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Afterword: Agape and Reframing

James Boyd White

The essays in this volume deal with the relation between agape and law from a wide range of perspectives and in the service of a variety of concerns. That is as it should be. One of the great strengths of this book is the fact that the authors represent different Christian traditions, different disciplinary predilections, different social and political concerns, and different personal styles.

The main question I address here is why it is so difficult to talk about agape and law in our world, and how that difficulty might be addressed. I shall speak, as you will see, from a generally Christian point of view, but I hope what I say will be intelligible to everyone, including people from different religious traditions

1

One reason for the difficulty I refer to is linguistic, having to do with the history and nature of the word agape itself. Agape is after all a term from another language, which, like other such words, cannot be translated into English without distortion. Even in Greek it is a term with deep and shifting meanings. Like almost all important words, in any language, it has somewhat different meanings to different speakers, and to the same speakers in different situations. In some contexts this kind of difficulty can be addressed by agreed-upon definitions, that is, by stipulating a set of words that can substitute for the problematic term, in this way creating what we might call a specialized or technical language. This is not possible with agape, in part because the

Like many of the essays in this book, this afterword was first presented as a talk at the conference on "Love and Law" that was held at Pepperdine University in 2014. This is not a scholarly essay so much as an invitation to attend to certain themes. I have accordingly retained the oral and familiar style of the original talk.

English words we would use – “love,” for example – are themselves full of rich and conflicting significance, but even more importantly because what agape points toward in the world of experience is not an object or concept of some kind, but the transformation of the whole self from the marrow outward.

Even if we try, that is, we cannot just decide that from now on we will act out of agape. What the word calls for is a change in ourselves and souls, a change that cannot really be described or predicted, though it may be perceived. It is a center of mystery.

This means that as we speak about agape, in any context, each of us will be giving it definitions of our own, for better or worse, not only in the connections we establish with other terms but more substantively and performatively: in who we become as we use it, in who we ask one another to become, and in the way we talk to each other too. Whenever we talk about agape we are constantly performing and reperforming its meaning.

2

There are two other reasons for our difficulty in thinking about agape, the first of which I will not address, except indirectly. This reason has to do not with language, but with our own selfishness as human beings – those defective aspects of our own nature that resist the love of God and neighbor to which Jesus is calling us when he uses the word agape. This is a topic for another occasion.

The other source of difficulty, which has to do not with our nature but with our culture, is my main subject here. I am thinking of those active forces in our world, and therefore within each of us, that resist and hobble our efforts to think and talk about agape, let alone realize it in our lives. We might think of this problem as a set of cultural mind-sets we cannot escape.

I don't mean to suggest that our culture is uniquely or especially bad, but simply that it has its own characteristic qualities, its ways of focusing and rewarding attention, and that in our case many of these work powerfully against the possibility both of understanding agape and of acting on it in a real way. It was always so, for as agape was used in the early Christian texts it was a way of working against the premises of the culture it was intended to transform – a function it still has, or should have, in our own.

In a well-known story in the Gospel of Luke (12:13–21) a man asks Jesus to make his brother give him his inheritance. Jesus refuses to do that, then uses the man as an example in talking to the crowd around him: “Beware of all sorts of greed.” Then he tells a story about a rich farmer who plans to build a new barn for his bumper crop, only to learn that his soul is demanded of him that very night.

In this parable we can see that the whole side of the imaginary farmer's self that makes plans, seeks acquisitions, and hopes to maintain and increase his property – that acts out the cultural imperatives of his time – is in a single moment rendered empty and futile by the immediacy of his death. This is meant as a lesson to the original questioner, to the crowd, and to us, urging us all to focus upon the first and most important things in life, not matters of ultimate indifference.

It is important to see that Jesus's questioner is not a bad person, but caught up in the motives and values that define his society, which are so widespread and deeply rooted that they seem to him utterly natural. Of course he wants his inheritance. We would too.

What Jesus does in telling this parable and talking directly to the crowd is to reframe the moment to include what is normally left out of their, and our, ways of thinking – above all, here, the reality of death. The idea is that this reframing may make it possible for us to recognize and accept what Jesus repeatedly tells us matters most in life, which is not possessions or successes, but agape: love of God and neighbor.

In this case what is brought into the circle of attention – the fact that we will surely die, and may do so at any moment – is something that the questioner, the crowd, the farmer, and all of us in some sense “know.” It is not brand-new information. What the reframing does is to make it, for the moment, not an unfeeling thought but an inescapable reality. This experience in turn asks us to imagine how our lives would be different if we could keep that reality always before us.

It is true that after such reframings we slide back into normalcy, over and over; this means that our search should be not only for the experience of reframings themselves, but for ways of keeping the shifts of consciousness they produce more fully and permanently alive within us.

3

How about us? Are we culturally situated like the farmer and the man who wants his inheritance? We can certainly imagine how shocking such a reframing would be if it came to us suddenly while we were drafting a cost/benefit analysis, working on a brief, preparing a class, or feeling anxious about promotion. The force of this kind of reframing will I think always be disturbing – which is also why it is potentially transforming.

What are the particular forces at work in our culture that might be seen to call for and to resist such a reframing? There are many possible responses to such a question. My own sense is that we live in a culture that is distinctively and dominantly quantitative, competitive, and ranked, often monetized, and

this fact subjects us to pressures on our minds and imaginations which it is very hard indeed to resist. Another way to put this is to say that we know something dimly in our hearts that we cannot express or even see – something that is not at all quantitative, competitive, or ranked – but we have great difficulty acting out of that knowledge.

The knowledge I mean is itself a kind of agape. We are born with a form of it, for every healthy baby comes into the world ready to give and receive love. This is the center of our affective lives, the center out of which everything is built. In babies this love is individual and particular; in grown-ups it can expand to include the love of our neighbor, based on the recognition that every human soul is of equal and infinite value.

4

In thinking of the pressures at work against agape in our own culture, we might start with the places most of us work every day. In my own case that is, or was until my retirement, a university and a law school. The question for me and my colleagues has been how our university or law school is to be imagined, thought about, and evaluated. Today it is almost impossible for academics and university leaders not to think in terms of the idiotic rankings of the *U.S. News and World Report*, not only as they give us satisfaction or dissatisfaction, but also as they shape our efforts to make our college or school “better” – not better in substantive ways, relating to a real education, but better in the sense of making us more highly ranked. “How do we rank? How do we compare with others, our peers? Are we going up or down?” These are the questions we are driven to ask, questions that all too often dominate and shape our thinking and our desires. In my experience, it is a disturbing fact that we often find ourselves actually wanting to *be* the kind of school that this news magazine ranks highly!

The real questions we should be asking are very different: “Are we doing a good job at what we are called to do, as teachers of future lawyers? Are we good teachers? Is our writing of real and permanent value? How could we be a better school with respect to our students’ real education?” These are crucial questions in the definition of a law school, but in my experience it is almost impossible to think about them collectively. As soon as that conversation gets started it is drawn away by the powerful magnet of the rankings to another subject entirely. When we spend our time concerned with what others think of us we stop being concerned about what we think of ourselves.

Or think of good teaching, important to all of us: how much of what we mean by such a phrase could possibly be captured by the multiple-choice evaluations of teaching that are now such a part of university life?

If you are a teacher, think about your hopes and desires when you first began to teach. You had at one time an idea of teaching, which made teaching a worthy aim for a life – an idea of a good class, a good teacher, a good school. What has happened to those ideas and ideals? With whom do you talk about these things?

What we need is a way of talking about teaching, that is based on agape, that is on love both for our students, and for what we do as teachers: a way of talking in which we recognize our students as complex and complete human beings, with souls as well as minds; in which we respect the difficulties of their ethical and professional choices; and in which we ourselves believe in the value, to them and to the world, of the activities in which we are educating them.

We need, that is, a reframing, like the one Jesus offered the people in his parable: one that will work a transformation in the way we imagine our work, freeing us from the motives and patterns that now clutter our minds so that we can stand firmly on another kind of ground, the transformation of the self that is implied in the term agape.

5

But legal education, and education more generally – both of which seem today to be beset by practices of mechanical evaluation – are only small instances of a much larger problem. Other professions and institutions have their own versions of the “rankings” I refer to. I think much of what I have said here about the university and the law school has application throughout our culture.

Ask yourself this: based on what you hear, and what you say, what is the purpose of the nation to which many of us belong, the United States of America? What are the aims and values by which its performance is to be evaluated?

As I remember my childhood, I would have thought that the common response would have been framed in terms of democracy, self-government, the rule of law, and fundamental equality. Today I think we could be forgiven if we thought this country existed mainly to do two things: to increase something called economic “prosperity,” and to dominate the world.

Putting aside the second of these, perhaps for another day, what is this thing called “prosperity”? For most of us, most of the time, it is measured quantitatively in the form of the gross national product, a process that works on certain fundamental assumptions of economic science.

One such assumption is that wealth and hence prosperity can be measured in dollars of constant or uniform value. The richest country is the one with the greatest total wealth. But we know that this assumption is simply not true. We know that the value of \$10 or \$100 to a poor person is vastly greater than the

same amount to a rich person. We know this in part from our own experience, and in part from the story of the widow's mite, where Jesus makes plain that the widow's gift of a penny is greater than the most magnificent gift imaginable from a rich person – so long as it is less than all he has.

Here Jesus reframes the custom of treating money in the arithmetic way we normally do, and instead sees it as a human and moral reality. He recognizes that a dollar – or a copper penny – in the hands of someone who really needs it is worth much, much, more than a dollar in the hands of one who has lots of them.

For us as individuals this means something troubling, that we should look at our own bank accounts in a different way, recognizing that they misstate value: as the accounts get bigger the dollars get less valuable; as the dollars are put in the hands of people poorer than we are, they become more valuable. Jesus is telling us something of immense importance: that to distribute wealth to those who do not have it is actually to create wealth. This is part of what it means to know that every human being is of equal and infinite value.

In a sense we know these things, but can we make that knowledge real, a basis on which we can function and work? Can we reframe our understanding of the economy and find a new way to evaluate it, to shape it? Can we, that is, imagine an economics based upon what we know is true but do not allow ourselves to think about?

6

Here is a related question: what activities should be thought of as contributing to our prosperity? The kind of economic thinking that dominates our world and our minds measures only exchanges for gain. Gifts, like that of the widow, or other gifts of oneself or of time, do not count in computing economic activity. They are said to be transfers of wealth, not productions of wealth.

On the other hand, the sale of anything that is not criminal – from soft drinks loaded with corn syrup to jet-skis that pollute the water to drugs that make us dependent upon them to pornographic pictures to violent and sadistic war games to machine guns – is said to enhance our wealth.

We know this is not right. We know that in any real estimate of our prosperity we should value activities that are good in themselves but do not involve exchanges – walks in the woods, playing with children, loving our spouses, listening to music, talking with friends. These are things we value not for what we can obtain by them, but for their own sake, as aspects of a healthy and good life. We should certainly not trivialize them with labels “entertainment”

or “consumption.” Similarly, we should give negative value to some activities that do involve exchanges but are worth little or nothing, or do real harm.

Here too we need a reframing, a way of bringing into the center of our consciousness what we know in our hearts to be true about the nature of wealth and the value of human activities, including both those that involve exchange and those that do not. To do this, if we could, would be a form of agape, a love of our neighbor.

The treatment of the natural world – for some of us, the Creation – is another matter on which our language, our habits of thought and speech, twist and deform our imaginations. To the person who thinks in terms of the GNP the natural world really has no value at all until it is commodified in some way: a piece of it is broken off and made an article of commerce, like iron ore or salmon. Our system of thought seems often to speak as if the most successful community, the most “prosperous one,” were the one that made the largest impact on the natural world, converting it as much as possible into the material of exchange.

But this would be silly. Nothing could be more plain than the fact that we depend upon the world of nature, the world we have been given, for everything in our lives, from air and water and food to shelter to the activities of the highest cultural value. A violin after all must be made of wood. An injury to the world of life that is our planet is an injury to all of us, present and future.

We need to find a way of talking about that world, the world of nature, not as a limit on economic activity as that is now envisaged, but rather as the center of economic thought of a new kind.

Would it be possible for us to reframe this situation so that we could treat the whole of the Creation as a holy organism, of which we are all parts, upon which we depend for everything? This would be a form of agape, but in another sense: a love of God as well as love of neighbor.

Notice that when we face these and similar questions, the idea of prosperity itself begins to undergo a change. Instead of a purely “economic” idea it becomes an idea of social health, of attunement, of respect for others, of an interest in meaning in life. In his talk about agape, after all, Jesus is telling us that what matters is not wealth, but who we are, as individuals and as a community – what kind of relation we have to each other and to the God from whom all good things come.

A final brief story: in the 1970s The Third London Airport Commission was given the task of determining where the third London airport should be located. They tried to do this by an almost unimaginably elaborate analysis

of costs and benefits. They were aware that this process had limits but were confident that it would lead to the best result.

But their Report ended up a comic mess. They tried to use actual market exchanges to measure the value of costs and benefits – for example, they tried to discover how much people would pay to get to the airport more quickly, per minute – but this did not work in its own terms and could certainly not begin to take account of all the consequences. How could this method possibly determine the value of a Norman church that was to be destroyed so that a runway could be built?

In the end, the majority of the Commission wanted to locate the airport in the only green space between London and Birmingham, ostensibly basing their judgment on the cost–benefit analysis, but I think revealing in their opinion that they were really functioning out a shapeless fear – fear of what American travel agents would do if the airport were located any further from London. The dissent favored a location east of London largely on the sensible ground, utterly disregarded in the cost–benefit analysis, that this would have a hugely positive social and economic effect in rehabilitating East London. In fact the airport was never built at all.

In my view all this made a mockery of the attempt to resolve a complex social issue by a mechanistic invocation of “cost–benefit analysis.”

In fact, the Report of the Commission unwittingly demonstrated the need for something else, for which perhaps the best word is judgment – judgment of the kind that lawyers in particular have to make every day, whenever they are confronted with a real situation that cannot be reduced to the formulas of a rule or system, judgments for which actual individuals are responsible, and which they should be prepared to justify in statements that do not pretend it is easy but reflect the limits of their own minds and imaginations. Here the dissent’s recognition of the plight of the constantly overlooked East Londoners was such a judgment, one that reframed the whole situation and exposed the empty way in which the majority was thinking about it. This dissent was itself an act of *agape*.

8

So in all these ways we are subject to pressures from our culture, and from within ourselves, that keep us from thinking and talking in ways that will reflect what we know in our hearts about law school and other forms of education and all that they involve; about the marginal utility of money; about the positive value of gifts and other activities that do not involve exchanges; about the negative value of certain actual exchanges; and about the problem

of complex social judgments. I could go on and on with more examples, and so could you, but I think these will do.

In all these cases I think we experience a fundamental tension: between something we dimly know or feel in our hearts to be true – something that teaches us the equal and infinite value of all human beings – and the ways in which we have learned to think and talk about the topic in question, ways that are false or incomplete or deceptive or destructive. We are thus situated very much like the man who wanted his inheritance, like the rich farmer, and like the rich men making large gifts to the temple.

How can we resist these pressures? Can we reframe our own perceptions and thoughts and feelings to recognize what it would mean to truly love our neighbor, as the word *agape* asks us to do? Suppose we actually thought, all the time, of every human being on the earth as of equal and infinite value?

Resisting is of course not just a matter of deciding to do it. We can certainly be mistaken when we listen to our hearts. We may find there not *agape* but yet another form of selfishness.

The question is rather one of orientation: do we direct our minds and attentions toward acting out the patterns of thought and feeling and action that we absorb from our culture? Or do we direct ourselves toward what we hope will be a more profound and central kind of truth – to seeing with God's eyes, not human eyes? If we could do this, what I have been calling the knowledge within our hearts could be heard as a summons or a call.

We can at least try. And we do not have to do it alone: we can do it together, listening to each other, responding, and criticizing, all in an effort to be open to the kind of basic reframing that is so clearly needed, founded on love of God and neighbor.

Part of it is just trying, keeping our energies focused on expanding the frame so that we can see and hear more clearly what emerges, and respond more deeply to it. Part of it is learning to trust our own deepest impulses, the lessons we have learned in our hearts. Part of it is learning to pay attention to the gospels, especially to the ways they show Jesus reframing the world for his interlocutors – and, I should add, to pay attention as well to the sacred texts of other traditions that work in much the same way. Part of it is learning that we cannot do it perfectly, that we will always fail, at least in part, and that we need each other. Where this would lead us we cannot say. But it is surely worth trying.

A final word of warning, specifically to university and college teachers, namely a reminder that in our profession we are subject to another set of cultural forces that need to be faced and resisted. I have in mind the cluster of conventions that define academic discourse itself – abstract, conceptual,

insistently rational, ostensibly neutral. This is the discourse that is second nature to us. Good things can be done in that language, but it tends to erase or leave out much of human reality, often by reducing it to a label. The burden of what I have been saying is our task is to see to it, so far as we can, that it does not erase the reality of agape.

We need a new place to stand from which we can see ourselves and our world more truly. Let us take Jesus seriously when he locates that place in agape, that is, in love of God and our neighbor.