

## THE BIBLE JUSTICE AND THE STATE (An Exploration)<sup>§</sup>

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Wherever one turns today, the question is asked whether we can live a meaningful human existence in the kind of society that has developed in the twentieth century. For it is evident that the kind of society we live in brings with it many seemingly unsolvable problems: inflation, unemployment, crime, inner city decay, urban sprawl, corruption in places high and low, stagnation in the process of democratic government, dehumanizing work conditions, fantastic riches next to frightful poverty, the elimination of nature from the cities where most of us make, progress in industrial production alongside of regress in cultural refinement, development of nature and underdevelopment of personality, etc.

So many ask the question: Have we lost the quality of life because of our preoccupation with the quantity of material goods? If so, how can quality be regained? To paraphrase the title of Theodore Roszak's latest book: Where does the wasteland end?<sup>1</sup>

It is necessary to explore the various answers to this question that are being suggested by neo-capitalists, neo-liberals, and neo-marxists. It is not my intention to do that in the present essay. Instead, I will proceed from the assumption that the quality of life can be regained if the Biblical vision of man and society is regained and infused into our political, economic, and educational institutions. In an earlier essay entitled "The Word Our Life," published in the collection *Will All the King's Men*,<sup>2</sup> I attempted to present the contours of that Biblical vision in terms of a discussion of the Word of God, the Kingdom of God, and the Church. That essay is basic to what I intend to do here, namely, to present some reflections on the relation between the Bible and social concern.

### I. Was Jesus A Social Reformer?

One way of entering our problematics is to ask a traditional question: If a Christian gets involved in social and political matters, doesn't he become entangled in matters of this world so that he may easily become 'of it? What was the attitude of Christ Himself to these matters?

There are many today who argue that Christians must be active in society because Jesus Himself was a social reformer. Is that really true? A social reformer tries to change relationships in society in order to improve conditions of human life. A social reformer directs his attention to the problems cited above, problems of poverty and riches, slavery and war, racial tensions and housing, etc.

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<sup>§</sup> This has also been published in *Where are we Now?* ed. W A Harper and T. R. Malloch (Washington, DC; UPA) pp 334-349; and in *Confessing Christ and Doing Politics* ed. James W. Skillen (Washington, DC: APJ, 1982) pp 39-53

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<sup>1</sup> Cf. Theodore Roszak, *Where the Wasteland Ends*, New York, 1973.

<sup>2</sup> Robert Lee Carvill, ed., *Will All the King's Men?* Toronto, 1972, pp. 153-221. This essay was published in abbreviated form in the *International Reformed Bulletin*, 1972, nos. 49-50, pp. 57-77.

[3]

Jesus was not a social reformer. When one of His listeners asked Him to settle a problem of inheritance, Christ's reply was brief and to the point: 'Man, who made me a judge or divider over you? (Luke 12:14). No, Christ's central office lay elsewhere because God the Father had given Him a far more significant assignment: "I must preach the good news of the Kingdom of God...for I was sent for this purpose" (Luke 4:43).

So, quite clearly, if we want to establish a connection between Jesus Christ and social concern we must find out if there is a connection between the Kingdom of God and social life. That connection exists, radically, integrally, indispensably.

*The Kingdom and the goodness of life*

The Kingdom of God, as I indicated in – "Thy Word Our Life," can be circumscribed from two vantage points. In the first place, it is the rule of the Lord over the entire creation by His Word. The Kingdom of God is the Creator's constitutional order for every creature. In the second place, the Kingdom is also that creation itself in the measure that it follows the King's orders. The quality of human life lies in the rapport between the order of the King and the obedience of men. As a matter of fact, the very life of every creature is that order, that Word of the Master, Who has the say over us all. Creatures simply are servants. When they serve, their life is good as citizens of the Kingdom.

This brings us directly to the problems of our society. If we have lost the quality of life, it is because we do not obey the Creator's constitutional order for society. I know that this is not a particularly popular thing to say today, for we have been taught by our philosophers, our artists, our political leaders, and by our schools that the quality of human life depends upon getting rid of the phenomenon of obedience. Service, we are told, is sub-human. How can we rid our society of the necessity of obedience? By abolishing authority, both divine and institutional. Consistently pursued, this tenet of humanism leads to social anarchy. Anarchy means: no rule or authority of any kind. In order to avoid social chaos following anarchy, the most significant modern social thinkers and politicians suggest a compromise in the form of the social contract: autonomous individuals can establish social connections and institutions on the basis of consent. They can now be governed by rules of their own making. For this reason the foundation of the state is popular sovereignty, the consent of the governed, or - to use a more contemporary expression - participatory democracy. This basic conception - of social order is shared by John Locke, Rousseau, Thomas Jefferson, and Karl Marx. They will start from the notion of human autonomy as the basis for building the Kingdom of Man.

The Bible unmasks the notion of human autonomy as one expression of sin. Sin breaks the harmonious life of God's good creation into bits and pieces. It is the underlying cause of the disintegration in

[4]

human life. That disintegration is the curse of which we see so many symptoms today. Right at the outset the Bible reveals that sin has a fourfold disintegrating effect on the harmony of life.

1. It makes us strangers to God. It separates us from Christ, the living Word (cf. Eph. 2:12). Since the bond between God and man includes the entirety of man's existence, this primordial alienation ruptures the following relationships.
2. Sin destroys the unity within man's personality which is now caught up in tension, frustration, in service of the creature rather than the creator (Rom. 1:25). Since the very nature of man's being is to serve, the rejection of the true God makes him look for substitutes elsewhere. These substitutes are deifications of one facet of the creation, at the expense of other facets. The idols thus imagined can never give peace to men. There is no rest for the 'wicked' in the search for a new idol after the former has proved his failings. This restlessness explains the aimless speed of contemporary culture, with men and women yearning for one cure after the other without ever finding any that satisfies. The Bible describes this predicament of inner tensions and endless pursuits as man's being brokenhearted (Ps. 147:3).
3. Sin makes us seek ourselves at the expense of our neighbour. If man is alone in the universe, self-preservation (John Locke) or enlightened self-interest (Adam Smith) is the key to the social fabric. The apostle Paul tells us what we can expect to find in a society like ours: If men are not lovers of God their society will be one of lovers of self, lovers of pleasure, lovers of money, haters of good, inhuman. Understand this, he writes, that in the last days there will come times of stress. Well, these are our times (11 Tim. 3:1-7).
4. Finally, sin causes us to lose our home, our paradise on this earth. Because of man's sin, the earth will bring forth thorns and thistles. In other words, the relationship between man and nature is disrupted. The evidence of that is clearly present in today's ecological and energy crises. As a result of our enlightened self-interest we have lost the sense of stewardship over the earth's potentials so that we exploit this planet's limited resources in an entirely unbalanced manner.

#### *Christ cures the heart of the disease*

When John the Baptist, the last of the old testament prophets, introduced Jesus, he said: "Behold, the Lamb of God, who takes away the sin of the world" (John 1:29). Here we are faced with another description of Jesus' office. At this juncture we must avoid tailing into the dilemma of either the 'individual gospel' or the 'social gospel.'

The proponents of the individual gospel hold that the 'sin of the world' which Jesus came to take away in effect amounts to the sum total of the sins of isolated individuals. The proponents of the social

[5]

gospel argue that the sin of the world is the sum total of inhuman disruptions of social institutions. The former look upon Jesus as the Saviour of souls; the latter consider him to be a social reformer, a social saviour. In the light of the above I would suggest that both are mistaken since both disregard the totality of the covenantal context within which man's place on earth is situated in the Scriptures.<sup>3</sup>

Jesus indeed is a Saviour, that's the very meaning of His name: Jesus means Healer. He is the Prince of Peace (Isa. 9:6). He is a peacemaker, a reconciler. But we should be scripturally clear about the scope of His peace-making office. Paul makes that clear in the letters to the Ephesians and Colossians, from which we can cite one decisive passage: "For in Christ all the fullness of God was pleased to dwell, and through Him to reconcile all things, whether on earth or in heaven, making peace by the blood of His cross" (Col. 1:19f).

The crucifixion of Christ is the central and decisive event in human history. For there Christ made things right again between the Creator and the creation. Moreover, since Christ rose from the dead, He is the Resurrection and the Life.

This is not a matter merely of theology. This is a matter of the foundation of human life and the social order. For at the cross the basic disease disrupting human life and the social order is cured. Christ came to take away the sin, the disharmony and disintegration, from human life and the social order.

Indeed, Christ was not a social reformer. His task and office was much more basic and radical. His task was to get to the root of all ill, social ills included. Since God so loved the world He sent His Son to take away the sin of that world. The Good Shepherd lays down His life so that men and women, in faith, may have life, and have it abundantly (John 10:10). Christ - that is the name of His office - is the redeemer of the universe and, by His Spirit, a renewer of hearts. In that light we begin to understand the central task of His brief ministry, the proclamation of the Good News of the Kingdom ( Luke 4:43). In that Kingdom lies our life, also of our social and political and economic life.

How can we have that life? There is only one way, a narrow way, the way of conversion. This is the message of Christ to those who cause and to those who suffer the alienation and dehumanization of today's social order: "Repent, for the kingdom of God is at hand", ( Matt. 4:17). Conversion, repentance from sin, that is, a radical turn- about in one's conviction, allegiance, and life's direction, is the avenue which Christ proclaims as a healing of the social order.

The all-embracing scope of the Gospel is clearly evident in Christ's ministry. His salvation brings healing and renewal and hope in the whole of human life. When John the Baptist entertained some doubts about Christ's work, Jesus has this message for him: "Go and tell

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<sup>3</sup> On this matter see B. Zylstra, "The Individual Gospel: Sources and Shortcomings," *The Guide: Official Organ of the Christian Labour Association of Canada (CLAC)*, April-May 1972, pp. 2124.

[6]

John what you hear and see: the blind receive their sight and the lame walk, lepers are cleansed and the deaf hear, and the dead are raised up, and the poor have good news preached to them” (Matt. 11:41). The proclamation of the Gospel and the healing of misery go hand in hand. Christ’s miracles are signs and pointers of the new life. When the crowds are hungry, Jesus has compassion on them, and commissions His disciples to give them to eat (Mark 8:2; 6:37). That brings us to the place of Christ’s disciples in the history of reconciliation and peace-making.

## **II. The Social Concern Of Christ’s Disciples**

Christ’s redeeming compassion over the hungry multitude, the poor, the suffering ones, must be expressed also by Christ’s Body, the spiritual community of His followers. It is part and parcel of the nation way of life that love of God implies love of one’s neighbor. We cannot understand the meaning of Christianity if love of God is separated from love of our fellow man, and vice versa. The Old Testament was clear on this (cf. Deut. 6:5 and Lev. 19:18), and the New Testament throughout posits the inseparable conjunction of the two loves (Matt. 22:360. “Love does no wrong to a neighbor; therefore love is the fulfilling of the law” (Rom. 13:10. “He who does not love does not know God” (I John 4:7). It’s as simple as that!

The two love commandments sum up whatever God requires of human beings. They are the creation order for men. Earlier I said that all creatures are servants. Human beings are servants of God in the measure that they love God above all and neighbor as self. This service-of-love expresses their creatureliness, their very humanness.

If life is indeed religion, if the service-of-love embraces all that is required of men, then all other requirements must be expressions of love. In this way, I think we should understand the integral relation between love on the one hand and justice and stewardship on the other hand. Justice and stewardship are not commandments from God that stand next to the commandment of love. Rather, they are specific instances of the way in which our love to our neighbor ought to be channeled.

### *Divine justice*

Let us briefly try to catch a glimpse of the Biblical perspectives on justice. The first thing to note is that the word ‘justice’ is frequently used in the Scriptures to describe God’s relations with men. Someone has remarked that only a religion whose God is just can make a contribution to social justice, that is, to a ‘right’ relation among people. The Bible unmistakably tells us that Yahweh is a just God. All His ways are justice (Deut. 32:4). How are we to understand this?

If the covenant is the totality of the relationship between God and creation, especially the relationship between God and men. then jus-

[7]

tice is a fibre of the covenantal fabric. The covenant consists of two parts: God's command and man's obedience. If man obeys, life will be blessed; it will be a good life. This two-sided character of the covenant is stressed again and again: "I will be your God, and you shall be my people, and walk all the ways that I command you, that it may be well with you" (Jer. 7:23).

God's justice consists in His faithfulness to the terms of the covenant. God is just in that He gives His people what He has promised. For this reason I believe that we should not look upon God's grace and God's justice as two relationships which stand in tension with each other. God's grace is not in conflict with, but an expression of, God's justice.<sup>4</sup> This is involved also in Paul's teachings on justification. God will make sinners *just* again because of Christ's work of reconciliation. One way of looking at the doctrine of justification lies herein, that God will rehabilitate sinners to their original position as loving servants. From the human point of view, we can say that when men accept this justification by faith they can *count on it* that their life will be made whole again. For God in Christ will now deal with men as restored human creatures who will begin to experience the blessings of the good life that the Spirit gives.

God's justice is revealed in Jesus Christ, whose name already in the Old Testament is: "The Lord is our Righteousness" (Jer. 23:6). This name describes the office of the Messiah who, especially in the prophecies of Isaiah, is pictured as the One who will establish a Kingdom of *justice*. With righteousness He shall judge the poor, and decide with equity for the meek of the earth (11:4). "He will bring forth justice to the nations" (42:1). This brings us to justice in the affairs of men.

#### *human justice*

Justice is one of the ways in which we are to love our fellow man. Justice is one of the many commands or words which the Lord addresses to mankind. Justice is an inherent element of the Gospel. For this reason the restoration of the human community in terms of the covenant between God and man implies the restoration of a just society. This is clearly evident in the books of Moses, in the Psalms, in Proverbs, and in the major and minor prophets.

It is impossible to define precisely what the content of the norm of justice is. We face a similar difficulty in defining the content of other fundamental norms like beauty, moral love, and stewardship. Words like equity, fairness, and right hint at the meaning of justice. I find Emil Brunner's attempts at a description helpful here.

The Christian conception of justice...is determined by the conception of God's order of creation. What corresponds to the Creator's

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<sup>4</sup> Cf. F.J. Pop, *Bijbelse woorden en hun geheim*. The Hague, 1964, p. 239.

[8]

ordinance is just - to that ordinance which bestows on every creature, with its being, the law of its being and its relationships to other creatures. The 'primal order' to which every one refers in using the words 'just' or 'unjust,' the 'due' which is rendered to each man, is the order of creation, which is the will of the Creator made manifest.<sup>5</sup>

The South African philosopher H.G. Stoker relates justice to the status of man in the cosmos. In a recent study entitled *The Nature and Role of Law: A Philosophical Reflection* he writes:

God's Word-revelation sheds an even keener light on the status of man. Viewed in its divine context and in religious perspective we note the following concerning man's status. Man alone is created as God's image. Man has been given a calling which he must fulfill, for which he is responsible and for which he must give an account. Man has an appointment. He has been appointed as *mandator dei*, as a creaturely vicegerent of God to act as ruler within the cosmos in the name of the Lord. He has been appointed as ambassador of the Most High. And as such he is entrusted with an office to contribute, as a creaturely means in the hands of God, to the realization of God's council and plan in and with the cosmos. In all this man is responsible to God. In other words, with reference to all this, including the function and purpose of his status, man has been given a special mandate. He is called to be a child of the King and in his royal status he is at the same time a servant of God. All of this is characteristic of his appointment and the mandate that goes with it, presented to him as man. Must we not find human justice and law here, that is, human rights; legal norms and the legal order?<sup>6</sup>

Both Brunner and Stoker are trying to formulate in the Biblical setting what the traditional definition of justice intended with 'rendering to each his due' (*suum cuique tribuere*). What is due to man is a status in the social context which makes his unique creatureliness possible. For this reason the Biblical norm of justice must be based on the Biblical teachings of creation. For insight into man's specific nature or creatureliness presents the clue to 'what is just.' Now man has been created as God's image.

So we can arrive at this provisional summation: the norm of justice requires a social order in which men can express themselves as God's imagers. To put it in different words: the norm of justice requires social space for human personality. By personality I then mean the human self whose calling lies in love of God and love of fellowman. That calling entails the realization of a multiplicity of tasks in history. Justice therefore also requires societal space for man's cultural tasks. Moreover, the realization of man's central calling also entails the establishment of social institutions, like marriage, the family, schools, industries, and the like. Hence justice requires societal space for these

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<sup>5</sup> Emil Brunner, *Justice and the Social Order*, New York, 1945, p. 83.

<sup>6</sup> H.G. Stoker, *Die aard en die rol van die reg*. Johannesburg, 1970, p. 15 (my translation)

[9]

institutions as long as they contribute to meaningful harmonious, and an opened up human existence. Finally, the realization of man's many and callings involves the use of 'nature' and its resources. In view of this, justice also requires such an alimatioa of material goods that human life is made possible, protected, and enhanced in accordance with its creaturely character, status, and end. In short, justice requires freedom for man's service. in this context we dare to speak of human rights. That is one of the fruits of Christ's work of redemption, which in principle entails the restoration of creation, also of man's authentic creatureliness as God's imager in the realization of his social and cultural tasks or offices.

### *biblical pointers*

The Bible was written during a time different from ours. The numerous ways in which the Lord told His people about how a just society is to be established are oriented to a largely agricultural setting. Nevertheless, there is much for us to learn.

1. To begin with, the Bible rejects the modern notion of private property. When the Psalmist sings, "The earth is the Lord's and the fulness thereof," he means what he says (Ps. 24:1). In effect, the Lord owns the earth; man can only inherit it from Him and use it subject to certain conditions. When the people of Israel entered the land of Canaan, it was divided among the various tribes according to their families (Josh. 13). Quite clearly the intent was to make sure that each tribe and sub-group would receive enough to live on. Moreover, if for some reason or another land was sold, it had to be returned in the Year of Jubilee to its original possessor so that no class distinctions would develop between haves and have-nots (Cf. Lev. 25:8f). In the buying and selling of land our notion of land speculation for profit was entirely absent. "When you sell or buy land amongst yourselves, neither party shall drive a hard bargain... You must not victimize one another, but you shall fear your God... The land is mine" (Lev. 25:14-23).

2. The blessings of the Lord to one person were looked upon as avenues of stewardship to those in need. In the light of what we said about justice in general it comes as no surprise that both in the laws of Moses and later in the books of the prophets the deprived persons were given special attention. The Lord as it were said to His people: "Make room in your society for all my creatures. They are made in my image: they are not blocks or stones or beasts but persons with their own tasks and responsibilities. Now make very sure that they can indeed express themselves as such, that they have elbow room for the fulfillment of their tasks. Make sure that the high are brought low and that the lowly ones among you are protected, restored to new opportunities, to service in my vineyard." Quite concretely this meant that four groups of needy persons are constantly singled out as the special recipients of justice and stewardship: the widows, aliens, the poor and the orphans. We recall how Ruth found food for herself



[10]

and Naomi. But this did not depend upon the personal philanthropy of Boaz social concern was built into the fabric of the covenant community. “When you reap your harvests in your field, and have forgotten a sheaf in the field, you shall not go back to get it; it shall be for the sojourner, the fatherless, and the widow; that the Lord your God may bless you in all the work of your hands” (Deut. 24:19).

The same approach is taken with reference to the relations between rich and poor. The former was clearly told never to exploit the latter. As a matter of fact, being wealthy only increased one’s responsibility for those in need. “If you lend money to any of my people with you who is poor, you shall not be to him as a creditor, and you shall not exact interest from him” (Ex. 22:25). In the same passage we read how concrete love becomes in the otherwise humiliating circumstances of the person who gives his coat in pledge for a loan. The creditor is told to bring it back before the sun goes down, before it gets cold - “for this is his only covering.” The financial dealings between rich and poor could never be such that the poor man might lose the base of his livelihood. “No man shall take a mill or an upper millstone in pledge; for he would be taking a life in pledge” (Deut. 24:6). How could the miller make a living without his tools?

3. The earth could be used but not exploited. There is the notion abroad today that Christianity is responsible for the ecological crisis. Lynn White has formulated this notion thus: “Christianity. . .not only established a dualism of man and nature but also insisted that it is God’s will that man exploit nature for his proper ends.”<sup>7</sup> Whatever role Christians may have played in the development of modern natural science, technology, industrial production, and environmental exploitation - the destructive effect of this development is not a consequence of the Biblical view of nature. Precisely because nature is also God’s creation man’s relationship towards it must be one of stewardly concern, of custodianship. Man is God’s trustee in creation.<sup>8</sup> This implies that man’s interaction with nature must be conditioned by the creaturely structure and limits of nature (inorganic matter, plants, and animals). Man must be just not only to his fellow man; he must also be just to non-human creatures. He must respect their potentials and their limits.

An illustration of this can be found in the Sabbath Year described in Lev. 25:1-7, where we read that every seventh year the land must be given a rest. Man indeed is distinguished from nature in the Bible; human creatureliness is structurally different from the creatureliness of matter, plants, and animals. But this distinction does not warrant exploitation; it implies man’s stewardship over available but finite resources. The energy and ecological crisis of our day are not a result of Biblical motifs but a consequence of the rejection of these motifs in the Renaissance and the Enlightenment. For in these distinctly post-Biblical movements of the modern era the finitude that belongs to reality as creation is replaced with the notion of man’s infinite potentials and nature’s infinite - and therefore exploitable – resources. This

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<sup>7</sup> Lynn White Jr., “The Historical Roots of Our Ecologic Crisis,” in *Science*, vol. 155, pp. 1203-1207, March 10, 1967. Reprinted in Francis A. Schaeffer, *Pollution and the Death of Man*. Wheatbn, Illinois, 1970, p. 107.

<sup>8</sup> See *Man: God’s Trustee in Creation*. Special issue of the *International Reformed Bulletin*, nos. 52-53 (1973) especially the articles by Henri Blocher and Maarten Vrieze.

[11]

notion is foreign to the Bible. The Lord has given man dominion over the works of His hand. He is instructed to 'till' the garden but at the same time to 'keep it,' to passive it, to it (Cf. 1:28; 2:15; Ps. 8:6).

### **III The Government Is The Lord's Servant**

A good deal more needs to be said about justice and stewardship than present space allows. But I believe that enough has been said to move on to the next theme, viz., the Biblical conception of the state. The state arises in a society when the interrelationships between tribes and clans and cities within a particular territory requires a central administration for the dispensation of justice. The people of Israel were surrounded by states and empires in which the basis of political unity generally was more a matter of absolute power than justice. When something like a national state appeared within Israel itself we detect immediately the liberating force of the Gospel for politics. For is the light of the Gospel the king has but one main task, that is, the furtherance of a just society. "Give the king thy justice, O God, and thy righteousness to the royal son!" "May he defend the cause of the poor of the people, give deliverance to the needy, and crush the oppressor!" (Ps. 72).

*authority is an avenue of service*

It is in this light that we must interpret Paul's famous passage about "governing authorities" in Romans 13. Authority is social power, that is, power exercised by one group of persons over other persons. The Bible clearly recognizes the need of authority in the social order. It speaks freely of the authority of priests, kings, parents, even masters. But it sheds indispensable light on the nature of authority. Authority is office, that is, a channel for the realization of divine norms in a social relationship. This means that "there is no authority except from God," who has established the norms that hold for human life. Moreover, authority must be exercised for the welfare of those subject to it. Paul sums the matter up very succinctly: the person in authority is "God's servant for your good" (Rom. 13:3f).

In the way Paul rejects the political absolutism that took on concrete shape in the Roman Empire of his time, when Nero reigned. Political absolutism, ancient or modern, proceeds from the notion that the citizen exists for the good of the state. Paul argues the exact opposite: the state and its authorities exist for the good of the citizenry. This, in a nutshell, is the evangelical, the Gospel's message for politics, also in our time of unprecedented corruption in democratic regimes. Politicians are office-bearers. They are to execute their executive, legislative, judicial, or administrative offices only for the good of the citizenry. That good is public justice.

Moreover, it should be noted that Paul does not arrive at this conclusion on the basis of conceptions that underlie modern democ-

[12]

racies the notion of popular sovereignty, government by the consent of the governed, government of and by and for the people. For these conceptions make the government the servant of the people. It is ‘for the people,’ but it is not ‘of the people.’ The notion of popular sovereignty in essence develops into the tyranny of the majority, or the tyranny of an elite that can effectively manipulate the electorate at the ballot box. Paul’s position points to the possibility of an open political system. But he can do this because he rejects the two major options in western political theory and practice: political absolutism and popular sovereignty. Paul can point to an open political system because he can point to a norm (justice) which the government is called upon to realize in all its undertakings. Earlier I stated that creatureliness is service. Further, that human creatures are to be servants-of-love, both to God and fellow man. Thirdly, that all specific divine norms - like justice and stewardship - are to be looked upon as expressions of love. We now see, fourthly, that the expressions of specific norms may well require certain organizations, like the state. Such organizations, fifthly, require a measure of power to achieve their task and office.

What we should now clearly understand is that the use of power in society belongs to the realm of creatureliness, that is, the realm of service. In the light of the Gospel we can safely conclude that no human organization may escape the realm. If it does, it places itself on a divine pedestal, claiming the kind of power and authority that only belongs to Jesus Christ (Matt. 28:18). The power and authority Of the state is subject to the power and authority of Jesus Christ. That means it must establish a social order where love between human beings is given a political shape. Such a social order is one which can still be described in the traditional terms of public justice. Let us briefly outline the contours of what that means for the kind of world we live in today.

### *society*

The modern state as we know it is a community of citizens whose government is responsible for the administration of public justice within the state’s territory, on the basis of political power, in cooperation with other states for the administration of public justice in inter-state relations. In this article I do not want to focus on the internal building blocks that go into the makings of a state. We would then have to pay attention to the various organs of government (executive, legislative, judicial, and administrative), to the relationship between the state as a whole and its parts (‘states’ in the United States, provinces, counties, cities, etc.), to the place of the army, and the electoral system with a wide variety of representational links. etc.<sup>9</sup>

Instead, I would like to say a few things about the relation between the state and the non-state elements within society. The use of the word ‘society is somewhat dangerous, because it can be del ined in a variety of ways. A measure of clarity is essential here. Some thinkers

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<sup>9</sup> For a brief discussion of some of these questions, see B. Zylstra, “Do Christians Have a Political Future?” *Vanguard*, March/ April 1972.

[13]

define society as the sum total of human individuals within a particular territory, along with the social groups that such individuals have voluntarily formed to pursue certain goals. This is the conception of individualism which holds that the individual person is the basic social entity. The opposite conception is universalism, which holds that society itself is the primary and basic and all-embracing unit, of which everything else is but a part. Some traditional socialists adhere to a kind of universalism, in which the entire human race is viewed as the total social whole (*civitas maxima*) with the state as its primary organization.<sup>10</sup>

Both of these conceptions find the final source of authority and reference within society itself. In the Biblical setting, the final point of reference and source of authority lies beyond society, in the Creator Whose will for men is revealed in Jesus Christ. Adherence to this Biblical vision will entail an alternative conception of society, such as the one developed in line with Abraham Kuyper's notion of sphere sovereignty<sup>11</sup> For when we take a look at a particular society, what do we see? First of all, we notice human beings who do not owe final allegiance to any social structure, nor to society as a whole. When we are confronted with a social order which demand's a person's entire allegiance, we condemn that social order. Hence we sympathize with the current Russian dissenters like the novelist Solzhenitsyn who rightly claim that the communist regime does not have the right to control their conscience and the literary expression of their convictions. But in a society we also notice more than human beings. We are confronted with a vast variety of institutions (Marriage, family, state), associations (church, stores, factories, clubs, schools), and inter-personal relations (which occur in market situations, airplanes, museums, street corners, highways, etc.). Quite clearly, individual human beings are not the only social entities. Nor are all of these elements parts of an all-embracing social whole.

In view of this I provisionally describe society as the horizontal complex of all of these human relationships inter-connecting with each other in a particular culture. The many cross-currents between human beings and social structures in a modern metropolis is a good example of what I mean by society. A metropolis is a 'mini-society.'

#### *the state in society*

The state occupies a place in society, in this horizontal complex of inter-connecting human relationships. The place that the state legitimately occupies in society is to be the *integrator of public justice*. I have to add the word 'public' to justice here since there are also instances of private justice in society where the state does not - or should not - establish the content of rights. Examples of private legal rights can be found in the relations between private persons, such as the terms of a contract to sell and buy a house. Further, the relations among members within a non-state social structure are to be regulated by private law. Concretely, the relations among members

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<sup>10</sup> Harold Laski defended this conception during the last phase of his development. See B. Zylstra, *From Pluralism to Collectivism*. New York, 1968, pp. 149-156.

<sup>11</sup> See H. Van Riessen, *The Society of the Future*. Philadelphia, 1957, chapter III.

[14]

of a family, of a local church congregation, of an industrial work community, of a university, are to be regulated by private communal law. Private communal law is indeed subject to the norm of justice, but it is structurally different from the public legal order which the state is called upon to establish. For private communal law (a) pertains to the members of the specific social structure (this specificity is non-public), and (b) it is dependent upon the 'qualifying function' of the respective non-state social structure. The church order of an ecclesiastical denomination belongs to the category of private communal law: it regulates the relations between members of the denomination and it stipulates the specifically ecclesiastical rights and duties and responsibilities of these members. The same is true of industrial law: it regulates the economically qualified relations between members of the industrial work community.

The state, however, is concerned with public justice. It must establish a public legal order. The word "public" requires brief definition here. I do not use it in the sense that a worship service is open to the public or that a department store invites the public to buy its goods. When I use the word 'public' with reference to the state I mean that no person or institution that exists within its territorial boundaries can escape the state's legal order - both with respect to the rights and the duties that such a legal order organizes. To put it more positively, the state's divine office is to be the administrator of public justice for every person and institution living or domiciled within its territory. The state is the Lord's servant for our good. The content of that good is a regime of public justice.

#### **IV. Public Justice In Society**

The dispensation of public justice in the kind of society we live in requires, I think, that the state ought to pay attention to the following matters. I mention these only as illustrations of a larger thesis.

##### *1. human rights*

Earlier I said that the norm of justice requires social space for human creatureliness. A just social order involves the creation of social space of individual persons and their social structures. It is in connection with 'social space' that a Christian conception of rights ought to be developed. For a right is that measure of social space that a person or a social structure occupies in society guaranteed by the public legal order of the state. Let us first turn to the rights of persons or to 'human rights' as they have been traditionally called.

A Christian conception of human rights finds its foundation in man's creation by God and Christ's work of redemption. In the redemptive work of Christ implies the restoration of men to their creaturely status as servants of God. Outside of Christ's redemptive work men have no rights. Because of Christ's redemptive work we are called to fight for the rights of men, of all men irrespective of whether

[15]

they are Christians or not.

When I say that rights are founded in man's creation by God on in effect saying that man is created as the image of God. Human rights are not founded in an inherent dignity of human personality, as humanism claims. Human rights are founded in a dignity with which man is endowed by the Creator. This dignity, first and foremost, is to be God's imager on earth. This divinely endowed dignity requires a recognition of man's unique place and responsibility in society. In the light of this dignity as God's imager we can say that man transcends all social structures. He may not be enclosed in or enslaved by any institution.

On this basis we can say that a Christian conception of society is a conception of an open society, in which men and women have the right to reach out to God or to what they consider to be their final transcendent 'value' to which they desire to render allegiance. Man's divinely endowed dignity requires an invincible sphere of freedom for human personality. This 'sphere of freedom' is what I call the first range of social space to which men have a right. The state does not grant rights in this sphere. it acknowledges them. It must protect them. It must enhance them in accordance with the expansion of cultural and social resources in the historical process.

A single right is never absolute. Rights must be correlative to duties; the realization of rights is the avenue for the expression of responsibilities. The rights of one person may not Violate the rights of others. And the pursuit of one right should not occur at the expense of other rights. There must be a kind of simultaneity in the realization of human rights.

The realization of rights is always influenced by the dominant ideals of a cultural epoch. It cannot be denied that western individualistic liberalism has made a distinct contribution to the realization of rights in modern society: freedom of speech, freedom of association, of contract, etc. However, liberalism looked upon one right as supreme to all others, and that supremacy was found in the "right to property." John Locke, who exercised a great influence especially in the English speaking world, singled out "the preservation of property" as the chief end of government, of civil society (Second Treatise, par. 85). The supremacy of the right to property implied the neglect of the realization of other rights; it implied the willing acceptance of a class-society in which the class of property owners were given the protection of the state while the class of have-nots were left to their own devices. In our time the defense of liberalism and the pursuit of justice are distinctly at odds. This conflict is one of the contributing factors to the disintegration of our society.

How wide is the scope of human rights? Does it include the right on the part of women 'not to have children'? I think so. For even if the exercise of that right would violate the moral conscience of a segment of

[16]

the population, it does not violate the public-legal order. Hence, there should be no *legal* barriers to the sale of contraceptives to adults. But does the scope of human rights include an unlimited right to abortions? I think not. For the issue of abortion involves a distinctly new element: the presence of the life of the fetus. That life too is worthy of protection, by the mother, by the family, by the medical doctor, and by the state. I can think of no legal ground for the argument that the state's protection of human life and its rights begins at birth. As a matter of fact, unborn human life has been given a legally protected status in the matter of bequests and the provision of medical care for pregnant women out of public funds. The only legal ground for an abortion, it seems to me, lies in authoritatively ascertained conflict of interest between one human life (the mother's) and another human life (that of the fetus). It is peculiarly the state's calling to provide legal channels for an appropriate weighing of especially conflicting human interests. If it is the state's calling to protect the needs of the unprotected, its shield of justice should encompass the life of the unborn. In other words, unborn human life - in its distinct stages of growth - also has human rights that cannot be privately dispensed with, even if the private persons involved have a morality that would allow such dispensation. Abortion is not a matter of *laissez faire* liberalism.

## *2. the rights of communities and associations*

The rights of human beings ought to be acknowledged, protected, and enhanced by the state in its dispensation of justice. But rights are not limited to human beings. The institutions which men and women have formed in society - like the church and marriage and the family - and the associations which they have organized - in the industrial sector, the media, and the educational world -also have rights which the state must acknowledge.

The protection of these rights of communities and associations will often require that the state is called upon to prevent the destruction of one 'sphere' by another. To put the matter a bit more technically, the state as the integrator of public justice must prevent the violation of the internal sphere of one societal structure by another; it must prevent the development of one sector at the expense of another. We can formulate this a bit more positively: The state must create and maintain conditions that lead to the meaningful and 'open' development of all non-state social structures that contribute to human life in a particular culture. Here, too, the state must prevent friction, oppression, and enslavement.

It is at this point that a Biblically sensitive conception of the normative task of the state can make a distinct contribution to the maladjustments that we are confronted with in our society. Implicit in our conception is the freedom of industrial enterprise. However, that freedom is never absolute. When the exercise of that freedom endangers other relations in society, the state must intervene and do so

[17]

What do we now see in our culture? Its chief characteristic is the prominence of industrial production, made possible by scientific advance, technological invention, and gigantic corporatism. The expansion of the production of material and their consumption, is the highest good, the *summum bonum* of twentieth century civilization in western Europe and north America. The increase in the gross national product (GNP) is man's chief end, in comparison with which every other cultural purpose is secondary. The religion of production and consumption is the Main cause of social disarray. For it permits the corporate industrial sector to encroach upon the legitimate social space of the family, marriage, education, the arts, and the media. As a matter of fact, the very integrity of the state itself is endangered by the nearly uninhibited growth of the economic sector. For, as John Kenneth Galbraith has rightly pointed out in his books *The New Industrial Suns* (1967) and *Economics and the Public Purpose* (1973), there is a symbiosis and alliance between the world of the large corporations and political institutions which makes the proper functioning of the state itself very difficult. The state functions in the first place for the benefit of the corporate sector to the detriment of the rest of society.

The origin of this extremely one-sided cultural development must be found in a specific notion of human progress that gained pre-eminence since the days of the eighteenth-century Enlightenment. Simply put, that notion holds that progress consists in the unlimited fulfillment of man's material needs. That notion has the character of religious conviction and, since it has become the dominant force in our society, it is not readily dislodged. Especially not if the great majority of politicians of all leading political parties adhere to this conviction.

Nevertheless. I believe that precisely at this point of disarray in our society a revived consciousness of justice and stewardship as presented in the Biblical frame of reference can contribute to the alleviation of the ills of which we are all aware but for which a cure is hard to come by. In another context I hope to explore this matter in some greater detail.