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The Functions of the State

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[EDITORIAL NOTE: This is the first of a series of four articles on "Current Issues in Church-State Relations." The topics in the series are: I. The Functions of the State; II. The Role of the Church in the State; III. Religion in the Public Schools; IV. Friction Within the Social Order.]

NEITHER transportation for little Lutheran moppets to their parish school, nor the supplying of free textbooks to Roman Catholic elementary school children, nor the teaching in public schools by nuns garbed in the distinctive dress of their order, is really basic among the current issues in church-state relations. They may be, or they may become, vital because of basic principles involved and because of the wider ramifications of the single problem. The fundamental issues need clarification before particular problems are discussed.

One of the most fundamental issues involves the question of the nature of the state and its functions. With the rise of nationalism in the late Middle Ages an increasing emphasis was put on the supremacy of the state. Erastianism was advocated, making the church subservient to the state. The benevolent despots of the era of the Enlightenment were ready to practice at least a degree of religious toleration. However, the totalitarianism of the twentieth century demands a complete surrender of self to the state. Totalitarianism leaves no doubt about the primacy of the question of the functions of the state in any discussion of current issues in church-state relations.

Hegel already postulated the absolutism of the state in his *Philosophy of History*. "The State is the Divine Idea as it exists on Earth,"¹ he said. He also wrote: "... the constitution adopted

¹ *Man and the State: Modern Political Ideas*, ed. William Ehrenstein (New York: Rinehart & Co., 1947), p. 241.

by the people makes one substance — one spirit — with its religion, its art and philosophy, or, at least, with its conceptions and thoughts — its culture generally; . . .”² Heinrich von Treitschke, the German historian, recognizing the fact, as he stated it, that “cases may arise when the State’s action touches the foundation of the moral life, namely, religious feeling,” nevertheless concluded, “we must always maintain the principle that the State is in itself an ethical force and a high moral good.”³ Mussolini blandly boasted: “The State, as conceived of and as created by Fascism, is a spiritual and moral fact in itself, since its political, judicial, and economic organization of the nation is a concrete thing.”⁴ The state becomes an idol demanding obedience as well as obeisance and a surrender of self, denying the fundamental freedoms, particularly freedom of conscience. Otto Dibelius in his essay “Die Kirche und das heutige Staatsproblem” has said it emphatically: “Das heutige Staatsproblem heisst: totaler Staat, nichts anderes, durchaus nichts anderes als dieses Eine: totaler Staat.” He called the modern totalitarian state “eine politische Monomanie,” which, he said, “nichts anderes mehr denken und verstehen kann als staatliche Macht.”⁵ Karl Barth called German National Socialism “the political problem of our day.” This problem, he said, “directs itself to the whole contemporary world, and to the contemporary church.”⁶ Toward it the church cannot adopt a neutral attitude.⁷

Already in 1893 a British statesman lamented the trend which deified the state. He pleaded: “We must invert the common view of the State and the individual. We have slipped into the idea that the individual exists for the State; that the State is a sort of over-lord, a god which is supreme over us. All that superstitious mental construction must be tumbled over. The State is not an

² Ibid., p. 245.

³ Ibid., p. 252.

⁴ Ibid., p. 306.

⁵ Otto Dibelius, “Die Kirche und das heutige Staatsproblem,” *World Lutheranism of Today: A Tribute to Anders Nygren, 15 November 1950* (Stockholm: Svenska Kyrkans Diakonistyrelses Bokforlag, 1950), pp. 70, 71.

⁶ Karl Barth, *The Church and the Political Problem of Our Day* (New York: Charles Scribner’s Sons, 1939), p. 22.

⁷ Ibid., p. 29.

over-lord, it is not a god, it is only a creature of our own hands, a servant, a useful tool.”⁸

Stewart W. Herman, Jr., entitled his book *It's Your Souls We Want*, a caption which Ruff borrowed for his chapter on totalitarianism and the church.⁹ The book describes graphically “The New State Religion” of Nazi Germany in the 1930's. The National Reich Church of Germany, according to the “30-Point Church Plan,” was to be “absolutely and exclusively” in the service of the State and under its control. Race and nation were its doctrines.¹⁰

In Russia the Orthodox Church had been allied with the autocracy of the Romanovs; the fall of the latter brought about the fall of the former. A new state was created, and the gospel according to Karl Marx became the message of the new religion. State and party — if you will, state and church — in Russia became one. Elson has pointed out: “Some in our time have become accustomed to thinking of Communism as a Christian heresy, and that somehow or other this heresy might become orthodox. It is a sad error. Communism stands in juxtaposition to our faith. . . . Communism is not an adaptation of Christianity but a substitute for it. It is not a Christian heresy but a new world religion contending with Christianity for men's allegiance.”¹¹ Luther would have condemned totalitarianism; “. . . the whole notion of the modern omniscient and secular state, is not only foreign to Luther's thought but would have appeared to him as deadly blasphemy.”¹² It is recognized, of course, that even in the worst of totalitarian states there remain the faithful by the grace of God, who like the seven thousand in the Israel of Ahab have not bowed their knees to the modern Baal.

⁸ Auberan Herbert, “A Cabinet Minister's Vade Mecum,” *Nineteenth Century Opinion*, ed. Michael Goodwin (Harmondsworth, Middlesex: Penguin Books, 1951), p. 206.

⁹ G. Elson Ruff, *The Dilemma of Church and State* (Philadelphia: Muhlenberg Press, 1954), ch. 3, pp. 31 ff.

¹⁰ Stewart W. Herman, Jr., *It's Your Souls We Want* (New York and London: Harper Bros., 1943), Appendix I, pp. 297—300.

¹¹ Edward L. R. Elson, *America's Spiritual Recovery* (Westwood: Fleming H. Revell Co., 1954), p. 83. See also others, e.g., “America's Other Peril,” *The Christian Century*, LXXIII (August 1, 1956), 893, 894.

¹² E. Gordon Rupp, *The Righteousness of God: Luther Studies* (London: Hodder and Stoughton, 1953), p. 289.

Moloch might be the better term for the modern totalitarian state, for it demands the surrender of the infants, the children, the youth. This demand is made also in the name of democracy. It is made with a plea for national unity. Even liberty and freedom are used as watchwords. Justice Frankfurter put the case this way: "The ultimate foundation of a free society is the binding tie of cohesive sentiment. Such a sentiment is fostered by all those agencies of the mind and spirit which may serve to gather up the traditions of a people, transmit them from generation to generation, and thereby create that continuity of a treasured common life which constitutes a civilization."¹³

Such a judgment is postulated on the belief that national unity is the basis for national security. However, protests are raised even against such statements as tend toward the exaltation of the state in this country. When in 1939 this statement became a part of an opinion rendered by a majority of the United States Supreme Court, Justice Stone read a dissenting opinion. He said:

The guaranties of civil liberty are but guaranties of freedom of the human mind and spirit and of reasonable freedom and opportunity to express them. They presuppose the right of the individual to hold such opinions as he will and to give them reasonably free expression, and his freedom, and that of the state as well, to teach others by the communication of ideas. The very essence of the liberty which they guarantee is the freedom of the individual from compulsion as to what he shall think and what he shall say, at least where the compulsion is to bear false witness to his religion. If these guaranties are to have any meaning they must, I think, be deemed to withhold from the state any authority to compel belief or the expression of it where that expression violates religious convictions, whatever may be the legislative view of the desirability of such compulsion.

History teaches us that there have been but few infringements of personal liberty by the state which have not been justified . . . in the name of righteousness and the public good, and few which have not been directed . . . at politically helpless minorities.¹⁴

¹³ *Free Government in the Making: Readings in American Political Thought*, Alpheus T. Mason, ed. (New York: Oxford University Press, 1949), p. 820. In the majority opinion, *Minersville School District v. Gobitis*, 1939.

¹⁴ *Ibid.*, pp. 822, 823. In the dissenting opinion, *Minersville School District v. Gobitis*, 1939.

Within democratic countries the increasing encroachments of the "welfare state" may elicit a *Caesar est Deus* attitude. Something of that was noticed during the Second World War when patriotism called for supreme dedication and a uniform pattern of thought. The fires of devotion were to be fed with the faggots of Americanism. Those were extremists' sentiments, nourished in the turmoil of all-out war. That they persist, diminished and dormant, is a plausible conjecture. Patriotism and piety, nationalism and religion, democracy and Christianity, can so easily be equated into a quasi-religion labeled "Americanism."

Nor is it impossible that the cult of nationalism and the doctrine of democracy will develop into a dogmatic statement of millennial hope. Conrad Moehlman endorsed an American creed:

These twin loyalties of the American spirit—democracy and religion—represent the creed of many millions in the United States, and this creed has been well formulated by Dr. Guy Emery Shippler, editor of *The Churchman*. It will survive the ravages of this epoch of confusion:

I believe in America—an America which stands for the equal rights of all to life, to liberty and to the pursuit of happiness; which stands for duties as well as rights; which puts people first and things second; which rejects hatred and intolerance, the bulwarks of slavery, and cherishes goodwill and understanding, the bulwarks of freedom.

I believe in America—an America fashioned from the fibre of many races and people, where none shall know discrimination and all shall have respect; an America where the decencies of brotherhood can be practiced under a common Fatherhood; where sacredness of the individual is not lost under the domination of the state, and where the church of God speaks not with the voice of a dictator but with the Voice of God.

I believe in America—an America strong through the high warrants of the Bill of Rights—the rights of freedom of speech, freedom of press, freedom of assembly and freedom of religion; an America which stands not for selfish isolation but for courageous cooperation with all men and nations of goodwill; which dares to dream of a Kingdom of God on earth, when wars shall have ceased throughout the world and the principles of the Prince of Peace, of Love and Brotherhood, shall rule in the hearts of men everywhere.

I believe in America—an America which shall be the consummation of all the Utopian dreams of all the dreamers of the world—a Commonwealth of Goodwill.

I believe in America.¹⁵

Franklin Delano Roosevelt's famous "Four Freedoms" (January 6, 1941) included the "freedom of every person to worship God in his own way—everywhere in the world."¹⁶ The Charter of the United Nations (signed on June 26, 1945) provided for a General Assembly, which should "initiate studies and make recommendations for the purpose of: . . . assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."¹⁷ The United Nations pledged itself to promote "universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion."¹⁸ The Universal Declaration of the Rights of Man (December 1948) allows freedom of religion.

The Declaration of Washington issued by Sir Anthony Eden and President Dwight D. Eisenhower "ringingly defined," it has been said, "the moral gulf between the Free and the Communist world." It begins: "We are conscious that in this year 1956 there still rages the age-old struggle between those who believe that man has his origin and his destiny in God and those who treat man as if he were designed merely to serve a state machine." The existence of the state for the benefit of the individual is affirmed. The desire of Communism to extend its doctrines "by every possible means until it encompasses the world" is recognized. Definite aims are established for the society of free nations. "We shall help ourselves and others to peace, freedom and social progress, maintaining human rights where they are already secure, defending them when they are in peril, and peacefully restoring them where they have temporarily been lost. While resolutely pursuing these aims,

¹⁵ Conrad H. Moehlman, *The Wall of Separation between Church and State*, An historical study of recent criticism of the religious clause of the First Amendment (Boston: Beacon Press, 1951), p. 202.

¹⁶ *Fifty Major Documents of the Twentieth Century*, ed. Louis L. Snyder, Anvil Books (New York: D. Van Nostrand Co., Inc., 1955), p. 90.

¹⁷ *Ibid.*, p. 158. Ch. IV, Art. 13, of the Charter of the United Nations.

¹⁸ *Ibid.*, p. 169. Ch. IX, Art. 55. See Art. 56 for the pledge.

which are the products of our faith in God and in the peoples of the earth, we shall eagerly grasp any opportunity to free mankind of the pall of fear and insecurity which now obscures what can and should be a glorious future."¹⁹

It is not the thought of this writer to label this profession of faith in God as a mixing of church and state or a violation of the sacred principle of the separation of church and state. It is cited merely to indicate that statesmen recognize that the ideological problem of today is — as MacArthur on the deck of the battleship *Missouri* in 1945 labeled the basic problem of today — a theological one.

The twentieth century is an age of swift-moving social developments. Perhaps nowhere in the world are changes taking place more rapidly than in Asia, Africa, and Latin America. Among the issues facing these peoples are responsible citizenship, urban-rural relationships, and the impact of foreign forces. Ought the churches to be concerned about these problems? Nationalism is rampant in these countries. Questions such as these have been asked: "Can the Christian faith agree with the view that man is primarily the product of a nation? And if not, where in the Christian conception of man does his nationality find its place? Does it make any difference that the nation is avowedly and actively non-Christian? What is the motivation for responsible citizenship which Christians have to offer? Does Christian knowledge of God contribute to an understanding of these fundamental aspects of national life?"²⁰ Again, the omnicompetence and totalitarianism of many of the governments of these countries raise serious questions.²¹ The questions to be raised in themselves become, or at least may become, issues in current church-state relations.

The issue involved is not merely separation of church and state, or church-state conflicts, but the issue of the basic rights of the individual. Since Sacred Scripture does not speak of "rights," but rather of mutual obligations and considerations for others *coram Deo*, it is better to ask: What are the obligations of the govern-

¹⁹ "The Essence of the Struggle," *Time*, LXVII (February 13, 1956), 14.

²⁰ Robert S. Bilheimer, "Theological Aspects of Rapid Social Change," *The Ecumenical Review*, VIII (January 1956), 166.

²¹ *Ibid.*, p. 169.

ment toward the individual? toward the Christian? toward the church?

Scripture has very little to say about the duties and functions of government. The civil power is of God. He is "God's servant for you for good" (Rom. 13:4). The phrase θεοῦ διάκονος is so general that all that can be known from it is that God carries on His administration of the civil order through these appointed functionaries.²² It is not the particular concern now, however, who they may be, absolute monarchs, benevolent despots, dictators, constitutional kings, *fürbrers*, elected officials of the Federal or state or municipal entity, perhaps even political bosses and ward heelers. The concern is with the functions of government. Government is a servant of God—and it is significant that Paul repeats θεοῦ διάκονος—to execute His wrath on the wrongdoer. The one who does what is contrary to law is to be punished. The one who keeps the law—who does good—is to have praise, ἔπαινος, approval. St. Paul uses this term; St. Peter repeats it (1 Peter 2:14). What is this approbation? Is it merely the protection which the government renders? Is it a synonym of τὸ ἀγαθόν? Preisker designates ἔπαινος as "ein charakteristisches Lebensziel der alten Welt," a characteristic goal of life given by gods or men, individuals or groups. In the Old Testament period praise was given to the righteous through the congregation (Sir. 39:10; 44:8, 15) or by God (2 Chron. 21:20).²³ In the New Testament the praise has meaning only if it is the praise conferred by God's agents. The entire paragraph reads:

Deswegen ist auch im Erdenleben für die Christen nicht schon jede beliebige *menschliche Anerkennung* entscheidend, sondern ἔπαινος gilt nur, wo solche *Anerkennung durch Beauftragte Gottes* ausgesprochen wird. So hat zum ἔπαινος nur Recht: *a.* die christliche Gemeinde als Leib, dh das Sichtbare des erhöhten, sonst unsichtbaren Herrn. . . . Und neben der Gemeinde steht als von Gott beauftragt *b.* die Obrigkeit R 13,3; 1 Pt 2,14. Sie hat die

²² To Luther, whose "deepest convictions were determined by his conception of God," as Wilhelm Pauck expressed it, *The Heritage of the Reformation* (Boston, Mass.: Beacon Press, 1950), p. 17, they are the veils, *larvae* of God.

²³ Article in Gerhard Kittel, *Theologisches Wörterbuch zum Neuen Testament* (Stuttgart: Verlag von W. Kohlhammer, 1935), II, 583.

Befugnis, ἔπαινος zu erteilen als Dienerin Gottes (R 13,4), nur als eine von Gott in seinem Endzielwillen gesetzte Ordnung, "um des Herrn willen" (1 Pt 2,13). Also gehört es zu den Funktionen der Gottbeauftragten, ἔπαινος auszusprechen; aber eben nur solcher ἔπαινος hat Wert. So ist ἔπαινος also Vollmachtsübung der von Gott Beauftragten, der Gemeinde, und der Obrigkeit.

Nur an einer Stelle im NT wird ἔπαινος ganz im Sinne der Antike gebraucht: Phil 4,8. Hier besagt es nichts anderes als die allgemeine menschliche Anerkennung, ist ein Begriff des bürgerlichen Lebens, wie diese ganze Stelle nur rein bürgerliche Begriffe aufweist.²⁴

The question still remains, Is ἔπαινος here a synonym of τὸ ἀγαθόν? This word, "the good," was a favorite word of the Greek philosophers. Aristotle's *On Politics* opens with this sentence: "Seeing that every state is a sort of association and every association is formed for the attainment of some Good—for some presumed Good is the end of all action—it is evident that, as some Good is the object of all associations, so in the highest degree is the supreme good the object of that association which is supreme and embraces all the rest, in other words, of the State or political association."

Τὸ ἀγαθόν is one of these deceptive "easy" words. Sure, it means, the good; in the plural, "goods." It has economic implications. There can be doubt, as has been pointed out, that the basic meaning of the term includes a broad humanistic connotation.²⁵ There is no intention of reviewing the Greek philosophic thought tied up in this term. However, in the LXX τὸ ἀγαθόν is used for בִּינָה. In the New Testament, "One is the Good" (Matt. 19:17), is said of God. He is the Giver of every good and perfect gift (James 1:17). It is the function of government to serve for good.²⁶ Hence it is not doing violence to Scripture to maintain that governments are God's servants for the temporal welfare, for the social and economic good of the citizen. The word σοί is not to be restricted to the believer, the member of God's church. God, who regulates

²⁴ Ibid., II, 584.

²⁵ Ibid., I, 10; cf. pp. 10—14 for the meaning of the term in Greek philosophy and Hellenism.

²⁶ Ibid., I, 14—16.

nature and has a regard for the birds and the beasts and the flowers, has instituted government as His servant for the *good* of men.

Stoeckhardt defines this concept: "Nun wohl, so thue nur das Gute, wie es dir auch als Christ zukommt, und befeissige dich der Ehrbarkeit gegen jedermann; so hast du die Obrigkeit nicht zu fürchten, sondern wirst vielmehr 'Lob von ihr haben,' das Lob eines guten Bürgers und Unterthanen. Denn sie ist überhaupt 'Gottes Dienerin dir zu gut,' von Gott dazu gesetzt, dir, dem, der da Gutes thut, Gutes zu erweisen, dich zu schützen und zu verteidigen." ²⁷

Nygren stresses that "the earthly ruler is *the servant of God in the aeon of wrath*. . . . He who does good does not bring the sword down on himself. For him the ruler is God's servant for your good." ²⁸

Most of the commentators who have been consulted pass over the term very glibly and very lightly. Shedd says simply, "'for your advantage,' in the way of praise and protection." ²⁹ Godet says: "The *praise* of which the apostle speaks consists, no doubt, in the consideration which the man of probity generally enjoys in the eyes of the magistracy, as well as in the honourable functions which he is called by it to fill. If it is so [that government is a servant of God for good], it is because magistracy is a divine ministry, instituted for the good of every citizen (σοί, *to thee*), and because, though it may err in the application, it cannot in principle deny its charge to assert justice." ³⁰ Haldane remarks that government promotes the good of society, especially the good of the Christians. "Were the restraints of government removed, Christians would be attacked, persecuted, or destroyed in any country." ³¹

²⁷ G. Stoeckhardt, *Commentar ueber den Brief Pauli an die Roemer* (Saint Louis: Concordia Publishing House, 1907), p. 580.

²⁸ Anders Nygren, *Commentary on Romans*, trans. Carl C. Rasmussen (Philadelphia: Muhlenberg Press, 1949), pp. 429, 430.

²⁹ William G. T. Shedd, *Critical and Doctrinal Commentary Upon the Epistle of Paul to the Romans* (New York: Charles Scribner's Sons, 1879), p. 378.

³⁰ F. Godet, *Commentary on St. Paul's Epistle to the Romans*, trans. A. Cusin, twelfth impression (Edinburgh: T. & T. Clark, 1934 [1881]), II, 310.

³¹ Robert Haldane, *Exposition of the Epistle to the Romans* (New York: Robert Carter & Bros., 1857), p. 594.

And Philippi: "... for good, profit, advantage (viii:28), partly in according thee praise, partly in protecting and defending thee (1 Tim. 2:2). . . . authority is God's servant appointed to minister to the happiness of its subject."³² Hodge, too, is general. "Government is a benevolent institution of God, designed for the benefit of men . . . they [those in power] are the servants of the people as well as the servants of God, and . . . the welfare of society is the only legitimate object which they as rulers are at liberty to pursue."³³

Much more important are the thoughts of John Calvin on Rom. 13:3, 4. He says: "... the Lord has designed in this way to provide for the tranquillity of the good, and to restrain the waywardness of the wicked; by which two things the safety of mankind is secured: for except the fury of the wicked be resisted, and the innocent be protected from their violence, all things would come to an entire confusion." When he speaks of "the native duty of the magistrate," he mentions also the wicked prince, who is "the Lord's scourge to punish the sins of the people."

At the same time, princes do never so far abuse their power, by harassing the good and innocent, that they do not retain in their tyranny some kind of just government: there can then be no tyranny which does not in some respects assist in consolidating the society of men.

He has here noticed two things, which even philosophers have considered as making a part of a well-ordered administration of a commonwealth, that is, rewards for the good and punishment for the wicked. The word *praise* has here, after the Hebrew manner, a wide meaning.

Magistrates may hence learn what their vocation is, for they are not to rule for their own interest, but for the public good; nor are they endued with unbridled power, but what is restricted to the well-being of their subjects; in short, they are responsible to God and to men in the exercise of their power. For as they are deputed by God and do His business, they must give an account to Him: and then the ministration which God has committed to

³² Friedrich Adolph Philippi, *Commentary on St. Paul's Epistle to the Romans*, translated from the third improved and enlarged edition by J. S. Banks (Edinburgh: T. & T. Clark, 1879), II, 298, 299.

³³ Charles Hodge, *Commentary on the Epistle to the Romans*, New edition (Edinburgh: Andrew Elliot; James Thin, 1864), pp. 407, 408.

them has a regard to the subjects, they are therefore debtors also to them. And private men are reminded, that it is through the divine goodness that they are defended by the sword of princes against injuries done by wicked.³⁴

Calvin in the *Institutes* listed six points as the duty of governments—they have been separated to stand out sharply:

- a) to foster and maintain the external worship of God;
- b) to defend sound doctrine and the condition of the church;
- c) to adapt our conduct to human society;
- d) to form our manners to civil justice;
- e) to conciliate us to each other;
- f) to cherish common peace and tranquillity.³⁵

Luther, however, clearly recognized the limits of governmental functions:

The wordly power exercises laws which extend no farther than to life and property and such external matters on earth. For over the soul God can and will let no one rule but Himself. Therefore, when temporal power presumes to legislate for the soul, it usurps God's government and only seduces and destroys men's souls. We desire to make this so patently clear that everyone can understand it and that our Junkers, princes, and bishops may see what fools they are when they seek to coerce people with their laws and mockery into believing thus and so.³⁶

The question of the functions of the state is not merely a national but also an international issue. Beyond the narrow horizons of a narrow nationalism looms the economic interdependence, for one thing, of the nations. The surplus cotton of the Southern States cannot be "dumped" on the world market, for that will upset the economy of Egypt and South America. The economic penetration of Communist goods, for instance, in the Middle East and in Africa, brings on talk of the union of Islam and Christianity. The devastating destruction of modern warfare and the high cost of armaments

³⁴ John Calvin, *Commentaries on the Epistle of Paul the Apostle to the Romans*, trans. and ed. John Owen (Grand Rapids, Mich.: Wm. B. Eerdmans Publishing Co., 1947), pp. 480, 481. The commentary was written in 1539.

³⁵ *Institutes* II, iv. 521, as quoted by William A. Mueller, *Church and State in Luther and Calvin* (Nashville, Tenn.: Broadman Press, 1954), p. 138.

³⁶ "An Open Letter Concerning the Hard Book Against the Peasants," *Works of Martin Luther*, Philadelphia ed., IV, 266, as quoted by W. Mueller, *op. cit.*, p. 42.

during a cold war, basically unmodified by the thawing process of the Geneva spirit, have so drained the nations that governments seem to be failing in the execution of their primary functions. These functions have been summarized by Luther: "The world also has its kings, who rule by divine authority, as St. Paul says: 'All authority is from God' (Rom. 13:1). And yet they are, as St. Peter calls them, a 'human institution' (1 Peter 2:13), that is, established by human arrangement, with only the care of corporeal things entrusted to them."³⁷

Diplomacy, loose federations, pacts, regional alliances, all seem to be futile expedients for keeping the peace, yet peace is the highest good which a government can promote and next to the execution of justice its basic *raison d'être*. Political imperialism has failed in the twentieth century to insure the common welfare of subject peoples. In the face of such failures in Algeria or Cyprus, Indochina or India, the obvious need—at least it seems like an obvious need—for a United States of Europe and the United Nations is apparent and with that problem comes the inescapable question of sovereignty.

The question of sovereignty involves fundamental questions regarding the functions of government. Here the church has an obligation to supply answers on the basis of Scripture. The powers are the servants of God "unto thee for good." Direct applications of this truth can be made. If a supergovernment is needed to which each nation surrenders some measure of sovereignty in order to promote the peaceful use of the atom, such a supergovernment is a θεοῦ διάκονος. It is not merely the question of human survival and the obligation of the powers-that-be to protect the citizens of the state. For the advancement of the "good" of its citizen the utmost potentialities of nuclear power should be explored—the development of power to propel cars and ships and planes and trains, radiation for the healing of malignant, life-destroying cells, stimuli for the production of foods and fabrics to feed and clothe populations far in excess of those which the pessimistic Rev. T. R. Malthus feared could only starve. The advancement of the "good" means the regulation of business organizations whose wealth and

³⁷ *Luther's Works: Selected Psalms I*, American ed. (St. Louis: Concordia Publishing House, 1955), XII, 36.

resources and influence far exceed those of many municipalities and some states. When an investment in an oil company means that the investor earns and owns but does not manage or control, the question of his responsibility and the responsibility of the government comes to the fore. If that company is an international cartel, the "good" of a national citizen may demand that an international government regulate international trade for the good of other nationals.

The common good of a world citizenry would seem to indicate a surrender of "legislative power, executive power, judicial power, with the coercive power necessary to enforce the law"³⁸ to some form of supergovernment. Within such a government the basic freedoms would have to be preserved. Religious liberty and the rights of consciences would have to be safeguarded. The super-state would still be faced, too, with the questions of justice and morality. It has been said that "a new social morality which redefines the rights and the responsibilities of both individual human beings and of voluntary economic organizations is required in this emerging order of associated human living."³⁹

Moreover, the haunting fears caused by the frightful weapons of a new age and the pervasive sense of guilt which seems to be the heritage of Western civilization are compelling men to probe the total fabric of life and the interrelations in the social order. The basic need, a free-lance writer and journalist of St. Louis, A. Mervyn Davies, has maintained, is "finding some means of reasserting a moral sovereignty over all of life. . . . One principle must govern all, and it must be moral principle. Similarly our society cannot afford amorality, particularly in the important areas of science, industry, government, and education."⁴⁰ A dynamic Christianity, which to him means Calvinism, is needed today. "The problem of the state and how to keep it within moral limits is as grave a problem for us as it was for Calvin," he says. To that he adds the problem of order in the international realm and the prob-

³⁸ Jacques Maritain, *Man and the State*, Phoenix Books, fourth impression (Chicago: University of Chicago Press, 1956), p. 199.

³⁹ John L. Childs, *Education and Morals: An Experimentalist Philosophy of Education* (New York: Appleton-Century-Crofts, Inc., 1950), p. 121.

⁴⁰ A. Mervyn Davies, *Foundation of American Freedom* (New York and Nashville: Abingdon Press, 1955), p. 238.

lem of achieving social equality, problems to be answered, he believes, in a return to the obedience of a Higher Authority and a sense of destiny. He does not want the advancement of an "uncritical Americanism," a substitution of America for God, the worship of power. The solution he finds in Calvin's thought, for whom "the sovereignty of God meant . . . the sovereignty of truth and justice, love and righteousness, wherever found."⁴¹ Such a solution, however, injects the functions of the church into the functions of the state.

Morality in the relationships between nations is no new problem. The problem of order in the international realm is, however, acute today because of the impotency of international law. No form of supergovernment can succeed unless a moral basis, not merely a juridical one, is established for its existence. The moral basis can be found in the *ius gentium* and the Natural Law. Robert M. Hutchins, speaking on "St. Thomas [Aquinas] and the World State" in 1949, demonstrated that "the concept of a pluralist world-wide political society perfectly squares with the basic principles of Thomas Aquinas' political philosophy."⁴² Nevertheless the Roman Catholic Church ought not to usurp the right to speak for Christendom as a whole nor seek to direct the functions of the state.

The readiness of both the Calvinists and the Romanists to confuse the political order with the ecclesiastical order must be resisted, as must the readiness to confuse the moral and the spiritual, or the common good and the Gospel of salvation. The limits of the functions of government, too, must be recognized. On the one hand those limits in the temporal (social and economic) sphere may be defined broadly—as broad as the "good" for which it is a "servant of God unto thee." On the other hand any effort to claim the souls of men is cause for alarm and a usurpation of functions in God's order. Because of the trend toward a religion of Americanism and the obvious dangers of totalitarianism the functions of the State need to be clearly understood by churchmen and political leaders alike.

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⁴¹ Ibid., p. 245; see pp. 241—248.

⁴² Cited by Jacques Maritain in *Man and the State*, p. 197.