaum's list of ten central capabilities, which includes political control and affiliation, where the latter one approximates love as construed here.<sup>24</sup> However, they are only two capabilities, with the other eight making no essential reference to any person but the individual with the capacity, viz., life, bodily health/integrity, play, imagination, thought, practical reason, material control, other species. In contrast, an appeal to the value of love entails that some absolutely central or primary socio-economic resources are those that enable people to engage in relationships of sharing a way of life and caring for one another's quality of life, an alternative approach that is worth consideration.

## VI. Conclusion

In this chapter I have sought to expound a novel, relational approach to distributive justice, according to which civil liberties and economic wealth should be allocated in light of a certain conception of loving relationship. More spe-

---

<sup>22</sup> For more examples, and with some detail, see R. CONWAY, I. BONIWELL, and T. METZ, "Community Vitality," in *Report on Wellbeing & Happiness*, ed. K. URA and I. BONIWELL (Thimphu: Centre for Bhutan Studies and Secretariat for New Development Paradigm, 2013), 263–284; and T. METZ, "In Search of Ubuntu: A Political Philosopher's View of Democratic South Africa," in *Liberation Diaries: Reflections on 20 Years of Democracy*, ed. B. NGCAWENI (Johannesburg: Jacana Media, 2014), 205–214.

<sup>23</sup> A. SEN, "Capabilities, Lists, and Public Reason," *Feminist Economics* 10 (2004), 77–80.

<sup>24</sup> M. NUSSBAUM, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Harvard University Press, 2011), 31–35 and 46–62.

cifically, I have articulated the principle that the state must treat people with respect in virtue of their capacity to love and to be loved, where love consists of sharing a way of life and caring for others' quality of life, and I have argued that this principle grounds a fresh understanding of social justice. Roughly, human rights violations are construed in terms of extremely unloving behavior, while a concern to foster love prescribes a balanced distribution of wealth that is designed to bring people closer together.

I have had the space merely to present this normative conception of political love, to contrast it with dominant, individualist approaches, and to provide *prima facie* reason to think that it is worth taking seriously as an alternative to them. A systematic defense of this relational approach must be undertaken elsewhere, as must a thorough consideration of how it might be applied to contemporary institutional contexts. I hope the reader agrees that the analysis in this chapter shows that these projects are worth doing.<sup>25</sup>

---

<sup>25</sup> For comments on a prior draft of this essay, I thank participants at the Conference on Love and Justice: Consonance or Dissonance? that was convened by Ingolf Dalferth at the Claremont Graduate University in 2016.