



Critical Theology

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Introduction

What links the three articles in this edition of *Critical Theology* is each one’s exploration of social justice: two specifically in the context of the Hebrew Bible (Dion and Downey) and the third in the context of contemporary work on human rights and vulnerability (Waind).

Marie-France Dion tackles the perplexing challenge of blessings and curses, often understood as prosperity and poverty, through an unusual reading of the first chapter of the book of Joshua. Her careful exegesis of two verses reveals a misunderstanding of what meditating on the Torah will bring. A different translation of one word (with a detailed and careful justification) changes one’s perspective of what is being asked of Joshua and the people of Israel. The contemporary implications of this are noteworthy.

Martha Elias Downey’s article draws attention to dramatic irony as a tool of analysis of the story of Ruth, an outsider who ends up as “the hero of a story told to people who consider themselves insiders, the chosen people of YHWH.” Downey challenges readers of the bible when she asserts that “many of us have been so steeped in domesticated versions of the biblical stories that we miss the astonishing upheavals and contrasts therein.”

Jon Waind takes up the work of American philosopher Martha Nussbaum and her exploration of human agency and vulnerability. Waind suggests the importance of shifting Nussbaum’s emphasis on agency to a greater emphasis on vulnerability. Bringing Jean Vanier into the conversation, Waind profoundly communicates the

needed shift: “Nussbaum offers justifications for helping people with disabilities by empowering them to make meaningful choices for themselves (i.e., doing), but Vanier’s vision involves sharing one’s life with them (i.e., belonging).”¹

1 Jon Waind’s article was written and submitted before the recent (February 22, 2020) news release concerning accusations that Jean Vanier engaged in sexual misconduct over several decades. The inquiry found the allegations to be credible and the full report will be released soon. The intent of Dr. Waind’s use of Vanier’s work should not be affected by this news. The key arguments in the article stand.

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When God Visits, What Does He See?

By Marie-France Dion
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I love the expression “When God Visits,” which is the title of one of Pope Francis’ morning meditations in the Chapel of Domus Sanctae Marthae.¹ His meditation focuses on how God visits, and this is reflected in the closeness and compassion of God. This compassion is also observed in the Hebrew Bible (Old Testament) when God sees the oppression of the Hebrew slaves and hears their cry. Something wonderful happens when God visits: a people is born. But there is also a more sombre side to God’s visiting. The prophet Amos warns that “God visits” may also mean that he makes the people pay for their transgression (Amos 3:2). So, God’s visit is not always a blessing. This is especially clear in the closing statements of the covenant of God with ancient Israel, which comprises a list of both blessings and curses. There does seem to be some sort of reward and punishment system at work in the covenantal relationship. In this article, I will explore three ideas related to this: that the blessings and curses are operative at a collective level; that the blessings as well as the curses are very often the normal (natural) outcome of a society’s values and are brought about by its own doing; and finally, that the blessings are divine because they establish the justice of God.²

Prosperity a Blessing?

In most modern language translations of ancient Hebrew, the text of Joshua 1:8 reads as follows:

This Book of the Law shall not depart from your mouth, but you shall meditate in it day and night, that you may observe to do according to all that is written in it. For then you will make your way prosperous, and then you will have good success.³

By means of this narrative, Israel is reminded of the necessity to obey the “Book of the Law.”⁴ Verse 8 in particular seems to suggest that prosperity is a reward bestowed by God for the obedience of the people. There are many other passages in the Hebrew Bible that imply the same thing. For example:

The fruit of your womb will be blessed, the produce of your ground and the increase of your herds, the increase of your cattle and the offspring of your flocks. Blessed [shall be] your basket and your kneading bowl. (Deut 28:4-5)

And you will again obey the voice of the Lord and do all His commandments which I command you today. YHWH your God will make you abound in all the work of your hand, in the fruit of your body, in the increase of your livestock, and in the produce of your land for good. (Deut 30:8-9)

This idea of conditional blessings is also taken up in the Psalms and Proverbs.⁵ At first glance, it seems that prosperity is a blessing of God for those obedient to the covenant. The reverse would then be that poverty is a curse for lack of obedience to God.

In reading the prophets, however, the wealthy are deemed responsible for the poverty in their community. The prophet Micah accuses the leaders of the house of Israel of injustice and of the worst kind of exploitation (Mi 3:2-3). They strip the poor by taking field, house, and inheritance (Mi 2:1-2). He denounces their prophets as liars (Mi 3:5). Amos blames the wealthy of Judah for the poverty and injustice prevailing among the people (Amos 2:4-8). He compares the rich women of the people to “Bashan cows,” those well-fed cows from the area of Bashan and the property of the rich (Amos 4:1-2). According to the prophet, the wealth of Judah is the product of violence (Amos 3:10): they sell the just for money, violate the rights of the orphan, take garments as pledge, and the list goes on (Amos 2:6-8). Isaiah accuses Judah of preferring wealth to righteousness, and this to the detriment of the disadvantaged (Is 1). According to the prophet Jeremiah, the riches of the house of Israel and the house of Judah were obtained by fraud (Jer 5:27-28). But in the end, all this wealth earned them the wrath of God. All in all, it would seem that wealth attests to a society where injustice and corruption are common practice. Does Joshua 1:8 really imply prosperity for the faithful? Then how are we to comprehend the prophets who clearly present a contrary view? Understanding the Hebrew Bible relationship to wealth or prosperity requires that we first look at the values at work in the very creation of a people of God.

The Making of a People

The interdependence between politics and religion among the peoples of the ancient Near East is well documented.⁶ For Israel, the founding act by which the Hebrews became the people of God had profound

repercussions not only on Israel's cultic life, but also in the social and political spheres of society. The Book of Exodus recounts how the "people of God" came into being through a salvific act of deliverance. YHWH saw the oppression of the Hebrew slaves in Egypt: he heard their cry and then put into motion a series of events to free them from slavery. In a very real sense, the Hebrew Bible presents liberation as the concrete means by which the Hebrews become a people of God.⁷ This is so significant that it is reiterated multiple times in Scripture: "I will take you for my people, I will be your God and you will know that it is I YHWH your God who brought you out of the Egyptian oppression" (Ex 6:7). There is, however, a crucial requirement for YHWH to be the God of Israel: namely, that Israel be the people of YHWH. This bilateral commitment is essential for there to be a covenantal relationship. Jeremiah proclaims: "Hear my voice and I will be your God and you will be my people" (Jr 7:23).⁸ In many ways, the covenant between God and Israel resembles treaties that governed the relation between kings and people in the ancient Near East for centuries. The most relevant are the treaties that begin by identifying the sovereign party of the treaty and provide a short historical prologue that recalls a salvific action of the king for the people. The covenant code in the Hebrew Bible begins in a similar way: "I am YHWH your God who brought you out of the land of Egypt, from the house of bondage" (Ex 20:2). This solemn affirmation is reminiscent of what God did to bring about the very existence of the people Israel. The name of God itself, the one Israel must remember from generation to generation (Ex 3:14-15), is an everlasting invitation to enter into this covenantal relationship that makes it possible for YHWH to be the God of his people, and for them to be a people of God. Should the covenant not be respected, then the covenantal relationship is broken and the result is that "you are not my people, and I am not your God" (Hosea 1:9).

There are two interconnected ways to live according to the covenant, and both are required. The first is to live according to the apodictic laws that regulate the relationship between God and his people and the people among themselves. The second is grounded in their experience, that of the oppression to which they can identify in their treatment of the less fortunate and of the foreigner among them. An example of this is integrated into the revision of the covenant code in the book of Deuteronomy.⁹ The commandment referring to rest on the Sabbath includes family, servants, livestock, and foreigners and is based on Israel's own experience: "Remember that you were slaves in Egypt and YHWH your God brought you out of there with a mighty hand and an outstretched arm" (Deut 5:12). Although there is the idea of mimicking God in our behaviour with others, it also addresses an interior,

deeper level of being that allows for identification with the other and motivates actions.¹⁰ "Remember" (Deut 5:12), identify with, understand at a deeper level, and be an agent of liberation. Moreover, it is a societal project where all are responsible for its success. The people of God should never reproduce the oppressive regime from which God delivered them. A people living according to the covenant of God will naturally result in a flourishing society. Hunger, abuse, and injustices are signs of a societal decline. So, in a very real sense, if the people live according to God's covenant, odds are there will be less and less poverty, injustices, and abuse. This in turn will create a society in which all will benefit because the liberation extends to male, female, foreigners, and even the livestock. That is the blessing—the flourishing of society resulting from a life according to the covenant. The curse is the deterioration of society evidenced in the corruption of justice, the abuse of the less fortunate, and the hard-heartedness of its members. The responsibility and choice belong to the community:

This day I call the heavens and the earth as witnesses against you that I have set before you life and death, blessings and curses. Now choose life, so that you and your children may live. (Deut 30:19)

So then, what does God see when he visits? Prosperity or wealth for a few and dehumanizing poverty for others?

Joshua and Prosperity

The question remains how to live according to the covenant in an ever-changing society. Joshua chapter 1 addresses this issue. In this story, Joshua and the people are on the verge of entering the promised land and will be challenged with new situations. How are they to live according to the covenant in this new context? To respond to this issue, the first chapter of Joshua develops the concept of *meditating in order to gain insight*. The term "insight," however, is absent from most if not all modern language translations of Joshua 1:7d and 8f, where it is translated as "becoming prosperous" and suggests a reward bestowed by God for doing according to all the Torah. This is unfortunate, since the text actually shows how it becomes possible to live by the Torah: that is, through careful thinking, pondering, considering, and planning. This is what is meant here by meditating.¹¹ This meditating will bring about insights on how to live the Torah in a specific context. The term translated as "to be prosperous" is the Hebrew verb *shacal*, which has nothing to do with prosperity; rather, it has everything to do with "insight."¹²

Interestingly, the section where this verb appears in Joshua chapter 1 quotes injunctions and promises from the book of Deuteronomy. It is thus a later understanding of Deuteronomy.¹³ In fact, it is a third reading for the laws first given in Exodus, then reiterated and modified in Deuteronomy, and adapted a third time to a new situation. This “rewriting” of the law in itself shows how it is important to adapt to new situations. The majority of the Deuteronomic material is within the divine speech. That is, the modifications brought to the law are put in the mouth of YHWH (see v.1). YHWH is reinterpreting the law of Moses. This has to be significant to Israel, for whom the Mosaic Tradition is paramount.

Within this section is a concentric literary device used to highlight a few elements. The concentric structure is within an *inclusio* (a literary device used to frame a passage or section by beginning and ending the passage or section with the same words); it begins (v.5b) and ends (v.9c) with the mention of divine assistance. The clauses of this framework, however, are not completely identical. The first expresses an intention, a will, a desire, whereas the second clause is an affirmation. That is, there is a movement from intention to its realization. God’s intent is to be with Israel like he was with Moses, but there is a process to ensure divine assistance. Attention is drawn to the element in the middle of the concentric structure. This is where the verb ‘to have insight’ appears.

A As I was (or was becoming) with Moses, so I intend (or want) to be (become) with you¹⁴;

B I will not fail you or forsake you¹⁵.

C 1:6 Be strong and be courageous¹⁶;

D for you will cause this people to inherit the land that I swore to their ancestors to give to them¹⁷.

E 1:7 However¹⁸ be strong and very courageous, to keep, to do according to all the Torah that my servant Moses commanded you; you must not turn¹⁹ from it (to the) right or (to the) left²⁰,

F so that²¹ you may have insight wherever you go.

E` 1:8 This book of the law shall not depart from your mouth; since²² you shall meditate on it day and night, so that you keep to do according to all that is written in it.

D` For then you shall bring to a successful issue your way (or “your way shall thrive”) and then you shall have insight.

C` 1:9 Did I not command you: Be strong and courageous;

B` may you not tremble and may you not be shattered,

A` for with you (is) YHWH your God wherever you go.

The framework states the issue: Divine assistance. The structure works out the details, which have to do with living the Torah in a different context. It’s about actualizing the word of God. This sometimes requires calling into question our understanding (presuppositions, etc.) in order to actualize the word of God whatever the circumstances (wherever you go). The injunction to “be strong and courageous” appears three times in this short text (vv. 6, 7, 9).²³ It is reminiscent of Deuteronomy (Deut 1:38; 3:38; 31:3), but again with slight modifications. In Deuteronomy, the injunction is connected to the confrontation with the enemies of Israel. Here the focus is not on an ensuing battle but on the Torah. Joshua must be “strong and courageous to keep doing according to ALL the Torah,” without any deviation. The juxtaposition of the deuteronomic quotation to “be strong and courageous” (Deut 1:38; 3:38; 31:3) with another quotation linked to the observance of the Torah/words of the covenant sets all of the citations from Deuteronomy in a completely different context. The divine assistance is conditional on Joshua being “strong and courageous” in studying and doing according to ALL the Book of the Law. This is not only an issue of a legalistic application of the law; it is a question of being inspired or acquiring insight in responding to diverse situations through the study of the Torah in light of new circumstances.

At the end of the chapter (vv. 16-19), the community accepts Joshua and will do whatever he asks, but on condition that YHWH be with him. I would like to draw attention to two important factors. First, this “being with,” now that Moses has died, is possible only through meditation on the Torah and the gaining of insight. Joshua is here accountable not only to God, but to the people in making sure to meditate and think, plan and do all the Torah. Second, the community is also empowered in bringing about the doing of the Torah. The flourishing of society is everyone’s responsibility.

Synthesis and Interpretation

If we synthesize the above, we arrive at the following conclusions. First, all the texts presented above pertain to community. The prophets are addressing the kingdoms of Israel and/or Judah. The story of the Exodus is the story of the making of a people and is to be commemorated by all Israel. In Joshua chapter 1, the community plays an active part in confirming Joshua’s leadership and in ensuring that members of the community conform in actualizing the Torah. This then means that there is an empowering of the

community in bringing about the blessings and the curses. The people are invested with the responsibility of seeing to all the members. In turn, this brings about the well-being of the community. But when greed and corruption take over, the whole community is affected. The level of poverty rises with its resultant outcome. Second, the divine values promoted in the covenantal relationship are those practised by God himself: to hear the cry, to see the misery, and to bring about hope and deliverance. Living by the covenant, however, is not only a question of mimicking God, but of identifying with those who are less fortunate and contributing to their betterment. Identifying with the oppressed entails vulnerability and humility. The experience of being human and vulnerable is the motivating factor of living according to the covenant. Third, the measure of a society's success is in the welfare of its members: this includes the widow, the orphan, the servants, and the foreigner. When God comes to visit, what does he see: declining values evidenced by the level of poverty, suffering and injustices in its society, or a welcoming and flourishing community?

I have set before you life and death, blessings and curses. Now choose life, so that you and your children may live. (Deut 30:19)

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1 As reported in *L'Osservatore Romano*, Weekly ed. in English, n. 38, 19 September 2014.

2 My intention is not to debate whether revelation includes the natural law. Whatever the case may be, as noted by David McIlroy, "Natural law establishes the justice of God, and thereby provides a criterion by which both human beings and therefore by extension human legal regimes may be judged." See "What's at Stake in Natural Law," *New Black Friars* 89:1023 (2008), 509.

3 Quoted here is the New King James Version. But many, if not all, English Bibles translate it this way (see, for example, the New International Version, the American Standard Version, the Complete Jewish Bible, Darby).

4 The expression "Book of the Law" is found only four times in the Hebrew Bible (Joshua 1:8; 8:31; Deut 31:26; 2 Kings 22:8) and refers to the book of Deuteronomy. For a recent study on this text, see M-F. Dion, "L'intelligence intuitive pour vivre selon la Torah: Jos 1 comme relecture et réécriture identitaires du Deutéronome," in A. Gagné, A. Gignac and G. Oegema (eds.), *Constructing Religious Identities during the Second Temple Period. Festschrift for Jean Duhaime on the Occasion of his 68th Birthday* (Leuven: Peeters, 2016), 39–54.

5 See, for example, Psalm 1 and 128, Proverbs 3:6.

6 See, for example, Rainer Albertz, *A History of Israelite Religion in the Hebrew Bible Period. Vol. 1: From the Beginnings to the End of the Monarchy*, The Old Testament Library (Louisville, KY: Westminster/John Knox Press, 1994), 19, and Marc Van De Mieroop, *A History of the Ancient Near East ca. 3000–323 BC*, 3rd ed. (Chichester: Wiley Blackwell, 2016), 50.

7 Jesus' mission in the New Testament is also one of liberation (Luke 4:18–19).

8 See also Jr 30:22; 32:3–8; Ez 36:27–28.

9 Compare the older version of the decalogue in Exodus 20:8–11 and its second reading in Deuteronomy.

10 The New Testament accentuates the importance of the heart in doing the law (see Mt 5:21–48). Evil begins in the heart, which is then translated into actions.

11 See A. Negoita in G. Johannes Boetterweck and Helmer Ringgren (eds.), *Theological Dictionary of the Old Testament*, vol. III (Grand Rapids, MI: Eerdmans, 1978), 321–23.

12 The Hebrew verb translated to mean "to be prosperous" is the *Hiphil* imperfect form of the verb *shacal*. It appears 59 times in the Hebrew Bible as a *Hiphil* imperfect (Deut 29:8; 32:29; Josh 1:7,8; 1 Sam 18:5; 1 Kings 2:3; 2 Kings 18:7; Is 41:20; 52:13; Ps 32:8; 94:8; 101:2; Prov 16:23; 17:8; and Dan 9:25). It is also used as an infinitive (Gen 3:6; Is 44:18; Jer 3:15; Jer 9:23; Job 34:35; Prov 1:3; 21:11, 16; Dan 1:17; 9:13, 22; Neh 8:13; 9:20) or a participle (1 Sam 18:14, 15; Am 5:13; Ps 14:2; 41:2; 53:3; Job 22:2; Prov 10:5, 19; 14:35; 15:24; 16:20; 17:2; 19:14; 21:12; Dan 1:4; 11:33, 35; 12:3, 10; 2 Chron 30:22). Interestingly, none of the *Hiphil* infinitives, participles, or imperatives have been understood to mean prosperous or successful! It is only with the imperfect and perfect that scholars have at times translated the term to mean "prosperous." But even in these finite verb forms, the great majority of times, the other meanings of *shacal* are proposed, and the few references where the term is translated by "prosperous" could be disputed. Furthermore, a study of the vocabulary associated with the verb is related to intelligence, discernment, or understanding. It has to do with the world of thought. One of its meanings is "to obtain insight," which is by far the most probable translation.

13 The book of Joshua begins the "Deuteronomistic Historiography" books of Joshua, Judges, 1 and 2 Samuel, and 1 and 2 Kings. Its date of composition has to be later than the book of Deuteronomy (in its unredacted form).

14 The grammatical construction of this clause indicates that the *Yiqtol* verb form (in first position of the clause) has a volitional nuance (desire, intent, wish). It specifies God's will to be with Joshua. It is not an affirmation as would be a promise. This nuance should be clear in the translation, as it impacts the interpretation of the text (see A. Niccacci, *The Syntax of the Hebrew Verb in Classical Hebrew Prose* [Sheffield: Sheffield Academic Press, 1990], 88–95; see also R. David, "L'analyse syntaxique, outil pour la traduction Biblique: le cas des cohortatifs," dans Robert David and Manuel Jmbachian, *Traduire la Bible Hébraïque. De la Septante à la Nouvelle Bible Segond* (Montreal: Médiaspaul, 2005), 275–318. Also of interest is the command to "be strong and courageous" that here appears before the promise of divine assistance in Deuteronomy.

15 Deut 31:8. Again, the order is different than in Deuteronomy.

16 See Deut 1:38; 3:38; 31:23.

17 Deut 31:23.

18 The Hebrew particle *raq*, here translated as "however," is used to highlight the special status of the clause (Bruce Waltke and Michael Patrick O'Connor, *Introduction to Biblical Hebrew Syntax* [Winona Lake: Eisenbrauns, 1990], 668.39.3.5). Because the particle is at the beginning of the clause, its function is restrictive. It also introduces a clarification of what precedes it (39.3.5c).

19 The grammatical construction indicates a volitional form. The negative particle used, *'al*, confirms this. The clause should probably be translated as "May you not turn." The telic particle *lema'an* in Latin, normally used with subjunctives (Waltke and O'Connor, *Introduction to Biblical Hebrew Syntax*, 31.6.1c), could also suggest this reading.

20 Reminiscent of Deut 5:32.

21 Resultative Waltke and O'Connor, *Introduction to Biblical Hebrew Syntax*, 36.2.b, 604.

22 The grammatical construction in v.8 is an imperative followed by a *weQatal*. The *weQatal* here indicates a future but with a causative value. See A. Niccacci's explanation for the causative value of the *weQatal* and especially his example of 1 Kings 22:15b. A. Niccacci, *The Syntax of the Hebrew Verb in Classical Hebrew Prose*, 88–91.

23 Also appears a fourth time in v.18.

Where the Spirit of the Lord Is, There Is Irony: The Unexpected, Inappropriate Good News of Ruth

By Martha Elias Downey
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My friend told me that I just don't understand irony. Which was ironic because we were at a bus stop at the time.¹

Irony is all around us, but it takes careful attention to notice and appreciate it. One of the reasons we tend to undervalue or overlook irony, in literature and in real life, is that we live in a culture that prefers adopting tidy, explainable versions of life instead of grappling with incongruities and unresolved tensions. Influenced by the movie and publishing industries, we have become accustomed to slotting stories into neat categories: drama, comedy, thriller, documentary, history, fiction, and so on. Though this is helpful in many ways, it causes us to form rather narrow notions of what a story is doing or what it means.

The temptation to slap a classification on a biblical story as a shortcut to understanding it is hard to resist. David and Goliath? Underdog prevails. Noah and the flood? Disaster story. Jacob and Rachel? Romance. Esther? Rags to riches with some elements of suspense. Moses? The male version of Esther, but with a bigger budget. Squeezing biblical narratives into a few predefined categories can result in unnuanced, simplistic interpretations of the texts. Combine that with familiarity and we soon lose any sense of the unexpected. Yet when we look at Jesus' words, especially his stories, they are anything but predictable. His listeners are repeatedly surprised and unsettled.

Jesus says, "The wind [spirit] blows wherever it chooses" (John 3:8, NRSV). The account of the *pneuma* of God unsettling things in Acts 2 bears this out: the Spirit wind does not follow a straightforward plotline or obey category boundaries. Lest we think this is a first-century phenomenon, consider the many precedents in the Jewish tradition. The Hebrew Bible is filled with intriguing tales (consider Hosea) meant to upend the prevailing narratives of the time and startle the hearer/reader. Unfortunately, many of us have been so steeped in domesticated versions of the biblical stories that we miss the astonishing upheavals and contrasts therein. The story of Ruth is a prime example of this. Contrary to what you may have been told in Sunday

School, it is not a romance. It is not a "rags to riches" story, and Ruth is not an ancient version of Cinderella. Though some of the dialogue between the two lead (female) characters is often quoted at Christian weddings, the story is not a treatise on marriage or fidelity. What we have is a tale rife with dramatic irony, a story that chafes against expectations and cultural mores, a narrative that circumvents the expectations of the hearer/reader at almost every turn. The story of Ruth shocks, surprises, and even amuses. It is a spirit story, a windy, unsettling tale.

My purpose here is to venture beyond a simplistic, primarily romantic reading of Ruth by 1) highlighting the presence of irony and noting how it alerts the reader/hearer to the surprises in the narrative and 2) paying close attention to the unlikely main characters and their unexpected actions, observing how they impact the meaning of the story. My hope is that when we become more astute at identifying dramatic irony, we will also become better at recognizing the unsettling work of the Spirit in the biblical texts and in the world around us.

Dramatic Irony

Before we get into the story proper, let me offer a few clarifications concerning the use of irony. English professor Mark Wenger defines irony as "any element of a narrative or communication of human experience that is unexpected or incongruous (containing some form of disconnect between what is and what would seem to be appropriate)."² Wenger notes that there are three types of irony, all common in the biblical texts. The first is verbal irony, where the author intends the spoken or written words to communicate the opposite of what is stated. This can be done through hyperbole, understatement, oxymoron, or paradox. The second is dramatic irony, which is an incongruence between what is intended by the character and what is perceived by the audience. In other words, the character is unaware of the disconnect between their words and what is actually happening in the narrative. The third form of irony is situational irony. In this case, it is not

words but facts, events, or circumstances that are incongruous.³

Irony is a literary device used to intrigue and engage the audience. The indirectness of irony means that the hearer/reader has to do some work (connecting ideas that seem unrelated) to unravel the meaning of the story (the opening quotation is an example of this). In a way, the audience becomes an insider, privy to the author's intent. Dramatic irony invites the listeners to hear more than the words, to look beyond the obvious, to seek out the partially obscured meaning of the story, and to discover the surprising message hidden in the folds of the narrative. Irony often inverts the literal meaning, bringing bad news to those who expect affirmation and offering good news to those who least anticipate it (see Matthew 5:1-12). Irony invites those who have ears to hear.

In the Septuagint, Ruth is found after the book of Judges and before First Samuel⁴ and is viewed as a chronological stepping stone between the two eras. The Hebrew tradition places the book between the Song of Songs and Lamentations, and it is read during the Feast of Weeks, which is associated with the wheat harvest.⁵ However, Ruth is not really a story about the establishment of Israel's monarchy, nor is it primarily about the blessing of harvest. The first few sentences, chock full of ironic wordplay, alert the hearer/reader that the story to follow is anything but straightforward.

The story of Ruth begins with these words:

In the days when the judges ruled, there was a famine in the land, and a certain man of Bethlehem in Judah went to live in the country of Moab, he and his wife and two sons. The name of the man was Elimelech and the name of his wife Naomi, and the names of his two sons were Mahlon and Chilion; they were Ephrathites from Bethlehem in Judah.⁶ They went into the country of Moab and remained there. (Ruth 1:1-2, NRSV)

By translating the names, Wenger points out the irony in these opening statements:

That a famine was in the "house of bread", and a man named "God is my king" moved to Moab ("the people of incest") with his wife (named "pleasant") and his two sons, named "sickly" and "wasting away" – all of this is dramatically ironic. ... the meanings are so unexpectedly inappropriate (no bread in the house of bread, a man who is called "my God is king" going to a neighboring pagan nation for survival) – such events are quite disconnected from what would seem appropriate.⁷

At this point, the hearer/reader might suspect that something unusual is afoot in this story, and they would be right. The next development is totally unexpected: all the male characters are wiped out, eradicated, written out of the script. In a patriarchal world where a woman's value is derived from the males in her family and females are basically viewed as property, a story about women would make as much sense as a story featuring sheep or servants.⁸ To add to the ridiculousness of the tale, the women are without male heirs—barren, so to speak—so are doubly devalued. They are what Carolyn Custis James identifies as "zeros" in their culture.⁹ She comments: "The book opens by clearing the stage of all male characters ... to give us a clear view of the women and underscore the fact that the story centers on them and on their relationships with God."¹⁰

Imagine being a male in a culture where women don't have value, agency, or voice and hearing the beginning of this story. You might presume that the tale is pretty much over, that these destitute women will fade into the background and probably perish, lost from remembrance forever. After all, YHWH is the God of Abraham, Isaac, and Jacob, not the God of Sarah, Hagar, Rebecca, Leah, Rachel, Bilhah, and Zilpah. Now imagine being a barren woman or a widow and listening to the surprising opening words. You might dare to hope that this is *not* the end of the story and that these women will persevere against all odds.

The dramatic irony continues. The nation of Moab came out of an incestuous encounter between Lot and his eldest daughter after their home in that inhospitable city, Sodom, was destroyed. In Deuteronomy, we read that Moabites are to be banned from the assembly of Israel to the tenth generation, which is a euphemism for forever.¹¹ Positioning Moab as a place of refuge, salvation, and plenty, when Israel is experiencing famine, would have been jarring to Israelite ears. Ruth, the main character, is continually referred to as a Moabite, a reminder that she is an outsider and a pagan. This highlights another unsettling component of the story: an outsider is the hero of a story told to people who consider themselves insiders, the chosen people of YHWH. We see a similar ironic twist in Jesus' story of the good Samaritan: a despised outsider is featured as an exemplary model of upholding Jewish or insider law (Luke 10:25-37).

The surprising lineup continues. Boaz, the only male character of any significance, is a descendant of Rahab, another female outsider who has the added complication of a tainted reputation. The only true insider in this story is Naomi, and her life reads like a female version of Job, marred by disaster after disaster. She endures a famine, becomes a refugee, loses her husband and her sons on foreign soil, then returns

to her homeland depleted, poor, and bitter, now tasked with finding a way to support herself and her daughter-in-law. Her return causes a stir in the “house of bread,” Bethlehem. The local women, barely able to recognize their beleaguered companion, ask, “Is this Naomi?” Naomi responds with a speech reminiscent of Job’s complaints: “Call me no longer Naomi [pleasant], call me Mara [bitter], for the Almighty [*Shaddai*, the sufficient one] has dealt bitterly with me. I went away full, but the Lord has brought me back empty” (Ruth 1:20-21a, NRSV). Notice the parallel ironies. Not only is Naomi calling attention to the inappropriateness of her own name, she is also pointing out the incongruence between YHWH’s name *Shaddai* [the sufficient one] and her experience: “the Lord has brought me back empty.”

The Ironic Plot Thickens

As we move through the story of Ruth, we find that the irony goes beyond simple wordplay. The plot itself is unexpected and inappropriate in many places, but we miss this if we fail to consider the ancient setting. One modern reader of Ruth suggests that “Much like a fairy tale, it is a story of true love with a happily-ever-after ending.”¹² Custis James critiques this type of sentimental interpretation: “Even when Ruth does something remarkable and brave, evangelicals have tended to turn her story into a romance and Boaz into the hero who comes to her rescue. Nothing could be further from the truth.”¹³ So what is so unusual about the plot? What makes it ironic?

We have already noted the elimination of all the male characters at the outset in order to highlight the relationship between YHWH and the “zeros” of the culture, so when Boaz appears, we must resist the urge to override that dynamic. Even though Boaz¹⁴ redeems Elimelech’s land, provides a home for Naomi and Ruth, and raises up a son to carry on the family name, he initiates none of these acts. Boaz shows kindness and hospitality to Ruth as she gleans in his fields because he has heard of her great kindness and loyalty to Naomi (Ruth 2:10-12). He grants her increased access to the harvest because she boldly asks for it (Ruth 2:6-9). He pursues redeeming Elimelech’s land because Ruth urges him to (Ruth 3:9). He links the land redeemer role to the levirate marriage law, an innovative and unusual connection, because Ruth makes it clear that one without the other will not establish the house of Elimelech.¹⁵ Both the land and the male heir are vital to carrying on Naomi’s family name.¹⁶

Though some see Boaz as a model of YHWH’s loving-kindness through his actions as a kinsman-redeemer, it is Ruth’s unfailing display of loyalty and commitment that serves as the catalyst for all the action and character development in the story. Because of Ruth,

Naomi goes from being an embittered widow without hope to being a celebrated woman with a grandson and a legacy. Boaz shifts from upholding the letter of the law to embracing the spirit of the law, going above and beyond what is legally required, all because he sees it modelled in Ruth.¹⁷

The main theme in the story of Ruth is *hesed* (translated in this story as kindness)—what Hebrew scholar Adele Reinhartz describes as “loyalty and commitment that go beyond the bounds of law or duty.”¹⁸ We find this illustrated through two pairs of contrasting characters. Ruth, whose name means “companion” or “friend,” is offset by Naomi’s other daughter-in-law, Orpah, whose name means “back of neck,” as in what you see when someone walks away from you.¹⁹ Orpah is usually portrayed as a weak character, but she only does what one would expect in her situation. She starts on the road to Judah with Naomi and Ruth, but Naomi insists that Moab offers the young widows more opportunity for remarriage and survival. Orpah, with good reason, turns back. Ruth, on the other hand, goes above and beyond what is expected or necessary. She puts Naomi’s needs ahead of her own and chooses to adopt a new culture and a new god, a foolish move by all reasoning.

Similarly, we have a contrast between the two potential redeemers: the unnamed relative and Boaz. The first relative, though tempted by the acquisition of Elimelech’s land, does not want to be saddled with caring for two needy females and carrying on their family legacy, potentially compromising his own estate. Understandably, he passes on the opportunity. Like Orpah, he makes the most reasonable choice. In contrast, Boaz exhibits generosity and hospitality that go well beyond what is required by either culture or law, taking on responsibilities that have the potential to diminish his holdings.²⁰

Ironically, the overabundance of *hesed* springs forth in circumstances characterized by lack and distress. While both women are destitute, before any male redeemer appears on the horizon, Ruth acts out of the fullness of *hesed*. Consequently, Boaz chooses to extend *hesed* and hospitality to Ruth. Based on the *hesed* Ruth receives from Boaz, Naomi shifts focus from her own hopeless predicament to securing her daughter-in-law’s future. Again and again, the story features deeds that go above and beyond what is expected, what is lawful, and, in the case of Ruth’s risky night-time visit to Boaz’s threshing floor, beyond what is safe or appropriate.

There is one final instance of irony that merits attention, and we find it at the end of the story. After Ruth and Boaz are married and she has borne a son, Obed, after ten years of barrenness, the women say to

Naomi: “Blessed be the Lord, who has not withheld a redeemer from you today! May his name be perpetuated in Israel!” (Ruth 4:14, *The Jewish Study Bible*). At this point, the incongruence of the remark should not surprise the hearer/reader. The very telling of the story immortalizes Ruth’s name, not her husband’s. The women continue: “He [Obed] will renew your life and sustain your old age; for he is born of your daughter-in-law, who loves you and is better to you than seven sons” (Ruth 4:15, *The Jewish Study Bible*). A woman, a foreigner, a piece of property, is valued over seven sons because she did more for her mother-in-law than they likely would have, and Custis James notes that she did it all “in a culture that tied her hands behind her back, denied her a voice, refused her access to the legal system, and regarded her as useless.”²¹ The story of Ruth is a disruption and critique of patriarchy,²² but in the end, it is Elimelech, a man, whose legacy is safeguarded. Patriarchy is perpetuated, all because a foreign widow went above and beyond what was expected and appropriate. Oh, the irony.

Conclusion

Though Boaz is often lauded as a forerunner of Christ, the redeemer, it is obvious that in this story, Ruth is one who most clearly points to Christ through her embodiment of the lavish, surprising, ironic *hesed* of YHWH. Once we see this, we have no trouble finding echoes of Ruth’s surprising story in Jesus’ ministry. William Paterson observes that Jesus engaged in the “perpetual detection of the contradictions and surprises of life.”²³ How are the poor blessed? How can the first be last and the last be first? How can a king be a servant? How can a person be born again? How can a kingdom be both sower (the subject who acts) and seed (the object acted upon)? How can children be wiser than learned teachers? How can two pennies be worth more than great wealth? Paterson notes: “it is ... the belief that Jesus must always have been serious that prevents our seeing his real manner. ... What but an ironical hand draws the picture of a judge bored to death by the loud talk of some obstinate widow?”²⁴ By this point, we should not be surprised that it is the obstinate widow, not the judge, who instructs us in the ways of justice. The contradictions continue. The nature of the divine is on full display in the shameful execution of an insurgent. Death somehow translates into life. A kingdom is here now and not yet realized.

Every day, inexplicable suffering and poverty sit uneasily alongside unmerited privilege and plenty. Those who do not live “on the hungry side of the law”²⁵ have a harder time bearing witness to these troubling tensions. Christena Cleveland identifies this selective blindness as a preference for transcendence, “a belief that God lies beyond, not within, the limits of ordinary experience.”²⁶ Those who prefer transcendence to im-

manence hear the story of Ruth and believe it is a fairy tale, a romantic ideal to which they can aspire. Those on the edges of society read it differently. The story of Ruth is an invitation to encounter *hesed* in the midst of the distressing disparities of life. Ruth, a foreigner with little social equity, becomes the forerunner of Christ who holds all things together, even life’s tensions, disconnections, and incongruences (Colossians 1:17). Cleveland asks: “What if we can’t truly experience the hope of the Divine until we are able to experience the Divine in the most hopeless situations?”²⁷ This is the testimony of Ruth. It is possible to be a destitute immigrant widow picking up scraps of barley in a field and be the wind of YHWH planting seeds of *hesed* at the same time. Can we hear the wisdom in this irony?

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1 Adapted from ijokes.eu, <http://www.ijokes.eu/index.php/joke/category/irony>. Accessed January 20, 2020.

2 Mark Wenger, “Irony in Scripture,” 2014, https://www.academia.edu/7114303/Irony_in_the_Bible. Accessed January 20, 2020.

3 Ibid.

4 In the Hebrew Bible, the book of Ruth is part of the *hamash megillot* or five scrolls, which also includes Song of Songs, Lamentations, Ecclesiastes, and Esther. These books form a collection, most likely because their shorter lengths meant they all fit neatly on one scroll. Adele Berlin and Marc Zvi Brettler, “The Five Megillot (Scrolls),” *The Jewish Study Bible*, 2nd ed. (New York: Oxford University Press, 2014), 1557.

5 Adele Reinhartz, “Ruth,” *The Jewish Study Bible*, 2nd ed. (New York: Oxford University Press, 2014), 1574.

6 Ephrathah is another name for Bethlehem.

7 Wenger, “Irony in Scripture,” 5.

8 Jesus told many stories about sheep and servants.

9 “What is Naomi worth? Count her sons. According to that cultural scorecard, Naomi is a zero. So is her barren daughter-in-law, Ruth. ... Death and childlessness severed these widows from anything that gave them meaning or value. When the last man in the family died, they both plummeted to the bottom of the social ladder – whether they lived in Moab or Israel.” Carolyn Custis James, *Finding God in the Margins: The Book of Ruth* (Bellingham, WA: Lexham Press, 2018), 23. See also Carolyn Custis James, Seminary Dropout 199 [podcast], January 12, 2019. <https://www.missionalliance.org/podcasts/carolyncustisjames>. Accessed January 20, 2020.

10 Carolyn Custis James, *The Gospel of Ruth: Loving God Enough to Break the Rules* (Grand Rapids, MI: Zondervan, 2008), 13.

11 Ibid., 41. See Deut. 23:4-7.

12 Sonja Dixon, “The Good News According to Ruth,” *Priscilla Papers* 32.2 (Spring 2018), 28. cbeinternational.org. Custis James notes: “The problem comes with preaching a story that has a ‘happily-ever-after’ banner waving over the ending to a congregation living in real-world stories that don’t play out like that. Subsequently, the book of Ruth becomes a source of pleasure but doesn’t give the reader’s faith much substance to grasp.” Custis James, *Finding God in the Margins*, 2.

13 Custis James, *The Gospel of Ruth*, 13.

14 Boaz means “strength is within him.”

15 The joining of levirate marriage and land redemption are a stretch in this story. According to Deut. 25:5-10, they are not linked. Also, because Boaz is related to Naomi’s husband and not Ruth’s, it is not a true levirate arrangement. Indeed, Obed’s lineage is traced through Boaz, not Mahlon, as it would be in a true levirate marriage. However, part of the appeal of the story is this intriguing and unusual

mix of custom and innovation in order to secure the future for both women. Reinhartz, "Ruth," 1578.

16 Ibid.

17 Custis James, *Finding God in the Margins*, 4.

18 Reinhartz, "Ruth," 1573.

19 Orpah is usually seen as a foil or contrast to Ruth. Instead of converting to Judaism, Orpah goes back to her people and to her pagan gods. Rabbinic tradition identifies her as the mother of four Philistine giants, including Goliath. Rabbi David Rosenfeld, "Ruth vs. Orpah: The High Stakes of Life," March 31, 2014. <https://www.aish.com/h/sh/t/Ruth-vs-Orpah-The-High-Stakes-of-Life.html>. Accessed January 22, 2020.

20 Another story of contrasts (excessive spending vs. excessive love and loyalty) is the parable of the father and two sons. See Luke 15:11-32.

21 "Older women counted on their sons to care for them, to protect them from exploitation and the harsh elements of society, to be their voice, to stand up for their rights, and to preserve their father's name and estate by bringing the next generation of male descendants into the world." Custis James, *The Gospel of Ruth*, 203.

22 Custis James, *God in the Margins*, 10.

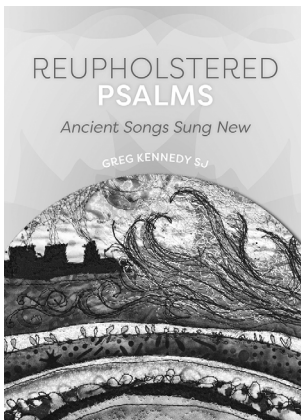
23 William Romaine Paterson, "The Irony of Jesus," *The Monist* 9:3 (April 1899), 346.

24 Ibid., 346-47.

25 Custis James, *Finding God in the Margins*, 4.

26 Christena Cleveland, "So Much of the Privileged Life Is About Transcendence," *On Being*, July 7, 2017. <https://onbeing.org/blog/christena-cleveland-so-much-of-the-privileged-life-is-about-transcendence>. Accessed January 22, 2020.

27 Ibid.



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Humanizing Human Rights

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This paper wrestles with the veracity of the often repeated tautology used to explain the idea of human rights: namely, that human rights are those rights that belong to human beings.¹ The basic argument is that the idea of human rights faces resistance when employed for the primary purpose of cultivating individual agency. Rather, while one's capacity for decisive and life-shaping action is an unquestionably vital consideration, it is the condition of vulnerability, also a core feature of human existence, that ought to be the guiding focus of contemporary discourse on human rights. The following study examines the relationship between agency and vulnerability in Martha Nussbaum's capabilities approach to human development and social justice. It concludes by affirming the potential for harm and the experience of helplessness inherent to her understanding of vulnerability. It asserts, however, that the notion of human rights as the rights that belong to human beings requires a more robust articulation of and emphasis on the condition of vulnerability and the need for belonging that should be recognized as central to it.

Human Rights' Human Problem

What does it mean to claim that the idea of human rights has an anthropological problem? While making the human being the subject of rights, the international human rights movement still struggles to address the broad scope of humanity in a fully human manner. Take, for instance, the proliferation of human rights instruments across a range of international institutions and at various levels of governance. Clearly, while universality is the intended result of repeated references to "all" (e.g., Article 1) and "everyone" (e.g., Article 2) in the 1948 Universal Declaration of Human Rights (UDHR),² the particular and varied manifestations of human existence proved difficult to encapsulate. Consequently, to the United Nations' International Bill of Human Rights—which consists of the UDHR and the two 1966 International Covenants (one covering Civil and Political Rights³ and the other Economic, Social and Cultural Rights⁴)—have been added an expanding parade of rights documents and instruments intended to address the diversity of human experience, including childhood, gender, disability, race, workers, indigeneity, torture, religion, and so on.

Despite these ongoing efforts, there remains an open question on whether the idea of human rights can in

fact incorporate the full range of humanity. Hannah Arendt, writing on the idea of human rights during its nascent stages, offers a rather pessimistic outlook. In *The Origins of Totalitarianism* (1951), Arendt claims that those people made "stateless" by the Great War and its violent reverberations became convinced that "loss of national rights was identical to loss of human rights, that the former inevitably entailed the latter."⁵ She then comments:

The conception of human rights, based upon the assumed existence of a human being as such, broke down at the very moment when those who professed to believe in it were for the first time confronted with people who had indeed lost all other qualities and specific relationships – except that they were still human. The world found nothing sacred in the abstract nakedness of being human.⁶

A human being, lacking in all but his or her bare humanity, should be the ideal bearer of human rights if such rights are truly "inborn and inalienable."⁷ Yet, as Arendt explains, the opposite proved to be true: "It seems that a [human being] who is nothing but a [human being] has lost the very qualities which make it possible for other people to treat him as a fellow-[human being]."⁸ Of course, as the International Bill of Human Rights and subsequent instruments indicate, the idea of human rights took root and flourished in the years since Arendt's critique was published. Nevertheless, her immediate observation about the impotence of rights language raises important questions about its effectiveness for those belonging to states that are oppressive or failing: Do human rights mean anything to those who have no recourse to civil rights? And what do human rights accomplish for those who possess nothing but their bare humanity? The refugee and immigration crises brought on by more recent experiences of global violence echo the tragic state of affairs Arendt had in mind as she wrote during the middle of the last century, suggesting her critique is as relevant today as it was then.

If the idea of human rights can appear underwhelming in this manner, it can also appear to overwhelm human beings in another. In *Vulnerability and Human Rights* (2006), Bryan Turner offers a sociological perspective on the matter of doing justice to the precariousness of

human existence. He maintains that vulnerability—defined as openness to wounding—is a core feature of human existence, one that necessitates some form of “social shelter.” In Turner’s view, our efforts to contain human fragility through the constructing of social institutions—like regimes of human rights—are attempts to “reduce our vulnerability and [provide] security,” however “imperfect, inadequate, and precarious” that security inevitably turns out to be.⁹ He counts among the most tragic realities of life the fact that even those who are living well “endure the contingencies of history and their own fate,” so that “[o]vercoming precariousness and vulnerability will always be subject to some degree of sheer luck and the fragility of goodness.”¹⁰ But this premise is question begging: Can one’s vulnerability, if it is a core feature of existence, be *contained* or *overcome* without simultaneously containing or overcoming one’s humanity itself? Such an approach, it would seem, carries with it the risk of overwhelming the very anthropological grounding to the idea of *human* rights.

Arendt and Turner, one purposefully and the other accidentally, both demonstrate aspects of the human problem facing human rights. The idea of human rights and legal instruments deriving from it are at risk of a less than fully human employment if care is not taken to apply them in a way that accounts for the basic fragility of the human condition.

An Agentive Model: Martha Nussbaum’s Capabilities Approach

Martha Nussbaum addresses this problem through her version of a “capabilities approach.” Such an approach offers a paradigm for thinking about social justice and human development that is now prominently employed as a “metric of justice” by the United Nations and various local and national governments.¹¹

According to Nussbaum’s theory, a truly human life is one actively shaped by the individual agent acting “in cooperation and reciprocity with others” rather than being “passively shaped and pushed around by the world.”¹² Thus, truly human living – what one might call a flourishing human life – involves for Nussbaum the development and exercise of individual agency.¹³ It means “reaching out” or “striving” for opportunities to make something of one’s worldly existence.¹⁴

Nussbaum defines capabilities as both “substantial freedoms” and “opportunities to choose and to act.”¹⁵ Putting these ideas together, she emphasizes the significance of agency to her theory by explaining that “capability means opportunity to select” and therefore entails the idea of free individual choice.¹⁶ The foundational capabilities questions therefore are “What are people actually able to do and to be? What

real opportunities [for activity and choice] are available to them?” She takes these queries in a philosophical direction that is primarily concerned with justice for individuals.¹⁷

The political salience of her work is that it promotes capabilities as answers to the question of what people are able to do and to be in a way that accounts for their power of self-definition within the actual circumstances of life.¹⁸ Using her account of capabilities in this way leads Nussbaum to set a “decent social minimum” or “threshold level” to establish that which is deemed necessary to living a *really* human life, one marked throughout by the agency that her capabilities approach is meant to secure for all on a global scale.¹⁹ The “basic intuitive idea,” writes Nussbaum, is “that we begin with a conception of the dignity of the human being, and of a life worthy of that dignity – a life that has available in it ‘truly human functioning’”²⁰ Taken negatively, the threshold level she has in mind sets a line beneath which functioning that is “really” human cannot be thought to exist (e.g., someone in a permanent vegetative state or an anencephalic child).²¹

However, Nussbaum intends her social minimum to be taken more positively.²² The political goal of her theory is to move individual citizens above the capability threshold. It is meant to secure the potential for each and every human being to lead a good or flourishing life,²³ one marked by richer forms of agency so that the individual can access as many opportunities for choice and activity as possible.²⁴ Taking capabilities as the appropriate goal places the notion of respect for human dignity at the centre of Nussbaum’s theory by insisting that the aim of politics is to respect individuals as agents in their own right, as social actors “with their own plans to make and their own lives to live.”²⁵ The goal of political society, she asserts, “is to enable citizens to search for the good life (both in and outside of the political sphere) in their own way.”²⁶

Nussbaum sets a threshold level or social minimum of ten “central human capabilities” that signal the level of agency required for one’s life to not only be considered human, but to have available to it the ability to flourish as such. She enumerates this list as follows:

1. Life
2. Bodily health
3. Bodily integrity
4. Senses, imagination, and thought
5. Emotions
6. Practical Reason
7. Affiliation
8. Other species
9. Play

10. Control over one's political and material environment.²⁷

This list sets an “ample (specified) threshold of capability” that, taken as an integrated whole, provides an account of what respect for human dignity requires.²⁸ Consequently, this list is emphatically one of distinct components (life, health, affiliation, etc.) which are nevertheless related to each other in complex ways.²⁹

Nussbaum maintains a strong link between her list of central human capabilities and international discourse on human rights.³⁰ It is a “species of the human rights approach.”³¹ Capabilities, Nussbaum contends, “cover the terrain” of political and civil liberties as well as economic and social entitlements like those listed in the 1966 Covenants. Even so, Johannes Morsink argues for an earlier correlation between Nussbaum's theory and human rights by contending that “we can and should read the [UDHR] as saying that all human beings have equal rights to develop the ... ten ‘central human capabilities’” she mentions.³²

Nussbaum's theory leads to a particular interpretation of human flourishing. Being human entails, at base, actively striving for opportunities to shape one's life through the exercise of deliberative choice in a way that, at the very least, does not interfere with similar quests by all others. The only requirement for the status of human being is “to be the child of human parents and capable of at least some form of active striving.”³³ However, actual human flourishing, living well and enjoying a good human life, is found in the concrete shaping of that life. That is the goal for which the capabilities approach aims. To be human under Nussbaum's theory *just is* to resolutely strive for opportunities to actively shape one's own life through the development of agency and its actual exercise.

Vulnerability and Human Flourishing in Nussbaum's Thought

As much as Nussbaum is committed to the idea that agency is a chief human interest, she is also a realist about its actual exercise and development under the precarious circumstances of life in this world. To actively plan and attempt to control the shaping of one's life is, by all accounts, a struggle. The main question that Nussbaum's theory of social justice seeks to answer (i.e., what people are able to do and be) is therefore concerned not only with human agency, but also with various forms of resistance to its development and exercise. For Nussbaum, this struggle is rooted in a core feature of human being: the condition of vulnerability.

The term “vulnerability” is derived from the Latin *vulnus*, the literal meaning of which is “wound.” It is frequently used in a way that reflects this root: namely, as human

openness to harm in various forms.³⁴ Nussbaum acknowledges this when she explains in *Sex and Social Justice* (1999) that human life is “a vulnerable thing, a thing that can be invaded, wounded, violated by another's act in many ways.”³⁵ In addition, a key idea underlying *The Fragility of Goodness* (1986), perhaps Nussbaum's most foundational text on human vulnerability, is the recognition that life in this world, even of the most excellent kind, is open to very real risks and potential reversals.³⁶

The risks, reversals, and harms to which human beings are susceptible speak to a key aspect of the human condition: our bodily embeddedness in the world. Human action and human being, Nussbaum maintains, “are placed squarely within nature.”³⁷ This implies that any meaningful answer to the question “What are people able to do and to be?” must account for the fact that opportunities to do and to be take place *in the world*. Moreover, it is a desire for worldly objects and their perceived necessity to one's own flourishing that causes human action.³⁸

Nussbaum does not, however, take an overly negative view of vulnerability. In *The Fragility of Goodness*, she maintains that human beings undergo “a loss in value whenever the risks involved in specifically human virtue are closed off.”³⁹ Facing the risk of harm itself poses no threat to human dignity under her theory. In fact, these risks, whether social or material,⁴⁰ seem essential to what she regards as the dignity of living well. The picture of human excellence that Nussbaum applauds throughout *The Fragility of Goodness* is one that promotes “a kind of human worth that is inseparable from vulnerability” and is, conversely, distinct from philosophical notions of self-sufficiency.⁴¹

Harm is, in fact, not the primary lens through which Nussbaum interprets vulnerability. Instead, she discusses this condition largely in terms of “helplessness” for the way it speaks to one's lack of control. Her work on emotions presents helplessness as a universal feature of animal infancy, but one that is more distinct and protracted in human infants.⁴² In *Political Emotions* (2015) she makes the point that “[a]ll creatures are born weak and needy, and all seek both sustenance and security.” Yet humans differ from the rest of the animal kingdom due to an “odd type of infancy.” Working the comparison, Nussbaum explains:

With other animals, the skills of survival begin to be present right from birth, as standing, moving around, and actively searching for the sources of nourishment and security begin virtually immediately; cognitive maturity (the ability to articulate the perceptual field, grasping the good and bad in it) and bodily maturity develop in tandem. By the time the creature has a robust sense of its

practical goals, it also has sources for attaining them.⁴³

Human life, she continues, is not like that. The human infant is physically more helpless than other animal species at the same stage of life. The human body does not develop *in utero* to a degree that is sufficient to support standard and somewhat independent movement at, or shortly after, birth in the way that other animal bodies develop to support their own movements.⁴⁴ A lack of control marks human beings from the moment of birth when a child transitions from the womb, where all of its needs are automatically met, to “the drama of helplessness before a world of objects – a world that contains both threat and promise of good things, the things it wants and needs.”⁴⁵ As Nussbaum observes, virtually every day of life, from the moment of birth, the “pretense of control in a world that one does not really control” is unmasked by our nearly inexhaustible neediness.⁴⁶

This neediness broadens the concept of vulnerability to include the lack of control that marks human encounterings of the world and its objects in a way that is distinct from, and ranked above, its narrower definition as potential for harm. If human dignity means for Nussbaum that we are agents for whom truly human living means striving for objects we desire and need,⁴⁷ then the helplessness of being human highlights a lack of control over such striving. The result is the dilemma of being a helpless agent, a condition that, as Nussbaum explains, is almost too much to overcome: “Human beings are deeply troubled about being human – about being highly intelligent and resourceful, on the one hand, but weak and vulnerable, helpless against death, on the other. We are ashamed of this awkward condition and, in manifold ways, we try to hide it.”⁴⁸ Nussbaum’s interpretation of vulnerability, then, means more than susceptibility to harm. Reducing the concept in such a way might lead one towards Turner’s unfortunate proposal that vulnerability is something to be contained or even overcome. Instead, this concept must be taken to incorporate the idea of helplessness in a way that speaks to one’s lack of control in this world. The condition of vulnerability, for Nussbaum, situates human beings as embodied agents encountering a precarious world. Coupled with the vital interest that agency represents to human beings under her theory, vulnerability is infused with dignity due to the accompanying opportunities for choice and activity that it represents.

Reflection on Nussbaum’s moral thought therefore suggests that the concept of vulnerability speaks not only to our helplessness before the world, but to our striving for agency within it. By incorporating helplessness, Nussbaum inflects the meaning of this condition toward a fuller and more positive interpretation, one

arguably more fitted to the notion of human dignity and more compatible with the distinctive approach to agency that she advances. Consequently, understanding life to be a struggle becomes an idea that is itself infused with dignity. Being human means striving for opportunities to shape one’s ongoing encounterings of the world even though those encounterings are uncertain at best. But the uncertainty of those encounterings, insofar as they may be considered truly human ones, still speaks to agency as *a*, if not *the*, chief human interest. The result is a way of speaking about vulnerability without suggesting that it should somehow be circumvented. Vulnerability and agency become linked so that the very best human living can be described as a “yielding and open posture towards the world” that remains undiminished by the very real risks that accompany existing within it.⁴⁹ Being *world open* means, under this way of thinking, that agency and vulnerability are entwined in a balance that is intended to retain the full meaning of each.

Nussbaum does more than forge a vital link between vulnerability and agency, however. She balances them against each other as essential factors in an equation of what it means to live well. How does this calculus of human flourishing actually parcel out? Nussbaum’s answer is clear from her capabilities approach: striving for opportunities to choose and act in meaningful ways despite uncertain social and material circumstances requires that an appropriate balance between vulnerability and agency be struck and maintained. The question, therefore, is not *whether* the two are linked, but *how* to maintain a balance in the linking of vulnerability and agency so that one’s capacity for living well is as richly realized as possible.

To do this, Nussbaum ranks agency ahead of vulnerability with no obvious intention of impoverishing the meaning or impact of the latter. It is the purpose of her capabilities approach to foster human agency amid unavoidable worldly contingencies. The basic idea of the capabilities approach discussed in the preceding section of this paper all serve a project of protecting “spheres of human freedom,” and specifically not one of closing them off.⁵⁰ As a result, vulnerability and agency are appropriately balanced for Nussbaum only if agency and its cultivation is taken as the priority of social and political institution building. That, after all, is the purpose of setting a social minimum and basic threshold level through establishing a list of central human capabilities.

Humanizing Rights Discourse through Appeal to Religious Sensibilities

The argument being developed here offers no disagreement with Nussbaum’s assertion that agency is a vital aspect of human being. Neither does it reject

her affirmation that the potential for harm is an aspect of human vulnerability or her appeal to helplessness as a second and key component of that condition. It is, rather, an argument for shifting the emphasis she places on the development and exercise of agency through her capabilities approach in order to place it on a fuller conceptualization of vulnerability. It is by placing a greater emphasis on vulnerability and including in one's view of it more than harm and helplessness that arguably leads to an idea of human rights that is more fully human.

Countering Nussbaum, this approach claims that there is dignity to be found in the so-called passivity of being "pushed around" by the world. In fact, being so pushed is a basic reality of life in this world, especially during its initial and earliest stages. No one gets to choose the place or time of his or her birth. Yet, one's prospects for a good life are greatly tied to those factors. Ayelet Shachar refers to this as the "birthright lottery" in order to capture the arbitrary nature of birth and the benefits or detriments of citizenship that generally accompany it.⁵¹ Whether one is born in Syria or Canada today has nothing to do with the specific individual's agency. But the differences between being born in one of these places and not the other greatly impacts one's capacity to survive the early stages of life, much less flourish in them.

Moreover, at birth and in early childhood human beings receive, through no decision of their own, an initial perspective or worldview—whether religious, philosophical, or moral in character—that instructs them on how to understand and evaluate the world around them.⁵² A relatively accessible way to explore this matter is by appeal to religious affiliation and practice.⁵³ Since children lack relational agency at birth, they also do not get to choose whether they are raised in a religious or irreligious context, what religion their parents might practise and pass on to them, how devout that practice might be, or whether that religion will be a majority or minority tradition where they live. The practices of infant baptism and male circumcision stand as more specific and formal examples of children being unwillingly bestowed with and bodily initiated into a particular worldview. Children in these cases are initiated into various religions without understanding them or giving their consent.⁵⁴ Yet being initiated into a way of perceiving and approaching this world is vital to human flourishing. Whether the child continues throughout life to embrace and follow the initially received perspective or to reject it, that worldview provides a foundation for their activity in the world and is an inescapable part of their personal history.

The list of pre-givens goes on: e.g., the endless array of historical, political, economic, cultural, linguistic, and kinship contexts. These common aspects of life,

like birth and worldview, are given and can only be received. And there is a clear and certain dignity to having these gifts bestowed upon oneself without having asked for or sought after them. Stanley Hauerwas puts this point more eloquently:

Long story short: we don't get to make our lives up. We get to receive our lives as gifts. The story that says we should have no story except the story we chose when we had no story is a lie. To be human is to learn that we don't get to make up our lives because we're creatures Much of modern political theory and practice is about creating a society where we do not have to acknowledge that our lives are gifts we receive from one another.⁵⁵

If locating dignity in the more (but not entirely) passive reception of gifts is a way of challenging the emphasis Nussbaum places on agency, expanding her conception of vulnerability is another. The dignity located in vulnerability is narrowly construed for Nussbaum. She really has nothing very positive to say about this condition if it is thought to be entirely detached from or unconditioned by one's capacity for exercising deliberate choice. She makes this clear in *Political Emotions*: "it is on account of their capacity for activity and striving that human beings are entitled to support for their vulnerability."⁵⁶

Interestingly, the experience of loneliness—arguably a core element of human vulnerability—poses a challenge to her theory. In *Becoming Human* (1998), the late Jean Vanier—founder of the worldwide L'Arche movement that works to cultivate community in a way that includes people with disabilities⁵⁷—initially describes the "wound of loneliness" in a variety of ways: weakness, exclusion, "a painful reality," a "terrible feeling of chaos," "a faint dis-ease, an inner dissatisfaction, a restlessness of heart," and a constant threat.⁵⁸ Vanier finds the potential for loneliness to be a pervasive feature of life. "Loneliness is part of being human," he explains, "because there is nothing in existence that can completely fulfill the needs of the human heart."⁵⁹ Loneliness "can never actually go away," he maintains, but "can only be covered over."⁶⁰ It therefore appears to have a tragic and inescapable certainty: "Loneliness is a feeling of being guilty. Of what? Of existing? Of being judged? By whom? We do not know. Loneliness is a taste of death."⁶¹

Nussbaum likewise recognizes the potential for harm in loneliness. But this wound, like vulnerability as a whole, is conditioned for her by agency. Through being alone one may experience the "exhilaration of solitary contemplation, of awe before the silence of nature, of peaceful solitary joy at the air and light that surround them" and also "the gloomy horror that can

seize one in the middle of a forest, in whose shadows one finds images of one's own death."⁶² The point, of course, is not to develop a capacity for the horror of loneliness. But the capacity for solitude is a key aspect of human development that she links closely to sociality: "... since human beings are more fully social [than other animals], they are also more fully capable of being alone."⁶³ The wound of loneliness, in this way, becomes subject to her ethical question (What are people able to do and to be?), reconciled with the core idea of her theory, and measurable by her central human capabilities (particularly emotion and affiliation).

As such, Nussbaum is open to the charge of obscuring this injury rather than addressing it.⁶⁴ *Doing*, Vanier contends, is no substitute for *belonging*. As he explains:

An individualism that manifests itself in doing things alone, in being concerned only for one's own interests and glory, one's own growth towards autonomy, competence, and power, is the antithesis of belonging. Such an individualism can grow out of anger towards an oppressive belonging, a demand to conform within a too-rigid group. It can come from a desire to become more fully oneself and to develop one's potential and personal consciousness. It can also come from a need to free oneself from all authority and all law in order to have more power and wealth. It is easy to forget that the sense of belonging is a necessary mediation between an individual and society. It is, above all, necessary to help us in our growth towards maturity and freedom.⁶⁵

Nussbaum's attention to social cooperation and her respect for state authority suggests that any critical application of Vanier's perspective to her theory must be carefully attempted. Nonetheless, Hauerwas, bringing Nussbaum's and Vanier's ideas together, comes to the important conclusion that belonging is a balm to the wound of loneliness that the cultivation of agency cannot replace. Nussbaum offers justifications for helping people with disabilities by empowering them to make meaningful choices for themselves (i.e., doing), but Vanier's vision involves sharing one's life with them (i.e., belonging).⁶⁶

The implied critique of Nussbaum in the work of Vanier and Hauerwas is that she conceals the real issue at stake with the wound of loneliness. It is not about *choosing* to belong, but *belonging* itself. Vanier concedes that some find belonging painful and frustrating for the ways they perceive it to constrain their freedom. Yet he also finds that love in the form of belonging contributes to the goodness of human life. "The beautiful side of belonging is how it calls forth what is most precious in the human heart," Vanier explains.

Such a perspective also challenges the idea that being pushed around by the world is somehow less than human. And it echoes words written by the third-century theologian Lactantius in his *Divine Institutes*:

For God, in denying them wisdom, equipped other animals with better natural defences against attack and danger; human beings he created naked and vulnerable that he might teach them wisdom instead; and gave them, beside all else, this *deep sense of obligation to protect, love, and cherish one another, to proffer and accept assistance against every danger*.⁶⁷

Despite the utter lack of relational agency it entails, to be situated in circumstances of belonging appears to be a vital companion to the condition of vulnerability.

This paper has argued that a more fully human discourse on rights will be one that does more than maintain a tension between agency and vulnerability. In fact, it must challenge the emphasis Nussbaum appears to place on the cultivation of individual agency (i.e., the "calculus of human flourishing" noted above) while also expanding the notion of vulnerability to account for Vanier's "wound of loneliness" and the need for belonging it implies. Nussbaum certainly articulates a *more* positive view of vulnerability than many other theorists, but she also appears to set a limit on how much vulnerability a truly or even basically human life may reasonably endure. This paper is not meant to undermine the development and exercise of human agency through human rights language. It simply asserts that vulnerability, expanded to include the human need for belonging, is a more appropriate starting point and offers ways to humanize human rights that are not available to a theory that makes the cultivation of agency its central aim.

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1 Jack Donnelly describes human rights as "literally, the rights that one has simply because one is a human being." Jack Donnelly, *Universal Human Rights in Theory and Practice* (Ithaca, NY: Cornell University Press, 2013), 10.

2 UN General Assembly, *Universal Declaration of Human Rights*, December 10, 1948, 217A (III), <https://www.refworld.org/docid/3ae6b3712c.html>. Accessed February 3, 2020.

3 UN General Assembly, *International Covenant on Civil and Political Rights*, December 16, 1966, United Nations, Treaty Series, vol. 999, p. 171, <https://www.refworld.org/docid/3ae6b3aa0.html>. Accessed February 3, 2020.

4 UN General Assembly, *International Covenant on Economic, Social and Cultural Rights*, December 16, 1966, United Nations, Treaty Series, vol. 993, p. 3, <https://www.refworld.org/docid/3ae6b36c0.html>. Accessed February 3, 2020.

5 Hannah Arendt, *The Origins of Totalitarianism* (New York: Harcourt, 1966), 292, cf. 267. Moreover, as the establishing of the State of Israel demonstrated, the restoration of human rights requires the “restoration or establishment of national rights.” *Ibid.*, 299.

6 *Ibid.*, 299.

7 Ian Linden refers to the dilemma Arendt uncovers as “the paradox of the ‘ideal bearer of human rights’, the human being with only his/her ‘bare life’, as pre-eminently the non-citizen without rights.” Ian Linden, “Border Crossings: Secular Versus Religious Arguments in the Public Domain,” in Rukhsana Ahmed and Isaac Nahon-Serfaty, eds., *New Media and Communication Across Religions and Cultures* (Hershey, PA: IGI Global, 2014), 24–25.

8 Arendt, *The Origins of Totalitarianism*, 300.

9 Bryan S. Turner, *Vulnerability and Human Rights* (University Park, PA: Pennsylvania State University Press, 2006), 28; cf. 9, 140.

10 *Ibid.*, 43.

11 Ingrid Robeyns and Harry Brighouse, “Introduction,” in *Measuring Justice: Primary Goods and Capabilities*, Harry Brighouse and Ingrid Robeyns, eds. (New York: Cambridge University Press, 2010), 2. By “metric of justice,” Robeyns and Brighouse mean that which answers the question “What should we look at, when evaluating whether one state of affairs is more or less just than another?” *Ibid.*, 1.

12 Martha C. Nussbaum, *Women and Human Development* (New York: Cambridge University Press, 2000), 72; cf. Martha C. Nussbaum, “Capabilities as Fundamental Entitlements: Sen and Social Justice,” *Feminist Economics* 9:2/3 (2003), 40.

13 Nussbaum, *Women and Human Development*, 72–73.

14 Martha C. Nussbaum, *The Fragility of Goodness* (New York: Cambridge University Press, 1986), 289, and Martha C. Nussbaum, *Creating Capabilities: The Human Development Approach* (Cambridge, MA: Belknap Press, 2011), 31.

15 Nussbaum, *Creating Capabilities*, 20–21.

16 *Ibid.*, 25.

17 *Ibid.*, 59. Nussbaum underscores that this question is to be asked not only at the level of the broader society, but also more narrowly to determine what people embedded within a particular group are able to do and be. Martha C. Nussbaum, *Sex and Social Justice* (New York: Oxford University Press, 1999), 34.

18 Rosalind Dixon and Martha C. Nussbaum, “Abortion, Dignity and a Capabilities Approach,” in *Feminist Constitutionalism*, Beverly Baines, Daphne Barak-Erez and Tsvi Kahana, eds. (Cambridge, UK: Cambridge University Press, 2011), 4, University of Chicago Public Law Working Paper No. 345, 4, <http://ssrn.com/abstract=1799190>. Accessed February 2, 2020.

19 Nussbaum, *Women and Human Development*, 72, 75, 86; Martha C. Nussbaum, *Frontiers of Justice* (Cambridge, MA: Belknap Press, 2006), 70, 71, 75, 84, 279, 310.

20 Nussbaum, *Frontiers of Justice*, 74.

21 Nussbaum, *Women and Human Development*, 75; Nussbaum, *Frontiers of Justice*, 71, 181.

22 Nussbaum claims to be “less interested in the boundary (important though it is for medical ethics) than in a higher threshold, the level at which a person’s capability becomes what Marx called ‘truly human,’ that is, *worthy of a human being*” (author’s emphasis). Nussbaum, *Women and Human Development*, 73.

23 Nussbaum, *Frontiers of Justice*, 71, 181.

24 Nussbaum, *Women and Human Development*, 88.

25 *Ibid.*, 58.

26 Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of Emotions* (New York: Cambridge University Press, 2001), 404. Paraphrasing Rawls, she claims that “politics is not just for the sake of politics, but for the sake of the good life.” *Ibid.*, 404 n. 2. Cf. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996), 201.

27 As listed in Martha C. Nussbaum, *Political Emotions: Why Love Matters for Justice* (Cambridge, MA: Belknap Press, 2013), 415 n. 5. These central capabilities belong “first and foremost” to individuals and then only derivatively to groups. Nussbaum, *Creating Capabilities*, 35.

28 Nussbaum, *Creating Capabilities*, 36.

29 Nussbaum, *Women and Human Development*, 81.

30 Martha C. Nussbaum, “Capabilities and Human Rights,” *Fordham Law Review* 66:2 (1997): 276–77, <http://ir.lawnet.fordham.edu/flr/vol66/iss2/2>. Accessed February 2, 2020; cf. Nussbaum, *Creating Capabilities*, 62.

31 Nussbaum, *Frontiers of Justice*, 284. Referring to it as a “species” aligns capabilities with human rights while maintaining that the two are “not the exact same thing.” Johannes Morsink, *International Human Rights: Philosophical Roots of the Universal Declaration* (Philadelphia: University of Philadelphia Press, 2009), 172.

32 Morsink, *International Human Rights*, 169, cf. 169–74.

33 Nussbaum, *Creating Capabilities*, 24.

34 John Wall, *Ethics in Light of Childhood* (Washington, DC: Georgetown University Press, 2010), 24, 39; Turner, *Vulnerability and Human Rights*, 28.

35 When speaking of vulnerability in this context, however, Nussbaum is referring to it in relation to more “primitive” and retributive notions of justice. Nussbaum, *Sex and Social Justice*, 157.

36 Nussbaum, *Fragility of Goodness*, 340.

37 *Ibid.*, 289.

38 *Ibid.*

39 *Ibid.*, 420.

40 Vulnerability to the material world is covered in chapter 11 of *The Fragility of Goodness*, and vulnerability to the social world in chapter 12. See Nussbaum, *Fragility of Goodness*, 318–42 and 343–72 respectively.

41 *Ibid.*, 20; cf. Nussbaum, *Frontiers of Justice*, 132.

42 Nussbaum, *Upheavals of Thought*, 181–82; Martha C. Nussbaum, *Hiding from Humanity: Disgust, Shame, and the Law* (Princeton, NJ: Princeton University Press, 2004), 177.

43 Nussbaum, *Political Emotions*, 168.

44 *Ibid.*, 169.

45 Nussbaum, *Hiding from Humanity*, 177.

46 Martha C. Nussbaum, *Not for Profit: Why Democracy Needs the Humanities* (Princeton, NJ: Princeton University Press, 2010), 39–40.

47 Nussbaum, *Fragility of Goodness*, 289.

48 Nussbaum, *Hiding from Humanity*, 336.

49 Nussbaum, *Fragility of Goodness*, 340.

50 Nussbaum, *Women and Human Development*, 106.

51 Ayelet Shachar, *The Birthright Lottery: Citizenship and Global Inequality* (Cambridge, MA: Harvard University Press, 2009), 8.

52 This notion of worldview is derived from what Rawls refers to as a “comprehensive doctrine.” See John Rawls, *Justice as Fairness: A Restatement*, Erin Kelly, ed. (Cambridge, MA: Belknap, 2001), 14.

53 The importance of religion is emphasized by John Witte, who describes it as “an ineradicable condition of human lives and human communities.” John Witte, Jr., *God’s Joust, God’s Justice: Law and Religion in the Western Tradition* (Grand Rapids, MI: Eerdmans, 2006), 68.

54 According to Barth, no infant has the capacity to responsibly understand the Gospel message, let alone the moral agency to receive, accept, and acknowledge it as he finds Scripture to demand. Karl Barth, *Church Dogmatics IV/4 (Fragment): The Foundation of the Christian Life*, G.W. Bromiley and T.F. Torrance, eds. (New York: T & T Clark, 1969), 191.

55 Stanley Hauerwas, “The Politics of Gentleness,” in Stanley Hauerwas and Jean Vanier, *Living Gently in a Violent World* (Downers Grove, IL: InterVarsity Press, 2008), 92–93.

56 Nussbaum, *Political Emotions*, 120.

57 Jean Vanier founded L’Arche in 1964. He describes it as “a network of small homes and communities where we live together, men and women with intellectual disabilities and those who feel called to share their lives with them.” Jean Vanier, *Becoming Human* (Toronto: Anansi Press, 1998), 6.

58 *Ibid.*, 6, 7.

59 *Ibid.*, 7.

60 *Ibid.*

61 *Ibid.*, 33.

62 Nussbaum, *Upheavals of Thought*, 149.

63 *Ibid.*, 149.

64 Vanier, *Becoming Human*, 7.

65 *Ibid.*, 57.

66 Hauerwas, “The Politics of Gentleness,” 90.

67 Lactantius, “Divine Institutes, VI.10,” in *From Irenaeus to Grotius: A Sourcebook in Christian Political Thought*, Oliver O’Donovan and Joan Lockwood O’Donovan, eds. (Grand Rapids, MI: Eerdmans, 1999), 53–54 (emphasis added).

Book Review

Adele Reinhartz. *Cast Out of the Covenant: Jews and Anti-Judaism in the Gospel of John*.

London: Lexington-Fortress, 2018, 248 pp.

It's not by chance that Adele Reinhartz dedicated her most recent book on the Gospel of John to the memory of Gregory Baum.¹ Although Reinhartz does not spell out the comparison, both Baum and the Gospel of the Beloved Disciple were "insiders and outsiders" (164) to Judaism. Both struggled with complex issues of identity, and each took a different path towards a confession of Jesus as Christ. Reinhartz concludes that despite its Jewishness (xx) and its familiarity with Jewish scriptures, traditions, festivals, and symbols, John is anti-Jewish through and through (75). Using intentional rhetorics of "affiliation" and "vituperation," the Fourth Gospel vilifies Jews as those who reject Christ and are therefore now "children of the devil" (John 8:44). Gregory Baum, on the other hand, "was a Jewish convert to Christianity who had never repudiated his Jewish identity" (165, n. 5). Where John's exclusionary and successionist rhetoric contributed to the long and terrible history of Christian violence and hatred against Jews, Baum's entire career was focused on reconciliation and justice. Baum's words act as a kind of capstone to Reinhartz's lengthy exegesis. She adopts them as an implicit challenge to those for whom the Gospel of the Beloved Disciple is canon: "As long as the Christian Church regards itself as the successor of Israel," Baum wrote, "[and] as the new people of God substituted in the place of the old, and as long as the Church proclaims Jesus as the one mediator without whom there is no salvation, no theological space is left for other religions, and, in particular, no theological validity is left for Jewish religion" (164).²

Reinhartz makes her purpose clear at the outset: "The present book is my final attempt to unravel ... this most troubling Gospel – from a rhetorical, historical, and ethical perspective" (xix). Those three words – rhetorical, historical, and ethical – are key to what follows. All three approaches are important, but ethical considerations are not always so explicitly a part of a traditional biblical studies monograph. In my opinion, this concern for the good (or ill) research can do, together with the author's use of terms such as "appropriation," "expropriation," and "resistance," mark *Cast Out of the Covenant* not only as a "decolonizing" study,³ but also, to use my own expression, an "Aware-Settler" text.⁴

Elsewhere I have written a review of *Cast Out of the Covenant* focusing on its Aware-Settler hermeneutics and how they might affect the field of biblical/Second

Temple studies.⁵ Here I would like to focus more on the theological and specifically social justice dimensions of this work.

Rhetoric

Reinhartz devotes five of her seven chapters to a rhetorical analysis. Rhetoric has been defined as the "art of persuasion"; John notably and self-consciously proclaims that purpose: "Jesus did many other signs ... not written in this book. These are written so that you [may come to] believe" (20:30-31). Reinhartz carefully situates John's writing both in terms of classical rhetoric (Aristotle, Quintilian, and the grammarians) and according to more recent works on the rhetoric of fiction. James Phelan writes that "the rhetorical approach is interested in narrative as an act of telling that has designs on its audience."⁶ Reinhartz breaks down how the author of the Fourth Gospel tells stories in an act of "boundary formation" (132) to create identity (xxii), moving hearers towards "the rhetorical appropriation of central markers of Jewishness and the ouster of Jews from their entitlement to them" (67).

Reinhartz identifies in John powerful and paired rhetorical mechanisms of affiliation-disaffiliation, appropriation-expropriation, and identification-vituperation. Crucial to her analysis is that John is not anti-Jewish in any simplistic way, by discounting or criticizing the narratives, symbols, places, ceremonies, and history that constitute Jewishness. Far more devastating is that the Fourth Gospel continues to value all these "assets" of the covenantal relationship, but insists they no longer belong to their original recipients. She writes, "My goal ... is not to search for more delicate language in order to cover up John's supersessionism but to attempt to understand its place in the Gospel's overall program" (52). Some years ago, William Arnal wrote about Christian origins that they "are really to be sought in the ways in which a rapidly self-defining social movement of the second century invented a tradition for itself."⁷ Reinhartz demonstrates how John expropriated the identity markers of Judaism for similar reasons: now that the Messiah has come, the Jewish scriptures and Temple no longer belong to the *loudaioi* (xv)⁸ but to Christ-followers, whose life-giving relationship to the "new Temple," Jesus, is constituted by the usurped Jewish markers of "commandment, obedience, [and] love" (58).

One of the ways in which John accomplishes its rhetoric of disaffiliation is to take the term *loudaioi* (Jews) and empty it of any substantive meaning except “enemy of Christ” (88). To turn a people’s name into an epithet has always been a strategy in the hands of injustice and oppression. Even Jewish Christ-followers are no longer *loudaioi* in John’s Gospel: the disciples are never called Jews, and Jesus is only rarely so identified explicitly (86). Reinhartz writes, “the Johannine *loudaioi* are not a specific historical group but rather a rhetorical and theological category” (103), specifically, those who have rejected Jesus and, in the Gospel’s view, are destined for destruction (62).

History

Moving from a rhetorical analysis of a single textual source to any kind of historical reconstruction is problematic (133), and Reinhartz acknowledges the inevitable circularity of such an approach, while pointing out that it is legitimate “so long as one refrains from reifying one’s own constructions” (xxvii). She cautiously places the Gospel within the Christ-movement’s missionary efforts to the gentiles (141).

By positing a gentile audience, Reinhartz rejects J. Louis Martyn’s long-dominant “expulsion” theory that many of us both learned and have taught almost as accepted fact in various Biblical Studies courses. For Martyn, the historical setting behind the writing of the Gospel was of a Jewish-Christian group expelled from the synagogue; its vitriolic attacks against “the Jews” was a kind of in-the-family hatred directed by Christ-believing Jews against those who had pushed them out (111). By contrast, in *Cast Out of the Covenant* it is not Jewish synagogue leadership who are the oppressive boundary-makers, but Christ-followers who hear and accept the Johannine Jesus’ words that “whoever does not abide in me is thrown away like a branch and withers; such branches are gathered, thrown into the fire, and burned” (John 15:6). By engaging in a rhetoric of “binary opposition” (76ff.), John aimed to create a we-they polarization between Christ-followers and Jews that Reinhartz believes were the first steps in the heavily debated “Parting of the Ways” (xxi, 146–51) between Judaism and Christianity. “In appropriating the scriptures, the Temple, and covenantal language for its audience,” writes Reinhartz, “the Gospel rhetorically casts the Jews out from the covenant” (62).

Ethics

At the outset of the volume, Reinhartz takes pains to say that she does not “blame the text [of John] or its author for the history of Christian anti-Semitism” (xxxv, n. 17). However, she has no intention of exonerating the Gospel, and in fact wishes to “call out” John’s anti-Judaism (164). “Is the Gospel’s rhetorical con-

struction of the *loudaioi* culpable in the demonization of real Jews?” she asks. “The answer, in my view, is yes” (94). Reinhartz goes on to note that “The Gospel constructs a high wall between Christ-follower and *loudaioi* that had implications for the historical relationships between Christians and Jews over the course of millennia” (104). Words have effect: as Reinhartz notes, the “animus that the Gospel displays towards the rhetorical *loudaioi* may serve a rhetorical purpose that can be detached from human history, but it can too easily be translated into hatred of flesh-and-blood” (163). One only has to think of the pogroms and attacks that historically so often took place at the end of Holy Week, when John’s texts are traditionally read.

Although the Gospel of the Beloved Disciple is a favourite of many Christians, John’s rhetoric made it—and makes it—“amenable for those who hated and persecuted Jews” (87). In a time when acts of both online and physical anti-Semitism are on a dangerous rise, *Cast Out of the Covenant* is a reminder of how the Fourth Gospel has been used in the not-distant past. Works such as Anders Gerdmar’s *Roots of Theological Anti-Semitism: German Biblical Interpretation and the Jews, from Herder and Semler to Kittel and Bultmann*⁹ and Susannah Heschel’s *The Aryan Jesus: Christian Theologians and the Bible in Nazi Germany*¹⁰ show how identity-creation by repudiation of the Jewish “other” has had such horrific consequences. Both books appear in Reinhartz’s citations.¹¹

Although Reinhartz does not take overly seriously the suggestion that John represented some sort of very early catechumenate document, her rhetorical analyses of the various Gospel pericopes strongly reminded me of the kind of “retold stories” or narrativized teaching that would work well in catechumenate formation, or perhaps in liturgy (154 n. 29). This is not so far from the imagined experience of “Alexandra,” a fictional “compliant listener” Reinhartz invents to show how the rhetoric of the Fourth Gospel might have worked in practice. If a more formal pedagogical setting were true for the Gospel, it would only underline the disastrous effects of the anti-Judaism she identifies throughout John’s rhetoric of identification and vituperation.

There is an ethical challenge posed by this book, and Reinhartz returns to it in the final pages: “Should we not resist any rhetorical program,” she writes, “that vilifies the ‘other’ in order to construct the ‘self’?” (163). Important words, especially in the present global political climate. As a Jewish scholar of these early Jewish and Christian texts, she does not pronounce directly on the ethical consequences of seeing John as scripture. “The task of whether or how to integrate this view with Christian faith I must leave to others,” she writes (165). But that this task is important, she leaves no doubt. “Are we our best selves as we follow

the story and worldview of this or that implied author?" she asks in an opinion piece about the book on the popular blogsite *Ancient Jew Review*.¹² Should there be any question about a way forward, the reader is returned, in Reinhartz's conclusion, to the lived example of Gregory Baum. One cannot help but conclude that she is giving words to her initial dedication: may his memory "be a blessing" (xi).

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1 Together with Baum, Reinhartz dedicates the volume to J. Louis Martyn, the founder of the "expulsion theory" of Johannine origins with which she disagrees in the book.

2 Taken from Baum's 1974 introduction to Rosemary Ruether, *Faith and Fratricide* (Eugene, OR: Wipf & Stock, 1997).

3 I prefer the term "decolonizing" to "postcolonial," for the reason that even though postcolonial studies have been important for decades, we have certainly not finished with colonialism.

4 That Reinhartz is Canadian is no doubt important here. See also Matthew R. Anderson, "Strangers on the Land: What 'Settler-Aware' Biblical Studies Learns from Indigenous Methodologies," *Critical Theology* 1:2 (Winter 2019): 10–14, and Matthew R. Anderson, "'Aware-Settler' Biblical Studies: Breaking Claims of Textual Ownership," *Journal for Interdisciplinary Biblical Studies* 1:1 (Autumn 2019): 42–68.

5 Matthew R. Anderson, "Unfriending the Beloved Disciple: Adele Reinhartz, Aware-Settler Hermeneutics, and the Gospel of John," review submitted to *Studies in Religion/Sciences Religieuses*.

6 James Phelan, "Teaching Narrative as Rhetoric: The Example of Time's Arrow," *Pedagogy* 10:1 (Winter 2010), 217–228, at 219.

7 William Arnal, "The Collection and Synthesis of 'Tradition' and the Second-Century Invention of Christianity," *Method & Theory in the Study of Religion* 23:3/4 (2011), 193–215, at 201.

8 Reinhartz sometimes uses the term *loudaioi*, the Greek for Jews or Judeans, both to situate this group in their first-century context and to avoid unconscious conflation with contemporary Judaism.

9 Anders Gerdmar, *Roots of Theological Anti-Semitism: German Biblical Interpretation and the Jews, from Herder and Semler to Kittel and Bultmann* (Leiden: Brill, 2010).

10 Susannah Heschel, *The Aryan Jesus: Christian Theologians and the Bible in Nazi Germany* (Princeton, NJ: Princeton University Press, 2010).

11 For a more contemporary read, see Amy-Jill Levine, *The Misunderstood Jew: The Church and the Scandal of the Jewish Jesus* (San Francisco: HarperSanFrancisco, 2006).

12 Adele Reinhartz, "Reflections on My Journey with John: A Retrospective from Adele Reinhartz," *Ancient Jew Review* (April 11, 2018), <https://www.ancientjewreview.com/articles/2018/2/24/reflections-on-my-journey-with-john-a-retrospective-from-adele-reinhartz>. Accessed February 2, 2020.

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Book Review

Sara Parks. *Gender in the Rhetoric of Jesus: Women in Q*.

London: Lexington Books/Fortress Academic, 2019, 202 pp.

This book beckons its readers to reconsider the role of gender in the words of Jesus as attested in the rhetoric of Q. “Q” is defined by the author as “the nickname for a lost source of Jesus’ sayings—lost, that is, if the Gospels of Luke and Matthew had not drawn upon it when they wanted to incorporate the way in which Jesus taught” (28). Sara Parks provides a taxonomy and analysis of rhetorical gender pairings in Q, and in doing so offers a fresh reconsideration of the historical Jesus. Gender roles in Q are treated with historical nuance; the fruit of her research is presented to her reader with cultural sensitivity without sacrificing integrity. The function of rhetorical subtleties regarding Parks’ “parallel gender pairings” necessitates further exposition than is provided. Nevertheless, this effort has furthered the study of the historical Jesus, Q, and gender in the New Testament.

While much has been written on Q, there is a striking lack of research on the role of “women”—defined biologically to avoid anachronism—in Q. Parks attempts to fill this gap in scholarship by first identifying parallel gender pairs in the rhetoric of Q. These are discernible through one of two textual features:

1) They can be seen through the repetition of a parable with the only significant variable being the *gender of the character(s)*. This feature of parallel gender pairs is noticeable in the striking similarities between the parable of the Lost Sheep (Luke 15:1-7; Q 15:4-5a, 7) and the parable of the Lost Coin (Luke 15:8-10; Q 15:8-10). Each of these parables contains a strikingly similar narrative in which the central character has lost something and has set out to find it. Both characters are quoted with the same response to finding their lost item, and they share the same conclusion. The only significant difference between these two parables is the gender of the central character.

2) The second discernible feature is similar to the first. Instead of the gender of the central character serving as the variable, the social roles attributed to one’s gender are the only significant variable. Parks provides the following example of this discernible feature: “For instance, the twin parables of the Ravens and the Lilies do not mention any people, but the ravens’ connection to farming recalls the work of men, whereas the lilies’ connection to spinning brings to [the] mind [of the first-century audience]

the work of women” (2). Once identified, these parallel gender pairings can be assessed against literary and historical context, allowing various social and theological conclusions to be had.

A brief summary of Q’s background (30–41) and statement of its limitations (31) initiate the reader to the discussion before a survey of scholarship’s strengths and weaknesses within the purview of the effort are provided (51–67). In the midst of the orientation, the reader is presented with the concept of *basileia* (“kingdom”) of God. This *basileia* was inaugurated on earth through Christ as an earthly manifestation of an eternal reality of God’s *basileia* in heaven. Those choosing to follow Christ through faithful obedience to his divine will are depicted in Scripture as taking part in his *basileia*. It is with the concept of *basileia* that Parks underlines the theological foundation for social impact of her research: “Q takes care to include both women and men equally in its vision of *basileia* membership, and to hold both women and men equally accountable when they behave counter to *basileia* priorities” (34–35).

With *basileia* in focus, a taxonomy of both “full” and “shorter” pairings of gender are offered (81–82) to inform their corresponding analyses (82–94; cf. 94–98). The methodology behind her analysis—assuming stability in Q’s literary boundaries—reads as a well-blended mix of historical-critical and socio-rhetorical criticism. Each pairing is assessed on behalf of its complexity, explication, and/or implication of gender pairing; from this assessment Parks’ gleanings are then placed in conversation with contemporary scholarship. While her analysis is nuanced and revealing, Parks provides little interaction with the rhetorical differences of what is *implied* and what is *explicit*. In fairness, this is most likely a consequence of her dedication to a succinct presentation and defense of her thesis: however, rhetorical implication and explication often function separately in various rhetorical genres.

Parks follows her analysis by comparing her findings with “the ancient literary record to reveal that although Jesus’ gendered twin parables participate in various tropes and genres of ancient Mediterranean literature ... they are at the same time a rhetorical first” (111). A survey of gender pairings in “roughly contemporaneous” texts is provided (127–44). From these Parks concludes that while gender pairings within the parables of Q do not exist in texts preceding Q, “they do

occur in multiple early sources that are connected to [Jesus'] movement" (144–45).

The Christological implications of Parks' effort will be unsurprising to some and offensive to others: "the gender pairs view men and women as identical in terms of their spiritual/religious inclusion and eschatological agency, while retaining socially gendered roles that are more or less *status quo*..." (153–54). The contemporary-social implications of Parks' effort are simultaneously simple and complex.

The evidence of patriarchal power in North America is both systemic and irrefutable. Its influence is felt in each aspect of day-to-day life for every individual forced to operate within its pseudo-*basileia*, but the *basileia* of Christ is *supra*. It was supra-imperial, it is supra-monarchical, it is supra-democratic, and it is

conclusively supra-genitalia. Neither Q nor the New Testament has any knowledge of contemporary-gender identification or roles, but they have much to say regarding contemporary-gender equality and identity. In the *basileia* of Christ, whether you decide to follow or abstain from traditional gender roles, you are eschatologically and temporally *equal*. Sara Parks has effectively and decisively revealed the value of women in the *basileia* of Christ—as attested in the rhetoric of Q and corroborated by the lack of corresponding gender pairings in its textual contemporaries—and in doing so has necessitated an ecumenical reconsideration of gender roles through her exceptional work *Gender in the Rhetoric of Jesus: Women in Q*.

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Book Review

Richard Allen. *Beyond the Noise of Solemn Assemblies: The Protestant Ethic and the Quest for Social Justice in Canada*. Montreal and Kingston: McGill-Queen's University Press, 2018, xxxi + 388 pp.

Until his death in March 2019, Richard Allen, professor of history at McMaster University, was arguably Canada's foremost historian of the Canadian Protestant social gospel. Allen was interested in the involvement of religion in society. He brought his own faith into the public sphere when he served as a New Democratic Party member of the Ontario legislature from 1982 to 1995. This volume collects sixteen of his essays: ten previously published, and six new ones. They range from articles Allen wrote as a student to a recent reflection on the place of religion in a secularized society.

The first chapter is an autobiographical reflection on growing up in a United Church manse in British Columbia in the 1930s and '40s. Allen's parents were involved in the Student Christian Movement and belonged to the social gospel wing of the United Church. Allen imbibed this orientation from them, yet he notes that the emotional power of pietistic religion cannot be denied. The question is, to what end will this power be directed? The second chapter records his impressions gained from a visit as a student to Hungary in 1948. Chapter 3 is the first of two surveying the continuing debate over Max Weber's thesis that the spirit of Reformed capitalism laid the groundwork for the ethic of modern capitalism. The fourth chapter, a graduate student essay on the origins of totalitarianism, observes that the Nazi rise to power was facilitated through breakdowns in social institutions such as law, politics, economics, and religion.

One theme of Allen's reflections is that there is often a religious or mythical dimension to public discourse in Canada. The secular is never completely divorced from the sacred. Chapter 5 demonstrates this in relation to the Canadian labour press in the early 1900s. Chapter 6 is Allen's splendid study of how Canadian evangelical Protestantism provided the soil from which the Canadian social gospel grew. Chapter 7 extends this analysis. Allen approaches the social gospel as a complex phenomenon that is concerned with moral uplift as well as a greater social justice. Each was seen as essential to human betterment. Unfortunately, he passes too quickly over the imperialistic dimensions of the social gospel in relation to Indigenous peoples and the ambivalence of social gospel leaders towards non-British immigrants to Canada. He points out how the social gospel provided an impetus for Protestant church union, which led to the formation of The United Church of Canada in 1925. But the social gospel itself

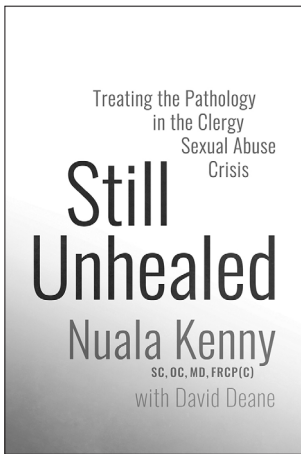
fragmented shortly thereafter, as various wings within it came into conflict with each other.

Chapters 8 and 9 focus on Salem Bland, a leading figure of the Protestant social gospel in Canada, and on Wesley College in Winnipeg, where Bland taught from 1903 to 1913. Allen argues that the Canadian social gospel was a contextual theology, similar to yet distinct from its American counterpart. The next three chapters study the impact of the social gospel in urban and rural settings. Allen concludes that overall, the social gospel helped move Canadian society to a greater social justice and that something like it is still needed. He is right. Chapter 13 studies the influence of religion on Norman Bethune.

Chapter 14 is a wonderful analysis of *Towards the Christian Revolution*, a multi-authored book produced by the Fellowship for a Christian Social Order (FCSO), originally published in 1936 as a response to the Great Depression, which now reads like a precursor to liberation theology. Here Allen observes how in the midst of the depression, socially concerned Christians Eugene Forsey and J. King Gordon went to Oxford looking for answers. Scholarship and activism are distinct, but not necessarily opposed. Having been influenced by the thought of John Macmurray, both returned to Canada and became involved in the left-leaning League for Social Reconstruction and the FCSO. Marxism for these people was a moral challenge as much as a source of theoretical insights. Chapter 15 reflects on social trends from the Cold War to the present. Here Allen argues that the ecumenical social justice coalitions of the 1970s had a significant influence on political attitudes in Canada by keeping justice issues in front of congregations and parish communities across the country. Chapter 16 is devoted to Max Weber's famous thesis. The postscript argues that despite claims that Western countries have become secularized, their politics often sits on mythical foundations.

This collection of beautifully written essays offers enduring insights about the social gospel in Canada and the involvement of left-leaning religion in social issues. It will be useful for clergy, academics, and educated lay people.

Donald Schweitzer, *McDougald Professor of Theology at St. Andrew's College, University of Saskatchewan*



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BY SR. NUALA KENNY SC, OC, MD,
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