
Foundations for a Neighbor Justice Ethic

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Justice is a moral concept with a long and contested history, beginning from the time of Plato and Aristotle, continuing into the Middle Ages with Thomas Aquinas, and culminating in modern and contemporary political and social policy debates. It must be emphasized that justice is an abstract concept, one that we know intuitively, but a concept that is not easily defined. As we will see, there are varying definitions of justice from divergent ideological perspectives, as well as radically divergent approaches when it comes to addressing injustices. Nevertheless, justice is not only an important philosophical virtue (vital for political philosophy and moral philosophy), it is also an important religious mandate (central to the social critique present in the prophetic tradition of the Bible), and a guiding principle for notions of a good society.

On a personal level, my intention is to address what has become a defining moment in my life: my participation in the ELCA's Women and Justice Task Force and the importance of creating a **neighbor justice** ethic that emphasizes **gender justice** and the need to ameliorate the injustices women confront in this society. On a professional level, my concern is not purely academic. I have been teaching a course titled "Theories of Justice" at Bethune Cookman University for over ten years, with the intention of empowering students into engaging society critically in an examination, naming and transformation of injustices that takes seriously our prophetic call to **social justice**.¹ Using the tools of sociology, political science, theology, and philosophy, it is my intention to flesh out the ideas that are foundational to a vibrant neighbor justice ethical approach. Such an approach must be robust enough to confront the dual problems of sexism and patriarchy that hinder women from living their lives abundantly and prohibit girls from flourishing in all aspects of life. In this article I will identify the process, ideas, and concerns that culminated in the ELCA social statement "Faith, Sexism and Justice: A Call to Action."

1. There are five types of justice that together constitute Social Justice. These are distributive (which deals with how the goods of society are distributed); commutative (which deals with contractual obligations); retributive (which deals with the criminal justice system); contributive (which deals with our contributions to society); and restorative (which deals with how we heal society).

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What is justice? Classical views

Before we can address the issues of justice and establish the foundations of a neighbor justice ethic, it is necessary to address and define this important concept. "Faith, Sexism, and Justice" defines gender justice as an attempt to address the imbalance of power and equality that women are forced to suffer (FSJ Glossary, p. 76). As a response the task force proposed a type of justice that is grounded in Neighbor Love, the biblical mandate to "love your neighbor as yourself." The term Neighbor Justice "expresses the idea that faith is active in love and love necessarily calls for justice in relationships and in the structures of society" (FSJ Glossary, p. 78). An ethic of Neighbor Love requires us to serve our neighbor as a response to God's grace. As a manifestation of love, Neighbor Love empowers us to advocate for our neighbors as they confront the dehumanizing effects of injustice, oppression, and harm. Finally, "reading the Scriptures with a neighbor justice perspective helps us challenge and uproot oppression, brokenheartedness, and captivity." (FSJ, p. 21).

As we embark on the task of defining justice and creating the framework for our ethic of justice, we need to be honest about our task and the difficulties that exist in our central concept. An essential question remains: what exactly is justice? This is a long-debated question argued over by philosophers and theologians, ethicists and theorists, politicians and lay people. Our consideration of justice must begin with one of the earliest philosophical texts about justice (*dikaosune* in the Greek), Plato's *Republic*. The *Republic* is a meditation composed of ten books on the nature of justice and the ideal state. Although it was written by Plato, the main character is Socrates. For Plato, justice is not only a socio-political concept; it is a moral concept that reveals a good society

and a good state.

In Book One of the Republic, we find Plato entertaining three traditional theories of justice operating at this period of time. The first theory is proffered by an Athenian statesman named Cephalus. Using what I would refer to as the traditional definition, Cephalus defined justice as **being truthful and paying your debts**. At face value we can easily reject this definition, as did Socrates, on the basis of moral convention; these moral expectations may be expected but this view doesn't explain *why* these things should be done—or not—in the first place. The second definition of justice is formulated by Cephalus's son Polemarchus who affirmed the conventional view of justice, namely that justice consists in **helping your friends and harming your enemies**. Socrates rejects this view as well as being too inconsistent; it primarily applies to people we like. This, of course, is arbitrary and capricious. The last definition offered by Thrasymachus, which we will call the cynical view, maintained that “justice is nothing more than **the interest of the stronger**.” From this perspective justice was defined by power. Socrates rejects this definition of justice since it implies that justice does not constrain us from our natural desires, when in fact it does.

After addressing these three perspectives, Plato established that **justice is harmony**, both internal (a proper balance of the soul) and external (manifested in the state). The virtuous individual possesses inner harmony, a balance among the faculties of the soul, and must live in a just society in order to live a good life. From this perspective, justice is akin to righteousness. Justice as harmony also implies that a just society is one where everyone fulfills their given roles so that society may run more efficiently and smoothly. In this manner, a just society strives to improve the overall quality of life for its citizens.

As we seek to identify a neighbor justice perspective, this historical philosophical excursion assists in identifying two important ideas: first, the notion that justice is harmony establishes a responsibility for the collective good, or what theologians and ethicists refer to as the common good. Second, justice is not only a political and philosophical concept; it is also a moral concept that implies an obligation, a duty of sorts connected to the proper functioning of society. As such justice is not an aspiration, it is a duty to be performed.

Biblical perspectives

As the task force deliberated on the creation of the social statement it was clear that our work needed to be biblically sound, theologically grounded, and reflect our Lutheran heritage. As we wrestled with the concept of neighbor justice, a corollary to neighbor love, it was necessary to scrutinize the Bible closely. There are four words in the biblical languages that are associated with the concept of justice: *mishpat* (Hebrew for justice); *tzedek* (Hebrew for righteousness); *adikia* (injustice or unrighteousness in the Greek); and *dikaosune* (righteousness in the Greek). A careful perusal of the biblical lexicon shows that *mishpat*, associated most frequently with the context of prophesy, appears 200 times in the TaNaK (the canonical Jewish scriptures); *tzedek* appears 119

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times in the TaNaK; while *dikaosune* appears 92 times in the New Testament; and *adikia*, literally meaning no justice or injustice, appears in the New Testament 25 times. Although it would be too cumbersome to list all of the passages that refer to justice, it is useful to highlight two passages that emphasize and guide the biblical concern for justice:

“[God] has told you, O mortal, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?” (Micah 6:8, NRSV)

“But strive first for the kingdom of God and [God’s] righteousness, and all these things will be given to you as well.” (Matt 6:33, NRSV)

As these passages clearly demonstrate, justice is one of the principal concerns of Scripture and provides not only hope for divine intervention, but also a guide to living in community. As biblical scholar Robert Foster points out, “In the Bible, concern for justice often involves a reversal of fortune, a bringing down of the rich, who gained their wealth by exploiting others, and a lifting up of the poor, who suffered so much injustice.”² The words translated in English as “righteousness” are understood within the context of personal moral rectitude, while the terms used for “justice” imply a good, functioning social order. This is evidenced by the encouragement for the proper distribution of goods, a proportional punishment for law breakers, the rejection of usury on loans, and the temporary nature of debt and the sale of land. It is also worth noting that the association of justice and righteousness in both the Hebrew and the Greek creates a connection that is inseparable, closely resembling what today we would identify as social justice. The concern for justice in society, represented by wholeness, and personal righteousness, is reflected in the Magnificat (Luke 1:46-55) and in the letters of Paul, especially 1 Corinthians 12:7: “To each is given the manifestation of the Spirit for the common good.”

2. Robert L. Foster, “Understandings of Justice in the New Testament,” Teaching the Bible: an e-newsletter for public school teachers by Society of Biblical Literature, https://www.sbl-site.org/assets/pdfs/TBv2i5_Fosterjustice.pdf

Virtue and the good life

In addition to a biblical mandate, justice is also an important virtue, both philosophically and theologically. For example, Plato highlighted four important virtues or character traits in Book IV of the *Republic*: wisdom, courage, temperance, and justice. Wisdom involved giving good counsel and advice. This applied to everyone, but especially rulers. Courage was understood by Plato as knowing when to be afraid and when not to be afraid. Courage, then, is when a person appropriately places their fears. Temperance is closely tied into wisdom and courage. Plato understood temperance as knowing the right thing to do and giving wise counsel. The last virtue, justice, is a continuation of his earlier conception of justice as harmony. The definition is expanded to include “doing one’s business.” This version of justice is reflected in Plato’s conceptualization of society. He divided society into three classes: the producers (the common folk), the warriors (the protectors of the city-state), and the guardians (the rulers of the state). Here again, Plato established justice as following the natural order, and engaging in one’s appointed tasks and duties for the benefit of society (we find here a common thread with Luther’s understanding of the “two realms” which will be discussed later in this article). Regardless of how one feels about the social hierarchy, one thing is clear—justice is a moral value closely identified with the virtues of wisdom, courage, and temperance, functioning for the common good.

Aristotle established in his *Nicomachean Ethics* that living a good life, which he identified with *eudaimonia* (fulfillment or happiness), entailed living a virtuous life. He believed that everything was created toward a natural end or goal, perfection (*arête* literally meaning excellence). Excellence applied to all things. Applied to a knife it means sharpness; applied to a horse it is speed; applied to an athlete it means skill; applied to humans it means moral excellence. Applied to character, virtues are dispositions, moral guides, which produce habits. These character guides become character traits known as virtues. Virtues then become a second nature we perform automatically. The primary purpose or goal of ethics was to produce good people.

For the sake of our argument, on a practical political level, Aristotle defined justice as fairness and allowed for the redistribution of goods referred to as distributive justice by modern theorists. Politically stated, justice operates on two levels. Justice is opposed to a misdistribution of goods, and justice is opposed to a lack of attention to the rights of others. This will be important for our discussion of equity as a means of addressing the social, economic and political harms women and girls suffer.

As a philosopher Aristotle was extremely important to medieval theology, particularly for the thinking of Thomas Aquinas, and the emerging humanism of the early Renaissance period. Roman Catholic theology of the Late Medieval period was fascinated with the number associated with perfection (seven) and the creation of theologically inclined lists. Thus, we have the Seven Deadly Sins, Seven Sacraments, and the Seven Virtues. The virtues are divided into two types, theological and cardinal

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virtues. Based on a reading of 1 Corinthians 13:13, the three biblical or theological virtues are faith, hope, and love. The four cardinal values, a metaphor for the four points of the compass, include prudence, justice, fortitude, and temperance. Aristotle’s influence on the articulation of these virtues is undeniable, but even though these are primarily considered from a Roman Catholic framework, modern discussions of Christian ethics from disparate Christian ethical perspectives have taken and used these virtues for moral deliberation and practice. From a Christian virtue ethical perspective, justice is not only a normative moral value but also a hallmark of a just (good) society.

The Common Good: Aristotle to Aquinas to Luther

One of the greatest challenges of the work of the task force in framing a response to injustice against women was maintaining an authentic Lutheran witness. Although the social statement addresses a Law/Gospel reading of Scripture, our discussion of justice, for the sake of this argument, needs to consider Luther’s theology of the two realms (sometimes referred to as two kingdoms) and its importance in promoting a vision of the common good. Before addressing Luther’s theology, we must define and highlight the biblical concept of the common good. We must affirm the biblical witness of 1 Corinthians 12:7—“To each is given the manifestation of the Spirit for the common good.”—and its relevance not only for discussions of justice, but also as a means of contextualizing societal expectations necessary for human flourishing and abundant life.

Philosophically, the earliest reported references to the common good originate in the work of Aristotle. In the *Nicomachean Ethics* he recognizes the tension between what today we would call individual rights and the good of the community as a whole. Aristotle wrote:

For even if the good is the same for the individual and the state, the good of the state clearly is the greater and more perfect thing to attain and to safeguard. The attainment of the good for one man alone is, to be sure, a source of satisfaction; yet to secure it for a nation and for states is nobler and more divine.³

3. Aristotle, *Nicomachean Ethics*, trans. Martin Ostwald (Indianapolis, Ind.; The Bobbs-Merrill Company, 1962), 4-5, 1094b.

Thomas Aquinas was greatly influenced by Aristotle's conclusion and affirmed the primacy of the common good over the other goods promulgated by society. Aquinas opines that people become virtuous by espousing and practicing the common good. Contemporary discussions of the common good, championed by the French theologian Jacques Maritain in his book *The Person and the Common Good*, insist on defining the common good in relation to creating institutions necessary for human cooperation and the achievement of shared objectives for all people, as well as fostering a societal justice that is a normative societal policy for all. This understanding of the common good provides the rationale for a responsible civil authority, economic development for all, and the promotion of Human Rights.

This brings us back to Martin Luther and my contention that underlying his theology of the two realms was a strong understanding of the common good. At the height of the Reformation Martin Luther was faced with a European society where the church was inextricably intertwined with the secular authorities of its day. Both the church and the political authorities were wrestling with the demands of justice from the peasantry. In order to preserve his interpretation of justification by faith in Christ, while at the same time allowing for Christians to be immersed in the world that they inhabited, Luther devised what would be later known as the Two Kingdoms theory or theology. His intention was to set limits to the political authorities while at the same time discouraging civil unrest among the peasantry. By setting these limits on the state, Luther intended to protect the church from external influences and over-reach into the life of the church by the state. Luther envisioned the world as being divided into two realms: the Kingdom of God and the kingdom of the world. The secular government was not to interfere in the Kingdom of God since this would be an abuse of their authority. On the other hand, the church was to focus on the proclamation of word and sacrament. In the Kingdom of God stood the believer who was justified by faith in Christ and had no need for the external law or coercive measures since they operated willingly and obediently toward God. In the kingdom of the world stood lawless people who would need the state's coercive and restraining powers to punish them for their disobedience toward the law.⁴

Many misunderstood Luther to imply that Christians should not address social matters. In truth Luther saw both kingdoms or realms as necessary for governing human beings. It is clear from this approach that Luther's concern was that people would misunderstand social justice work in terms of works righteousness. The fact remains that: "Based on his most fundamental discovery—justification by faith—Luther denied that the political, economic or social order could be divinely legitimated...with this concept Luther undermined the religious legitimation of the feudal system."⁵ The Reformation historian

4. See Luther's 1523 treatise, "On Temporal Authority: To What Extent It Should be Obeyed."

5. Walter Altmann, *Luther & Liberation: A Latin American Perspective* (Eugene, Ore.: Wipf & Stock Publishers, 2000), 9-10.

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Carter Lindberg concludes that Luther's doctrine of justification by faith challenged the "medieval romanticizations of poverty" as the supernatural currency necessary for salvation, with its emphasis on salvation independent of works righteousness, including poverty and almsgiving. This allowed for poverty to be viewed as a form of injustice, an "evil to be combatted."⁶ The conclusion to be drawn from this brief excursion into Luther's thought is that justice and love of neighbor fall under the civil use of the law. Luther understood his theological task to provide oversight and correction of the existing social structures, and to work toward the wellbeing of the neighbor and the common good.⁷ For Luther justification and justice were interconnected, and based on his formulation of the two kingdoms.⁸

What is justice? Contemporary views

This brings us to the final component of our framework for a neighbor justice ethic, defining the concept of justice. Modern definitions of justice can be divided into three types: justice as equality, justice as needs based, and justice as merit based. Justice as equality establishes that justice requires that all people should be treated equally and that injustices must be remedied through distributive means. This egalitarian perspective considers redistribution necessary based on the claim of equal respect, equal access, and equal distribution of the goods of society. Justice as needs based is also known as the welfare conception of justice. This perspective also emphasizes a distributive view of justice as compensation for the unjust treatment of some people and groups by society and certain institutions. The final approach,

6. Carter Lindberg, "Luther's Struggle with Social Ethical Issues" in *The Cambridge Companion to Martin Luther*, ed. Donald K. McKim (London, Oxford, 2003), 171.

7. *Ibid.*, 174.

8. This Victor Westhelle refers to as the realm of hearing ("faith" by hearing) and the realm of seeing ("love as seen"). "Justification & Justice: Luther on the Love of the Enemy as Criterion of Justice" (*Journal of Lutheran Ethics*). <https://www.elca.org/JLE/Articles/1106>

justice as merit based, is a conservative perspective that emphasizes governmental non-intervention in matters of injustice, a minimal state, and a market-based approach to remedying social injustices. Exemplified by the libertarian ideas of Robert Nozick, the merit-based approach provides one of the most important challenges to John Rawls' theory of social justice based on a voluntary social contract. However, many scholars, economists and lay folk see the market as a major contributor to social injustice, therefore making the merit-based theory of justice unresponsive to the exigencies of the common good.

John Rawls believed that even a casual observation of our society demonstrates the existence of a large number of injustices that harm a significant number of people including people of color, ethnic minorities, religious minorities, and women. These injustices are manifested economically, politically, legally, and socially. The harms include racism, sexism, classism, an unequal distribution of resources, health care accessibility, and a lack of equity. Rawls believed that if one carefully examined the statistics that measure income and life expectancy, these would illustrate a "radical unfairness" in our society. Rawls believed that those who benefited the most from these injustices were spared the challenge of thinking critically about their privilege because it was virtually impossible for them to think outside of their circumstances. To remedy this myopic condition Rawls proposed a clever thought experiment known as the "veil of ignorance." The question he wants us to think about ("If we knew nothing about where we'd end up, what sort of society would it be safe to enter?")⁹ centers on what type of circumstances we would like to be born into if we found ourselves in a conscious state before birth. Of course, we would seek the most advantageous circumstances for our birth. For Rawls, this alone shows that we know that injustices exist in our society since we would seek the best and most advantageous economic and social situation. Who would pick a poor inner-city community when you could pick a more prosperous, safe location with the best schools and most prestigious hospitals in the country? Rawls hoped that this thought experiment would lead us to reflect and ask: "How would I feel about this issue [of injustice] if I were stuck behind the veil of ignorance?"

Rawls concludes that any inequalities that exist in a social system require a distributive response that should favor the least well-off because this "levels the playing field of society." Rawls emphasized rights that by extension implied a moral obligation to protect, defend, and remedy. In addition to creating a model for identifying injustice (the veil of ignorance), Rawls established two principles of justice. The First Principle, known as the basic rights principle, establishes that each person has an equal claim to "basic rights and liberties" which are applicable to all. The Second Principle, also known as the distributive justice principle, establishes that social and economic inequalities are to be arranged so that they provide (a) the greatest benefit to the least advantaged

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members of society, and (b) provide equal opportunity to all people to exercise the offices and positions open to all in society. Rawls concedes that inequalities are possible, but these are allowed when they benefit the least advantaged. The second part of the Second Principle also justifies attempts to level the playing field for people harmed in relation to the inequalities due to racial discrimination and gender inequity.

Women and justice

Now that we have established theoretical foundations of a neighbor justice ethics, we will examine the harms that women suffer, harms that require a social justice remedy. Using a gender justice lens, we can better understand why a neighbor justice ethic is important. Iris Marion Young states that "social justice requires not the melting away of differences, but institutions that promote reproduction of and respect for group difference without oppression."¹⁰ Young believed that oppression was at the root of injustice, and that injustice took both structural and individual forms. As a structural problem, oppression is perpetuated through social institutions that privilege one group over another. For example, a number of privileges exist that are expressed to the detriment of those who are not part of the majority group. This disadvantage is reflected consciously or subconsciously through the privileging of race, gender, and class. Not all oppression is expressed or suffered as a group; individuals may suffer independent of her/his group. This may be evident in cases where the laws and practices of society condemn practices such as racism and sexism, yet individuals suffer isolated instances of discrimination.

Young identified five facets of oppression that are associated with gender oppression. Women suffer from exploitation in many ways, in the household, as well as in society. For example, in the household men achieve at the expense of women. Women are dependent on their husbands, and their roles are limited to reproduction and affection. In the workforce women are exploited regarding wages, promotion opportunities, and leadership roles. Most women are relegated to lower paying jobs or menial labor.

9. John Rawls, *A Theory of Justice* (Cambridge, Mass.: Belknap/Harvard Press, 1971), Chapter 1 "Justice as Fairness."

10. Iris Marion Young, *Justice and the Politics of Difference* (Princeton, N.J.: Princeton University Press, 2011).

The second facet, marginalization, pertains to the dismissal of the import and contributions of women by relegating them to the margins of society. This is illustrated by reducing women to the role of “housewives.” Societally, this is illustrated by our perceptions and treatment of poor women. Poor women, who are forced to seek public assistance or welfare, are marginalized in a number of ways. Poor women are deprived of their freedom by being forced into a drug testing regime; are forced into dependency through their subjection to an arbitrary and invasive authority; suffer a loss of rights including privacy, respect and choice as they navigate the bureaucracy.

The third facet applicable to women is powerlessness. Societally, and in the household, women have no power, according to Young. This includes the decision-making process; their voices, in affairs that affect them, are silent. Societally, women suffer from a culture of silence; they are unable to speak for themselves. If they are granted an opportunity to speak, they are either dismissed or are ridiculed to the extent that they no longer have the will to speak.

The fourth facet, cultural imperialism, is expressed in matters of sexuality where society imposes a heteronormative understanding on LGBTQIA women. Another dimension relates to matters of gender where the prescribed norm is that of male privilege.

The fifth and final facet is that women suffer disproportionately from violence.

We hope that this discussion of oppression has fostered serious questions about the lived reality of women and what our task should be. Two questions that come to mind are: How does Young’s conception of oppression help to clarify the problem of gender injustice? Is Young’s paradigm useful in addressing the intersection of problems faced by women?

Conclusion

In this paper we have set forth the groundwork for a neighbor justice ethic. Philosophically, we discussed ancient definitions of justice that fostered a moral obligation necessary for the proper functioning of the state. We examined the Bible and its emphasis on righteousness as moral rectitude, and the importance of an equitable social order. We explored the Platonic ideal of justice as a moral value, and the importance of fulfilling our roles for the good of society. Aristotle’s contribution to ethics, especially his emphasis on distributive justice, allowed us to better understand John Rawls’ proposal for remedying social injustice. A theological exploration of the common good and Martin Luther’s contribution to this concept followed. Finally, our examination led us to considering how this neighbor justice could be applied to the problem of oppression.

This leads us to a valuable lesson: neighbor justice is social justice! It is important to note that all of the requirements of social justice apply to our conceptualization of neighbor justice. For example, shared concerns include: a commitment to a culture of non-violence and the respect for life; a criminal justice system

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treats people fairly; the treatment of all people with dignity; a concern for the neighbor; a commitment to reconciliation and restoration; a commitment to a culture of solidarity; the creation of a just economic order with economic equality; a commitment to distributive justice; a commitment to a culture of equal rights and partnership between men and women; gender equality; the condemnation of sexual exploitation and sexual discrimination; the espousal of a life affirming sexuality; and the affirmation of marriage equality for all people. These are concerns that are ethical and universal.

I would like to conclude this article by affirming the four guiding ethical principles present in our Lutheran social teaching. These are not only the living embodiment of our neighbor justice ethic; they are the hope and dreams of the kind of society we are inspired to propose. **Sufficiency** (care for the basic needs of all people) requires our society to address and advocate for the basic needs (both physical and emotional) of women. **Sustainability** (an acceptable quality of life for all generations) requires our society to provide an acceptable quality of life for all generations of women. **Solidarity** (the interdependence of all of creation) requires us to respect the lived experience of women and to share not only in their suffering, but also to participate in their liberation. Finally, **participation** (the right of women to be able actively to participate in events that impact their lives) requires women to be active in the decisions that impact their lives.¹¹

11. *Faith, Sexism, Justice: Conversations toward a Social Statement* (Chicago, Ill.: Evangelical Lutheran Church in America, 2015), Module 2.