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Christian Love, Material Needs, and Dependent Care: A Feminist Critique of the Debate on Agape and ‘Special Relations’

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Introduction

I begin with two very general claims. Dependency, neediness, and therefore dependent care are central, inevitable aspects of human existence. Some form of basic human equality is also a modern ideal with which we cannot, and should not, dispense. Many would say that this ideal of equality is more than an ideal. It is also a concrete reality: human persons are, ontologically speaking, invested with a dignity that gives us a fundamental equality, and we should be treated accordingly. But these two realities, dependency and equality, stand in a certain paradoxical tension, because when we are dependent on another, there are important ways in which we are not equal to that other, and many groups of persons have had their dependency exaggerated and enforced precisely to exclude them from equality. As a result, advocates of liberal forms of equality have often avoided facing squarely the fact of universal human dependency.
In the last two or three decades, a host of feminist scholars in a variety of disciplines have argued for a notion of equality that can also incorporate the pervasive reality of human dependency and dependent care, such as care for young children, frail elderly persons, and persons with disabilities. They begin from the premise that such dependency has been obscured in much modern liberal thought. Although this work spans economics, sociology, history, legal thought, and political theory, it shares central themes. One of these themes is the problematic nature of certain liberal conceptions of the person as a fully autonomous chooser. Another theme is a critique of the specific form of the split between the public and private spheres that arose through the processes of the industrialization and commercialization of society, processes that also resulted in the sequestration of much dependent care in the “private” or domestic sphere. Both the conception of the person as a fully autonomous chooser and the public–private split operate to highlight equality while masking human dependency.

We can also see these two realities of dependency and equality operating in Jesus's own explication of the nature of Christian neighbor-love, the parable of Good Samaritan. Most commentators on this parable highlight the surprising identity both of the man who fell among thieves (unidentifiable, and likely an enemy), and of the one who helped him (a member of a hated, or at least estranged, group). This aspect of the parable lends itself to interpretations of Christian love that support an equal claim to inclusion and care of all persons; we are forbidden to exclude anyone, even strangers or enemies, from the circle of human concern. But we should not forget what the unfortunate traveler, as a person possessed of this equal claim, is entitled to: The traveler is entitled to extravagant care in response to profound dependency. The traveler is as vulnerable as a newborn: naked, exposed, completely lacking in the physical and cognitive resources to care for himself.

I argue here that an important recent understanding of Christian love, Gene Outka's understanding of agape as “equal regard,” appropriately highlights our fundamental and universal equality but needs correction from the perspective of dependency and dependent care relations. This need for correction becomes clear through an examination of the debate over Outka’s formulation of “the problem of special relations,” or particular, intensive bonds with our kin, friends, colleagues, fellow citizens, or coreligionists. Outka discusses “special relations” or “particular roles and practices” briefly at the end of very long works on Christian love. And yet these discussions have generated more controversy than any other aspect of his work. I suggest that this is because special relations become, in Outka's work, a marginalized repository for the pervasive and basic human realities of dependency and material need.

Outka's concern with equality is also a deep concern with justice, a concern that all should be included in the scope of agape. He is concerned that
our commitment to those nearest and dearest to us might forestall our commitment to those who are less “attractive” or less closely connected to us. Outka is correct to be concerned about the potential for special relations to become sites of injustice, but because he does not consider that so many special relations are dependent care relations, the place where the most basic human needs are fulfilled, he fails to see the shape that this injustice often takes. An examination of the current global state of dependent care relations reveals that such relations are the arena of deep exploitation along lines of gender, race, class, and nationality. I argue that the marginalization of dependent care relations in Outka’s understanding of agape parallels the marginalization of dependent care relations in current global social and economic structures. I further argue that an account of Christian love that incorporates both equality and response to dependency must be a social ethic in addition to a personal ethic because to provide for the basic material and care needs of each person equally requires that we collaborate through social, political, and economic institutions.

Responsibility for dependent care has largely accrued to women, so my critique of Outka’s work is a feminist critique. Early feminist work on agape was largely hospitable to Outka’s thought; feminists thinkers tended to target criticism at self-sacrificial notions of Christian love. From this perspective, Outka’s understanding of equal regard, which includes the self within the scope of equality, seemed a great improvement over understandings of Christian love, which seemed to encourage women to accept oppression. However, feminist theory as a whole has grown in its own understanding of the complexities of achieving equality, especially as the voices of women marginalized by race, class, and nationality have entered the conversation. If we do not attend to those dependency needs currently consigned to the domestic sphere, some will achieve equality at the expense of other marginalized persons who take up our dependent care duties for us. Therefore, drawing on more recent feminist work on dependency and equality, I want to deepen the feminist critique of agape as equal regard.

In the first section I provide an overview of a contemporary crisis in dependent care relations; there is a deficit of care relative to the need for care, and caregivers are widely exploited. In the second section I explicate and critique Outka’s treatment of agape and his corresponding notion of special relations, and briefly review other thinkers in the subsequent debate about special relations. I do not believe that the debate as a whole has yet reached to the heart of the problem with Outka’s theory—that it seeks equality by obscuring dependency. In the third section, I draw on the work of feminist philosopher Eva Feder Kittay to show the relevance to Christian ethics of one contemporary attempt to bring together a liberal conception of equality with the pervasive human realities of dependency and dependent care.
The Contemporary Care Deficit

Feminist sociologists and feminist political theorists have begun to speak of a “care deficit.” They point to the very large numbers of children, frail elderly, permanently or temporarily disabled, and sick persons, both in the United States and globally, who require intensive care from others but often are not getting it, are getting inferior care, or are getting care from caregivers who are themselves exploited through poverty-level wages, poor working conditions, and social invisibility.

This care deficit is largely the result of demographic and technological factors. Our population is aging; life spans are increasing; medical technology is able to save the lives of many people who will nevertheless require significant assistance with their daily activities; and women, especially upper- and middle-class white women, have entered the workforce in increasing numbers. However, a significant reason for the care deficit is that care is marginalized in our society. Particularly in the United States, dependent caregiving is considered a private activity rather than a service to society. In the words of feminist economist Nancy Folbre, for example, our society sees children as “pets,” that is, consumer choices made by parents for their own amusement and pleasure. Thus, society absolves any responsibility to support parents in their caregiving work.

This view of child rearing as a private hobby rather than as a contribution to society is a modern development. One way to recognize this is through changing conceptions of activities counted as “work” or economic contributions. In the industrial era, as economic activity moved outside of the home, the conceptual realm of the “economic” gradually shrank to encompass only those items or labor that were subject to trading and exchange, and care activities were dropped from the conception of the economic. Folbre notes that in the mid-nineteenth century, both Britain and the state of Massachusetts counted domestic work as productive work in census and economic statistics. By the 1920s, domestic work had disappeared from official measures of economic activity. The decision to raise children is not, however, primarily a matter of consumption governed by preferences; dependent care is a productive activity. Dependent care brings into being or maintains in being mature, contributing persons at great expense of time, energy, and material resources to those providing the care. Care for young children brings to maturity the next generation of caregivers, those who will care for us, directly or financially, in our old age, whether we have personally raised any of the next generation or not. Thus, in a very real sense, parents are subsidizing society as a whole. So are providers of other sorts of dependent care. For example, the market value of the unpaid work that family caregivers do in providing for frail elderly relatives was estimated at $375 billion, or 2.6 percent of the gross domestic product (GDP) in
Dependent care also renders the caregiver vulnerable; it prevents the caregiver from competing on an equal basis in the world of “fully autonomous” participants in market employment.

As more women have moved into the workforce, the cultural notion that dependent care is a private preference and responsibility has given rise to serious problems balancing work and family. Quality child care is difficult to find because it must be paid for out of the parents’ wages, making child care wages extremely low, even while child care expenses are very high relative to the earnings of most families. Child care providers are thus treated unjustly even when they find their work deeply rewarding. Those who cannot find or afford child care may move in and out of the workforce. The average woman will take twelve years out of her working life to care for children or elderly parents. These lost work years take a serious toll on her financial security and retirement income. Other women try to work part-time, a strategy that also has a dramatic negative effect on wages due to employers’ sense of a right to what legal scholar Joan Williams calls the “ideal worker”: “a worker who works full time and overtime and takes little or no time off for childbearing or child-rearing.” And, as Folbre notes, because the benefit structure of the Social Security program has not kept pace with the changing shape of families and work patterns, families with two working parents end up subsidizing nonparents and traditional breadwinner/homemaker families in their old age, paying much higher Social Security taxes in return for the same level of benefits. In sum, the fact that we do not count dependent care as work, and do not reimburse dependent caregivers for the subsidy they provide to society, places a serious financial hardship on caregivers, especially women.

If dependent care presents financial challenges to middle-income women, it places lower-income women in a cruel situation. From 1935 to 1996, the United States provided at least minimal financial support to poor single mothers through the Aid to Families with Dependent Children (AFDC) program. With the passage of the Temporary Assistance to Needy Families (TANF) program in 1996, this entitlement was rescinded in favor of block grants to states, grants that were not indexed to inflation. The new program places time limits on benefits and imposes work requirements on a significant percentage of those receiving benefits. Unfortunately, many recipients have strong barriers to employment, in many cases including the need to care for a disabled family member. States have a strong incentive to deter such families from receiving benefits; the number of eligible families actually receiving benefits has dropped from 84 percent in 1995, the year before passage of TANF, to about four in ten eligible families (40 percent) in 2007. Those who have successfully moved from welfare to work under TANF are not generally working year-round; when they do work, they average wages of $7–$8 per hour, not much more than the
cost of decent child care for a single child. Ironically, the program does not consider caring for one’s own children to be work, but recipients can meet the work requirements by caring for the children of others.

Often, women help to close the “care deficit” by employing other women to assist with their caregiving duties under exploitative conditions. In poorer countries, this care deficit too often results from the phenomenon of the “feminization of immigration,” a trend in which young women immigrate to serve as nannies and maids in wealthier countries. They thereby help lessen these countries’ care deficits while leaving their own children behind for years at a time in the care of grandmothers, aunts, or neighbors. In some countries, a very large number of families are affected by their parents’ migration; in the Philippines, 30 percent of children have at least one parent working overseas. These mothers are able to provide for their children economically in ways they simply could not do in their home countries, but they are rarely able to visit their children and often describe themselves as more attached to the children for whom they are paid to care than to their own offspring. Thus, Arlie Russell Hochschild notes, “In this sense, we can speak about love as an unfairly distributed resource—extracted from one place and enjoyed somewhere else.”

Gene Outka and the Agape/Special Relations Dyad

From the perspective of this global “care crisis,” I reexamine a recent debate in Christian ethics about the relation between agape and special relations. The relationship between the inclusivity of neighbor-love as defined by Jesus and the importance of particular, intensive bonds has been a question in Christian ethics since the beginning of the tradition. However, the contemporary debate is largely sparked by Gene Outka’s important 1972 work, Agape: An Ethical Analysis. Outka states that the purpose of this work is not to put forth his own theory of Christian love but rather to examine and bring clarity to the large body of work on Christian love produced between 1932, with the publication of Anders Nygren’s important Agape and Eros, and his own writing in 1972.

Among these widely varied treatments of Christian love, he seeks some common normative content. Outka identifies the following features, which he summarizes with the term “equal regard”: Agape is “a regard for the neighbor which is in crucial respects independent and unalterable. To these features there is a corollary: the regard is for every person qua human existent, to be distinguished from those special traits, actions, etc., which distinguish particular personalities from each other.” Outka then explicates this definition further, drawing on Karl Barth: Agape means “identification with [the loved one’s] interests in utter independence of his attractiveness.” In a lengthy 1992 arti-
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cle, Outka identifies a similar content of Christian love with the term “universal love.”

By setting up his inquiry as a descriptive one, Outka invests this notion of equal regard with the appearance of the authority of tradition. But it is important to question the fully descriptive nature of his project. It is difficult to determine how he extracts a notion of equal regard as the normative core of meaning in, for example, Catholic personalist theories of Christian love as mutuality aimed at communion. Such theories would seem to highlight precisely the particular qualities of the persons loved, and to valorize love relationships in which the lover receives something in return for her love. These thinkers would of course affirm a basic and universal regard for human dignity, but this is not the core of their discussions. One suspects that equal regard is a least common denominator, an element that no contemporary understanding of Christian love can do without, rather than the core of each of the theories Outka examines. I am inclined, therefore, to treat equal regard as Outka’s preferred notion of Christian love rather than as the neutral consensus of modern Christian tradition. However, regardless of the degree to which Outka’s own ethical and theological commitments impinge upon this definition of agape, the conception itself is open to debate; even a “majority opinion” based on a survey of theories of agape from 1930 to 1972 is bound to incorporate a particular historical perspective on the nature of love. Recent work in feminist philosophy and political theory has pointed to the ways in which moral theory from this timeframe obscures and marginalizes concerns of dependent care.

Within the framework of agape as equal regard, particular, intensive relationships—Outka calls them special relations—become problematic because, in his words, “agape enjoins one to attribute to everyone alike an irreducible worth and dignity, to rule out comparisons at the most basic level, to refuse to defer to the particular social and ethnic groups to which individuals happen to belong.” In contrast, special relations, as Outka constructs them, are based on particularity and preference. Outka’s conclusion is that special relations do not express agape, although they may set the boundaries wherein special relations come into their own; in his example, we remain faithful to our spouses even during periods when we do not feel deeply in love with them. Outka acknowledges the common-sense understanding that some special relations are morally compelling but implies that they must have a different grounding, separate from agape, the elucidation of which he does not consider part of his project.

Thus Outka bequeathed to Christian ethics a dualistic understanding of agape and special relations, universal and particular commitments: These have mutually exclusive moral groundings, they compete, and we must balance them. In Outka’s own words, “Agape is the guardian in rather than the direct inspi-
ration of every special relation.”29 This distinction in kind—between agape and special relations—is the direct result of defining them solely in terms of our internal attitude toward another person, for we cannot both regard that person’s attractiveness and disregard it at the same time. While intention is a key aspect of the moral nature of human actions, the act itself is also important, and concrete acts of care may look very similar whether we extend them toward our children or toward strangers and enemies. There is always a danger that special relations will trump agape or universal regard. As Outka argues, “obligations pertaining to them may become the effective center of gravity, so urgent and really ultimate that they swamp universal human dignity as such.”30

I want to transcend the assumption of two sharply differentiated obligations, described as agape and special relations. When we attend to experiences previously rendered invisible, particularly the experience of dependent care relations, we begin to see that our obligations to those near and dear to us are profoundly interrelated to our obligations to “strangers” and “enemies.” In particular, when we notice that both kinds of obligation involve meeting the basic material needs of others, then this shared concern with need fulfillment becomes more important than our internal attitude of either regard for or disregard for the “attractiveness” of the object of our love. When we recognize that dependent care occurs within the realm of special relations, and that most dependent care is done by women, we must also recognize that the mutually exclusive dyad of agape and special relations is a deeply gendered construct.

In arguing that we must overcome the sharp division between agape and special relations, I do not mean to imply that there exists no tension at all between our particular obligations and a more universal concern. Certainly, morally sensitive persons struggle with questions about, for example, how many material resources to spend on their children’s education versus feeding hungry families in their communities. However, we should not therefore conclude that our actions on behalf of our children are somehow excluded from the category of agape, and that such relations can only be restrained or protected by agape. For one thing, our children may be the ones who are hungry; we should not assume that the only ones concerned about agape are those privileged with the choice about what to do with extra funds. Such an assumption creates implicit passive “others”: the ones who, unlike “us,” are needy, call on our help, and are not agents of agape.31 Furthermore, it seems to me that a conceptual apparatus that divides our relations into “preferential” and “nonpreferential” fossilizes these tensions. The tensions are actually subject to social shaping and alleviation if we acknowledge the fact that social structures mediate our wider obligations. As we live our lives in the concrete, we can ask, who is bearing the burden of these tensions? Who lives in them, who feels them the most acutely? I submit that it is precisely dependent caregivers, particularly those who are
poor and marginalized, who will feel these tensions the most acutely. We should not accept real tensions and conflicts between moral claims without critically examining how these tensions are exacerbated for some by social, cultural, and public policy institutions.

Critique of Outka

Much in Outka’s work deserves great appreciation. Outka is a very careful, nuanced, and precise thinker; after setting out his initial premises about agape, he explores their implications with balance and thoroughness, clarifying many conceptual inconsistencies in the body of work he addresses. Outka’s assertion that agape refuses to attend to ethnic or social groups shows his concern to forestall racial or sexual discrimination. He is deeply concerned to put forth an ethic that will condemn the violation of the integrity or dignity of any human being, and he reminds us that this condemnation, in itself, is no small thing: “we should guard against any sanguine assumption that minimal prohibitions against harming others hold as a matter of course.” Outka has evidenced a concern not just for universal respect but also for universal well-being for all persons through his writings on issues such as the moral grounding of universal health care. Nevertheless, I contend that the conceptual apparatus of agape and special relations that he uses cannot ultimately help forward these concerns.

As noted in the introduction, though the problem of special relations is discussed only briefly by Outka, this topic has inspired a heated debate among Christian ethicists. Outka seemed to see special relations as a secondary issue, a problem to be addressed later now that the main business of determining the content of agape was finished. But in reality, special relations cannot be seen as secondary; Outka’s understanding of special relations is the necessary corollary to the very way in which he has understood agape. Agape does not regard attractiveness, so we must have a category for those relationships that do regard the attractiveness and particular qualities of the other. Thus, a critique of Outka’s notion of agape can help us untangle the so-called problem of special relations.

I believe that the core problem in Outka’s understanding of agape as equal regard is that it focuses on what agape disregards, that is, attractiveness and particularity, rather than what agape regards, that is, concrete human need. If we look at the parable of the Good Samaritan and broader scriptural testimony, we cannot avoid the implication that agape is focused on seeing and responding to need. A second and related problem is that Outka approaches his analysis with a strong methodological individualism. Outka notes briefly that equal regard “does apply to social as well as personal relations,” because it considers
distant others whom I may affect, and because it attempts to foster community. However, his analysis still begins with the separate, autonomous moral actor making decisions about serving his own interests versus those of others. This individual actor may then reach out to others to “foster community.” I argue that agape is a matter of social ethics as well as a matter of personal ethics, but I mean something different by this statement than what I understand Outka to mean. I begin from a picture of the moral agent as primordially dependent on basic care to achieve maturity and moral agency, and dependent in a range of ways on social institutions. Such institutions (the family, but also the economy, government, and civil society) thus make agape more or less possible. In our contemporary economy, for example, we cannot meet the basic needs of others without participating in complex and interdependent market structures.

My contention that Outka’s understanding of agape is not primarily focused on need fulfillment requires some defense, for as I noted, Outka does make occasional references to agape as concerned with the positive well-being of the other. But these occasional references bump up against the problem of “universalism.” Outka notes that equal regard is “universal in that not a single person is to be excluded, though of course de facto not all come into range.” He also acknowledges that very many people may “come into range” in the sense of being affected by our actions. But a conception of agape that is simultaneously universalist and focused on the individual moral agent must necessarily be primarily negative, in the sense of abstention from harm, or attitudinal, in the sense of a basic respect for persons. We cannot do much for others as individuals in proportion to the vastness of human need in the world, even of all persons who “come into range.” Furthermore, when we respond to need in any substantial way, we soon find ourselves in something that looks very much like a special relation in that we find ourselves bound to the person we are helping by more than simply dutiful identification; we will have entered the complex mix of affection and duty that marks caring relationships. Likewise, we may find that our commitment to the needy person precludes our similar commitment to some other needy persons.

There is one point at which Outka moves away from the individual as the agent of universal agape, but this exception illustrates the problem with placing any positive and universal obligation within an individualist context. In his treatment of agape and justice, Outka remarks that in contemporary discussion, “the stress is on justice as a predicate of societies and their actions and institutions.” He adopts this stress as well, and argues that agape is closest to a notion of justice as need fulfillment. While this asserted correlation between agape and justice as need fulfillment implies that agape, too, is primarily focused on need fulfillment, there is a problem with Outka’s analysis: namely, he stresses agape as need fulfillment only when he is speaking of it as an attribute of social institutions (as a correlate to justice). As we have seen throughout the
rest of his analysis, Outka holds to a very strong methodological individualism. This subtle switch from the individual as agent of agape to social institutions as agents of agape is problematic because an individual could never fulfill the material needs of all equally. The switch obscures the way in which Outka’s construction of agape necessarily backgrounds need fulfillment. A social institution can facilitate the universal fulfillment of needs, however. This fact suggests a different way of understanding one aspect of the relation between love and justice, and specifically between the aspect of love that involves fulfillment of positive needs and the distributive aspect of justice. We can think of the relationship this way: It is the work of distributive justice to enable love to occur universally, within our particular or special relations. This may require redistribution of the material goods necessary to meet basic needs, and it may require protection against exploitation in dependent care relations. This conception of the relationship between love and justice does not conflate the individual agent of agape with social institutions, and it can honor the role of particular, intensive relationships in expressing agape.

Thus, Outka’s understanding of agape as equal regard—because it is both universalist and focused on the individual agent—issues in an internal, attitudinal understanding of Christian love, one that abstains from considerations of attractiveness rather than focusing on fulfillment of concrete needs. Three aspects of Outka’s discussion of special relations show the problematic impact of this core problem in his definition of agape. First, Outka constructs special relations as expressions of preference. Outka repeatedly describes special relations as grounded in the other person’s talents, achievements, and merit, or at least in shared interests and values. In other words, special relations are defined by their grounding in the “attractiveness” that equal regard is said to ignore. Outka does not consider the fact that we exist in a social and kinship network that imposes many of our moral obligations before we make any choices about where else we shall bestow our time, energy, and affection. Nor does he consider how deeply entwined these relations are with provision for our basic material needs.

This focus on special relations as expressions of preference is related to a second feature of Outka’s construction of the “problem of special relations”: These relations are said to pose a special danger because of the depth of our own self-interest. To corroborate, the overview of dependent care relations presented here bears witness to our capacity for injustice in the service of the needs of our own dependents. Still, my overview also indicates that such injustice occurs not along axes of preferential and nonpreferential relations but along axes of domination and marginalization, axes of race, class, gender and nationality. Furthermore, much of this injustice emerges from our participation in structures of injustice. Most of us with moderate incomes cannot pay a just wage for care if society as a whole does not value and support caregiving.
Conversely, for marginalized communities in contexts where the fulfillment of basic needs is threatened and requires constant struggle, commitment to dependents is not an expression of selfishness but a courageous work of both love and justice. It is in this context that we can understand, for example, bell hooks's description of “homeplace” as a “site of resistance.” Homeplace is largely constructed by black women, and hooks defines it as “a safe place where black people could affirm one another and by so doing heal many of the wounds inflicted by racist domination. . . . This effort has been and continues to be a radically subversive gesture.”

Drawing on the slave narrative of Frederick Douglass, hooks recounts the story of his enslaved mother, who sometimes walked twelve miles after a day's work to hold him while he slept, and twelve miles back to be in the field by sunrise. Hooks describes her activity not as an expression of preference or of natural maternal desire but as “the political choices of this black mother who resisted slave codes, risking her life, to care for her son.” Likewise, we can honor the phenomenon of “other-mothering” in the African American community described by Patricia Hill Collins, in which members of the community most able to provide guidance, shelter, and discipline to children invest their energies in responding to the dependent care needs of the community.

Third, Outka conducts his analyses of the requirements of Christian love largely through a dyadic model of self and other. This model grows out of his primary concern with the proper extent of self-love and his sense of the strength of human sin and selfishness, which he then measures in terms of decisions about whether to pursue one's own desires or those of another. But this model is deceptive because we are always in relation to multiple other persons and, ultimately, in relation to all human beings and nonhuman creation. We are always deciding how we will expend our finite resources of time, energy, and materials to meet the almost infinite needs of persons and of creation. This reality is perhaps most evident to those who are striving the most against their own limits of time and energy to love others: dependent caregivers meeting the basic material needs of others under conditions of marginalization and economic deprivation.

As Martha Fineman notes, the private family has become the social repository of dependency so that society as a whole does not have to take responsibility for dependency. Just so, I suggest that “special relations” function in Outka's theory as a repository for those relations that fulfill basic needs. But within that category they become invisible. In contemporary discourse, including the Christian ethical discussion on special relations, we often speak of need fulfillment as something that we do for distant, unfortunate others, the proverbial “starving children in Africa,” and thus we subsume need fulfillment under universal regard. Those who defend special relations often do not escape this assumption. They argue that strong families raise children into loving and
moral persons, and then concede that our obligation to love our children in this personalist sense must be balanced with need fulfillment for strangers.\textsuperscript{45} However, most care and basic need fulfillment occurs primarily within so-called special relations. It is only when such relations fail or, more likely, are crippled by injustice, that strangers are called upon to fill in the breach.

**The Debate on Special Relations**

The basic outlines of Outka's approach to agape have been adopted by a number of subsequent commentators, including William Werpehowski, Gilbert Meilaender, and Julia Judish.\textsuperscript{46} While exploring and supporting the importance of special relations, each explicitly assumes that these relations are separate from agape, because they are grounded in preference. Werpehowski and Meilaender specifically repeat Outka's claim that special relations may be bounded and stabilized by agape, whereas Judish sees special relations as a school in which we learn the care that we later bestow outside of our inner circle of loved ones, which constitutes agape.

Even those who contest Outka's understanding of agape as equal regard often accept his view that the Christian moral life consists of a balancing act between "universal" regard and particular obligations grounded in preference. The argument has then focused on the relative importance of these two competing types of obligation in the Christian moral life. For example, Stephen Post argues for two "spheres of love," a "personal" sphere encompassing special relations and an "impersonal sphere" governing relations with strangers. These spheres "compete for our moral attention."\textsuperscript{47} Those who have come closest to transcending the sharp agape-special relations split are those drawing on a tradition that predates the modern version of the separation of public and private, namely, the Thomistic tradition. Edward Vacek and Stephen Pope fall into this category.\textsuperscript{48} Pope suggests that a reclamation of the Thomist order-of-love tradition helps to correct certain deficiencies that I have just pointed to in Outka's work but that (as he shows) exist as well in much contemporary Roman Catholic love ethics: the tendency to think in dyadic terms, to forget the "given" nature of many of our love relationships, to evade questions of multiple and conflicting obligations, and to repress the "natural," including both our material needs and our natural inclinations to love certain persons—those related to us—more than others.\textsuperscript{49}

I find Pope's work the most promising approach to the integration of our responsibilities to those closest to us with our responsibilities to humanity at large. However, in light of my assertion that we need to bring together equality and dependency, we should remember that Aquinas's account of society is not at all egalitarian. Aquinas's conception of the order of love is pervaded by
the assumption of a hierarchically ordered universe, created and governed by
God’s providence.50 While we may share a notion of God’s providence, we can-
not share Thomas’s conviction that the hierarchical world order in which he
lived mirrors that providence. Furthermore, in Aquinas’s time, the contempo-
rary notion that we might engineer change to social structures to meet human
needs simply did not exist. Today, we understand that we have the ability and
the responsibility to shape our social institutions in accord with what we dis-
cern to be God’s providence, God’s justice. Today we are aware of connections
to far-off strangers, including the children left behind by mothers from the two-
thirds world who come to wealthy countries to provide essential but invisible
care to children, elderly, and disabled persons.51 We are aware that the choices
we make—political, economic, and social—already help generate the “orders”
or social and economic structures around us. Thus, we must seek a social or-
der that honors equality and also acknowledges and responds to dependency
and need.

Pope references the need to coordinate a contemporary account of an or-
der of love with a theory of justice.52 This task is a daunting one, but in light
of deep injustices that now pervade our system of dependent care, I suggest that
this task is also an urgent one. Outka would surely agree; his deep concern with
the power of self-interest is an important reminder for those of us who would
be too sanguine about relying on the goodness and justice of our natural incli-
nations to care for those closest to us.

Eva Feder Kittay: Equality, Dependency, Care, and Justice

In her book Love’s Labor: Essays on Women, Equality, and Dependency, Kittay of-
fers a “dependency critique” of the notion of equality as put forth in the lib-
eral tradition of Western philosophy.53 Kittay notes that the liberal conception
of equality masks the inevitable human dependencies that occur in childhood,
old age, illness, and disability. Kittay sets forth “a constructive philosophical
project to establish the moral significance of dependency and care” (4). In par-
ticular, she is seeking a way to ground human equality while still recognizing
the fundamental nature of dependency. She settles on the trope that each of us
is “some mother’s child” (19). We have each received the attention and care of
a “mothering person” (not necessarily a woman or our own biological mother)
in order to survive to adulthood; some person has considered us worthy of such
attention and care. Thus we are worthy of such attention and care; to fail to
recognize this worth is to dishonor not only us but also the mothering person
who bestowed the care and, symbolically, all mothering persons as well as “the
sanctity of the relation that makes possible all human connection” (68–69). The
relationship between caregiver and dependent “is ubiquitous in human society
and is as fundamental to our humanity as any property philosophers have invoked as distinctly human” (25). Such a relation points to a connection-based equality rather than an individual-based equality; we claim equality based on our relation to some other person (66).

Kittay points out that the practical and moral demands of dependency care make the dependency worker herself highly vulnerable (49). Because dependency work requires perception of and response to the dependent’s particular need, it is best done in the context of an ongoing affective bond. Through this affective bond, the dependency worker frequently comes to see the dependent’s needs as her own needs, even as those needs compete with her needs. It is important that the dependent care occur in the context of a relationship; the caregiver is not fungible (53). Furthermore, the vulnerability of the dependent on the caregiver, and the compelling nature of the dependent’s needs, impose a heavy moral burden on the caregiver. Often the care is necessary for survival itself. The caregiver thus has what Kittay calls a “derived dependency”; because of the burdens of her caregiving responsibilities, she is often unable to participate in the economic and political spheres in a way that allows her to meet her own needs (42). In fact, human persons exist in a system of “nested dependencies” (66–68). But because human persons also possess a moral equality, grounded in the notion of being “some mother’s child,” we must also recognize the importance of reciprocity so that everyone’s needs for care can be met. This reciprocity is not a two-party reciprocity because a dependent often cannot reciprocate care; rather, it must exist in the form of a system of “nested obligations” (68). We all have a responsibility to ensure that the care needs of all human persons are met through both direct caregiving and care given to the caregivers.

Kittay also analyzes the most influential contemporary theory of justice, that of John Rawls, from the perspective of dependency and finds it wanting because it assumes that “the bounds of justice are drawn within reciprocal relations among free and equal persons” (76–77). Kittay suggests that dependency is an “objective circumstance of justice,” but Rawls does not recognize it as such (83–84). She also asserts that Rawls’s two moral powers, “a sense of justice and a conception of one’s own good,” are not sufficient to encompass the pervasiveness of dependency and care in human life; she suggests an additional power, “a capacity to respond to vulnerability with care” (102). Third, she suggests that Rawls’s list of primary goods should be expanded to include “the good both to be cared for in a responsive dependency relation if and when one is unable to care for oneself, and to meet the dependency needs of others without incurring undue sacrifices oneself” (103, emphasis in original). Kittay suggests that in order to draw upon the Rawlsian notion of fairness, we must reconceive fairness to account for the fact that we exist in networks of nested dependencies that should evoke nested obligations (106). To do so, she draws on the analogy of the doula, the person who cares for a new mother while the new
mother cares for her infant. She states her principle of *doulia* as follows: “Just as we have required care to survive and thrive, so we need to provide conditions that allow others—including those who do the work of caring—to receive the care they need to survive and thrive” (107, emphasis in original). Kittay further notes that “this is a public conception of *doulia*,” one that calls for social institutions to foster the work of love and care (108, emphasis in original).

This rather cursory review of Kittay’s work correlates in key ways to my discussion of concerns with Outka’s approach. First, Kittay’s entire book makes central the pervasive nature of dependency in human life, and, given the importance of ongoing affective attachments in providing dependent care, the centrality of special relations in human life. She demonstrates effectively that it is not possible to relegate dependency to a secondary stage in understanding the requirements of justice; dependency is not an exception to the rule that citizens are freely cooperating individuals. Rather, dependency and dependent care mark a significant portion of human existence. This critique parallels my own critique of Outka’s relegation of special relations to a separate problem, mentioned briefly but not resolved at the end of long works focusing on equal regard or universal love. Kittay’s focus on society as a system of nested dependencies and obligations points to the inadequacy of any analysis of Christian love conducted in primarily dyadic self–other terms. Furthermore, Kittay’s analysis of the morally compelling nature of dependency work such that dependency workers frequently commit to their charges to the detriment of their own well–being complicates Outka’s powerful concern that special relations are a particularly fertile ground for the expression of harmful self-absorption.

Another interesting aspect of Kittay’s work, for my purposes, is her grounding of equality in the status of each human person as “some mother’s child.” Kittay’s suggestion here, like most secular accounts of justification for a notion of human dignity and moral equality, raises certain questions about meta-ethical grounding that I cannot address here. Nevertheless, I find her suggestion quite compelling. Whatever we think may be the ultimate source of the obligation to care for vulnerable and dependent human persons, that obligation may be felt most generally and most powerfully in the relationship between parent and child. In addition, the trope of “some mother’s child” interestingly brings together dependency and equality in a way similar to my own reading of the parable of the Good Samaritan. As noted, the parable is striking for two reasons (and for their existence together). The identity of the caregiver, as a member of a hated group, and of the care recipient, as completely anonymous, highlights the obligation of every human person to offer care and the right of every human person to receive care. Here is the source of Outka’s notion of equal regard and the analogue to Kittay’s concern with grounding equality. But what each person is equally entitled to is precisely the compassionate, perceptive, responsive, and extravagant care that we need to survive and that is offered by the Good Samaritan. Kittay
argues that it is because someone has invested such care in us that we are all equal; the parable teaches us that all are equally deserving of such care. We might say that in Christian terms, we are indeed all “some mother’s child,” but the parent whose extravagant love demands we provide care is God.

Finally, Kittay’s work shows that our nested dependencies and nested obligations call for a response that is not simply private but also social and political, embodied in social networks, policies, and institutions. Our dependencies and obligations exist in a web, and that web is weakened and caregivers and dependents are exploited when some members of society can extract themselves from it. At this point, then, we may ask whether in our time, in terms of the parable of the Good Samaritan, the man who fell among thieves is not actually a single mother raising children in poverty. Would Jesus not enjoin us to respond to the needs of these profoundly stretched caregivers, who are themselves fulfilling a compelling moral obligation, “proving neighbor” to their own children? It is not possible to raise these questions within Outka’s framework of agape as equal regard rather than special relations of extravagant care.

Notes

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137–56; and William C. Spohn, Go and Do Likewise: Jesus and Ethics (New York: Continuum, 2000), 91.

3. Outka highlights his notion of our fundamental equality through his notion of agape as “equal regard,” which I will explicate in the next section. See Gene Outka, Agape: An Ethical Analysis (New Haven: Yale University Press, 1972), 9–24.

4. The discussion of “special relations” occupies pages 268–74 in Agape (a book of 312 pages); likewise, in a 1992 essay of 103 pages, Outka addresses “particular roles and practices” on pages 89–91 under the heading, “What Fundamental Subjects Remain Unaddressed?” (Gene Outka, “Universal Love and Impartiality,” in The Love Commandments: Essays in Christian Ethics and Moral Philosophy, eds. Edmund Santurri and William Werpehowski (Washington, DC: Georgetown University Press, 1992), 1–103.) Of course, the number of pages devoted to a topic is not, on its own, a sufficient measure of its importance in an analysis. Nevertheless, I believe that in these works, “special relations” or “particular roles and practices” are convenient places to “store” important human realities marginalized by the overall theory of Christian love espoused by Outka. This is why the “problems” they raise cannot be easily resolved within the works themselves and why they have spurred so much debate and response.


6. See particularly Goldstein and Andolsen, cited n. 5.


8. Folbre, Who Pays for the Kids?, 95


12. Williams, Unbending Gender, 1.


14. AFDC, originally “Aid to Dependent Children,” was passed as Title IV of the Social Security Act of 1935; the name was changed to Aid to Families with Dependent Children in 1962. The text of the Social Security Act is available at www.ssa.gov/history/35actinx.html.

15. AFDC was abolished and TANF was established in the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). For the text of this legislation as enacted, see http://thomas.loc.gov/cgi-bin/query/z?c104:H.R.3734.ENER.


20. Ibid.


27. See, in particular, the work of Joan Tronto on moral boundaries, cited in n. 1.


29. Ibid., 274.

30. Ibid., 272.

31. Feminist thinkers dealing with dependent care issues have repeatedly pointed to the problematic assumption that “other people” are “the needy,” which is implicit in much recent philosophy and political theory as well as in our social policies. We are all needy; we have all required intensive care from others to grow to adulthood, and we are all dependent on a wide range of complex economic, political, and social institutions to meet our basic needs. See, among many examples, Harrington, Care and Equality; Fineman, Autonomy Myth, esp. chap. 1; and Julie A. White and Joan C. Tronto, “Political Practices of Care: Needs and Rights,” Ratio Juris 17, no. 4 (December 2004): 425–53.


34. Outka, Agape, 284–85.

35. Ibid., 12.

36. Ibid., 284–85.

37. Ibid., 75.
38. For example, Outka mentions three classes of differences between persons that may serve as the basis for special relations: “obvious physical differences such as age, sex, intellectual endowments, and beauty; differences in particular interests, tastes, and values, many of which may not be the appropriate subject for moral praise and blame; meritorian differences, reflecting the possessor’s use of his talents and opportunities” (Agape, 270). The absence of reference to kinship as a basis of special relations here is quite striking. In a similar vein, see page 261, where the “particularity” that Outka says agape may attend to without violating equal regard is assimilated to “achievements” and “excellences.”


40. Ibid, 44.


42. Outka gives attention to the “problem of multiple others” but always as an exception to the primary analytical device of a one-on-one situation. See, for example, Outka, Agape, 22–23, 42, 276–77; Outka, “Universal Love and Impartiality,” 19, 34–37. Generally, these discussions come up in the context of harm prevention. For example, we may believe that agape forbids self-defense but requires us to defend others against wrongdoing. The positive context of benevolence—of allocating our time and material resources among multiple claimants—is not a focus for Outka.

43. Fineman, Autonomy Myth, 60.

44. Garth Hallett, SJ, asks, for example, whether a man with enough money to send his son to a four-year university should spend the funds on tuition or should use it to save two hundred distant starving children. See Garth Hallett, SJ, Priorities and Christian Ethics (Cambridge: Cambridge University Press, 1998). Another striking example of the location of need among far-away others occurs within Outka’s discussion of justice as need fulfillment. Outka notes a common objection to such a conception of justice: there are other grounds of obligation than sheer need, such as contracts and promises. Outka’s response is to note that multiple sources of obligation are possible. He points to what he sees as a correlate in Christian ethical theory: while agape is about need fulfillment, special relations have their own legitimate (and different) moral groundings. The implication is that needs are fulfilled by agape, and special relations have another purpose altogether. Again, the fundamental truth that needs are fulfilled primarily within particular, intensive (special) relations is obscured.

45. For example, Stephen Post, Spheres of Love: Toward a New Ethics of the Family (Dallas: Southern Methodist University Press, 1994).


47. Post, Spheres of Love, 7.


50. For Aquinas’s notion of a providential, ordered creation, see (among other references), Summa Theologiae I.1–25, especially questions 4–9, and 19–25. St. Thomas Aquinas, Summa

51. The term “two-thirds world” is a term now commonly used in lieu of the term “Third World” to encompass nations or geographic areas that are not part of the highly developed, affluent “first world.” The term is meant to emphasize that these nations encompass well over half the world’s population, although they consume far less of the world’s resources than highly developed countries and benefit less from (or are exploited by) current global economic, political, and social realities.

52. Pope, Evolution of Altruism, 158.

53. Quoted passages in this section are from Eva Feder Kittay, Love’s Labor: Essays on Women, Equality, and Dependency (New York and London: Routledge, 1999). Page citations from this source are in the text.

54. Today, we use the word “doula” to describe the person who helps the new mother. Kittay uses the italicized word “doulia,” however, as the term for her principle; she uses the word “doula” to describe the analogy she is making to the current usage.